

## USE OF FORCE – FACILITIES

- AUTHORITY:** Administrative Directive  
 California Penal Code (CPC) 196, 832.7, 832.8, 835, 835a, 836.5(b), 3407, 6030(f), 6035, and 6036  
 Government Code Section 7286, 12525.2  
 Welfare and Institutions Code 222  
 Title 15 Minimum Standards for Juvenile Facilities Sections 1302, 1357, Title 22 Section 100014 and 100017 California Code of Regulations  
[Executive Order: Save Policing for Safe Communities \(Signed June 19, 2020\)](#)
- RESCINDS:** Procedure Manual Item 3-1-015, 01/10/23
- FORMS:** Restraint Report (F057-6305)  
 Special Incident Report (F057-7018)
- PURPOSE:** To establish written policies and procedures for the use of force options available to Deputy Juvenile Correctional Officers (DJCOs), Senior Juvenile Correctional Officers (Senior JCOs), and Supervising Juvenile Correctional Officers (SJCOS) in the course and scope of their duties. For this Procedural Manual item (PMI), the acronym DJCO and the term “officer” will apply to DJCOs and Senior JCOs. The term “youth” refers to individuals under the jurisdiction of the juvenile court up to the age of 25.

### I. GENERAL INFORMATION

#### A. Scope and Philosophy

1. **Per Section 1357 of Title 15, the facility administrator, in cooperation with the responsible physician, shall develop and implement written policies and procedures for the use of force, which may include chemical agents.**
2. The purpose of juvenile facilities is to provide a safe and secure environment for incarcerated youth, staff, and visitors.
3. DJCOs are peace officers as defined by CPC § 830.5 and have limited peace officer authority. Through the normal course and scope of their duties, they may be called upon to use force for lawful purposes.
4. The authority to use physical force is a serious responsibility that shall be exercised judiciously and with respect for human rights, dignity, and the sanctity of every human life.
5. *Title 15 Minimum Standards for Juvenile Facilities* defines force and the parameters for when force can be used.
  - a. Pursuant to Section 1302, the use of force is defined as an

immediate means of overcoming resistance and controlling the threat of imminent harm to self or others.

- b. Section 1357 restricts the use of force to what is deemed reasonable and necessary to ensure the safety and security of youth, staff, others, and the facility.
  - (1) Section 1302 defines “reasonable and necessary force” to mean the amount and type of force that an objective, similarly trained, experienced, and competent youth supervision staff, faced with similar facts and circumstances, would consider necessary and reasonable to ensure the safety and security of youth, staff, others, and the facility.
6. According to CPC Section 835a(b), a peace officer may use objectively reasonable force for the following reasons:
  - a. to effect an arrest
  - b. to prevent escape
  - c. to overcome resistance
7. Every person has the right to be free from excessive use of force by officers acting under the color of law.
  - a. The department will not tolerate excessive force as defined by Penal Code Section 835a, Gov. Code 7286(a)(2), other laws, and this policy.
  - b. Excessive force is defined as less than lethal force which is not objectively reasonable, lethal force that is not necessary and any force that violates this policy.
  - c. In no circumstances shall force be used as punishment, discipline, retaliation, or as a substitute for treatment.
  - d. DJCOs shall use a level of force that they reasonably believe is proportional to the seriousness of the suspected offense or the well perceived level of actual or threatened resistance.
  - e. Force shall not be used on any individual that appears to be under control.
8. DJCOs shall carry out their duties, including the use of force, in a fair and unbiased manner.
9. It is recognized that circumstances may arise in which DJCOs need help to effectively use the tools, weapons, or methods provided by the Department. In such circumstances, they may use alternative items or methods readily available to them, so long as the item or method was utilized objectively and only to the degree that reasonably appears

necessary to accomplish a legitimate law enforcement purpose. In all circumstances, DJCOs are expected to exercise sound judgment and critical decision-making when using force options.

