

CADCR001110

2. FIAR [REDACTED] 1-14-16
Horn

N.A CHADERJIAN ARMORY INVENTORY

ITEM	CONDITION	QUANTITY	DATE
MK-4 OC	NEW	71	
MK-9	NEW	20	
Z-505	NEW	38	
PURPLE ROUNDS	NEW	2 BOTTLES (375 rounds each)	
RED Z	NEW	20 pepper balls	
37 Gas Gun/Foam Baton		2	
OC TRI-CHAMBER		27	
FOAM BATON ROUNDS		51	
STING BALL GRENADE		49	

NCYCC CHEMICAL ARMORY INVENTORY

2/18/2018	CHAD	OH	TOTAL
Z - 505	35	31	66
MK 4	66	98	164
MK 9	16	20	36
DF- FOAM BATON RND. Multi projectile (5)	9	7	16
GRENADE TRI - CHAMBER (OC)	12	25	37
GRENADE STING BALL (RP)	62	0	62

ON ORDER	CHAD	OH	TOTAL
Z - 505	0	0	0
MK 4	0	0	0
MK 9	40	40	80
DF- FOAM BATON RND. Multi projectile (5)	50	50	100
GRENADE TRI - CHAMBER (OC)	20	20	40
GRENADE STING BALL (RP)	0	0	0

PURCHASING AUTHORITY PURCHASE ORDER

STD. 65 (REV. 7/2003)

CONTRACT REGISTRATION NUMBER	AGENCY ORDER NUMBER	AMENDMENT NO.
		00000000
SUPPLIER: The numbers identified above MUST be shown on Invoice & Packing Slip.	DATE	PAGE OF PAGE
	06/01/2017	1 2

SHIP TO Northern California YCF 7650 Newcastle Road Stockton, CA 95213 TO	BILL TO Dept. of Corrections and Rehabilitation Attn: Accounts Payable P.O. BOX 187021 SACRAMENTO, CA 95818-7021	AGENCY BILLING CODE
		PURCHASING AUTHORITY NUMBER
		LEVERAGED PROCUREMENT AGREEMENT NO.

TO
SUPPLIER
ADDRESS(Type or
Print
Legibly)

INFORMATION TECHNOLOGY PROJECT IDENTIFICATION NUMBER

AGENCY OR BUYER INFORMATION	AGENCY TRACKING/REQUISITION NUMBER (Optional)
AGENCY NAME	CONTACT NAME
CDCR	
CONTACT E-MAIL ADDRESS	
CONTACT PHONE NUMBER	CONTACT FAX NUMBER

SUPPLIER CONTACT NAME	SUPPLIER PHONE NUMBER	SUPPLIER FAX NUMBER	SUPPLIER E-MAIL ADDRESS
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PAYMENT TERMS	CERTIFICATION NUMBER	<input checked="" type="checkbox"/> Certified Small Business	<input type="checkbox"/> Certified Microbusiness	EXPIRATION DATE	<input type="checkbox"/> Certified DVBE	EXPIRATION DATE
Net 45				11/30/2018		
REQUIRED DELIVERY DATE	SHIPPING INSTRUCTIONS	<input checked="" type="checkbox"/> F.O.B. Destination FRT. PPD	<input type="checkbox"/> F.O.B. Destination FRT. PPD/ADD	CITY OF ORIGIN	STATE	ZIP CODE
2017-06-20		Freight not to exceed cost stated on P.O.				

ITEM NUMBER	QUANTITY	UNIT	COMMODITY CODE or PRODUCT CODE or SERVICES ID NUMBER	RECYCLED PRODUCT	PRODUCT OR SERVICES DESCRIPTION	UNIT PRICE	EXTENSION TOTAL
1	100	EA			45KP57 PEPPER SPRAY GRAY 5OZ	25.96	2,596.00
2	40	EA			45KP56 PEPPER SPRAY GRAY 1OZ	18.98	759.20
3	20	EA			45KP54 PEPPER SPRAY GRAY 1OZ trainer	13.37	267.40
4	20	EA					
5	100	EA					
6	10	EA					
7	2	EA					
8	2	EA					
9	2	EA					
10	10	EA					
11	6	EA					

A-1 <input type="checkbox"/> General Provisions are incorporated herein by reference to: <input type="checkbox"/> Form GSPD - 401 Non-IT Commodities (revision date _____) OR <input type="checkbox"/> Form GSPD - 401 IT (revision date _____) <input type="checkbox"/> ATTACHED OR <input type="checkbox"/> Published at website: www.dgs.ca.gov/pd		TAXABLE SUBTOTAL
TERMS AND CONDITIONS A-2 <input checked="" type="checkbox"/> This order is issued under a Department of General Services (DGS) Leveraged Procurement Agreement (LPA). Terms and Conditions set forth in that agreement (LPA number referenced in the block titled Leveraged Procurement Agreement No.) are incorporated herein by reference as if set forth in full text. B <input type="checkbox"/> Agency Special Provisions are attached and titled _____ C <input type="checkbox"/> Any other attachments, such as specifications, Statement of Work, or Information Technology Model Language Modules, are identified in the product or services description area or on continuation pages.		TAX RATE 7.75 SALES TAX
PROCUREMENT METHOD <input checked="" type="checkbox"/> LEVERAGED <input type="checkbox"/> DVBE / SMALL BUSINESS [GC 14838.5(a)] <input type="checkbox"/> NON-COMPETITIVELY BID <input type="checkbox"/> EXEMPT		* NOTE: If there are variable charges for Installation, Shipping or Freight, or Other Non-Taxable Services, detail per line item and enter total here.
PROGRAM / CATEGORY (Code and Title) SECURITY		* INSTALLATION * SHIPPING/FREIGHT * OTHER NON-TAXABLE
FUND TITLE 16 GEN FUND 001	VERIFIED NO STATE SURPLUS AVAILABLE <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	PAID BY CAL-CARD <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
ITEM 5225-2016-0001-001	CHAPTER 23/16	STATUTE 2016
FISCAL YEAR 2016/2017	OBJECT OF EXPENDITURE (CODE AND TITLE)	522.00 LAW ENFORCEMENT MATE
		<input checked="" type="checkbox"/> O.E. <input type="checkbox"/> EQ.

CERTIFICATION AND APPROVAL OF EXECUTIVE OFFICER

I HEREBY CERTIFY, on personal knowledge, that this order for purchasing the items specified above is issued in accordance with the procedure prescribed by law governing the purchase of such items for the State of California; and that all such legal requirements have been fully complied with.

AUTHORIZING NAME (Print or Type)
Teresa AUSTIN

AUTHORIZING SIGNATURE

TITLE

UNENCUMBERED REMAINDER AFTER POSTING THIS ORDER TO ALLOTMENT EXPENDITURE LEDGER	
ADJUSTMENT INCREASING ENCUMBRANCES	
ADJUSTMENT DECREASING ENCUMBRANCES	
CERTIFIED CORRECT (SIGNATURE)	

DISTRIBUTION: Copy 1 - Supplier; Copy 2 - DGS Procurement; Copy 3 - Packing Slip; Copies 4-6 - Agency Procurement File

CADCR001432

PURCHASING AUTHORITY PURCHASE ORDER

STD. 65 (REV. 7/2003)

CONTRACT REGISTRATION NUMBER	AGENCY ORDER NUMBER	AMENDMENT NO.
SUPPLIER: The numbers identified above MUST be shown on Invoice & Packing Slip.	DATE	PAGE OF PAGE 1 2

S Northern California YCF
H 7650 Newcastle Road
I Stockton, CA 95213
P

B Dept. of Corrections and Rehabilitation
I Attn: Accounts Payable
L P.O. BOX 187021
L SACRAMENTO, CA 95818-7021
T
O

AGENCY BILLING CODE
PURCHASING AUTHORITY NUMBER
LEVERAGED PROCUREMENT AGREEMENT NO.

TO
SUPPLIER
ADDRESS(Type or
Print
Legibly)

INFORMATION TECHNOLOGY PROJECT IDENTIFICATION NUMBER

AGENCY OR BUYER INFORMATION	AGENCY TRACKING/REQUISITION NUMBER (Optional)
AGENCY NAME CDCR	CONTACT NAME
CONTACT E-MAIL ADDRESS	
CONTACT PHONE NUMBER	CONTACT FAX NUMBER

SUPPLIER CONTACT NAME	SUPPLIER PHONE NUMBER	SUPPLIER FAX NUMBER	SUPPLIER E-MAIL ADDRESS

PAYMENT TERMS Net 45	CERTIFICATION NUMBER	<input type="checkbox"/> Certified Small Business	<input checked="" type="checkbox"/> Certified Microbusiness	EXPIRATION DATE 02/28/2017	<input type="checkbox"/> Certified DVBE	EXPIRATION DATE

REQUIRED DELIVERY DATE 2016-03-15	SHIPPING INSTRUCTIONS	<input checked="" type="checkbox"/> F.O.B. Destination FRT. PPD	<input type="checkbox"/> F.O.B. Destination FRT. PPD/ADD Freight not to exceed cost stated on P.O.	<input type="checkbox"/> F.O.B. ORIGIN	CITY OF ORIGIN	STATE	ZIP CODE

ITEM NUMBER	QUANTITY	UNIT	COMMODITY CODE OR PRODUCT CODE OR SERVICES ID NUMBER	RECYCLED PRODUCT	PRODUCT OR SERVICES DESCRIPTION	UNIT PRICE	EXTENSION TOTAL
1	200	EA			CTS 1921 STREAM OC	35.77	7,154.00
2	150	EA			CTA 1421 STREAM OC	11.16	1,674.00
5	60	EA			CTS 3555/DF 37MM FOAM ROUNDS	20.71	1,242.60
6	20	EA					
7	1	CS					
8	1	CS					
9	6	Box					

A-1 <input checked="" type="checkbox"/> General Provisions are incorporated herein by reference to:		<input checked="" type="checkbox"/> Form GSPD - 401 Non-IT Commodities (revision date 06/08/2010) OR <input type="checkbox"/> Form GSPD - 401 IT (revision date _____)		TAXABLE SUBTOTAL	
A-2 <input type="checkbox"/> This order is issued under a Department of General Services (DGS) Leveraged Procurement Agreement (LPA). Terms and Conditions set forth in that agreement (LPA number referenced in the block titled Leveraged Procurement Agreement No.) are incorporated herein by reference as if set forth in full text.		<input type="checkbox"/> ATTACHED OR <input checked="" type="checkbox"/> Published at website: www.dgs.ca.gov/pd		TAX RATE	SALES TAX
B <input type="checkbox"/> Agency Special Provisions are attached and titled				8.00	
C <input type="checkbox"/> Any other attachments, such as specifications, Statement of Work, or Information Technology Model Language Modules, are identified in the product or services description area or on continuation pages.					
PROCUREMENT METHOD		<input type="checkbox"/> COMPETITIVE: Solicitation Number (if applicable) _____		* NOTE: If there are variable charges for Installation, Shipping or Freight, or Other Non-Taxable Services, detail per line item and enter total here.	* INSTALLATION
<input type="checkbox"/> LEVERAGED <input checked="" type="checkbox"/> DVBE / SMALL BUSINESS [GC 14838.5(a)] <input type="checkbox"/> NON-COMPETITIVELY BID <input type="checkbox"/> EXEMPT				* SHIPPING/ FREIGHT	
PROGRAM / CATEGORY (Code and Title)		FUND TITLE		* OTHER NON-TAXABLE	
SECURITY					
ITEM		CHAPTER	STATUTE	VERIFIED NO STATE SURPLUS AVAILABLE	PAID BY CAL-CARD
		10/15	2015	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
		FISCAL YEAR	OBJECT OF EXPENDITURE (CODE AND TITLE)	GRAND TOTAL	
		2015/2016	522.00 LAW ENFORCEMENT MATE		

CERTIFICATION AND APPROVAL OF EXECUTIVE OFFICER		UNENCUMBERED REMAINDER AFTER POSTING THIS ORDER TO ALLOTMENT EXPENDITURE LEDGER	
I HEREBY CERTIFY, on personal knowledge, that this order for purchasing the items specified above is issued in accordance with the procedure prescribed by law governing the purchase of such items for the State of California; and that all such legal requirements have been fully complied with.			
AUTHORIZING NAME (Print or Type)	TITLE	ADJUSTMENT INCREASING ENCUMBRANCES	
Teresa AUSTIN		ADJUSTMENT DECREASING ENCUMBRANCES	
AUTHORIZING SIGNATURE		CERTIFIED CORRECT (SIGNATURE)	

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CADCR001433

CONTRACT REGISTRATION NUMBER		AGENCY ORDER NUMBER	AMENDMENT NO.	
SUPPLIER: The numbers identified above MUST be shown on Invoice & Packing Slip.		DATE	PAGE	OF PAGE
		2016-03-03	2	2
PURCHASING AUTHORITY NUMBER		LEVERAGED PROCUREMENT AGREEMENT NO.		

CADCR001433

PURCHASING AUTHORITY PURCHASE ORDER

STD. 65 (REV. 7/2003)

CONTRACT REGISTRATION NUMBER	AGENCY ORDER NUMBER	AMENDMENT NO.
		00000000
SUPPLIER: The numbers identified above MUST be shown on Invoice & Packing Slip.	DATE	PAGE OF PAGE
	05/25/2017	1 2

S H I P T O	Northern California YCF 7650 Newcastle Road Stockton, CA 95213	B I L L T O	Dept. of Corrections and Rehabilitation Attn: Accounts Payable P.O. BOX 187021 SACRAMENTO, CA 95818-7021	AGENCY BILLING CODE
				PURCHASING AUTHORITY NUMBER
				LEVERAGED PROCUREMENT AGREEMENT NO.

TO
SUPPLIER
ADDRESS(Type or
Print
Legibly)

INFORMATION TECHNOLOGY PROJECT IDENTIFICATION NUMBER

AGENCY OR BUYER INFORMATION

AGENCY NAME

CONTACT E-MAIL ADDRESS

CONTACT PHONE NUMBER

CONTACT FAX NUMBER

SUPPLIER CONTACT NAME

PAYMENT TERMS

REQUIRED DELIVERY DATE

ITEM NUMBER

QUANTITY

UNIT

COMMODITY CODE OR PRODUCT CODE

RECYCLED PRODUCT

PRODUCT OR SERVICES DESCRIPTION

UNIT PRICE

EXTENSION TOTAL

CADCR001436

[illegible]

CADCR001436



PACKING LIST

SAFARILAND, LLC
1855 SOUTH LOOP
CASPER, WY 82601
Tel: 800.347.1200
www.safariland.com

Packing List ID: S1967174
Sales Order ID: C16-092333
Customer ID: DIRGOV
Cust SVC Rep ID: AROMERO
Sales Rep ID: 143
Date: 8/18/2016

Purchase Order Number



Sold To:

Directgov Source
39 BELLARMINE CT
CHICO, CA 95928-7149
US

Ship To:

VENTURA YOUTH CORRECTION FACILITY
3100 WRIGHT RD
CAMARILLO, CA 93010-8307
US

Ship Date	Purchase Order No.	Payment Terms	Shipping Method	Incoterms 2010
08/18/16	174895	Net 30 Days, Freight billed	ENGLAND LOGISTICS	FCA CASPER, WY

ATTENTION: ARMORY WAREHOUSE HOURS 7:30AM - 3PM

MARK PO# 4500345318

Quantity			Part Number	Description	U/M	Store #
ORD	SHIP	BCK				
400	400	0	8540C	CDCR-5 MK4 STREAM Part ID: 1013229 (Defense Technology)	EA	
150	150	0	8590C	CDCR-5 MK9 STREAM Part ID: 1013230 (Defense Technology)	EA	

EXPORT CONTROLLED. These commodities, technology or software are controlled for export in accordance with the U.S. Export Administration Regulations. Diversion contrary to U.S. law is prohibited.

PULLED BY: _____ BOXED BY: jvezina SHIPPED BY: jvezina

825-16
10/9

LEVERAGED PROCUREMENT AGREEMENT NO.

