

Use of Force Reporting Procedures

Line-Up Training Topic #8



PURPOSE

- The purpose of this training is to familiarize staff with the Sheriff's Office approved procedures for reporting use of force.



POLICY

- This training is conducted in adherence to Sheriff's Office Policy and Procedure Section 11.
- During the course of their official duties, Detention Services Bureau personnel may use objectively reasonable force to effect an arrest, prevent escape, overcome resistance, and maintain or restore order. Sworn staff shall use the Department approved techniques, equipment and tactics in controlling the incarcerated person or incident.

POLICY (Continued)

- It shall be the policy of this Department whenever any Deputy Sheriff, while in the performance of their official law enforcement duties, who has reasonable cause to believe that the person to be arrested has committed a public offense may use **objectively reasonable** force to effect the arrest, to prevent escape, or to overcome resistance.
- Deputies shall not lose their right to self-defense by the use of reasonable force to effect the arrest, prevent escape or overcome resistance *(see 835(a) P.C.)*.

POLICY (Continued)

- Deputies shall utilize appropriate control techniques or tactics which employ maximum effectiveness with minimum force to effectively terminate or afford the deputy control of the incident. The use of force and subsequent reporting must be in accordance with the procedures set forth in these guidelines (*Policy and Procedures Section 6.48*).

DEFINITION

- Force is a physical action applied to the body of another to overcome resistance and achieve control or compliance.
- Force includes the pointing of any weapon designed to fire a projectile and any incident involving the actual or attempted detention of a subject at gunpoint (defined as holding the barrel of the weapon on target).



GENERAL DEFINITIONS

- Arm guidance
- Controlling force
- Lethal/Deadly force
- Imminent
- Physical force
- Reasonable force
- Serious injury
- Unreasonable or excessive force
- Weapon



TYPES OF RESISTANCE

- **Passive Noncompliance**
- **Active Resistance**
- **Assaultive Behavior**
- **Life-Threatening Behavior**



TYPES OF CONTROL

- Deputy Presence
- Verbal Control
- Physical Control
- Restraint Devices
- Pointing of Weapons
- Chemical Agents
- Impact Weapons
- Less Lethal Munitions/Projectiles
- Conducted Energy Devices (CED)
- Canines
- Firearms
- Deadly Force
- Improvised Weapons or Techniques

SERIOUS INJURY

A bodily injury that involves a substantial risk of death, unconsciousness, protracted and obvious disfigurement, or protracted loss or impairment of the function of a bodily member or organ.

FORCE

- Physical action applied to the body of another to overcome resistance and achieve control or compliance.
- Includes the pointing of any weapon designed to fire a projectile and any incident involving the actual or attempted detention of a subject at gunpoint (defined as holding the barrel of the weapon on target).

PROCEDURES

- If the employee determines that the use of force is necessary, they shall use only that force which is reasonable for the situation.
- Force shall never be used as a form of punishment or discipline.

REPORTING PROCEDURES

- On every occasion when physical force has been applied to overcome a subject's resistance, deputies (or other employees involved) must verbally inform their supervisor as soon as practical, but no later than the end of shift. This includes the pointing of any defensive devices as outlined in Detention Policy and Procedures Section 1.85.

REPORTING PROCEDURES

- Whenever physical force used by a deputy results in a complaint of injury or an injury of a subject, seek immediate medical evaluation and/or treatment, and notify a supervisor.

REPORTING PROCEDURES

All deputies (or other employees) involved in the Use of Force incident must clearly articulate in written form in NicheRMS all facts surrounding the incident, including:

- The reason force was used.
- Type of force used.
- What were the effects of the use of force?
- What negative events would have occurred if force were not used?
- Subsequent action taken by the deputy.
- Supervisors and/or investigating deputies will make every attempt to identify and interview all identifiable witnesses, including incarcerated persons. In all incidents where force is used photographs will be taken of the incarcerated person where force was applied and of any injuries. Photographs of any resulting property damage will also be included.



REPORTING PROCEDURES

- All deputies who witness force resulting in serious bodily injury must document their observations in writing. Professional Staff who witness force resulting in serious bodily injury shall be interviewed. Whenever possible, interviews will be recorded.
- Deputies who only witness force not resulting in serious bodily injury will be listed as witnesses in the primary report.
- The Facility Commander shall be notified of all disparate reports.

REPORTING PROCEDURES

- After the use of any restraint equipment, defensive device, impact weapon or chemical agent upon a subject, a **MEDICAL EVALUATION** is required, and the resulting treatment will be documented in the necessary reports.

REPORTING PROCEDURES

- A San Diego County Sheriff's Department Supplemental Use of Force Report will be completed for each incident documenting all force used.
- Multiple forms will be used if multiple incarcerated persons are involved.



What did the subject do? What was the result of your force?
What occurred after your force?

Verbal commands: before, during, and after.

Be specific, what did you instruct the subject to do? Did the subject comply? How?

Take photos/gather video

REVIEW AND FILING OF RECORDS

- Use of Force incidents will be documented in NicheRMS with supporting DOCUMENTATION, PHOTOGRAPHS and VIDEO FOOTAGE. If no video footage is available, it will be documented in the narrative of the report.
- All reports documenting the use of force will be reviewed, via the chain of command, to the level of the Facility Commander. Case review entries will be made in NicheRMS in the case details. Any supervisor within this chain of command may order that an administrative follow-up be initiated. This order will set forth the degree and nature of follow-up investigation. The approved original of all Crime/Arrest Reports, Deputy's Reports, appropriate medical reports, etc., should be processed according to standard operating procedures in a timely manner and not be withheld pending follow-up investigative reports, or for any other reason.



REVIEW AND FILING OF RECORDS

If a follow-up investigation for the use of force is ordered, it may be assigned to detention facility staff supervisor, Internal Affairs, or other appropriate investigators. If the investigation is to be assigned to investigators other than detention facility staff, a copy of the assignment request will be routed to the appropriate detention bureau commander



USE OF FORCE OCCURRING OUTSIDE A DETENTION FACILITY

- If a Deputy uses force on an incarcerated person while in route to or from a detention facility, courts or clinics, the deputy shall obtain a medical evaluation and needed treatment for the incarcerated person. The incident shall be verbally reported as soon as possible to the responsible detention facility supervisor and their immediate supervisor. The deputy shall complete a Use of Force report and submit it as soon as possible.
- The deputy who used the force shall notify the supervisor at the incarcerated person's destination as soon as practical.

The background of the slide features a large, faint, light-gray seal of the San Diego County Sheriff's Office. The seal is a seven-pointed star with a central circular emblem. The emblem depicts a Minuteman soldier standing on a rock, holding a long rifle. To his left is a ship on the water, and to his right is a landscape with a rising sun and mountains. The words "SHERIFF" and "EUREKA" are arched above the central figure, and "SAN DIEGO COUNTY" is arched below. The star's points are decorated with floral patterns.

Questions?

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DETENTION TRAINING UNIT