10. The use of force options and responses have been developed in consultation with the Juvenile Orange County Health Care Agency physician.
11. Under Government Code Section 12525.2, the department is required to report specific use of force incidents through the California Department of Justice application URSUS monthly. Specific to DJCOs' duties and use of force options, the following use of force events will be reported:
  - a. An incident in which the use of force by a peace officer against a youth resulted in a serious bodily injury or death.
    - (1) "Serious bodily injury" means 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.
  - b. An incident in which the use of force by a youth against a peace officer resulted in serious bodily injury or death.
  - c. When a reportable incident has occurred, the Professional Standards Division Assistant Division Director (ADD) overseeing the Range or designee will make the appropriate notification to the Department of Justice application URSUS. As statutorily required, the following information will be included, but not limited to:
    - (1) The gender, race, and age of each individual who was shot, injured, or killed.
    - (2) The date, time, and location of the incident.
    - (3) Whether the civilian was armed, and if so, the type of weapon.
    - (4) The type of force used against the officer, the civilian, or both, including the types of weapons used.
    - (5) The number of officers involved in the incident.
    - (6) The number of civilians involved in the incident.
    - (7) A brief description of the circumstances surrounding the incident, which may include the nature of injuries to officers and civilians and perceptions of behavior or mental disorders.
12. Any DJCO who has an abuse of force complaint against them sustained is prohibited from training other staff for three years from the date the complaint was sustained. Sustained means a final determination following

an investigation and opportunity for an administrative appeal under Sections 3304 and 3304.5 of the Government Code that the actions of the DJCO were found to violate law or department policy.

13. DJCOs shall intercede when present and observing another officer using force that is clearly beyond that which is reasonable and necessary, as determined by an objectively reasonable officer under the circumstances, based upon the totality of information actually known to the officer, taking into account the possibility that other officers may have additional information regarding the threat posed by a subject.
  - a. Intercede includes but is not limited to taking affirmative action to physically stop the excessive or inappropriate use of force and confronting the offending DJCO during the use of force.
  - b. If the offending DJCO continues using force, the witnessing DJCO must immediately report the incident to their immediate supervisor, including the offending DJCO's name, location, time, and details of the incident.
  - c. In all instances of excessive force, the witnessing DJCO shall report the incident verbally and in writing to their immediate supervisor at the earliest possible opportunity.
  - d. Retaliation against the reporting DJCO is prohibited. Retaliation includes demotion, failure to promote to a higher position when warranted by merit, denial of access to training and professional development opportunities, denial of access to resources necessary for a DJCO to properly perform their duties, or intimidation, harassment, or the threat of injury while on duty or off duty.
  - e. Any DJCO that has been trained on the requirement to intercede and fails to act can be disciplined up to and including in the same manner as the DJCO that committed the excessive force. DJCOs will be advised and receive training on the requirement to intercede during their attendance at mandatory biennial training: Facility Safety Review and Defense and Control Tactics. Additionally, DJCOs will be required to review updates to this PMI, which must be completed at a minimum of every two years.
14. All reports of excessive force will be referred to the Professional Standards Division for review of the excessive force and the requirement to intercede.
15. Employees shall comply with Policy Number C-16 Employee Conduct – On Duty, which requires any employee who observes or is aware of an employee violating the law and/or departmental policy and procedure to report this to a supervisor at the earliest possible opportunity. Further, all employees are responsible for reporting any situation that poses a threat to the health and safety of staff and clients under the Probation Department's jurisdiction.
16. The activities listed below are not considered use of force events. However,

if the activity results in injury, the appearance of injury, or a complaint of pain, the incident should be reported verbally and in a written report to the officer's supervisor.

- a. The use of handcuffs, shackles, transportation belts, martin chains, or flex cuffs when used to restrain youth for movement or transportation.
  - b. Using a firm grip to control while performing routine functions such as searching, handcuffing, or escorting.
  - c. Using a firm grip/hand hold to assist or escort a restrained person.
  - d. Performing reasonable interventions necessitated by the physical incapacity of a youth (e.g., steadying or lifting an intoxicated or disabled person).
17. Consistent with Procedural Manual Item (PMI) 1-1-A Probation Department Procedure Manual, this PMI will be reviewed and updated at a minimum of every two years or when directives change based on legislation, court decisions, county directives, or practice.