SENTINEL CORRECT (SIGNATURE)

CADCR001522

**ARILAND
GROUP**

PACKING LIST

Packing List ID: [REDACTED]
Sales Order ID: [REDACTED]
Customer ID: [REDACTED]
Cust SVC Rep ID: [REDACTED]
Sales Rep ID: [REDACTED]

Date: 8/18/2016

Purchase Order Number



Sold To:

Ship To:

VENTURA YOUTH CORRECTION FACILITY
3100 WRIGHT RD
CAMARILLO, CA 93010-8307
US

Ship Date	Purchase Order No.	Payment Terms	Shipping Method	Incoterms 2010
08/18/16	[REDACTED]	Net 30 Days, Freight billed	[REDACTED]	[REDACTED]

ATTENTION [REDACTED]

MARK PO# [REDACTED]

Quantity			Part Number	Description	U/M	Store #
ORD	SHF	BCK				
400	400	0	8540C	CDCR-5 MK4 STREAM Part ID: 1013229 (Defense Technology)	EA	
150	150	0	8590C	CDCR-5 MK9 STREAM Part ID: 1013230 (Defense Technology)	EA	

EXPORT CONTROLLED. These commodities, technology or software are controlled for export in accordance with the U.S. Export Administration Regulations. Diversion contrary to U.S. law is prohibited.

PULLED BY: _____ BOXED BY: [REDACTED] SHIPPED BY: [REDACTED]

03 25-16

Compstat Chemical Use of Force

January 1, 2015 - March 31, 2018

2015		Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep
NACYCF	Chemical - Controlled UOF	0	0	0	0	0	0	0	0	0
	Chemical - Immediate UOF	13	18	6	8	12	12	5	17	14
	Chemical - Mental Health Controlled	0	0	0	0	0	0	0	0	0
	Chemical - Mental Health Immediate	0	4	1	3	2	5	0	4	2
	Chemical - Controlled UOF	0	0	0	0	0	0	0	0	0
OHCF	Chemical - Immediate UOF	16	13	11	10	11	7	6	15	11
	Chemical - Mental Health Controlled	0	0	0	0	0	0	0	0	0
	Chemical - Mental Health Immediate	0	0	0	0	0	0	0	0	0
WYCF	Chemical - Controlled UOF	0	0	0	0	0	0	0	0	0
	Chemical - Immediate UOF	6	11	14	19	48	39	39	11	22
	Chemical - Mental Health Controlled	0	0	0	0	0	0	0	0	0
	Chemical - Mental Health Immediate	1	3	7	5	11	8	14	2	10

Compstat Chemical Use of Force

January 1, 2015 - March 31, 2018

		2016											
		Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun			
INACYCF	Chemical - Controlled UOF	0	0	0	0	0	0	0	0	0			
	Chemical - Immediate UOF	14	10	9	12	9	3	4	7	13			
	Chemical - Mental Health Controlled	0	0	0	0	0	0	0	0	0			
	Chemical - Mental Health Immediate	1	0	3	2	3	1	1	4	1			
	Chemical - Controlled UOF	0	0	0	0	0	0	0	0	0			
OHACYCF	Chemical - Immediate UOF	18	18	4	4	12	13	9	8	13			
	Chemical - Mental Health Controlled	0	0	0	0	0	0	0	0	0			
	Chemical - Mental Health Immediate	0	0	0	0	0	0	0	0	0			
WYCF	Chemical - Controlled UOF	0	0	0	0	0	0	0	0	0			
	Chemical - Immediate UOF	29	10	16	24	15	29	24	30	16			
	Chemical - Mental Health Controlled	0	0	0	0	0	0	0	0	0			
	Chemical - Mental Health Immediate	1	0	4	1	4	3	2	1	1			

Compstat Chemical Use of Force

January 1, 2015 - March 31, 2018

		2017											
		Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar			
NACYCF	Chemical - Controlled UOF	0	0	0	0	0	0	0	0	0			
	Chemical - Immediate UOF	7	15	13	10	12	20	27	12	28			
	Chemical - Mental Health Controlled	0	0	0	0	0	0	0	0	0			
	Chemical - Mental Health Immediate	2	2	4	5	0	5	4	2	7			
	Chemical - Controlled UOF	0	0	0	0	0	0	0	0	0			
OHCF	Chemical - Immediate UOF	8	19	17	12	16	15	8	13	17			
	Chemical - Mental Health Controlled	0	0	0	0	0	0	0	0	0			
	Chemical - Mental Health Immediate	0	0	0	0	0	0	0	0	0			
WYCF	Chemical - Controlled UOF	0	0	0	0	0	0	0	1	0			
	Chemical - Immediate UOF	36	37	34	10	10	15	12	27	12			
	Chemical - Mental Health Controlled	0	0	0	0	0	0	0	0	0			
	Chemical - Mental Health Immediate	5	9	6	0	5	0	4	1	5			

Compstat Chemical Use of Force

January 1, 2015 - March 31, 2018

	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
NACYCF									
Chemical - Controlled UOF	0	0	0	0	0	0	0	0	0
Chemical - Immediate UOF	16	17	23	20	18	17	8	8	9
Chemical - Mental Health Controlled	0	0	0	0	0	0	0	0	0
Chemical - Mental Health Immediate	4	5	7	2	0	0	1	2	2
OHCF									
Chemical - Controlled UOF	0	0	0	0	0	0	0	0	0
Chemical - Immediate UOF	13	18	13	10	24	12	8	16	19
Chemical - Mental Health Controlled	0	0	0	0	0	0	0	0	0
Chemical - Mental Health Immediate	0	0	0	0	0	0	0	0	0
WYCF									
Chemical - Controlled UOF	0	0	0	0	0	0	0	0	0
Chemical - Immediate UOF	2	25	0	18	32	1	18	12	18
Chemical - Mental Health Controlled	0	0	0	0	0	0	0	0	0
Chemical - Mental Health Immediate	0	0	0	0	3	1	5	1	4

Compstat Chemical Use of Force

January 1, 2015 - March 31, 2018

		2018		
		Jan	Feb	Mar
NACYCF	Chemical - Controlled UOF	0	0	0
	Chemical - Immediate UOF	12	19	17
	Chemical - Mental Health Controlled	0	0	0
	Chemical - Mental Health Immediate	4	4	2
OHCF	Chemical - Controlled UOF	0	0	0
	Chemical - Immediate UOF	20	22	21
	Chemical - Mental Health Controlled	0	0	0
	Chemical - Mental Health Immediate	0	0	0
WYCF	Chemical - Controlled UOF	0	0	0
	Chemical - Immediate UOF	44	27	28
	Chemical - Mental Health Controlled	0	0	0
	Chemical - Mental Health Immediate	2	0	3

ME-4 - ~~XXXX~~

|||||

(43)

505 -

|||||

(44)

ME.9 -

|||||

(31)

Grenade -

|||||

(13)

FOAM BATON -

|||||

(10)

2016

ME.4 -

|||||

(24)

505 -

|||||

(51)

ME.9 -

|||||

(37)

Grenade -

|||||

(5)

FOAM BATON -

|||||

(22)

2018





Department of Corrections and Rehabilitation
**NOTICE OF CHANGE
TO DEPARTMENT OPERATIONS MANUAL**

Chapter 5, Article 2, Use of Force

Transmittal Letter Number:

16-02

Revision Date:

January 12, 2016

The purpose of this document is to provide information regarding revisions to Department Operations Manual (DOM), Chapter 5, Article 2, Use of Force.

Changes to Article 2, Chapter 5 provide revisions to existing language and also provide additional language to expand upon the current Use of Force policy.

These DOM revisions are being made to conform with recent changes to the Department's regulations (Title 15) regarding Use of Force. The temporary emergency regulation changes were first announced in Notice of Change to Regulations 15-06. Those temporary regulations have now been certified for permanent adoption.

These revisions further the efforts of the Department to comply with the *Madrid* court rulings regarding the Statewide Use of Force Plan, and also provide further compliance with the *Coleman* court rulings for mental health considerations. These revisions to the Use of Force policy establish clearer standards and parameters for the manner in which force is applied, while also providing further direction and clearer understanding to staff regarding the Use of Force policy.

Please inform all persons concerned of the contents of this Notice, which shall remain in effect until incorporated into the next edition of the DOM. Inquiries regarding the subject matter may be directed to J. Stewart, Division of Adult Institutions, at (916) 294-3037.

Original signed by:

KELLY HARRINGTON
Director
Division of Adult Institutions

CHAPTER 5 – ADULT CUSTODY AND SECURITY OPERATIONS

ARTICLE 2 – USE OF FORCE

Revised January 12, 2016

[Sections 51020.1 through 51020.3 are unchanged]

51020.4 Definitions

The following shall define language usage in this Article:

Reasonable Force

Reasonable force is the force that an objective, trained, and competent correctional employee faced with similar facts and circumstances, would consider necessary and reasonable to subdue an attacker, overcome resistance, effect custody, or gain compliance with a lawful order.

Unnecessary Force

Unnecessary force is the use of force when none is required or appropriate.

Excessive Force

Excessive force is the use of more force than is objectively reasonable to accomplish a lawful purpose.

Immediate Use of Force

Immediate use of force is the force used to respond without delay to a situation or circumstance that constitutes an imminent threat to institution/facility security or the safety of persons. Employees may use immediate force without prior authorization from a higher official. Immediate force may be necessary to subdue an attacker, overcome resistance or effect custody. If it is necessary to use force solely to gain compliance with a lawful order, controlled force shall be used.

Imminent Threat

An imminent threat is any situation or circumstance that jeopardizes the safety of persons or compromises the security of the institution, requiring immediate action to stop the threat. Some examples include, but are not limited to: an attempt to escape, on-going physical harm or active physical resistance.

Controlled Use of Force

A controlled use of force is the force used in an institution/facility setting, when an inmate's presence or conduct poses a threat to safety or security and the inmate is located in an area that can be controlled or isolated. These situations do not normally involve the imminent threat to loss of life or imminent threat to institution security. All controlled use of force situations requires the authorization and the presence of a First or Second Level Manager during business hours. During non-business hours, the on-site manager shall be the Administrative Officer of the Day (AOD) who is responsible for the authorization of any controlled use of force and whose presence is required during any controlled use of force. Staff shall make every effort to identify disabilities, to include mental health issues, and note any accommodations that may need to be considered.

Non-conventional Force

Non-conventional Force is force that utilizes techniques or instruments that are not specifically authorized in policy, procedures, or training. Depending on the circumstances, non-conventional force can be necessary and reasonable; it can also be unnecessary or excessive.

Non-deadly Force

Non-deadly force is any use of force that is not likely to result in death.

Deadly Force

Deadly force is any use of force that is likely to result in death. Any discharge of a firearm other than the lawful discharge during weapons qualifications, firearms training, or other legal recreational use of a firearm, is deadly force.

Great Bodily Injury (GBI)

Great bodily injury is any bodily injury that creates a substantial risk of death.

Serious Bodily Injury

Serious bodily injury means a serious impairment of physical condition, including, but not limited to the following:

- Loss of consciousness;
- Concussion;
- Bone fracture;
- Protracted loss or impairment of function of any bodily member or organ;
- A wound requiring extensive suturing; and
- Serious disfigurement.

Response Supervisor

The Response Supervisor is the first line supervisor in an institution/facility responsible for the area where an incident occurs. When responding to or observing an incident involving the use of force, the response supervisor shall assume control of the responders and direct the tactics used to stop the threat. Additionally, the response supervisor shall assess the appropriateness/effectiveness of the force options being deployed, ensuring compliance with policy and training.

Responding Supervisor

The Responding Supervisor is the first line supervisor responsible for the employee involved in an incident.

Incident Commander

The Incident Commander is the second line supervisor in an institution/facility responsible for the area where an incident occurs or an allegation of excessive or unnecessary force is received.

First Level Manager

A First Level Manager in an institution/facility is a Captain, or the AOD.

First Line Manager

A First Line Manager is a Parole Administrator, District Administrator, Special Agent-In-Charge, or a Senior Special Agent.

Second Level Manager

A Second Level Manager in an institution/facility is an Associate Warden.

Second Line Manager

A Second Line Manager is a Deputy Regional Parole Administrator or Chief.

Institution Head

The Institution Head is a Warden or designee.

Institutional Executive Review Committee (IERC)

The IERC is a committee of institution staff chaired by the respective Institution Head tasked with reviewing all uses of force and every allegation of excessive or unnecessary force. The IERC is the final institutional level of review.

Department Executive Review Committee (DERC)

The DERC is a committee of staff selected by, and including, the Associate Director who oversees the respective institution/facility Mission-based group. The DERC has oversight responsibility and final review authority over the IERC. The DERC shall review every use of deadly force and every serious bodily injury, great bodily injury or death that could have been caused by a staff use of force. The DERC shall also review those incidents referred to the DERC by the IERC Chairperson or otherwise requested by the DERC.

Deadly Force Investigation Teams (DFIT)

DFIT is a team of trained department investigators that shall conduct criminal and administrative investigations into every use of deadly force and every death or great bodily injury that could have been caused by a staff use of force, except the lawful discharge of a firearm during weapons qualifications or firearms training, or other legal recreational uses of a firearm. Based on certain local Memoranda of Understanding, criminal investigations may instead be conducted by an outside police department or sheriff's office. Although defined as deadly force DFIT need not investigate the discharge of a warning shot inside an institution/facility if an Investigative Services Unit Sergeant or above, or an uninvolved Correctional Lieutenant, confirms that the discharge of deadly force was a warning shot and that no injuries were caused by the shot. All warning shots shall be reported to the Office of Internal Affairs/DFIT and the Office of the Inspector General (OIG).

Deadly Force Review Board (DFRB)

The DFRB conducts a full and complete review of all incidents involving a use of deadly force (except warning shots) and every death or great bodily injury that could have been caused by a staff use of force, regardless of whether the incident occurs in an institutional or community setting.

Joint Use Committee (JUC)

The JUC is a committee of field staff from the DAI tasked with reviewing and evaluating recommended revisions to the Division's Use of Force Policy and Procedures.

Holding Cells

All holding cells shall be located within buildings or sheltered areas. A holding cell shall not be used as a means of punishment, housing or long-term placement. If clothing is taken from an inmate when he/she is placed in a holding cell, alternate clothing shall immediately be provided unless security concerns preclude issuance.

51020.5 Use of Force Options

It is the expectation that staff evaluate the totality of circumstances involved in any given situation, to include consideration of an inmate's demeanor, bizarre behavior, mental health status if known, medical concerns, as well as ability to understand and/or comply with orders, in an effort to determine the best course of action and tactics to resolve the situation. Whenever possible, verbal persuasion should be attempted in an effort to mitigate the need for force. The type of verbal persuasion will vary dependent upon the inmate's ability to understand. If time permits, verbal orders should be issued prior to resorting to force and are required to be provided before controlled force is used. The unresisted searching or escorting of an inmate/parolee and the unresisted application of authorized restraint equipment is not a use of force. Use of Force options do not have to be utilized in any particular sequence, but should be the force option staff reasonably believes is sufficient. Each force option has specific qualities that should be considered when choosing which option to deploy, including but not limited to: range of effectiveness, level of potential injury, staff safety, deployment methodology, level of threat presented, distance between staff and inmate, number of staff and inmates involved and the inmate's ability to understand. When responding to or observing an incident involving the use of force, the response supervisor shall assume control of the responders and direct the tactics used to stop the threat. Additionally, the response supervisor shall assess the appropriateness/effectiveness of the force options being deployed ensuring compliance with policy and training. Use of force options include but are not limited to:

- Chemical agents: Provides staff the ability to use force while maintaining distance.
- Hand-held batons: The baton is normally issued to custodial staff assigned to positions with direct inmate contact. The baton should not be carried in the extended position unless it is

being utilized for the protection of the inmate and/or staff. In controlled use of force, the baton is intended for the defense of staff and to assist in gaining control of the inmate.

- Physical strength and holds: Any deliberate physical contact, using any part of the body to overcome conscious resistance, is considered physical force. A choke hold or any other physical restraint which prevents the person from swallowing or breathing shall not be used unless the use of deadly force would be authorized.
- Less-lethal weapons: A less lethal weapon is any weapon that is not likely to cause death. A 37mm or 40mm launcher and any other weapon used to fire less-lethal projectiles is a less lethal weapon.
- Lethal weapons: A firearm is a lethal weapon because it is used to fire lethal projectiles. A lethal weapon is any weapon that is likely to result in death.

51020.6 Use of Restraints

The unresisted application of authorized restraint equipment is not a use of force. When mechanical restraint is required, handcuffs, alone or attached to a waist chain, will be the means of restraint normally used. However, additional mechanical restraints, including leg restraints, additional chains, leather cuffs, or other specialized restraint equipment may be used when the circumstances indicate the need for the level of control that such devices will provide. Restrained inmates shall never be left unsupervised.

Use of mechanical restraints on persons confirmed, or suspected by health care staff to be pregnant shall be subject to the following requirements found in California Code of Regulations (CCR) Title 15 section 3268.2 (d) and (e):

- No leg restraints or waist chains shall be applied.
- If handcuffs are applied, the person's arms shall be brought to the front of her body for application.

Mechanical restraints shall not be placed on an inmate during labor, including during transport to a hospital, during delivery, and while in recovery after giving birth, unless circumstances exist that require the immediate application of mechanical restraints to avoid the imminent threat of death, escape, or great bodily injury. In this case, mechanical restraints may be used only for the period during which such threat exists.

The following state-issued restraints and equipment are authorized for use at the discretion of on-duty staff:

- Handcuffs
- Waist Chain
- Leg Restraints
- Escort Chains
- Padlocks
- Security Chain
- Spit Hood
- Martin Chain

The following restraints may be used as specified below:

- Safety Triangle: This device is a handcuff retention device, used to prevent inmates from pulling restraint equipment into their cell and may be used at the discretion of on duty staff. Some reasons for using the safety triangle include, but are not limited to: rehousing an irate inmate who has threatened violence or an inmate who was just involved in a use of force incident. The safety triangle may remain attached to the handcuffs if the inmate is being relocated in the housing unit and if attaching and detaching the safety triangle to and from the handcuffs presents a safety concern. The safety triangle is not intended to control the inmate outside of the cell. The officer controlling the safety triangle must be vigilant and efforts

should be directed to prevent the inmate from pulling their hands inside the cell while the door is being closed.

- In the event that an inmate who is attached to a triangle refuses to place their hands in the food/security port to allow the handcuffs to be removed, it may be necessary to pull the safety triangle to retrieve the handcuffs. When it is necessary to pull the safety triangle, a single staff member shall slowly move away from the door while holding onto the safety triangle, in order to bring the inmate's hands through the port. This will be conducted with extreme caution in order to minimize the risk of injury to the inmate. Additional staff may be needed to assist with the safety triangle in the event that the one staff member is insufficient to get the inmate's hands through the food port. Once the inmate's hands, wrists, and forearms are through the port, staff will grasp the inmate's forearms, the tension on the safety triangle shall be released, and the handcuffs removed.

Prior to using a safety triangle on an inmate confirmed or suspected by health care staff to be pregnant, a physician must be consulted and any potential risks fully discussed.

The final decision to place the device on the pregnant inmate will rest with the Warden or Chief Deputy Warden (CDW) and the reviewing physician. The consultation and its outcome must be documented for inclusion in the inmate's health record and central file.

- Leather Restraints: Leather restraints are used for four/five point restraint in a Correctional Treatment Center, General Acute Care Hospital, or community hospital. Authorization for application of four/five point restraints shall only be given by health care staff in accordance with California Code of Regulations, Title 22, Section 79801 Clinical Restraint, Treatment Restraint, and Clinical Seclusion, and the Mental Health Program Services Delivery System Program Guide, Chapter 10, Suicide Prevention and Response. Use of restraint equipment at the direction of medical staff shall be fully documented in the inmate's health record.
- Hand Isolation Devices (HID): These devices (e.g., hand restraint mitts/mittens, etc.) are used as an additional measure to restrict an inmate's ability to use his/her hands. HID's may be used upon initial placement on Contraband Surveillance Watch (CSW) at an institution when requested and authorized as specified in DOM Section 52050.23.4, Mechanical Restraints. Only HID's purchased from an approved vendor shall be used. Inmates in HID's must have constant and direct visual supervision at all times. When it is deemed necessary by on duty staff to implement the use of a HID subsequent to the initial placement on CSW, a CDC Form 128-B, General Chrono, will be completed stating a specific safety and security concern associated with the individual inmate, and included with the CSW documentation. The subsequent approval shall be at the level of Lieutenant or above, and approved at the level of Captain or above during business hours, or by the institution AOD during nonbusiness hours. The CDC Form 128-B will include: the date of implementation, reason or justification for implementation of the device, and staff requesting and approving the HID implementation. Prior to placing a HID on an inmate confirmed or suspected by health care staff to be pregnant, a physician must be consulted and any potential risks fully discussed. The final decision to place the device on the pregnant inmate will rest with the Warden or CDW and the reviewing physician. The consultation and its outcome must be documented for inclusion in the inmate's health record and central file. Equipment Hygiene - HID's must be maintained per the manufacturer's specifications, and only clean HID's are to be used. Should a HID become contaminated or soiled, a clean HID will be provided as soon as it is safe to do so.

Mechanical restraint equipment shall not be used in any manner described in CCR, Title 15, Section 3268.2(c), Use of Restraints. The use of restraint equipment not identified in this section must be preapproved at the level of Associate Director or higher. As part of the mechanical restraint maintenance process, restraints shall be routinely cleaned and sanitized to adhere to an acceptable equipment hygiene standard.

Inmates who have a disability that prevents standard search methods or application of restraint equipment in the prescribed manner shall be afforded reasonable accommodation under the direction of the Response Supervisor. Mechanical restraints shall be applied to ensure effective application while reasonably accommodating the inmate's disability.

51020.7 Deadly Force

The CDCR recognizes the sanctity of human life. Therefore, deadly force will only be used when it is reasonably necessary to:

- Defend the employee or other persons from an imminent threat of death or great bodily injury.
- Prevent an escape from custody.
- Stop acts such as riots or arson that constitute an immediate jeopardy to institutional security and, because of their magnitude, are likely to result in escapes, great bodily injury, or the death of other persons.
- Dispose of seriously injured or dangerous animals when no other disposition is practical. (CDCR operates facilities that maintain livestock or are situated in remote areas, therefore CDCR recognizes this need.)

A firearm shall not be discharged if there is a reason to believe that persons other than the intended target will be injured.

In facilities contracted to house CDCR inmates outside of California, the use of deadly force shall only be applied in accordance with applicable law in the state where the facility is located.

[Section 51020.7.1 is unchanged]

51020.8 Non-deadly Force

Non-deadly force will only be used when reasonably necessary to:

- Subdue an attacker.
- Overcome resistance.
- Effect custody.
- Gain compliance with a lawful order.

[Sections 51020.9 through 51020.10 are unchanged]

51020.11 Immediate Use of Force

When time and circumstances do not permit advanced planning, staffing and organization, and an imminent threat exists to institution/facility security or safety of persons, immediate force may be used.

If time and resources allow, an immediate use of force should be video recorded. If an immediate use of force is recorded, the recording shall be submitted into evidence.

If an immediate use of force is captured on security cameras (i.e. yard or visiting cameras), those recordings shall be placed into evidence.

51020.11.1 Immediate Use of Force in Cells

When immediate force is necessary due to an imminent threat, for inmates confined in their cells, Oleoresin Capsicum (OC) is the preferred option for carrying out the immediate use of force. Whenever possible, a verbal warning shall be given before force is used.

[Sections 51020.11.2 through 51020.12.1 are unchanged]

51020.12.2 Extractions

An extraction is the involuntary removal of an inmate from an area and usually occurs when the inmate is in a confined area such as a cell, holding cell, shower, or small exercise yard.

Extractions can be conducted as a controlled or immediate use of force. Except in the case of an imminent threat, extractions shall take place in a controlled manner.

- Controlled extractions occur when no imminent threat exists but an inmate's refusal to comply with orders and presence in a cell, yard, or other previously identified location poses a threat to safety and security, or disrupts the normal operation of the housing unit, facility, or institution.
- Immediate extractions occur when an imminent threat exists. Some examples of when an immediate extraction may be necessary are: to prevent or stop, great bodily injury and/or serious bodily injury, attempted suicide, self-harm, in-cell assault, or for medical concerns such as an inmate who is non-responsive, convulsing, or seizing.

The presence of supervisors, managers or health care staff is not required to conduct an immediate extraction.

If a controlled extraction becomes necessary, extraction team members shall be issued extraction equipment:

- Riot helmet, with protective face shield, protective vest, respirator, elbow and shin protectors, gloves, Kevlar neck protector, and blood borne pathogen protective suit.
- Protective shield, approximately 22" wide and 48" long.
- Hand-held baton(s), handcuffs, and leg restraints.
- Video camera(s) with a backup videotape or media and back up batteries.

If an immediate extraction in a Security Housing Unit/Administrative Segregation Unit becomes necessary, extraction team members shall be issued extraction equipment:

- Riot helmet, with protective face shield, and protective vest.
- Protective shield, approximately 22" wide and 48" long.
- Hand-held baton(s) and handcuffs.

The blood borne pathogens protective suit can be used in an immediate extraction if needed. The suit is not required if bodily fluids are not present in sufficient quantities which present a threat to staff.

The blood borne pathogens protective suits, riot helmets, and protective shields are to be stored in locations that are readily accessible to the staff responding to conduct an immediate cell extraction so as not to delay entry/response.

Prior to a controlled extraction, the Response Supervisor or Incident Commander shall ensure that the members of the extraction team do not include any staff member who was directly involved in the incident precipitating the need for extracting the inmate.

The Incident Commander will ensure the Response Supervisor and extraction team members clearly understand their role, appropriate signals, and are familiar with the departmental use of force policy.

A briefing, including possible tactics to be used, shall be given to the extraction team by the Response Supervisor and/or Incident Commander. This briefing shall not be video recorded and should be completed away from the presence of any inmates.

If time permits prior to the actual extraction, a mock extraction may be conducted in a vacated area with participating staff in order to ensure that custodial staff are familiar with their roles during the extraction. Several simulated operations will ensure smoothness and timing during the actual extraction.

Prior to the extraction, the Incident Commander will communicate with the officer responsible/assigned to open/close cell doors and establish verbal/non-verbal signals specific to the controlled use of force.

The Incident Commander shall ensure the control officer understands that only the Incident Commander shall authorize the opening and closing of affected doors.

For the safety of staff, prior to being removed from a cell, it is preferred that the inmate submit to a visual search. The inmate should remove all clothing, except his/her underwear, and move back far enough from the cell door to allow a visual inspection. The inmate shall be visually inspected from head to toe, front and back. The inmate will run his/her fingers around the inside waistband of his/her underwear. The inmate shall be allowed to retain his/her underwear while being restrained and removed from the cell.

If the inmate refuses to cooperate with the visual search, but is willing to submit to restraints, the inmate shall be placed in restraints and removed from the cell. The application of restraints shall not be delayed due to the inmate's refusal to submit to being searched, or to have the inmate remove any clothing. Upon removal from the cell, the inmate should be subjected to search for staff safety.

Placement of an inmate on the stomach for a short period of time to restrain an inmate is authorized; however once the inmate is exposed to chemical agents and/or if a spit hood/mask is placed on the inmate, staff shall not place the inmate on his/her stomach, or in a position that allows the inmate to end up on his/her stomach, for any period longer than necessary to gain or maintain control.

The procedure for cell extractions where two inmates are in the cell remains the same as for a single celled inmate with the following additions:

- Additional team members shall be assigned as determined by the Incident Commander.
- In the event one of the inmates is compliant with staff's instructions, and if in the judgment of the Incident Commander it is safe to open the cell door, the inmate shall be removed.

If it is unsafe to remove the compliant inmate, they shall be required to remain in the cell and appropriate instructions shall be issued for the duration of the incident.

The procedures for an extraction from a holding cell, shower, small exercise yard, etc., whether in a segregated housing unit or general population remain the same as cell extractions except as follows:

- Additional extraction team members or an additional extraction team may be assigned as determined by the Incident Commander.
- In the event two or more inmates are to be extracted from the same area, at least one additional supervisor shall be assigned.

[Sections 51020.12.3 through 51020.12.4 are unchanged]

51020.12.5 Food Trays

Accountability for food trays is an operational concern for the safety and security of institutions. It is important that the staff who issue food trays to inmates in cells account for all trays after the meal is concluded.

If the inmate refuses to return a food tray, the supervisor and the First or Second Level Managers shall be notified. Staff shall document the inmate's refusal to return the food tray on a CDC-115, Rules Violation Report.

The inmate will be advised that he shall not receive another meal until the first scheduled mealtime after the tray is returned.

Additionally, the inmate – and all other inmates in the pod/section – will be placed on escort/restraint status to prevent passing of contraband items. Inmates may exit their cells to

acquire various services. If the cell is vacated, staff will use that opportunity to retrieve the food tray.

Notice shall be provided to staff members working subsequent shifts to ensure their awareness of the circumstances. Institution/facility staff shall implement security measures to deter and prevent the movement of the retained food tray from one cell to another.

If the inmate retains control of the food tray for a period of 24 hours, the Manager shall determine if controlled force will be used to retrieve the tray. This does not preclude the Manager from making a determination, based on safety and security concerns, to retrieve the tray using force prior to the 24-hour time frame.

If the goal of the controlled use of force is only to retrieve the tray, all staff shall be informed of this in advance. If the inmate has retreated to the back of the cell and the tray can be safely retrieved without the application of force, then staff shall retrieve the tray and exit the cell.

[Sections 51020.13 through 51020.15 are unchanged]

51020.15.1 Chemical Agent Use During Controlled Use of Force – Small Space

During a controlled use of force in a cell, single person holding cell, shower, or other small space, only the chemical agent products listed in 51020.15.1 may be deployed. Any additional products authorized by the Office of Correctional Safety, Emergency Operations Unit, and approved by the Director, Division of Adult Institutions must be specifically authorized for controlled use of force in a cell or other small space in order to be utilized for this purpose.

- MK-9 OC Vapor - limited to a single burst of 1-3 seconds in duration per application with a maximum of two applications.
- MK-9 OC Fogger – limited to a single burst of 1-5 seconds in duration per application with a maximum of four applications.
- MK-9 OC Foam – limited to a single burst of 1-5 seconds in duration per application with a maximum of four applications.
- OC Vapor Grenade – limited to 2 devices
- OC Flameless Expulsion Grenade – limited to 2 devices
- X-10 Barricade Removal Device – limited to a single burst of 1-5 seconds in duration per application with a maximum of four applications. Chemical agents may only be deployed from the X-10 during the removal of a barricade. The X-10 is not to be used solely as a delivery device for chemical agents.

Regardless of which chemical agents are deployed, or in what combination, no more than a total of four chemical agent applications shall be administered. In unusual circumstances or when circumstances call for extreme measures to protect staff or inmates, it may be necessary to exceed the four allowed applications. In this event, the Incident Commander shall consult with the on-site manager, who can authorize additional chemical agent applications. For each *additional* chemical agent application authorized, the on-site Manager shall verbalize to the camera, the chemical agent application being authorized and the rationale for the decision.

The amount of time needed for the chemical agents to become effective will vary based upon the delivery method, individual tolerance levels, and environment. A minimum of three minutes shall lapse between each application of chemical agents before additional chemical agents may be applied.

It is recommended a Response Supervisor be assigned the duties of administering chemical agents during controlled use of force in a cell or other small space. Prior to each use of a chemical agent, the staff member applying it shall display the device in view of the camera and state out loud for the camera the time of application and the type of device being applied.

After each application of a chemical agent, the Incident Commander and Response Supervisor shall assess the effectiveness or lack thereof. In the event chemical agents have not proven

effective, the Incident Commander and Response Supervisor should carefully weigh the continued use of chemical agents versus use of physical force to complete the extraction. If a decision is made to apply additional chemical agents, the Incident Commander shall verbalize to the camera the rationale for the decision. For example: "A vapor grenade was deployed. It has been three minutes. The inmate is not showing any visible reaction, is using a personal barrier, and is shouting. We will now attempt to strike the personal barrier with a fogger product." Staff shall make every reasonable effort to maintain visual contact with an inmate when administering chemical agents and until the inmate is decontaminated.

[Sections 51020.15.2 through 51020.15.5 are unchanged]

51020.15.6 In-Cell Decontamination from Oleoresin Capsicum

In-cell decontamination may be used for inmates housed in an institution/facility when the Incident Commander or Response Supervisor determines that removing the inmate would result in the need for additional use of force or give rise to an imminent threat.

The circumstances leading to the order for in-cell decontamination shall be clearly explained in the Response Supervisor's/Incident Commander's report.

When an inmate is going to be decontaminated in his/her cell, a licensed nursing staff shall advise the inmate how to self-decontaminate and the importance of decontamination. Licensed nursing staff shall explain to the inmate that he/she should remove contaminated clothing and use water from the sink to flush the affected area(s). The licensed nursing staff shall also explain to the inmate that he/she should pat or air dry and avoid rubbing the exposed areas.

When an inmate is not removed from the cell, a licensed nursing staff shall monitor the inmate approximately every 15 minutes for a period of not less than 45 minutes starting from the last application of chemical agent. During the monitoring, if the licensed nursing staff determines there is a need for additional medical assessment/treatment outside the cell, the licensed nursing staff shall advise a custody supervisor of the need to remove the inmate from the cell. The custody supervisor shall coordinate the removal of the inmate.

A licensed nursing staff shall document the fact the inmate was given instructions and the approximate times of the 15 minute observations on a CDCR 7219, Medical Report of Injury or Unusual Occurrence.