## II. TRAINING

- A. DJCOs must complete the following departmentally authorized training before being authorized to utilize any use of force option:
  1. Juvenile Corrections Officer (JCO) core course approved by the Board of State and Community Corrections and the Standards and Training for Corrections (STC) Program authorized by Title 15, Division 1, Subchapter 1, Articles 1-9, Section 100-358 of the California Code of Regulations (CCR). Currently, the JCO core course includes 168 hours of required training. The following topics, related to the use of force, working with vulnerable populations (e.g., individuals who are pregnant, individuals with physical, mental, and developmental disabilities, etc.), and de-escalation are addressed in the JCO core course:
    - a. Defensive Tactics and Restraint Techniques (33 hours), including modules on the use of force, control holds, falling, footwork and balance, take-downs, ground control, personal body weapons, person searches, use of restraints, and room extractions.
    - b. Behavioral Health (24 hours) including signs and symptoms of substance abuse, trauma, interventions and resources, stigma and bias, roles and responsibilities, liability, suicide prevention, foundations, and definitions: signs and symptoms, safety, and emotional survival.
    - c. Communication (9 hours), including interpersonal communication, crisis communication and de-escalation, and effective communication.
    - d. Cultural Awareness (4 hours), including cultural diversity and ethnic

disparity, and gender identity.

2. Prior to authorization to carry Oleoresin Capsicum Spray (OC Spray), DJCOs must complete 8 hours of Chemical Agents training. After that, DJCOs must complete the Facility Safety Review training and Defense and Control Tactics training at the frequencies noted below in sections II.A.3.d. and II.A.3.e.
3. In addition to completing the JCO core course, DJCOs must complete 24 hours of STC training annually. Each DJCO will be scheduled for all mandatory training and notified electronically by the Strategic Support Division. It is the responsibility of the DJCO to attend all scheduled compulsory training and/or reschedule any missed mandatory training. Specifically, DJCOs are required to complete the following classes:
  - a. Mental Health: We Can't Escape It, So Let's Handle It (8 hours biennially)
  - b. Crisis Intervention and Behavioral Health Training (8 hours, biennially)
  - c. Tactical Communication and De-escalation (8 hours, annually)
  - d. Facility Safety Review (8 hours, biennially)
  - e. Defense and Control Tactics (8 hours, biennially)

### III. DE-ESCALATING AND OBTAINING VOLUNTARY COMPLIANCE

- A. Voluntary compliance is the preferred means of resolving the potential use of force encounters. When reasonable to do so, DJCOs should ask for and allow reasonable time for compliance.
- B. When feasible, DJCOs shall utilize de-escalation techniques, crisis intervention tactics, and other alternatives to force.
  1. "Feasible" means reasonably capable of being done or carried out under the circumstances to successfully achieve lawful objectives without increasing risk to the officer or another person.
  2. "De-escalation" means the use and application of non-force efforts and techniques to discourage, decrease or prevent threatening, disruptive, or violent behavior. The goal is to stabilize the situation, reduce the threat's immediacy, and gain the subject's voluntary compliance so that more time, options, and resources can be called upon to resolve the situation without force or with a reduction in the force necessary.
- C. Non-force tactics available to overcome resistance include the following:
  1. Reputation/Rapport/Command Presence  
  
Reputation/Rapport/Command Presence are the first and most often used tactics in maintaining good institutional control and preventing situations

requiring physical intervention. This option is defined as the effect of a staff member's demonstrated honesty, professionalism, integrity, pride, and reputation for fairness on a youth's behavior. Rapport, cooperation, and respect are also necessary ingredients. These characteristics, to be effective, must be consistently maintained.

2. Dialogue/Counseling

- a. Dialogue refers to a staff member's ability to engage a youth in conversation, which will result in a de-escalation of defiance.
- b. Counseling refers to the ability to use dialogue or two-way communication to gain control of a situation through reasoning, rapport, and insight. Counseling is intended to provide staff with the information necessary to de-escalate a youth's emotional condition.