[Sections 51020.16 through 51020.17.2 are unchanged]

51020.17.3 Video Records Made After Uses of Force That Cause Serious Bodily Injury, Great Bodily Injury, or Result in Allegations of Unnecessary or Excessive Force

A video recorded interview of an inmate shall be conducted in accordance with the Inmate Interview for GBI and SBI Worksheet, CDCR Form 3013-1, or Inmate Interview for Allegation Worksheet CDCR Form 3013-2, and documented on the CDCR Form 3014, Report of Findings-Inmate Interview, under the following circumstances:

- The inmate has sustained a serious bodily injury or great bodily injury that could have been caused by a staff use of force (CDCR Form 3013-1).
- The inmate has made an allegation of an unnecessary or excessive use of force (CDCR Form 3013-2).

Any visible or alleged injuries shall be video recorded. The video recording shall be conducted by custodial supervisors (sergeants or lieutenants) who did not use, or observe the force used, in the incident.

The video recording should be made as soon as possible, but no later than 48 hours from discovery of the injury or allegation.

The video recording shall also include a request of the inmate to be interviewed regarding the circumstances of the incident. If the inmate refuses to be video recorded, such refusal shall be recorded.

The custody supervisor shall not inhibit the inmate being interviewed from providing relevant information.

[Section 51020.17.4 is unchanged]

51020.17.5 Response Supervisor-Additional Reporting Requirements for Deadly Force

When there has been a use of deadly force, the on-duty/Response Supervisor shall ensure that the chain of command is notified and all necessary health and safety, medical, and security measures are initiated. The on-duty/Response Supervisor shall go to the location and ensure that the scene is protected.

For incidents occurring in an institutional setting, the Watch Commander shall contact the institution's ISU.

For incidents occurring in a community setting, the on-duty supervisor or Watch Commander shall ensure local law enforcement is contacted.

The on-duty/Response Supervisor shall ask the employee who used deadly force to provide a public safety statement immediately after the incident. This is the employee's oral statement. This statement helps determine the general circumstances of the incident, assess the need for resources, set the perimeter, locate injured persons, and determine the nature of the evidence to be sought. It shall provide basic information such as the number of persons involved in the incident, the number not yet in custody and number and direction of shots fired. The statement shall not include, and the employee should not be asked to provide, a step-by-step narrative of the incident or a motive for his/her actions. Providing a public safety statement does not relieve the staff of the responsibility to submit a written report in accordance with CCR, Title 15, Section 3268.1(a), or within 24 hours after the incident.

The on-duty/Response Supervisor shall capture the essence of the oral statement in writing and submit it to the Incident Commander.

In circumstances where the use of deadly force results in death or GBI, the staff using the force will be placed on administrative time off (ATO) for 72 hours in order to facilitate department interviews and staff wellness. These 72 hours will be paid contiguous time off, unless they are scheduled regular days off (RDO). RDOs will count toward the contiguous 72 hours but will not be paid unless the employee is called to work. If the 72 hours ATO overlap with a period of pre-scheduled time off (i.e. vacation, holiday, sick leave, etc.) the ATO will be used in lieu of, not in addition to the affected employee's leave credits.

As soon after the incident as is practical, the on-duty/Response Supervisor or Incident Commander must also initiate Peer Support Program (PSP) protocols as delineated in DOM Section 31040.3.2. The Incident Commander shall notify the Office of Internal Affairs (OIA) and the Office of the Inspector General (OIG) as soon as possible, but no later than one hour from the time the incident is discovered, of any use of deadly force and every death or GBI that could have been caused by a staff use of force.

[Sections 51020.17.6 through 51020.19.1 are unchanged]

51020.19.2 First Level Manager Review

The First Level Manager of the area where the incident or allegation occurs shall reach a judgment whether the force used was in compliance with policy, procedure, and training.

The manager shall:

- Review all documentation in the incident package, including, the Report of Findings-Inmate Interview (CDCR 3014).
- Review the quality of all reports to ensure the use of force was properly documented and reviewed. This includes a review of the Incident Commander's conclusions.
- Determine if any corrective action taken by his/her subordinates in relation to the incident was adequate/proper.
- Conduct an in depth analysis to determine if the use of force described in the incident package was within the guidelines of the Use of Force policy, as well as other policies, procedures and training. This analysis should address any non-compliance not identified earlier.
- Complete a review of the incident on the Manager's Review – First Level Use of Force Incidents (CDCR 3011).

In the event the First Level Manager believes an investigation may be necessary, they shall suspend the review and recommend that the case be referred for investigation.

51020.19.3 Second Level Manager Review

The Second Level Manager is the final level of review prior to the completed incident package being sent to the Use of Force Coordinator for review by the (IERC). The Second Level Manager shall reach a judgment whether the force used was in compliance with policy, procedure, and training.

The Second level manager shall:

- Review all documentation in the incident package, including, the Report of Findings-Inmate Interview (CDCR 3014).
- Review the quality of all reports to ensure the use of force was properly documented and reviewed. This includes a review of the Incident Commander's conclusions and the First Level Manager's conclusions.
- Determine if any corrective action taken by his/her subordinates in relation to the incident was adequate/proper.
- Conduct an in depth analysis to determine if the use of force described in the incident package was within the guidelines of the Use of Force policy, as well as other policies, procedures and training. This analysis should address any non-compliance not identified earlier.
- Complete a review of the incident on the Manager's Review – Second Level Use of Force Incidents (CDCR 3012).
- In the event the Second Level Manager believes an investigation may be necessary, they shall suspend review and recommend that the case be referred for investigation.

[Sections 51020.19.4 through 51020.19.5 are unchanged]

51020.19.6 Department Executive Review Committee Monitoring Responsibility

The Department Executive Review Committee is a committee of staff selected by, and including, the Associate Director who oversees the respective Mission-based group. The DERC shall review all incidents involving deadly force, serious bodily injury, great bodily injury, or death. The DERC shall also review those incidents referred to the DERC by the IERC Chairperson or otherwise requested by the DERC.

The DERC shall conduct a review of the incident and document its findings. The DERC shall also review the actions of the IERC and in the event the DERC has questions or concerns with actions taken by the IERC, the DERC shall take appropriate action.

The Director of DAI may choose to provide final review for any incident reviewed by the DERC.

[Sections 51020.20 through 51020.24 are unchanged]



Department of Corrections and Rehabilitation
**NOTICE OF CHANGE
TO DEPARTMENT OPERATIONS MANUAL**

**Chapter 5, Article 2,
Use of Force**

Transmittal Letter Number:

17-10

Revision Date:

March 7, 2017

The purpose of this document is to provide all staff with information regarding revisions to the Department Operations Manual (DOM) Chapter 5, Article 2, Use of Force.

The Department chooses to accept the recommendations suggested in the 2016 Semi-Annual audit from the Office of the Inspector General. The Department is incorporating language regarding Use of Force monitoring responsibilities of the Institutional Executive Review Committee (IERC), to utilize applicable video recordings in Use of Force incidents, and adding a timeline for the Department Executive Review Committee (DERC). These revisions are intended to further enhance; timely reviews, transparency, consistency, provide objective review of all information, and protect the rights of staff, inmates and CDCR.

Changes have been incorporated to:

- Add language requiring the IERC to include in their review, any applicable video recording capturing the *immediate* use of force, in addition to any controlled use of force incidents.
- Mandate the DERC to complete their review within sixty (60) days of the IERC's completed review.

This revised DOM Article is **not** shown in its entirety as the revisions only affect the following three subsections:

- 51020.4
- 51020.19.5
- 51020.19.6

Please inform all persons concerned of the contents of this notice, which shall be maintained and utilized until it is incorporated into the next online edition of the DOM. For questions regarding the content of this policy revision, please contact Joe Stewart, Correctional Administrator, DAI, at (916) 323-4219.

/ Original signed by /

KATHLEEN ALLISON
Director
Division of Adult Institutions

ARTICLE 2 — USE OF FORCE

Revised January 12, 2016

Subsections 51020.1 through 51020.3 remain unchanged.

Subsection 51020.4 is amended to read:

51020.4 Definitions

Revised March 7, 2017

The following shall define language usage in this Article:

Reasonable Force

Reasonable force is the force that an objective, trained, and competent correctional employee faced with similar facts and circumstances, would consider necessary and reasonable to subdue an attacker, overcome resistance, effect custody, or gain compliance with a lawful order.

Unnecessary Force

Unnecessary force is the use of force when none is required or appropriate.

Excessive Force

Excessive force is the use of more force than is objectively reasonable to accomplish a lawful purpose.

Immediate Use of Force

Immediate use of force is the force used to respond without delay to a situation or circumstance that constitutes an imminent threat to institution/facility security or the safety of persons. Employees may use immediate force without prior authorization from a higher official.

Immediate force may be necessary to subdue an attacker, overcome resistance or effect custody.

If it is necessary to use force solely to gain compliance with a lawful order, controlled force shall be used.

Imminent Threat

An imminent threat is any situation or circumstance that jeopardizes the safety of persons or compromises the security of the institution, requiring immediate action to stop the threat. Some examples include, but are not limited to: an attempt to escape, on-going physical harm or active physical resistance.

Controlled Use of Force

A controlled use of force is the force used in an institution/facility setting, when an inmate's presence or conduct poses a threat to safety or security and the inmate is located in an area that can be controlled or isolated. These situations do not normally involve the imminent threat to loss of life or imminent threat to institution security. All controlled use of force situations requires the authorization and the presence of a First or Second Level Manager during business hours. During non-business hours, the on-site manager shall be the Administrative Officer of the Day (AOD) who is responsible for the authorization of any controlled use of force and whose presence is required during any controlled use of force. Staff shall make every effort to identify disabilities, to include mental health issues, and note any accommodations that may need to be considered.

Non-conventional Force

Non-conventional Force is force that utilizes techniques or instruments that are not specifically authorized in policy, procedures, or training. Depending on the circumstances, non-conventional force can be necessary and reasonable; it can also be unnecessary or excessive.

Non-deadly Force

Non-deadly force is any use of force that is not likely to result in death.

Deadly Force

Deadly force is any use of force that is likely to result in death. Any discharge of a firearm other than the lawful discharge during weapons qualifications, firearms training, or other legal recreational use of a firearm, is deadly force.

Great Bodily Injury (GBI)

Great bodily injury is any bodily injury that creates a substantial risk of death.

Serious Bodily Injury

Serious bodily injury means a serious impairment of physical condition, including, but not limited to the following:

- Loss of consciousness;
- Concussion;
- Bone fracture;
- Protracted loss or impairment of function of any bodily member or organ;
- A wound requiring extensive suturing; and
- Serious disfigurement.

Response Supervisor

The Response Supervisor is the first line supervisor in an institution/facility responsible for the area where an incident occurs. When responding to or observing an incident involving the use of force, the response supervisor shall assume control of the responders and direct the tactics used to stop the threat. Additionally, the response supervisor shall assess the appropriateness/effectiveness of the force options being deployed, ensuring compliance with policy and training.

Responding Supervisor

The Responding Supervisor is the first line supervisor responsible for the employee involved in an incident.

Incident Commander

The Incident Commander is the second line supervisor in an institution/facility responsible for the area where an incident occurs or an allegation of excessive or unnecessary force is received.

First Level Manager

A First Level Manager in an institution/facility is a Captain, or the AOD.

First Line Manager

A First Line Manager is a Parole Administrator, District Administrator, Special Agent-In-Charge, or a Senior Special Agent.

Second Level Manager

A Second Level Manager in an institution/facility is an Associate Warden.

Second Line Manager

A Second Line Manager is a Deputy Regional Parole Administrator or Chief.

Institution Head

The Institution Head is a Warden or designee.

Institutional Executive Review Committee (IERC)

The IERC is a committee of institution staff chaired by the respective Institution Head tasked with reviewing all uses of force and every allegation of excessive or unnecessary force. The IERC is the final institutional level of review.

Department Executive Review Committee (DERC)

The DERC is a committee of staff selected by, and including, the Associate Director who oversees the respective institution/facility Mission-based group. The DERC has oversight responsibility and final review authority over the IERC. The DERC shall review every use of deadly force and every serious bodily injury, great bodily injury or death that could have been caused by a staff use of force. The DERC shall also review those incidents referred to the DERC by the IERC Chairperson or otherwise requested by the DERC. The DERC shall conduct all reviews within sixty (60) days of completion by the IERC.

Deadly Force Investigation Teams (DFIT)

DFIT is a team of trained department investigators that shall conduct criminal and administrative investigations into every use of deadly force and every death or great bodily injury that could have been caused by a staff use of force, except the lawful discharge of a firearm during weapons qualifications or firearms training, or other legal recreational uses of a firearm. Based on certain local Memoranda of Understanding, criminal investigations may instead be conducted by an outside police department or sheriff's office. Although defined as deadly force DFIT need not investigate the discharge of a warning shot inside an institution/facility if an Investigative Services Unit Sergeant or above, or an uninvolved Correctional Lieutenant, confirms that the discharge of deadly force was a warning shot and that no injuries were caused by the shot. All warning shots shall be reported to the Office of Internal Affairs/DFIT and the Office of the Inspector General (OIG).

Deadly Force Review Board (DFRB)

The DFRB conducts a full and complete review of all incidents involving a use of deadly force (except warning shots) and every death or great bodily injury that could have been caused by a staff use of force, regardless of whether the incident occurs in an institutional or community setting.

Joint Use Committee (JUC)

The JUC is a committee of field staff from the DAI tasked with reviewing and evaluating recommended revisions to the Division's Use of Force Policy and Procedures.

Holding Cells

All holding cells shall be located within buildings or sheltered areas. A holding cell shall not be used as a means of punishment, housing or long-term placement. If clothing is taken from an inmate when they are placed in a holding cell, alternate clothing shall immediately be provided unless security concerns preclude issuance.

Subsections 51020.5 through 51020.19.4 remain unchanged.

Subsections 51020.19.5 and 51020.19.6 are amended to read:

51020.19.5 Institution Executive Review Committee Monitoring Responsibility

Revised March 7, 2017

The IERC is a committee of executive staff tasked with reviewing reported use of force incidents and allegations of excessive or unnecessary force. The IERC shall normally be comprised of the following institutional staff:

Institution Head or Chief Deputy Warden, as chairperson and final decision maker,

At least one other manager assigned on a rotational basis,

- In-Service Training Manager,
- One health care staff, and
- A Use of Force Coordinator.

A licensed mental health practitioner shall participate in the IERC for all controlled use of force incidents. A licensed mental health practitioner shall also participate in the IERC for any immediate use of force incidents involving an inmate participant in the Mental Health Services Delivery System.

Other designated supervisors and rank and file staff may also attend, as determined by the appointing authority. A representative of the OIG may also attend and monitor IERC meetings.

The IERC shall meet to review its cases on at least a monthly basis, or on a schedule to ensure all cases are reviewed within 30 days. Unless there are outstanding issues or a corresponding investigation, this review will be both an initial/final review.

The IERC Chairperson shall personally view all video recordings arising from controlled use of force incidents and any portion of video recordings capturing the immediate use of force. This viewing can be accomplished either before or during the IERC.

During the IERC, at a minimum, the committee members shall view the portions of the controlled use of force video from the admonishment through the last use of force. When video recording captures the immediate use of force, at a minimum, the committee members shall view the video from the initial use of force through the last use of force.

Should an incident or allegation warrant a request for direct action or investigation by the DFIT, the OIA, or any other outside investigating agency, the IERC shall suspend all review of that incident until the investigation is completed. Upon the Hiring Authority determining a finding for the referred allegation(s), the IERC shall apply the findings as part of its own review.

The IERC shall determine if the use of force was reasonable and in compliance with policy, procedures and training. The IERC shall also examine the critique and conclusions of the managers and supervisors, and ensure the appropriateness of completed documentation.

The IERC shall complete an Allegation Review of all allegations of excessive or unnecessary force.

The IERC may initiate requests for additional information or clarification (clarification requests will be routed to the responsible Manager and tracked by the Use of Force Coordinator). The final review will determine whether the use of force was reasonable.

The IERC may recommend changes to procedure or training. The IERC is also responsible for identifying possible employee misconduct and recommending the initiation of training, corrective action or disciplinary action in such cases. However, only IERC members in supervisory or management roles (including the Use of Force Coordinator) and the OIG may participate in discussions involving the initiation of corrective or disciplinary action.

The hiring authority may initiate changes to local procedure or training based on the findings or recommendations of the IERC, or forward a recommendation of change to the CDCR policy or procedure via the Associate Director. The Institution Head may also initiate corrective or adverse employee action based upon the findings or recommendations of the IERC.

51020.19.6 Department Executive Review Committee Monitoring Responsibility

Revised March 7, 2017

The Department Executive Review Committee is a committee of staff selected by, and including, the Associate Director who oversees the respective Mission-based group. The DERC shall review all incidents involving deadly force, serious bodily injury, great bodily injury, or death. The DERC shall also review those incidents referred to the DERC by the IERC Chairperson or otherwise requested by the DERC.

The DERC shall conduct a review of the incident and document its findings. The DERC shall also review the actions of the IERC and in the event the DERC has questions or concerns with actions taken by the IERC, the DERC shall take appropriate action. The DERC shall conduct all reviews within sixty (60) days of completion by the IERC.

The Director of DAI may choose to provide final review for any incident reviewed by the DERC.

Subsections 51020.20 through 51020.24 remain unchanged.

Memorandum

Date : December 5, 2014

To : Associate Directors, Division of Adult Institutions
Wardens
In-Service Training Lieutenants

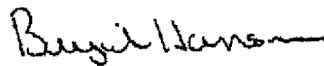
Subject: **ARREST AND CONTROL LESSON PLAN**

The Basic Correctional Officer Academy (BCOA) instructs cadets on techniques for weaponless defense, through the Arrest and Control lesson plan, in accordance with the California Code of Regulations. Attached for your reference is the Arrest and Control Plan to utilize as a guide of those techniques and terminology used at the BCOA.

If you have any questions concerning the information provided, please contact Lieutenant Leard Mapes, Range/Tactical Unit, Correctional Training Center, at (209) 744-5136.



M.D. STAINER
Director
Division of Adult Institutions



BRIGID HANSON
Director (A)
Division of Administrative Services

Attachment

cc: Kelly Harrington
Kathleen Allison
Lisa Lassetter
Stacy Lopez-Kassis
R.M. Calderon

ARREST AND CONTROL PLAN

The Arrest and Control lesson plan was developed to include Commission on Peace Officer Standards and Training (CPOST), Penal Code 832, Learning Domain 33, which are required techniques and weaponless defense. This course is currently 60 hours in length. It was first prepared in May 2006 and approved in March 2007. There have been several modifications since the conception of this lesson plan. The current lesson plan, version 1.1 was approved on July 18, 2013. This memo will serve as an overview of the Arrest and Control lesson plan and to provide a briefing on the specific techniques taught through the Basic Correctional Officer Academy (BCOA):

Overview

The lesson plan is designed to give Cadets the basic knowledge, skills, and ability to perform self-defense techniques in a crisis situation (immediate use of force). This class is also designed to satisfy the CPOST requirements for Arrest Methods and Defensive Tactics. Furthermore, the force options for these techniques fall under the approved force option, physical strengths, and holds. The instructional goal is to provide the participants with the skills to perform specific self-defense moves and control holds in compliance with the California Department of Corrections and Rehabilitation (CDCR) Use of Force policy and CPOST, guidelines for Arrest and Control. It provides participants with the knowledge and skills needed to defend themselves without the use of a weapon.

Right of self defense

The penal code defines when reasonable force can be used, but it also empowers peace officers to defend themselves. Penal Code, Section 835a, is referenced in the California Code of Regulations (CCR), Title 15, Section, 3268 and states "Any Officer who has reasonable cause to believe that the person to be arrested has committed a public offense may use reasonable force to effect an arrest, to prevent escape or to overcome resistance. A peace officer who makes or attempts to make an arrest need not retreat or desist from his efforts by reason of the resistance of the person being arrested; nor shall such officer be deemed the aggressor or lose his right to self-defense by the use of reasonable force to effect the arrest or to prevent an escape or to overcome resistance."

CPOST techniques

In objectives 1 through 7, the lesson plan states the cadet will demonstrate the ability to perform the following techniques. Each one has a measurable skills test.

1. Visual search (CPOST)



2. Cursory search (CPOST)

[REDACTED]

3. Search incident to arrest (CPOST)

[REDACTED]

4. Accordion control hold (CPOST)

[REDACTED]

5. Rear wrist lock (CPOST)

[REDACTED]

6. Quick handcuffing (CPOST)

[REDACTED]

7. Arm bar takedown (CPOST)

[REDACTED]

Weaponless defense

This is a use of force class that focuses on self-defense and arrest, and how and when to use force. Correctional Peace Officers are expected to maintain order, confront, and control disorderly conduct and affect the arrest of individuals who are in violation of state laws. Many inmates are aggressive and violent. Correctional Peace Officers must have basic skills in unarmed self-defense in order to maintain the security of all persons (see attached sheet, weaponless defense). Failure to attain these skills may result in serious injuries and or death. As peace officers, they must

Attachment A

understand their rights and limitations, as well as know how to defend themselves. Their knowledge of the difference between the use of force policy and the inmate disciplinary process will help in the decision process, when force is necessary; or if they can avoid force without losing control within the prison system. Whenever possible, staff are to resolve issues without the use of force. When force must be used, they are to use reasonable force as defined in the CDCR Use of Force policy. In any unavoidable physical confrontation, the longer a conflict continues, the more variables there are likely to exist. There are two essential reactions:

- Act instantaneously
- Achieve simple success

Ground Defense

[REDACTED]

[REDACTED]

Glossary of Techniques

Region	Country	Population	Area	Capital	Language	Religion	Government	Notes
North America	USA	250,000,000	9,800,000	Washington	English	Protestantism	Presidential	
North America	Canada	25,000,000	9,900,000	Ottawa	English/French	Protestantism/Catholicism	Parliamentary	
South America	Brazil	150,000,000	8,500,000	Brazilia	Portuguese	Catholicism	Presidential	
South America	Argentina	30,000,000	2,800,000	Buenos Aires	Spanish	Catholicism	Presidential	
South America	Chile	15,000,000	756,000	Santiago	Spanish	Catholicism	Presidential	
South America	Colombia	25,000,000	1,100,000	Bogota	Spanish	Catholicism	Presidential	
South America	Venezuela	20,000,000	916,000	Caracas	Spanish	Catholicism	Presidential	
South America	Ecuador	10,000,000	283,000	Quito	Spanish	Catholicism	Presidential	
South America	Peru	25,000,000	1,280,000	Lima	Spanish	Catholicism	Presidential	
South America	Uruguay	3,000,000	176,000	Montevideo	Spanish	Catholicism	Presidential	
South America	Paraguay	5,000,000	406,000	Asuncion	Spanish	Catholicism	Presidential	
South America	Bolivia	8,000,000	1,098,000	Sucre	Spanish	Catholicism	Presidential	
South America	Guatemala	10,000,000	107,800	Guatemala City	Spanish	Catholicism	Presidential	
South America	El Salvador	4,000,000	21,700	San Salvador	Spanish	Catholicism	Presidential	
South America	Honduras	4,000,000	111,900	Tegucigalpa	Spanish	Catholicism	Presidential	
South America	Nicaragua	4,000,000	130,400	Managua	Spanish	Catholicism	Presidential	
South America	Panama	2,000,000	75,500	Panama City	Spanish	Catholicism	Presidential	
South America	Costa Rica	2,500,000	52,100	San Jose	Spanish	Catholicism	Presidential	
South America	Dominican Republic	7,000,000	74,600	Santo Domingo	Spanish	Catholicism	Presidential	
South America	Haiti	7,000,000	27,700	Port-au-Prince	French	Catholicism	Presidential	
South America	Jamaica	2,000,000	10,900	Kingston	English	Protestantism	Constitutional	
South America	Trinidad and Tobago	1,000,000	935	Port of Spain	English	Protestantism	Constitutional	
South America	Guyana	700,000	215,000	Georgetown	English	Protestantism	Constitutional	
South America	Suriname	400,000	163,000	Paramaribo	Dutch	Protestantism	Constitutional	
South America	French Guiana	200,000	8,300	Kayenne	French	Catholicism	Overseas	
South America	Guadeloupe	400,000	1,700	Basse-Terre	French	Catholicism	Overseas	
South America	Martinique	400,000	1,100	Fort-de-France	French	Catholicism	Overseas	
South America	Reunion	700,000	2,500	St-Denis	French	Catholicism	Overseas	
South America	Mayotte	200,000	370	Mambo	French	Catholicism	Overseas	
South America	French Polynesia	200,000	3,800	Papeete	French	Catholicism	Overseas	
South America	New Caledonia	200,000	18,600	Noumea	French	Catholicism	Overseas	
South America	Wallis and Futuna	10,000	142	Mata-Utu	French	Catholicism	Overseas	
South America	French Southern Territories	100	1,700	Port-aux-Francaises	French	Catholicism	Overseas	
South America	Antarctica	0	14,000,000	None	None	None	None	
South America	Greenland	50,000	2,176,000	Narsarsuaq	Danish	Protestantism	Overseas	
South America	Faroe Islands	50,000	1,400	Torshavn	Danish	Protestantism	Overseas	
South America	Isle of Man	80,000	572	Douglas	English	Protestantism	Overseas	
South America	Jersey	90,000	116	St-Helier	English	Protestantism	Overseas	
South America	Guernsey	80,000	70	St-Pierre	English	Protestantism	Overseas	
South America	Manx	80,000	572	Douglas	English	Protestantism	Overseas	
South America	Channel Islands	100,000	116	St-Helier	English	Protestantism	Overseas	
South America	Isle of Man	80,000	572	Douglas	English	Protestantism	Overseas	
South America	Jersey	90,000	116	St-Helier	English	Protestantism	Overseas	
South America	Guernsey	80,000	70	St-Pierre	English	Protestantism	Overseas	
South America	Manx	80,000	572	Douglas	English	Protestantism	Overseas	
South America	Channel Islands	100,000	116	St-Helier	English	Protestantism	Overseas	



DIVISION OF JUVENILE JUSTICE

Crisis Prevention and Management

Manual

- ☐ Administrative (YAM)
- ☐ Education Services (ES)
- ☒ Institutions and Camps (I&C)
- ☐ Parole Services (PS)
- ☐ Special Education (SE)

Section

2080

Replace(s)

2080

Signature/Approval

Date

Original Signed By

MICHAEL MINOR
Director (A)

01/22/2013

Approval Date

Policy Statement

The California Department of Corrections and Rehabilitation, Division of Juvenile Justice (DJJ) is committed to creating a safe environment for youth and staff. DJJ's goal is to avoid the use of force and address maladaptive behaviors and crisis in a pro-active manner by utilizing a continuum of interventions and developing Crisis Intervention Plans for each youth.

The use of excessive and unnecessary force is strictly forbidden. Failure to use de-escalation techniques to avoid the use of force where there is the opportunity to do so, failure to protect youth or staff from harm due to assaultive or violent behavior and failure to protect youth from self-inflicted injury may result in disciplinary action. In the unusual instances where force is necessary to protect youth or others from harm, or to prevent a youth from attempting to escape the boundary of a facility or custody during off-grounds transport, staff shall utilize the least amount of force necessary for the safety of staff, youth, and public, which poses the minimum risk of injury to youth.

DJJ will utilize a continuum of interventions in an effort to reduce the need for force. Mental health clinicians will be an integral part of this continuum and will work with all staff and youth to improve safety and prevent the use of force. All staff will receive training in the use of pro-active, non-physical interventions, de-escalation skills, conflict resolution, restraint techniques, and use of Oleoresin Capsicum authorized by DJJ. These skills and approved techniques shall be used to manage maladaptive behaviors exhibited by youth when all other pro-active, non-physical behavior management techniques have been tried and failed.

Changes to the Crisis Prevention and Management policy and/or procedures, as well as any clarification memorandum issued pertaining to the Use of Force, shall only be authorized by the Director or designee of the Division of Juvenile Justice.

Scope

Applicable to each Division of Juvenile Justice employee.



DIVISION OF JUVENILE JUSTICE

Crisis Prevention and Management

Goal(s)	Consistent with generally accepted professional standards and best practices, the goals of this policy are to:																			
	<ul style="list-style-type: none">• Build strong relationships with youth to allow effective treatment to occur• Model self-regulating behavior in challenging circumstances• Eliminate the use of force not sanctioned in this policy• Minimize the use of force• Minimize the risk of injury to staff and youth																			
Authority	<ul style="list-style-type: none">• Welfare and Institutions Code, Section 1712• Penal Code, Section 830.5																			
Related Standards/ References	<ul style="list-style-type: none">• Penal Code, Section:<ul style="list-style-type: none">○ 835-835.a																			
Related Remedial Plan or Court Order	Farrell Lawsuit <input type="checkbox"/> Education Services <input type="checkbox"/> Health Care Services <input checked="" type="checkbox"/> Mental Health <input checked="" type="checkbox"/> Safety and Welfare <input type="checkbox"/> Sexual Behavior Treatment Program <input checked="" type="checkbox"/> Wards with Disabilities Program	Other Lawsuits & Court Orders <input type="checkbox"/> L.H. Lawsuit <input type="checkbox"/> Other: _____																		
Requirements	<table border="0"><tr><td>This policy has a training requirement:</td><td><input checked="" type="checkbox"/> Yes</td><td><input type="checkbox"/> No</td></tr><tr><td>This policy has an audit requirement:</td><td><input checked="" type="checkbox"/> Yes</td><td><input type="checkbox"/> No</td></tr><tr><td>This policy has restricted distribution:</td><td><input type="checkbox"/> Yes</td><td><input checked="" type="checkbox"/> No</td></tr><tr><td>This policy requires annual review:</td><td><input checked="" type="checkbox"/> Yes</td><td><input type="checkbox"/> No</td></tr><tr><td>This policy requires a local procedure:</td><td><input type="checkbox"/> Yes</td><td><input checked="" type="checkbox"/> No</td></tr><tr><td>This policy requires youth notification:</td><td><input type="checkbox"/> Yes</td><td><input checked="" type="checkbox"/> No</td></tr></table>		This policy has a training requirement:	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	This policy has an audit requirement:	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	This policy has restricted distribution:	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	This policy requires annual review:	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	This policy requires a local procedure:	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	This policy requires youth notification:	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
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This policy requires youth notification:	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No																		
Revision Date(s)	<ul style="list-style-type: none">• I&C Manual, Section 2080 – 2107: 03/07/03, 06/22/05, 12/01/06, and 02/06/09.																			
Effective Date	04/08/2013																			



DIVISION OF JUVENILE JUSTICE

Crisis Prevention and Management

CONTINUUM OF INTERVENTIONS

DJJ will utilize a continuum of interventions in an effort to minimize the need for force. Mental Health clinicians will be an integral part of this continuum and will work with all staff and youth to improve safety and prevent the use of force.

All Division of Juvenile Justice staff have the responsibility to utilize a continuum of prevention, intervention and de-escalation strategies in order to effectively minimize crisis situations including but not limited to communication, assessments, relationship/rapport building, presence, planning, and instructions. Staff will be trained on a continuum of techniques ranging from least restrictive and least likely to cause harm to more restrictive and higher potential for harm to staff and youth.

Crisis Prevention and Proactive Supervision of Youth

Prevention is a critical step in dealing with the management of crisis situations and behavior. All staff are expected to utilize proactive practices and techniques. A foundation of positive youth development is maintaining a safe environment supervised by fair, consistent and supportive staff. The primary tools for staff in the prevention of crises are building positive, supportive, professional relationships with youth and utilizing proactive supervision of youth. Through these relationships, staff develop rapport and recognize behaviors and situations which have the potential of escalating and may lead to violent or acting out behavior.

Intervention techniques shall be used prior, during, and after the point in which force measures become necessary. By using positioning, proximity, restructuring and other proactive supervision practices and techniques, staff are able to intervene and potentially prevent crises from developing. All prevention, intervention, and de-escalation measures, such as the use of Conflict Resolution Teams, Mental Health Professional staff, Education staff, Interns, Clergy, Nurses, Staff Assistants, and other staff shall be utilized when possible and practical. All reasonable efforts to de-escalate and prevent force shall be made and documented in appropriate reports.

Crisis Intervention Plan

The individual Crisis Intervention Plan is a part of the youth's overall, integrated treatment plan. An individual Crisis Intervention Plan will be developed for each youth no later than 30 days of arrival at a DJJ reception center to describe prescriptive de-escalation techniques and interventions authorized for use with the youth. These plans will be assessed at each case conference, weekly treatment team meetings, and updated as needed. These plans will include:

- Youth's triggers
- Early warning signs
- Coping strategies
- Interventions to be utilized
- At what point in a potential crisis a clinician should be called



DIVISION OF JUVENILE JUSTICE

Crisis Prevention and Management

- Restrictions/limitations on use of physical restraints if applicable
- Restrictions/limitations on the use of Oleoresin capsicum (OC)

De-Escalation Strategies

There will be instances when proactive supervision alone does not prevent a crisis situation from developing. When this occurs, the appropriate use of de-escalation techniques, as authorized by a youth's individual Crisis Intervention Plan, may reduce the likelihood of the situation becoming dangerous for youth and staff. Staff will be trained to utilize intervention strategies that contribute to effective communication, problem solving, prevention of power struggles, conflict resolution, and proactive prevention and management of crises through behavioral de-escalation strategies, trauma informed interventions and least restrictive measures. Whenever possible, qualified mental health professionals will be consulted, and will respond to assist with the de-escalation of potential crisis situations.