D. Various de-escalation techniques include, but are not limited, to the following:

1. Verbal management of aggressive behavior (commonly referred to as the LEAPS method, verbal de-escalation, or verbal judo):

- a. Listen: This refers to focused, nonjudgmental, unbiased, active listening and trying to determine what the youth means and wants.
- b. Empathize: Trying to see the youth's perspective through their eyes. This does not mean agreeing with the youth but understanding where they are coming from and constructing a verbal way to relate.
- c. Ask: Asking open-ended, opinion-seeking questions such as "Is there some way we can solve this problem?"
- d. Paraphrase: Put the youth's point of view in your own words and play it back.
- e. Summarize: This is a brief, concise, and indisputable summary of the facts involved.

2. Using the T.A.C.T. method

- a. Time: **S**low down, assess the problem, develop a plan, give the person time to hear you, give the person time to vent, and use time to obtain appropriate resources.
- b. Atmosphere: Reduce distractions, keep the scene calm and controlled, maintain personal space and move slowly, and observe verbal and non-verbal cues.
- c. Communication: Speak slowly and calmly; repeat yourself; give a firm, simple, and clear directions; try to make the individual focus on your voice; pay attention to how the individual is responding, not just what the individual is saying; and make your actions and expectations clear.

- d. Tone: Be calm and non-confrontational, be respectful, patient, attentive, and reassuring, be truthful, and avoid what is being said personally.
- E. Enlisting the assistance of behavioral health staff (Clinical Evaluation and Guidance Unit, CEGU).
- F. Asking for other staff to intervene (e.g., when a youth is resistive or is continually defiant with a particular staff).
- G. Removing the youth from the group.

#### IV. PROHIBITED/UNAUTHORIZED FORCE OPTIONS

- A. Given that no policy can realistically predict every possible situation a DJCO may encounter, it is recognized that each DJCO must be entrusted with well-reasoned discretion, within the framework of this and related policies, in determining the appropriate use of force and tactics used. In addition, Government Code Section 7286.5(a) and 7286.5(a)(2), as well as Executive Order: Safe Policing for Safe Communities, signed June 19, 2020, provide limitations and prohibitions on specific restraints.
  - 1. DJCOs are not authorized to use the carotid restraint hold. A carotid restraint means a vascular neck restraint or any similar restraint, hold, or another defensive tactic in which pressure is applied to the sides of a person's neck that involves a substantial risk of restricting blood flow and may render the person unconscious of subduing or controlling the person (Government Code Section 7286.5).
  - 2. DJCOs are prohibited from using a chokehold. A choke hold means any defensive tactic or forces option in which pressure is applied to a person's trachea or windpipe (Government Code Section 7286.5).
  - 3. DJCOs are not authorized to use techniques or transport methods that involve a substantial risk of positional asphyxia. "Positional asphyxia" means situating a person in a manner that compresses their airway and reduces the ability to sustain adequate breathing. This includes, without limitation, the use of any physical restraint that causes a person's respiratory airway to be compressed or impairs the person's breathing or respiratory capacity, including any action in which pressure or body weight is unreasonably applied against a restrained person's neck, torso, or back, or positioning a restrained person without reasonable monitoring for signs of asphyxia (Government Code Section 7286.5).
- B. The use of restraint devices that attach a youth to a wall, floor, or other fixture, including a restraint chair, or through affixing hands and feet together behind the back (hogtying) is prohibited.

#### V. USE OF FORCE CONSIDERATIONS ON VULNERABLE POPULATIONS

- A. Individuals with physical, mental health, developmental, or intellectual disabilities are significantly more likely to experience greater levels of physical force during



law enforcement interactions, as they may be unable to understand or comply with commands. A DJCO shall be cognizant of this and endeavor to employ non-force options with vulnerable populations before resorting to any use of force. Training specific to working with vulnerable populations is listed in Section II.

- B. In addition to the vulnerable populations noted above, Individuals with limited English proficiency may be unable to understand or comply with commands. Language barriers should be an additional consideration for DJCOs.