CONTINUUM OF FORCE

All uses of force must be appropriate to the level of risk presented by the youth and utilize the least amount of force necessary to stabilize the youth or situation, and be documented in the youth's individual Crisis Intervention Plan. Staff must stop at the lowest level of intervention that stabilizes the youth and situation, and reduce the level of force as the youth and situation stabilize. Whenever practical, staff shall give the youth the opportunity to respond prior to utilizing a greater degree of force. When a youth's resistance stops, the application of force stops.

Use of **Immediate Force** does not require authorization of a higher official when the behavior of a youth constitutes an imminent threat to the safety of any person or the security of the facility or the youth is causing substantial damage to DJJ property.

When time and circumstances permit, a controlled use of force shall be used with advance planning, staffing and organization. A controlled use of force requires authorization of the Superintendent or designee and the presence of a Supervisor. Supervisors will not proceed with a controlled use of force with any youth with Mental Health or Wards with Disabilities considerations documented in the youth's Crisis Intervention Plan until all responding staff have been briefed on those considerations.

Use of Force Options

When other less restrictive non-force options have failed or are not practical under the circumstances existing at the time, reasonable force may be used. Under no circumstances shall the force used be greater than reasonably necessary to achieve control of the youth and maintain safety and order. If staff should, at any point, determine the situation can be resolved without the use of force, the use of force process shall be terminated and staff will return to the use of preventative and de-escalation techniques. Use of Force options do not have to be utilized in any particular sequence, but should be the force option staff reasonably believes is sufficient. Use of force options include but are not limited to:

- Physical Strengths and Holds
- Mechanical Restraints



DIVISION OF JUVENILE JUSTICE

Crisis Prevention and Management

- Oleoresin Capsicum
- Less-Lethal

Circumstances Under Which Force May Be Used

In emergency situations, force may be used when all other appropriate pro-active techniques have been considered and/or used. Accordingly, force shall be used only in the following circumstances:

- The youth's behavior presents a danger to the safety of any person, including the youth; or
- The youth is causing substantial damage to public property; or
- The youth is trying to escape while in a DJJ facility or off-grounds.

Circumstances Under Which Force May Be Used Against a Youth Who Refused To Follow Staff Instructions

Force shall not be used against youth who refused to follow staff instructions except in the following situations:

- Youth repeatedly and intentionally ignored staff instructions over a significant period of time; and
- Staff's efforts of intervention and de-escalation to include consulting with the youth's Crisis Intervention Plan and utilizing the principles of Core Correctional Practices have proven unsuccessful and ineffective; and
- Further continuance of the situation would immediately and directly preclude other youth from receiving their mandated programs and/or services.

When all above conditions are met, staff may use force after obtaining approval by the Superintendent or designee and on weekends and/or after hours by the Watch Commander.

Circumstances under Which Force May Not Be Used

At no time is an employee permitted to use force against a youth for punishment, retaliation, or discipline. Force may not be used under any of the following circumstances:

- Oleoresin Capsicum shall not be used on a youth with a documented medical restriction from the application of Oleoresin Capsicum. The youth will be counseled on their medical risk related to Oleoresin Capsicum exposure. Documentation of this restriction shall be placed in the youth's Crisis Intervention Plan. This restriction applies to all use of force situations unless there is a threat of imminent danger.
- Oleoresin Capsicum shall not be deployed on youth diagnosed as mentally ill unless there is imminent danger of serious injury to youth or staff.
- Oleoresin Capsicum shall not be used on a pregnant female youth.



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Non-Approved Force

The following non-approved force is prohibited:

- Any force that places a youth in a prone position with the youth's arm(s) and/or hand(s) secured behind the youth's back, and secured to the youth's leg(s)
- Carotid Artery Control Hold
- Any force used to secure a youth to a fixed object with the youth's hand(s) behind the back

Deadly Force

The DJJ recognizes the sanctity of human life. Deadly force refers to any use of force that is likely to result in death. Therefore, deadly force shall only be used when it is reasonable force and is needed to defend individuals from the immediate threat of death or great bodily injury.

SAFETY PRECAUTIONS

Staff must be mindful of staff/youth size differentials when utilizing physical strengths and holds. As a safety precaution, when engaging in a restraint, staff must not apply their full body weight onto the youth in order to achieve control.

Correctional Peace Officers will be aware of Compressive Asphyxia. Compressive Asphyxia limits the expansion of the lungs by compressing the torso, hence interfering with breathing. Compressive Asphyxia can occur when the chest or abdomen is compressed backwards toward the spine.

Whenever the youth complains that he/she cannot breathe, shows signs of difficulty in breathing, or vomits, staff must immediately remove pressure from the back, chest, and abdomen without losing hold of the youth. Staff must observe the youth to determine whether he/she is breathing. Throughout the use of physical force, staff shall determine whether or not the youth is responsive and can speak.

Health emergencies always override the use of physical strengths and holds. If a youth appears to have lost consciousness or shows signs of any other health emergency, staff must immediately stop the physical force and check the youth for breathing and signs of circulation. Staff must immediately initiate CPR and emergency medical response procedures if either breathing or signs of circulation are absent. If staff is unsure if either breathing or signs of circulation are absent, they must immediately initiate CPR and emergency medical response procedures.

REQUIRED MEDICAL EVALUATION

When force is used or a youth is involved in a physical altercation, a medical evaluation shall be provided to the youth as soon as practical, but no later than two (2) hour after the incident. Health Care Professionals are the only staff authorized to accept a youth's refusal of a medical evaluation after a use of force incident.



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GREAT BODILY INJURY/SERIOUS INJURY

If the youth has suffered serious injury or great bodily injury, the Supervisor, in consultation with the Superintendent, shall notify the Office of Internal Affairs (OIA) and the Bureau of Independent Review (BIR) as soon as possible, but no later than one hour after all safety, security, and control response measures have been implemented following incident discovery.

In instances where the allegation was submitted through the youth staff misconduct complaint process and there is no corresponding Behavior Report/Use of Force form, the Supervisor, in consultation with the Superintendent, shall notify the OIA and BIR as directed.

ALLEGATIONS OF UNNECESSARY OR EXCESSIVE FORCE

Every employee has an ethical and legal responsibility to report what they believe to be an incident of unnecessary or excessive force. Any employee observing unnecessary or excessive force shall make reasonable efforts to stop the violation. Any employee witnessing or receiving information alleging an incident of unnecessary or excessive use of force shall immediately report the incident verbally to a Supervisor, the Security Supervisor, Chief of Security, or Executive Officer. Staff who do not document staff misconduct shall be subject to discipline.

MANDATORY VIDEO RECORDED INTERVIEW AND PHOTOGRAPHS

A Lieutenant who is not involved in the incident, will conduct a video recorded interview of the youth and take photographs within 24 hours of discovery of injury or allegation when one of the following criteria are met:

- When there is a serious injury to the youth due to the application of force.
- When there is a blow to the youth's head (to include facial area) due to the application of force.
- When an allegation of unnecessary or excessive use of force has been made due to the application of force.

Results of the video recorded interview and photographs shall be documented on the Report of Findings Youth Interview form along with the youth's written statement. All youth witnesses identified by the youth subject to the video recorded interview shall be provided the opportunity to submit a witness statement. On the report of findings youth interview form, document any youth witness who refuses to provide a statement. In the event a video recorder is not available, photographs and an audio recording medium will be used to collect the information.

Notification

The Superintendent or designee shall be immediately notified after an incident involving serious injury to the youth and/or the youth and /or a staff has made an allegation of excessive or unnecessary force due to the application of force.



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FOLLOW-UP TO A USE OF FORCE INCIDENT

Debriefing Process

Debriefing after the use of force is an essential tool to learn about the well-being of the youth and staff, to determine what caused the event, to become aware of critical events that may upset the youth, to evaluate the effectiveness of interventions utilized, and to proactively mitigate future events. Debriefing is an integral part of a program's efforts to reduce the use of force. Each facility shall conduct a series of debriefings as soon as practical after each use of force.

Documentation

Any employee who uses or witnesses force must complete applicable reports and document all observations prior to departure from the facility. Each staff involved in or witnessing the incident must complete a written report on the appropriate form. Staff who do not document the incident may be subject to discipline.

ADMINISTRATIVE REVIEW

Each individual Use of Force Incident at a DJJ facility must be evaluated at both supervisory and management levels to determine if the force used was both proper and lawful under applicable laws, regulations, policy, procedures, and training. The policy set forth below shall be enforced to ensure the management team of the DJJ is aware of use of force incidents, and is able to properly monitor and provide a thorough review of each use of force incident.

Supervisory Evaluation of Use of Force Incidents

All Use of Force Incidents shall be reviewed at a Supervisory level within 72 hours of the incident. The following factors must be evaluated:

- Crisis prevention, intervention and management techniques used, if applicable
- Any efforts and/or resources used to minimize the use of force
- The need for the application of force
- The relationship between that need and the amount of force used
- The threat reasonably perceived by the employees involved
- Extent of the injuries suffered
- For all controlled use of force incidents, the supervisory evaluation shall include a review of the youth's Crisis Intervention Plan to ensure all reasonable interventions were attempted.

If any use of force incident involves a youth that sustained great bodily injury or serious injury as a result of the application of force or as a result of involvement in an incident, notification to the Superintendent/designee shall occur as soon as possible.



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The Superintendent/designee will examine all levels of responsibility exercised by subordinate managers and supervisors, and ensure the appropriateness of completed documentation.

Suspension of Force Review Process

Reasons for suspension of the force review process are:

- Force Review Package requiring clarification and/or additional information.
- In force incidents in which one or more staff have been identified for preliminary inquiry or referred for an Office of Internal Affairs investigation, the Force Review Committee will proceed as follows:
 - If the staff actions referred for preliminary inquiry or for an OIA investigation relate to the actual use of force, the Force Review Committee will review available reports and evidence relating to the incident for purposes of identifying and addressing systemic issues. In these cases, the FRC will defer making a judgment on the appropriateness of the force until the preliminary inquiry or OIA investigation is complete.
 - If the staff actions referred for preliminary inquiry or for an OIA investigation relate to a collateral issue not directly impinging on the use of force, the FRC will review available reports and evidence to determine the appropriateness of the force and other issues. The FRC will defer making a judgment on the appropriateness of the collateral act under preliminary inquiry or investigation until the preliminary inquiry or OIA investigation is complete.

Force Review Committee

The Force Review Committee (FRC) is a multi-disciplinary team at facility level tasked with evaluating critical use of force incidents to identify effective and non-effective intervention techniques with the goal of reducing the use of force. The committee Chairperson shall be no less than a Superintendent, Assistant Superintendent or Chief of Security. The Force Review Committee meeting shall include at a minimum, a Superintendent and/or Assistant Superintendent, Chief of Security, Program Administrator, Treatment Team Supervisor or Supervising Casework Specialist, Health Care Professional Supervisor, and Mental Health Professional Supervisor. Other staff members may include:

- Associate Governmental Program Analyst
- Training Officer
- Senior Youth Correction Counselor
- Treatment Team Supervisor/Supervising Casework Specialist
- Education Supervisor
- Any invited guest approved by the Superintendent and/or Assistant Superintendent's Office

Use of force incidents meeting any of the following criteria shall be reviewed by the Force Review Committee (FRC) within 30 days of occurrence:

- Self-injurious behaviors or suicide attempt



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- Serious injuries sustained by a youth or staff member
- Single youth incident
- Multiple (3 or more) applications of Oleoresin Capsicum on a youth in a single youth incident
- Use of Oleoresin Capsicum on a youth with Mental Health designation or identified disability
- Allegations of excessive or unnecessary force
- Any incident deemed necessary for review by the Superintendent/Designee

The FRC shall facilitate dialogue to analyze critical use of force incidents to identify effective and non-effective intervention techniques with the goal of reducing use of force incidents. The FRC shall make a determination concerning the appropriateness of the use of force based on the information and reports available. A Corrective Action Plan (CAP) concerning problematic findings shall be developed as necessary. CAP's shall include a person responsible to ensure the finding is responded to by a date identified by the FRC.

All relevant information and recommendations, both positive and negative, from the FRC shall be documented and communicated back to the Supervisor in a timely manner for training/learning opportunities with the involved staff through training bulletins and/or face-to-face contact. The FRC shall complete a Synopsis Review form that extends recognition to staff who are properly and effectively using alternative tools to manage incidents without resorting to force or where it is clear that the force used was only the amount of force that was necessary to effect control.

All Use of Force incident packages reviewed by the FRC shall include the meeting minutes, all applicable documentation, and video recordings. All Use of Force incident packages shall then be forwarded to the Division of Juvenile Facilities Use of Force Coordinator or the Director of Juvenile Facilities within seven (7) calendar days of FRC completion for Division Force Review Committee (DFRC) review.

Division Force Review Committee

Division Force Review Committee is a multi-disciplinary team of representatives designated by the Director to ensure employee actions are in accordance with the Crisis Prevention and Management policy.

The DJJ Division of Juvenile Facilities at Headquarters shall review all Use of Force incidents received and select a minimum of ten (10) percent submitted to be further reviewed by the DFRC when they meet any of the following criteria:

- Self-injurious behaviors or suicide attempt
- Serious injuries sustained by a youth or staff member
- Single youth incident
- Multiple (3 or more) applications of OC on a youth in a single youth incident
- Use of OC on a youth with Mental Health designation or identified disability
- Allegations of excessive or unnecessary force
- Any incident deemed necessary for review by the Force Review Committee



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The DFRC review is to ensure employee's actions are in accordance with Crisis Prevention and Management policy, procedures, and training. The DFRC review is a qualitative and quantitative review of selected incidents that the FRC has reviewed. The DFRC ensures facility executives are conducting qualitative analysis of each use of force incident. Each DFRC meeting shall result in an initial Report of Findings that is sent to the Superintendent. The facility shall respond to the DFRC's findings with a notice of factual accuracy. The DFRC is responsible for issuance of a final Report of Findings that is forwarded to the Deputy Director of Juvenile Facilities Operations and Programs for review.

Use of Force Data Base and Subsequent Audits

Each facility shall maintain a standardized database containing use of force information. The database shall be capable of producing various statistical reports to be utilized by managers to evaluate trends, reasons for the application of force, and the factors involved.

The Superintendent shall ensure that submitted use of force incident report information is accurately recorded in the Ward Information Network (WIN) system and the monthly QSR report form. This data shall be maintained by the facility Use of Force Coordinator or Superintendent's designee as a reporting tool to provide the Superintendent and management staff monthly and quarterly reports, as well as specific reports pertaining to and regarding the use of force.

DEADLY FORCE REVIEW BOARD

Deadly Force Review Board is a team designated by the Director who reviews deadly force use incident(s) and includes at least four (4) members trained in accordance with Section 832 of the Penal Code. One member shall be either the Director of Juvenile Facilities or the Regional Parole Administrator outside the region or jurisdiction where the deadly force was used. The other three (3) members shall be non-departmental law enforcement professionals.

In circumstances where a person is injured or killed as the result of the use of deadly force, the Deadly Force Review Board (DFRB) shall examine all aspects of the incident to determine the extent to which the use of force complied with Crisis Prevention and Management policies and procedures, and to determine the need for policy, training and/or equipment modifications. The DFRB shall report its findings, in writing, to the Director for approval or follow-up action.

DEFINITION(S)

Conflict Resolution Team – A team of Correctional Peace Officer staff tasked with interacting closely with the facility's youth population, applying behavioral and intervention strategies in shaping the facility's social environment, resolving youth conflicts that exist and/or potentially exist.

Controlled Force - The planned use of force in situations where a youth is located in an area that can be controlled or isolated.