## VI. FORCE OPTIONS

- A. The DJCO shall have completed departmentally approved training, be authorized to use the tactic, and successfully required updates.
- B. DJCOs using physical force should consider the following:
  - 1. Whether the individual has been given reasonable/sufficient opportunity to comply.
  - 2. The possibility of unintended or increased injury to special populations, including visibly frail, pregnant or recovering from delivery, and individuals with pre-existing medical conditions.
- C. The application of any force technique shall be discontinued once the DJCO determines that compliance has been achieved or that the technique is ineffective, in which case another option should be utilized.
- D. A DJCO must believe that using any force option is necessary to further a legitimate purpose, as detailed in Section I.A.
- E. The following are the available force options for DJCOs. They are not to be construed as a use-of-force continuum that requires an escalating series of actions a DJCO must take to resolve a situation.
  - 1. Physical Force
    - a. Refers to the use of techniques by a trained DJCO to use any physical contact intended to control or restrain the movement of youth.
    - b. DJCOs may utilize any departmentally approved hold in which the DJCO has been formally trained. The following are examples of departmentally approved control holds.
      - (1) Accordion Squeeze
      - (2) Wrist Lock/Come Along
      - (3) Cross-Hand Wrist Lock
      - (4) Controlled Escort
      - (5) Hand Control Technique

- (6) Arm Control Technique
- (7) Foot Block Shoulder Drag
- (8) The Turtle Calf Roll
- (9) The Controlled Figure Four

2. Defense Techniques

Defense techniques are departmentally-approved tactics on which DJCOs are trained to protect themselves or others in a dangerous encounter with an aggressive or resistive individual.

3. Mechanical Restraints

- a. Mechanical Restraint refers to the use of devices to restrict an individual's free movement.
- b. Mechanical restraints include handcuffs, transportation belts, martin chains, shackles, institutional shields, soft-leather restraints, and tubes. The use of mechanical restraints is strictly regulated in the following PMIs:

- (1) PMI 3-6-002 Handcuffs/Transportation Belts/Shackles
- (2) PMI 3-6-004 Room Extraction and Property Removals. Institutional protective shields are only authorized for use by staff who have been trained and are authorized to use the shields.
- (3) PMI 3-6-005 Tubes and Martin Chains-Juvenile Hall. The use of tubes or martin chains is an extreme measure where a youth is a serious and immediate physical danger to themselves or others.

- c. Only department-authorized and issued equipment shall be used.

4. Chemical – Oleoresin capsicum (OC) spray

OC spray shall only be used when there is an imminent threat to the youth's safety and the safety of the officer or others and only when de-escalation efforts have been unsuccessful or are not reasonably possible. Please refer to PMI 3-6-003 for specifics on the training, authorization, discharge, and decontamination requirements for using OC spray.

VII. DEADLY FORCE

- A. Deadly force is defined as any use of force that creates a substantial risk of causing death or serious bodily injury and is prohibited unless the peace officer believes, based on the totality of circumstances, that such force is necessary for either of the following reasons:

1. To defend against an imminent threat of death or serious bodily injury to the officer or another person.
    - a. A threat of death or serious bodily injury is “imminent” when, based on the totality of the circumstances, a reasonable officer in the same situation would believe that a person has the present ability, opportunity, and apparent intent to immediately cause death or serious bodily injury to the DJCO or another person. An imminent harm is not merely a fear of future harm, no matter how great the fear and no matter how great the likelihood of the harm, but is one that, from appearances, must be instantly confronted and addressed.
    - b. “Totality of the circumstances” means all facts known to the DJCO at the time, including the conduct of the DJCO and the person leading up to the use of deadly force.
  2. To apprehend a fleeing person for any felony that threatened or resulted in death or serious bodily injury if the DJCO believes that the person will cause death or serious bodily injury to another unless immediately apprehended.
- B. A DJCO shall not use deadly force against a person based on the danger that person poses to themselves if an objectively reasonable officer would believe the person does not pose an imminent threat of death or serious bodily injury to the DJCO or another person.

#### VIII. MEDICAL AND MENTAL HEALTH CONSIDERATIONS

- A. Staff must consider any known medical conditions that would contraindicate certain restraint devices and/or techniques, which restraint devices are appropriate based on known medical conditions and the signs/symptoms that would indicate a need for immediate medical/mental health referral. Staff shall also be aware of the location of and be trained in the use of Automatic External Defibrillator devices (AEDs), as well as be currently certified in first aid and cardiopulmonary resuscitation (CPR) before using any physical, mechanical, or chemical restraints on youth.
- B. Pregnant youth present special circumstances that require a higher level of consideration before using any physical, mechanical, or chemical restraint.
1. A youth who was known to be pregnant or in recovery after delivery shall not be restrained by using leg irons, waist chains, or handcuffs behind the body. The least restrictive means of restraint shall be utilized.
  2. A youth in labor, during delivery, or in recovery after delivery shall not be restrained by the wrists, ankles, or both unless deemed necessary for the safety and security of the youth, the staff, or the public and approved by the DJCO’s supervisor or Duty Officer.
  3. Restraints shall be removed when a professional who is currently responsible for the medical care of a pregnant youth during a medical

emergency, labor, delivery, or recovery after delivery determines the removal of restraints is medically necessary.

4. Upon confirmation of a youth's pregnancy, **they** shall be advised, orally or in writing, of the facility's policies governing pregnant youth.
  5. DJCOs shall seek supervisory approval prior to using physical, mechanical, or chemical restraints on a pregnant youth, except in exigent circumstances where undue delay would jeopardize the safety and security of staff, youth, or others.
- C. DJCOs shall promptly provide if properly trained, or otherwise promptly procure medical assistance for youth injured in a use of force incident when reasonable and safe to do so. Any youth exhibiting signs of physical distress (e.g., obvious complaint of shortness of breath, chest pain, or dizziness) after an encounter should be continuously monitored until the youth can be medically assessed. Emergency medical personnel (e.g., 911) shall be called if a youth has difficulty breathing.
- D. DJCOs shall refer any youth involved in a use of force incident for medical assessment, regardless of any visible injury or complaint of injury, when reasonable and safe to do so.
- E. For youth exposed to OC spray, through a direct spray or overspray, decontamination measures must be undertaken as soon as practical after a youth is subdued and restrained. Refer to PMI 3-6-003 regarding the specifics for decontamination.
- F. DJCOs shall refer any youth involved in a use of force incident to a mental health clinician as soon as reasonably possible. As required in Title 15 Section 1357 and PMI 3-3-003 Deaths, Serious Suicide Attempts, and Other Serious Incidents Related to Youths In Custody, youth involved in a use of force incident shall be offered a debrief session with mental health services.

#### IX. DJCO RESPONSIBILITIES

- A. When a youth displays behavior that makes using force a possibility, staff are to notify an SJCO/Duty Officer (DO) immediately. The contacted supervisor will immediately report to the location. Before the arrival of a supervisor or administrator, DJCOs shall use a level of force that they reasonably believe is proportional to the seriousness of the suspected offense or reasonably perceived level of actual or threatened resistance. Force shall not be used on any individual that appears to be under control.
- B. Request immediate assistance from available staff by utilization of the radio, intercom, emergency button, or personal duress system.
- C. Upon arrival of staff, advise staff of the situation and the level of assistance needed. Direct responding staff in their response.
- D. If OC spray was deployed, follow the protocols established in PMI 3-6-003, including referring the youth to the Medical Unit, assisting with decontamination and aftercare procedures, and referring the youth to the Clinical Evaluation and

Guidance Unit (CEGU). If the youth is at YGC, the youth must be transported to JH for evaluation by the Medical Unit and a mental health clinician.

- E. Any DJCO involved in or a witness to a use of force (including physical force, defense techniques, mechanical restraints, or chemical), or as directed by an SJCO/DO or administrator, shall write and submit a Special Incident Report (SIR). A witness is anyone who saw, heard, or otherwise experienced the event. The SIR shall include all relevant facts related to the circumstances leading up to the incident, the DJCO's perceptions at the time of the incident, the level of resistance, de-escalation, and other tactics attempted before the use of force, and why force appeared necessary. If no de-escalation attempts were used, the reason why they were not attempted must be addressed in the report.
1. A DJCO may consult with their union representative prior to writing/submitting the SIR.
  2. A DJCO involved in or who witnessed a use of force incident shall submit their SIR to their assigned SJCO or the DO.
  3. The DJCO shall be permitted to review all available audio/video recordings to assist them in preparing their S.I.R.
    - a. Juvenile Hall has video cameras throughout the facility's common areas. Due to the age of the system, the ability to pull video recordings from the system is extremely limited.
    - b. A DJCO may request through their SJCO/DO an opportunity to view a video of the incident. Upon request, the SJCO/DO will forward the request to the JH Division Director (DD) or designee. The JH DD, or designee, will respond to the requestor within two (2) business days as to if a video recording is available for review.
  4. If circumstances delay the submission of the SIR past the end of the DJCO's shift, approval must be granted from the assigned SJCO, DO, or Administrator in Charge (AIC). The assigned SJCO, DO, or AIC will consider the circumstances of the incident, injuries sustained, etc., when granting an extension for the submission of the report.
- F. In addition to writing a SIR, any DJCO directly involved in using force shall complete a Restraint Report and submit it with the completed SIR.