Crisis Management/Prevention Options - The choices available to all Direct Care staff when selecting a non-force option which may include behavior support plans and contracts with an emphasis on, but is not limited to:



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- **Appearance and Reputation** – Refers to the effect that an employee's demeanor and reputation have on youth behavior. (These characteristics must be consistently maintained to be effective.)
- **Crisis Intervention Plan** - A specific, documented plan of de-escalation techniques tailored to a youth's individual needs, developed by the youth's treatment team in conjunction with the youth. The plan is designed to help the youth from the earliest stages of distress and escalation in order to prevent a crisis from erupting. This plan will be available for all Direct Care staff to view.
- **Dialogue/De-Escalation** – Intervention used to decrease a potential crisis situation emphasizing the use of presence, rapport, and communication skills when no immediate threat is present. This may include intervention by staff not involved in the incident, the use of a time-out for the youth, or other intervention resources to de-escalate the youth involved.
- **Intervention** - Any authorized response option that staff have learned in training and is included on DJJ continuum of interventions.
- **Prevention** - Minimizing the likelihood of crisis situations through treatment or case planning, establishing relationships, building rapport, and structuring the milieu, as trained by the DJJ.

Crisis Situation – Any event where a youth is demonstrating behavior that clearly threatens the safety of youth, other individuals, or the security of the facility and requires some level of intervention. Crisis situations may escalate beyond verbal interventions when the level of imminent threat increases.

De-Briefing – Refers to a meeting to share information and provide feedback as a means to assist staff in their daily interactions with youth. This occurs at multiple levels and includes youth, staff and administrative review.

Excessive Force - Use of more force than was needed to stabilize the youth and/or the situation.

Executive Officer - A Correctional Peace Officer at the level of Superintendent, Assistant Superintendent, Chief of Security, Program Administrator, Parole Agent III, Treatment Team Supervisor, or Supervising Casework Specialist.

Great Bodily Injury – An injury that creates a substantial risk of death.

Health Care Professional Staff - Includes all Physicians, Registered Nurses, Nurse Practitioners, and Physician Assistants.

Immediate Force - Refers to the use of reasonable force and due to time constraints, does not require authorization of a higher official when the behavior of a youth constitutes an imminent threat to the safety of any person or the security of the facility or the youth is causing substantial damage to DJJ property.

Imminent Danger – A situation in which staff would conclude from the available information that immediate action and/or use of force may be necessary and failure to act or delay is likely to result in death or serious injury to youth, staff or others by an attacker's act of aggression.



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Mental Health Crisis - An acute disturbance of thinking, mood, behavior, or social relationships that requires an immediate intervention. Indicators of such a disturbance may include, but are not limited to: suicidal threats, gestures or attempts; self-injurious or self-mutilative behavior; and mental manifestations of psychiatric disorders.

Mental Health Professional Staff - Includes Psychiatrists, Psychologists, and Licensed Psychiatric Technicians.

Reasonable Force - The amount of force that an objective, trained, and competent Correctional Peace Officer faced with similar facts and circumstances, would consider necessary and reasonable to subdue an attacker, overcome resistance, effect custody, or gain compliance with staff commands to accomplish subduing an attacker, overcome resistance, and/or effect custody.

Response Options - The continuum of non-force and force options available to a Correctional Peace Officer are:

- **Non-Force Response Options** - The choices available to a Correctional Peace Officer when selecting a non-force response option and includes but is not limited to:
 - **Appearance and Reputation** – Refers to the effect that an employee's demeanor and reputation have on youth behavior. (These characteristics must be consistently maintained to be effective.)
 - **Command Presence** - The use of physical presence and official authority to attempt to gain compliance and if necessary issue commands and authoritative warnings to youth when all other interventions have been unsuccessful prior to use of a force option.
 - **Dialogue/De-Escalation (See Definition Above)**
- **Force Response Options** - Authorized force options available to Correctional Peace Officers are:
 - **Physical Strengths and Holds** - Refers to a Correctional Peace Officer's ability to use techniques of physical strengths and holds to subdue an attacker, overcome resistance, effect custody, or gain compliance with staff commands to accomplish subduing an attacker, overcome resistance, and/or effect custody. This also applies to a Division of Juvenile Justice employee's ability to apply escape techniques to obtain distance from an attacking youth.
 - **Mechanical Restraint** - Refers to use of division-approved mechanical restraint equipment.
 - **Oleoresin Capsicum** - Refers to use of a division-approved Oleoresin Capsicum.
 - **Less-Lethal** - Refers to use of approved weapons that fire less than lethal projectiles that are used in serious incidents to include group disturbances.

Serious Injury - Any of the following injuries:

- Any loss of consciousness



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- Dislocation
- Lacerations requiring stitches, sealants or other such procedures to close a wound
- Concussion
- Torn ligaments, muscles or tendons
- Internal injuries
- Broken, damaged or loss of tooth
- Any hearing loss including punctured eardrum
- Any loss of vision
- Burns
- Any serious injury to the face, head or neck area that requires treatment at a hospital, clinic or other outside medical provider
- Poisoning
- Toxic exposure
- Any other injury requiring treatment at a hospital, clinic or other outside medical provider.

Unnecessary Force - The use of force not required or essential to subdue an attacker, overcome resistance, effect custody, or gain compliance with staff commands.

Youth Receiving Mental Health Services – Any youth who has a mental health condition that impairs his or her psychological and social functioning or requires psychotropic medication in order to restore psychological and social functioning or has engaged in suicide behavior within the last six months.



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- Setting appropriate limits and applying strength-based strategies for limit setting
- Understanding characteristics of what causes acting out behavior
- Building rapport and connections
- Developing communication skills such as empathy, sensitivity to learning disabilities, culture, mental health symptoms and developmental delays, and assertiveness skills
- Developing relationships while maintaining professional integrity
- Use of interview skills to motivate and build relationships (empathic listening, developing discrepancy, dealing with resistance, supporting an individual's strengths and self-worth)

Consistency and Routine Program Service Delivery

Consistency and routine help youth to develop a sense of safety and security, creating an environment that promotes changes in youth behavior. Consistency implementation strategies for consideration may include but are not limited to:

- Knowing and implementing program routines on a daily basis such as Program Service Day
- Knowing and adhering to department policies
- Recognizing daily transitional and/or high risk periods and helping youth to prepare and cope with them
- Communication between staff and with the youth
- Communication with treatment and security staff between shifts and/or following an incident to assure successful implementation of youth treatment strategies and staff response. (Brief/Debrief)

Assessment of Youth

Assessments assist staff in understanding the youth in order to work effectively to encourage and motivate youth to change their behavior. Assessments will also assist the staff in knowing the many variables such as disabilities, prior traumas, and medical or mental health issues which may impact a youth's decision making.

Assessment resources available include:

- Risk/Needs Assessment
- Risk for Institutional Violence
- Clinic Summary
- Mental Health Summary
- WIN Information
- Educational Information
- Disabilities Program
- Crisis Intervention Plan

Assessing the Environment

Staff attempting to prevent crisis behaviors and situations should be aware of their environment, and recognize and identify factors in the environment which might impact a crisis situation. Examples might include:

- Grouping



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- Escalating youth
- Potential weapons
- Flooring
- Lighting
- Sound
- Exits
- Location of other staff

Assessing Youth Behavior

When crisis behavior is observed by staff, it is best, whenever possible, to assess the behavior to better determine how to resolve the situation. Some ways to resolve crisis behavior include, but are not limited to:

- Initiating Dialogue
- Consulting with Mental Health Clinician
- Consulting with other Treatment Team staff
- Referring to Crisis Intervention Plan
- Initiating identified strategies to assist in de-escalating the youth's behavior

Staff Self-Assessment

Staff's ability to use disengagement strategies and understanding how their reactions impact their ability to resolve crisis situations is critical to the success of resolving these types of situations. Knowing when to ask for assistance or how to assist a co-worker experiencing difficulty is crucial to preventing the escalation of crisis situations. For example, a "Staff Exchange" strategy is when a staff would intervene with a co-worker by helping them out of a situation where they do not see how they are contributing to the escalation of the situation.

De-escalation Strategies

De-escalation strategies which are practiced and used in everyday interactions with youth reduce potentially escalating behaviors. The following are some areas and resources which might help staff to focus, develop, or increase their skills to de-escalate crisis situations:

- Verbal and nonverbal interventions
- Reflective Listening
- Empathy (Awareness of the youth's emotional state)
- Interviewing Skills
- Crisis Intervention and/or Conflict Resolution

Follow-Up to a Youth Crisis Incident

Staff shall use the strategies listed below following a crisis situation:

- Debrief with co-workers to determine what went well, what didn't, and what could be done differently. The Treatment Team Supervisor/Supervising Casework Specialist (TTS/SCWS) shall ensure treatment



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team staff meet with the youth involved after the incident within three (3) business days to debrief on what happened, what could have been done differently, and what was helpful to resolve the incident. If appropriate, additional counseling sessions will be scheduled and incorporated into the youth's treatment plan. If this cannot be completed within three business days due to the youth's continued crisis behavior or the youth's transfer to a higher level of care, the TTS/SCWS will ensure documentation in the youth's case notes and/or the Mental Health Professional will document in WIN under the Mental Health Evaluation tab.

- Update the Crisis Intervention Plan by documenting successful outcome information.
- Communication with the youth's Treatment Team
- Additional Referrals as necessary for Medical, Mental Health, etc.

Conflict Resolution Team Strategies

- Extensive daily contacts and interviews with facility youth
- Small and large group counseling/training on issues and topics related to positive peer interactions and pro-social decision-making
- Ongoing communication with staff throughout the facility concerning existing and potential conflicts

Weekly Treatment Team Meetings

Treatment Team meetings will be conducted on all Living Units on a weekly basis to discuss:

- Living Unit Operations
- Youth Behavior
- Intervention
- Review changes in Crisis Intervention Plans
- Assess Crisis Intervention Plans of youth involved in an incident
- Training Interventions

The Treatment Team Manager/SYCC shall ensure minutes of these meetings are documented and retained in a binder on the Living Unit.

USE OF FORCE

Use of Force Limitations

Correctional Peace Officers may use reasonable force as required in the performance of their duties, but unnecessary or excessive force shall not be used. Whenever possible, all reasonable prevention, intervention, and de-escalation efforts shall be attempted to avoid force.

Prior to the application of the force response options, staff shall use appearance and reputation, dialogue authoritative warnings and commands shall be issued if time permits.

If at any point a Correctional Peace Officer determines the situation can be resolved without any further use of force, the Correctional Peace Officer shall terminate the use of force and return to the use of prevention, intervention, and de-escalation techniques.



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Oleoresin Capsicum (OC)

OC shall not be used to compel compliance on a youth who is under control. However, a youth in mechanical restraints may not be under control and additional reasonable force may be necessary to establish control in situations where imminent danger exists. A Correctional Peace Officer using additional force on a youth in mechanical restraints must explain with particularity in the Use of Force Incident Report why it was reasonable to use the additional force. The report must include a detailed description of the youth's behavior that supported the need to use the additional force.

Once a youth is exposed to OC, staff shall not place the youth on their stomach or in a position that allows the youth to end up on their stomach for any period longer than necessary to secure (e.g. handcuff) and/or gain control of the youth or to secure incident area. Positional asphyxia occurs when an individual's body position interferes with respiration, resulting in death. A prone position makes it difficult for any exposed individual to breathe and may be a contributing factor in positional asphyxia.

If a youth is demonstrating respiratory distress, the need to provide medical attention shall supersede securing the incident area.

If a youth exposed to OC is in handcuffs and requires transportation via a gurney, etc., the youth shall be positioned on their back or side, or as medically indicated.

If the discharge of OC is accidental and did not involve a youth, the incident shall be reported in a memorandum format to the appropriate supervisor.

When a youth is subject to an accidental exposure of OC, decontamination procedures apply, but not a Use of Force report. "Accidental Exposure" refers to a youth who was not the intended target of the OC but was exposed or received overspray due to their close proximity to the targeted youth.

Firearms

Only designated Canine (K-9) Handlers, Transportation Officers, Tactical Team Officers, Field Parole Agents, or other authorized Correctional Peace Officers who have successfully completed training in accordance with Section 832 of the Penal Code and the DJJ's Firearms Training Program, and who successfully qualify with the firearm on a quarterly basis can carry or use a firearm.

All other employees are strictly prohibited from carrying or using a firearm while on duty or acting in an official capacity.

A firearm shall not be discharged if there is reason to believe that persons other than the intended target will be injured.



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Mechanical Restraints

Only division-approved mechanical restraints are authorized for use in a manner consistent with the manufacturer's application instructions and this Crisis Prevention and Management policy.

Mechanical restraints shall only be used under the following circumstances:

- When transporting, escorting, and/or detaining a youth between locations
- When a youth's history, present behavior, apparent emotional state, or other conditions present a reasonable likelihood that the youth may become violent or attempt to escape
- When directed by Health Care and/or Mental Health Professional staff, or as a temporary emergency measure to prevent a youth from attempting suicide or self-injurious behavior. Use of mechanical restraint equipment by direction of Health Care and/or Mental Health Professional staff shall be fully documented in the Unified Health Record (UHR) of the restrained youth.

When mechanical restraint is required, handcuffs, alone or attached to a waist chain, will be the means of restraint normally used. Additional mechanical restraints, including leg irons, leather cuffs, or other specialized restraint equipment may be used when the circumstances indicate the need for the level of control that such devices will provide.

Flex cuffs are appropriate for one-time emergency use and as a supplement to the standard complement of metal handcuffs. Flex cuffs are for temporary use and are to be removed or replaced with handcuffs as soon as safely possible.

DJJ staff shall not use mechanical restraints in any of the following manner:

- As punishment, retaliation, or disciplinary purposes
- Placed around a youth's neck
- Applied in a way likely to cause undue physical discomfort or restrict blood flow or breathing
- To secure a youth to a fixed object unless directed by a Health Care Professional in a licensed clinical facility
- To secure a youth to a fixed object, except as a temporary emergency measure
- To lift a youth
- To secure a youth to any part of a transporting vehicle

A youth known to be pregnant shall not be mechanically restrained by the wrists, ankles, or both, or with a chain across the belly, or chained to another person. This includes, but is not limited to:

- Movement within the local juvenile facility
- During any transport or time spent outside a local correctional facility
- During labor, delivery, and recovery after childbirth

In cases where there is a security need to protect the youth, staff and/or the public, restraints may be used in the least restrictive and briefest manner possible.



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The un-resisted application of authorized restraint equipment is not considered to be a use of force.

Physical Strengths and Holds

Staff must be mindful of staff/youth size differentials when utilizing physical strengths and holds. Physical strengths and holds refers to the amount of physical force reasonably applied to a youth by staff based on the resistance of the youth:

- Where emergency physical intervention is necessary to protect the safety of any person, including the youth; or
- Where the behavior of the youth adversely effects the operation of the facility over a significant period of time;
- Where the youth is causing substantial damage to DJJ property;
- Where a youth is physically attempting to escape the boundary of a facility or
- Where a youth is physically attempting to escape from custody while off-grounds.

Only those Correctional Peace Officers who have completed and are up to date in their training are authorized to use physical strengths and holds.

Correctional Peace Officers will be aware of Compressive Asphyxia. Compressive Asphyxia limits the expansion of the lungs by compressing the torso, hence interfering with breathing. Compressive Asphyxia can occur when the chest or abdomen is compressed backwards toward the spine.

Throughout the use of physical force, staff shall determine whether or not the youth is responsive and can speak.

Whenever the youth complains that he/she cannot breathe, shows signs of difficulty in breathing, or vomits, staff must immediately remove pressure from the back, chest, and abdomen without losing hold of the youth.

Health emergencies always override the use of physical strengths and holds. If a youth appears to have lost consciousness, or shows signs of any other health emergency, staff must immediately stop the physical force (without losing control of the youth) and observe the youth for breathing and signs of circulation.

The need for physical force shall be justified and documented in clear concise detail on the Behavior Report and Use of Force forms.

Correctional Peace Officers will be required to apply reasonable physical force followed by accurate documentation of the actual physical force administered. In reporting, the Correctional Peace Officer will describe in detail the physical strengths and holds actions used to gain control of the youth.



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Non-Approved Force

The following non-approved force is prohibited:

- Any force that places a youth in a prone position with the youth's arm(s) and/or hand(s) secured behind the youth's back, and secured to the youth's leg(s)
- Carotid Artery Control Hold
- Any force used to secure a youth to a fixed object with the youth's hand(s) behind the back

Restraint Equipment

A DJJ Youth Correctional Facility shall only purchase, stock, and utilize the equipment approved by the Director. The Chief of Security shall maintain a sufficient complement of approved individual restraint equipment and shall assure that equipment is readily available for use when needed.

Approved restraint equipment shall only be used by trained Correctional Peace Officers. Staff shall use Handcuffing/Flex Cuffing Techniques trained in the Basic Correctional Juvenile Academy and annual off-post training.

Mandatory Video Recorded Interview/Photographs

A Lieutenant will conduct a video recorded interview of the youth when one (1) of the following criteria is met:

- When there is a serious injury to the youth due to the application of force
- When there is a blow to the youth's head (to include facial area) due to the application of force
- When an allegation of unnecessary or excessive use of force has been made due to the application of force

The Lieutenant will decide under which of the above criteria the interview is to be conducted.