X. SUPERVISING JUVENILE CORRECTIONAL OFFICER/DUTY OFFICER RESPONSIBILITIES

- A. Immediately respond to the location of the incident. The first arriving supervisor or administrator is in command of the response until delegated to another. If necessary, based on continued disruptive or assaultive behavior(s), SJCOs shall assess the situation and determine if additional controls are necessary to de-escalate the situation safely. This may require SJCOs to direct DJCOs to adjust, enhance, or cease responses and actions. If mechanical restraint is necessary, immediately involve Mental Health staff in the decision-making process. Do not become physically involved with the youth unless exigent circumstances dictate direct involvement in a situation.

- B. Ensure involved youth have been seen by medical and mental health staff.
- C. Notify the assigned and respective facility manager or AIC.
- D. Determine appropriate housing for involved youth. Please refer to PMI 3-5-006 *Transfer of Youth Between Open Institutions/Returning Youth to Facilities* for factors that must be considered.
- E. If the involved DJCO(s) suffered an injury, initiate Workers' Compensation paperwork. Human Resources Return-to-Work staff will notify AOCDS upon receipt of the Worker's Compensation paperwork.
- F. The SJCO/DO or designee will notify the youth's parent or legal guardian of the incident, specifically addressing any injuries and the medical care provided. This call shall be made at the earliest time possible, no longer than 24 hours from the incident, and be documented in Unit Activities (Prob-Net →Home →ICMS [Integrated Case Management System] →Institutions →UA – Unit Activities) and the Use of Force Report.
- G. Collect all SIRs and Restraint Reports. Review for the following:
  - 1. Completeness
  - 2. If the use of force was objectively reasonable, consistent with the law, and within policy. The decision should be evaluated from the perspective of a reasonable officer in the same situation, based on the totality of the circumstances known to or perceived by the officer at the time rather than with the benefit of hindsight. The "totality of the circumstances" shall account for occasions when officers may be forced to make quick judgments about using force.
  - 3. Training issues identified in the use of force incident.
  - 4. The SJCO/DO shall advise the ADD directly overseeing the location of the incident, verbally and in writing, of their findings.
- H. All SIRs and Restraint Reports shall be forwarded to the appropriate ADD within twenty-four (24) hours/days of the incident. If there is a delay in collecting and reviewing the reports, the SJCO shall advise the ADD of the reason for the delay.

## XI. MANAGEMENT RESPONSIBILITIES AND REVIEW

- A. The assigned ADD shall review all use of force reports within their division for the following:
  - 1. If the use of force was objectively reasonable and consistent with the law and departmental policies. The decision to use force should be evaluated from the perspective of a reasonable officer in the same situation, based on the totality of the circumstances known to or perceived by the officer at the time rather than with the benefit of hindsight. The "totality of the circumstances" shall account for occasions when officers may be forced to make quick judgments about using force.

2. Any training issues identified in the use of force incident.
- B. If the ADD has any concerns that the use of force was not objectively reasonable, outside the law, or outside of policy, the ADD shall contact the Professional Standards DD, or designee, to determine if the incident should be routed to the Professional Standards Division for review and/or investigation. Further, if there is a concern or complaint, whether generated internally or externally, alleging the amount of force used was not objectively reasonable or otherwise outside of department policy, the matter will be referred to the Professional Standards Division for further review.
  - C. All use of force incidents involving the discharge of OC spray and any physical force causing injury (visible or complaint) shall be referred to the Professional Standards Division DD for convening the Use of Force Review Board. Use of force not resulting in injury or complaint can be referred to the Use of Force Review Board by the administration through the Professional Standards Division DD. The primary function of the Use of Force Review Board is to determine if the force was consistent with training and within departmental policy and procedures. Refer to PMI 1-4-108 Use of Force Review Board for the purpose, function, and parameters of the Use of Force Review Board. All reports for incidents referred to the Use of Force Review Board shall be forwarded within seven (7) days of the incident.
  - D. Reports for incidents referred to the Professional Standards Division for investigation or for convening the Use of Force Review Board shall be forwarded within seven (7) days of the incident.
  - E. During the review process, the assigned ADD will identify incidents that would be appropriate for debriefing with the involved staff for training and mitigating the effects of trauma on staff. A stress debrief may be coordinated immediately after the incident. Tactical debriefs shall only occur after the Use of Force Review Board findings.
  - F. The ADD, overseeing JH's Institutional Security Unit, will track all use of force incidents and provide a quarterly summary to the Chief Probation Officer (CPO) through their chain of command, providing the following metrics in a searchable spreadsheet/document:
    1. An itemized list of use of force events including the following information:
      - a. The individualized master list number (e.g., L#) of the youth
      - b. Gender, age, and race/ethnicity
      - c. Incident location (e.g., Unit I dayroom, classroom # 13, etc.)
      - d. Injuries sustained by youth
      - e. Injuries sustained by staff
      - f. Staff members physically involved in the restraint
      - g. Type of force used and whether it was found to be in policy.

## XII. DISCLOSING PUBLIC RECORDS

Under PC 832.7, peace officer records related to the report, investigation, or findings of the following use of force incidents shall be made available for public inspection:

- A. An incident involving the discharge of a firearm at a person by a peace officer.
- B. An incident in which the use of force by a peace officer against a person resulted in death or great bodily injury. Under Penal Code 12022.7(f), great bodily injury means a significant or substantial physical injury.
  - 1. Records may be redacted pursuant to CPC 832.7(b) (5) and (6).
  - 2. Release of the records may be delayed under CPC 832.7(b) (7).
  - 3. Before releasing records for public inspection, the Department's Public Information Officer (PIO) will notify the DJCO and AOCDS at least seven (7) days before releasing the documents. Please refer to PMI 1-3-015 *Maintenance and Release of Employee Discipline Records* for additional information.

## XIII. COMPLAINTS AGAINST PERSONNEL (CAP)

The investigation process for CAPs is outlined in PMI 1-3-404 Complaints Against Personnel.

### REFERENCES:

Procedures:	1-1-A	Probation Department Procedure Manual
	1-2-006	Peer Support and Assistance Program
	1-3-105	Maintenance and Release of Employee Discipline Records
	1-3-404	Complaints Against Personnel
	1-4-105	Use of Force – Field Services
	1-4-106	Oleoresin Capsicum (OC) Spray – Field Services
	1-4-108	Use of Force Review Board
	3-10-003	Deterrence of Unacceptable Behavior
	3-6-002	Handcuffs/Transportation Belts/Shackles
	3-6-004	Room Extraction, Use of Institutional Shield, and Property Removals
	3-6-003	Oleoresin Capsicum (OC) Spray – Facilities
	3-3-003	Deaths, Serious Suicide Attempts, and Other Serious Incidents Related to Youths in Custody
	3-15-001	Special Incident Reports/Routing SIR and DHO Paperwork
	3-12-003	Referral of Youth to Mental Health
	3-5-006	Transfer of Youth Between Open Institutions/Returning Youth To Facilities
	3-2-006	Video Surveillance System-Juvenile Hall
	3-6-005	Tubes and Martin Chains-Juvenile Hall
	3-6-006	Safety Rooms- Juvenile Hall



Policies:	C-16	Employee Conduct on Duty
	D-2	Use of Physical Restraint/Corporal Punishment
	D-9	Tear Gas

K. Carvo

**APPROVED BY:**