In the event that the Lieutenant was involved in the use of force incident requiring the video recorded interview of the youth, a Lieutenant other than the incident involved Lieutenant shall conduct the interview.

All video recorded interviews and photographs of alleged youth injuries shall occur within 24 hours of discovery of injury or allegation and follow the Report of Findings Youth Interview form format. Results of the video recorded interview shall be documented on the Report of Findings Youth Interview form along with the youth's written statement. If the video recorded interview does not occur within 24 hours of discovery, the reasons for the delay shall be documented on the Report of Findings Youth Interview form.

All youth witnesses identified by the youth subject to the video recorded interview shall be provided the opportunity to submit a witness statement. Any youth witness who refuses to provide a statement will be documented on the report of findings youth interview form.

IMMEDIATE USE OF FORCE

Whenever possible, Supervisors will respond to each incident involving the immediate use of force.



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Authorization

When immediate force is appropriate, any DJJ employee is authorized to use reasonable and necessary force without prior supervisory approval.

Immediate force shall only be used in self-defense or in the defense of others, or when the behavior of a youth constitutes an imminent danger or threat to the security of the facility. If time permits, a youth will be given a warning that force will be used if the youth's behavior does not stop immediately.

Use of immediate force must be verbally reported to a supervisor as soon as it is reasonable and safe to do so, and documented as described in the Reporting procedures of this policy.

Incidents That May Require Use of Immediate Force

Circumstances where staff may apply immediate force include, but are not limited to:

- In his/her self-defense
- In the defense of another
- To prevent an escape
- To prevent the substantial destruction of property or evidence
- To protect a youth from significant self-inflicted injuries or suicide
- To stop a group disturbance
- During an escort of a youth who becomes non-compliant and dialogue to resolve the escort issue has been unsuccessful, physical force may be used to complete the escort (i.e. the youth stops and either refuses to continue or sits down).

Factors to Consider Regarding the Immediate Use of Force

Before, during, and after an incident involving the immediate use of force due to imminent danger, when appropriate, staff shall make reasonable efforts to take into account the following Situational Issues:

- Conduct of the youth as reasonably perceived by the staff at the time
- Staff/youth factors: Age, size, relative strength, skill level, sophistication, number of staff to youth, and number of youth to staff
- Influence of drugs or alcohol
- Proximity to weapons or contraband
- Time and circumstances permitting, the availability of other options (what resources are reasonably available to staff under the circumstances)
- Potential for injury to staff, youth or others
- Risk of escape
- Seriousness of the incident or reason for contact with the youth
- Training and experience of the staff
- Mental Health related issues: Classification / Placement / Prior Assault / Restraints
- Other exigent circumstances, such as location, availability of back-up staff, or the youth's history of violence



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Immediate Use of Force Procedures

Employee Using Immediate Force

1. Activates personal alarm and/or makes an immediate verbal notification via radio to summon assistance.
2. Initiates dialogue and staff commands.

Responding Correctional Peace Officer

1. Responds in the safest and quickest manner possible.
2. Maintains proximity control supervision of the incident area including an assessment of:
 - Youth involved
 - Identify staffing and equipment needs
 - Isolate and contain the incident
 - Implement control measures to control incident
 - Number of Correctional Peace Officers for incident control purposes
 - Application of reasonable force to gain compliance
3. Once the incident is under control, contacts a Health Care Professional to evaluate and treat youth injuries and provide emergency treatment to staff.
4. Advises the Health Care Professional of the type of force used and possible injury caused by the force.
5. Once the Supervisor is on the scene, verbally reports:
 - Any force used or observed
 - Any known injuries to employees or youth
 - The identity of all employees involved
 - Any allegations heard or special observations made

CONTROLLED USE OF FORCE

Authorization for Controlled Use of Force

The Superintendent shall designate a pool of Correctional Peace Officer managers that can authorize a controlled use of force. A controlled use of force shall be authorized and documented by a Chief of Security/Executive Officer (COS/EO). A controlled use of force requires the presence of a Superintendent's designee which shall not be less than that of a Security Supervisor.

When a youth is non-compliant with instructions from staff and refuses to follow those instructions, the staff will make every reasonable effort to correct the youth's resistive behavior. Intervention options to gain compliance with the staff instructions will include:

- Appearance and Reputation
- Communicative intervention/switching staff
- De-Escalation attempts to convince youth to comply with staff instructions



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- Offers of mental health assistance
- Program impact of the refusal to follow staff instructions and consequences of the resistive behavior

If all intervention efforts fail to resolve the resistive behavior, the Security Supervisor will be notified and will respond to the situation. After consulting with the involved staff, reviewing the youth's Crisis Intervention Plan and discussing the resistive behavior with the youth, the Security Supervisor will make a decision on whether force is necessary to mitigate the resistive behavior. Considerations for the Security Supervisor will include, but is not limited to:

- Does the resistive behavior pose an immediate or increasing threat to staff and youth safety in the area?
- Does the resistive behavior precludes regular business operations and directly impedes staff ability to provide required services to other youth?
- Clear and reasonable physical or OC option to mitigate the resistive behavior without substantially escalating the resistive behavior or increasing the likelihood of injuries for staff and youth (i.e. the youth has placed themselves in a location where access to the youth is very difficult to resolve the situation).
- Assess whether the mitigation of the resistive behavior can be more efficiently accomplished with the use of physical force in lieu of OC.
- If during the application of physical force the youth's behavior becomes an imminent danger (serious bodily injury to another person), other force options may be applied.
- Does the resistive behavior detract from the ability of security staff to respond to other emergency situations in a timely manner?
- Does the resistive behavior violate security procedures for the facility (i.e. all wards on bunks or in rooms after takedown time or during count)?
- Are there considerations related to time and space which allow staff to continue regular facility or living unit operations without a need for force to resolve the resistive behavior?
- Informing the youth that any situation where force has been determined necessary to mitigate the resistive behavior will be document as a Level III behavior in the DDMS system.

Group Area Non-Compliance/Tactical Response Considerations

When a group of three (3) or more youth refuses to return to a designated location when instructed by a Correctional Peace Officer, all reasonable efforts shall be made to de-escalate the situation and gain compliance through the use of dialogue/verbal persuasion. These efforts shall be documented in the appropriate reports.

The goal is to gain compliance utilizing reasonable force to ensure the safety of employees, youth, and the public.

Group area non-compliance in a controlled situation requires video recording.

If a group's continued refusal to follow instructions requires the response of additional Correctional Peace Officers, intervention must be well planned, organized, and uniform. Considerations when confronted with such groups include, but are not limited, to the following:

- Group Dynamics



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- Current Activities
- Reason for the Activity
- Weapons/Potential Weapons
- Planned or Spontaneous Event
- Volatility of the Group
- Motivating Factors
- Size of the Group
- Group Leaders

Group Area Non-Compliance Incident Procedures

Supervisor

1. Determines how teams will be deployed. This will vary depending on the location, size and activities of the group.
2. Assesses whether or not responding staff need to wear personal protective equipment for response purposes
3. Authorizes reasonable force, unless an immediate threat exists that warrants an immediate force response by the Correctional Peace Officers at the scene of the incident.

Living Unit Staff

1. Provides the youth with clear instructions and expectations.
2. Proceeds to a telephone, where possible, and notifies the Control Sergeant of the situation, including the number of youth, location of the group, and current activities.
3. If the group is located in an area where a telephone is not accessible, uses the radio to relay information.
4. Maintains a position of safety and observation.
5. Prepares to brief the Supervisor by identifying involved and uninvolved youth.
6. Waits for back up

Control Officer

1. Immediately notifies the Supervisor of the situation.
2. Freezes all movement and places the remainder of the facility on lock-down if necessary.
3. Dispatches the Search and Escort Officers and responding staff/Emergency Response Team (ERT) to the location.
4. Instructs the Search and Escort Officers and the responding staff/ERT to standby.
5. Contacts a Mental Health Professional to respond to the situation.
6. Identifies a staging area.

Mental Health Professional

1. Attempts to verbally counsel and persuade the youth to voluntarily come out of the area without force and assesses the potential mental health impact of force options available.



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2. Consults with the Supervisor regarding the planned extraction and expresses any concerns about the method of extraction or use of force option.
3. Documents the results of the Mental Health Professional's efforts on a supplementary Behavior Report form (to be included in the Incident Report Package).

Search and Escort Officer

1. Responds to the identified location.
2. Waits for a briefing from the Supervisor
3. Does not enter the location unless there is imminent danger to staff or youth.

Responding Staff/Emergency Response Team

1. Secures youth on their Living Units.
2. Responds to identified staging location simultaneously as instructed by the Security Supervisor.
3. Takes a respirator, safety equipment, and available radio.
4. Waits for briefing and direction from the Security Supervisor.

Security Supervisor

1. Responds to the location.
2. Assesses the situation to determine the cause and what resolution is appropriate.
3. Notifies the chain-of-command of the potential situation.
4. Immediately conducts a briefing with the Living Unit employees.
5. Divides responding staff/ERT members into at least two (2) teams.
6. Assigns each team a leader.
7. If compliance is not gained through dialogue/verbal persuasion and intervention, briefs and deploys at least two (2) Response Teams from the identified staging area.
8. Ensures that entry and exits are protected and containment is maintained.

Special Considerations for Youth with Known or Identified Mental Health/Disability Issues

Consideration of alternative de-escalation techniques shall be given for mental health and disabled youth as they may respond differently in crisis situations.

The Superintendent shall ensure each youth with mental health/disability issues is:

- Clearly identified in such a manner that all employees are aware of the designation and the need for an accommodation when considering the use of force
- Assessed by the appropriate Health Care/Mental Health Professional for accommodations and that the accommodations required are documented and made available to all Correctional Peace Officers during the use of force

The Superintendent shall ensure that a system is in place at the facility which monitors, documents, accounts for, and ensures compliance with the Crisis Prevention and Management policy and procedures in the use of



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force used by Correctional Peace Officers on a youth with known or identified mental health/disability issues. At a minimum, this system shall include lists of youth names that are:

- Identified as mental health youth
- Presently taking psychotropic medication
- Identified as having a disability

These lists shall be retained in a secure location in the facility Living Units (i.e. the SYCC Office) for reference purposes on a need to know basis in the event of a controlled use of force.

When Correctional Peace Officers are considering use of force on a youth with mental health/disability issues requiring an accommodation, the following factors shall be considered:

- Health Issues including but not limited to:
 - Respiratory Impairments (such as severe asthma)
 - Heart Murmur
 - Seizure Disorder
 - Mental Health Issues
- Repeated threats to harm self or others
- Actual harm to self or others
- Physical evidence of suicidal behavior (e.g. cut wrist)
- Delusional/bizarre behavior
- Resident's admission that prescribed medication has not been taken
- Developmentally Disabled
- Pregnancy
- Placement on Suicide Watch
- Prescription Medications

In a controlled use of force situation, unless the situation involves imminent danger, Correctional Peace Officers shall consult with a licensed Health Care/Mental Health Professional regarding the mental and physical impairments of a youth with disabilities prior to using force.

Whenever possible, prolonged dialogue and verbal persuasion shall be used prior to the use of force. A youth with disabilities who has specific language, cognitive and/or hearing impairments shall be provided:

- Clear and understandable warnings of the rule violation and the consequences of further non-compliance
- A sufficient and reasonable amount of time after the warning is given for the youth with a disability to respond
- Use of an interpreter or Staff Assistant to establish or enhance communication as necessary

Correctional Peace Officers shall give reasonable warning prior to applying force to a youth with disabilities and shall consider reasonable alternatives under direction of the supervisor in charge when applying force options. Reasonable alternatives that may be considered include but are not limited to:



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- OC to be approved or restricted by a medical doctor
- Specific or alternative physical strengths and holds approved by a medical doctor
- Approval or restriction from the use of mechanical restraints
- Specific target areas approved for less lethal force (a youth who has been identified with a bad knee would not be targeted in the knee area)

Use of Oleoresin Capsicum (OC) During Controlled Use of Force

OC may be used during controlled use of force incidents only with Security Supervisor authorization. A Health Care/Mental Health Professional must be consulted prior to the authorization of OC on a youth.

During non-business hours, on-duty Health Care Professional Staff will obtain the youth's Unified Health Record (UHR) and contact either the on-call physician or on-call psychiatrist for consultation.

If, during the consultation, the attending physician/psychiatrist expresses concerns regarding use of OC, the Superintendent/designee and attending physician/psychiatrist will discuss the matter to determine the best course of action. The attending physician/psychiatrist shall be aware that in providing their consultation, consideration must be given to the potential for injury during the use of force, as well as the medical implication of the selected force option.

If the decision is made to go forth with the use of OC, the consulting physician/psychiatrist is responsible for ensuring proper medical equipment and trained medical personnel are available during and after the application of the OC to treat the youth for any adverse reaction due to exposure.

After the consultation, the final decision to use reasonable force will rest with the Superintendent's designee which shall not be less than that of a Security Supervisor. The results of the consultation and the basis for the final decision shall be documented in the Use of Force Incident Review form, Section 6, Supervisor Review.

The attending physician/psychiatrist shall ensure the results of the consultation and the basis for the final decision are documented in the UHR for the medical record.

Video Recording Requirements During Controlled Use of Force

Each controlled use of force (non-compliant youth incident/extraction) will be video recorded (tape, digital, CD, DVD) and shall include the cool-down period. The purpose of video recording a controlled use of force incident is to protect the employees and youth involved, and provide a video record of the incident.

Following an incident involving the use of video recording, notice to the Superintendent, Assistant Superintendent, Chief of Security, and Executive Officer is required prior to the Security Supervisor departing the facility.

The Superintendent or Chief of Security will store the video recording, with a copy of the Behavior Report form, Use of Force form, and any other related documents for a period of five (5) years from the date of the incident.



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Video equipment, including the camera, batteries, digital storage device (CD, DVD, memory card, flash drive), and blank tapes shall be stored in the Security Supervisor's office or the Security Control Center.

A digital storage device may be used to record more than one controlled use of force incident. However, each controlled use of force recorded incident shall be transferred to a separate recording medium for incident review purposes (i.e. if the incident involves more than one youth, the extraction of each youth may be recorded separately on the same digital storage device and then transferred to a separate recording medium).

All video recording and applicable reports shall be made available to the Division of Juvenile Facilities upon request.

EXTRACTIONS

An extraction is appropriate when the presence or conduct of a youth poses a threat to safety or security, and the youth is located in an area that can be controlled or isolated (room, holding area, shower area, Individual Recreation Area). These situations do not normally involve the imminent threat to other persons or a significant breach of facility security. Examples include, but are not limited to:

- Medication administration ordered by physician or psychiatrist
- Repetition of covering room door window and or room window preventing staff from observing youth in the room. (Posting Up in a room)

The COS/EO shall ensure a briefing from the Supervisor is conducted and the youth was afforded a cool-down period of reasonable length to allow the youth to comply with the employee's instructions and internalize the employee's intervention efforts.

Verbal warnings shall be given prior to the controlled use of force.

The Superintendent shall ensure that a list of trained Correctional Peace Officers is maintained in the event an Extraction Team is needed.

The use of OC shall not be considered as a force option for deployment in an extraction unless the youth has a weapon displayed or claims to have a weapon.

Security Supervisors shall always plan for the use of physical force in situations where the incident is most likely to be resolved by the application of physical force only.

Staffing and Equipment

Members of the extraction team may have dual roles excluding the Video Recording Officer. The Supervisor will designate extraction team duty assignments prior to implementation of the extraction. An Extraction Team consists of the following members:

- Video Camera Recording Officer
- Shield Officer
- Physical Restraint Officer (may be more than one)
- Mechanical Restraint Application Officer



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- OC Officer (if necessary and appropriate)

Each Extraction Team member shall be fully suited in appropriate extraction attire prior to entry and implementation of the extraction process. Equipment consists of the following:

- Protective helmet with face shield
- Protective vest
- Breathing mask
- Elbow and shin protectors
- Gloves
- Blood borne pathogen protective suit
- Polycapton plexiglass protective shield, approximately 22" wide and 48" long
- Handcuffs and leg restraints
- Video camera with a backup battery
- Pepperball launcher, 37mm gas gun, baton, and flex cuffs/cutter

Extraction Preparation and Procedures

An extraction shall not be conducted without the physical presence of a Health Care Professional unless there is only single post coverage at the Out-Patient Housing Unit. In the event that there is only single post coverage, a UHR review and medical consultation shall occur prior to an extraction commencing.

The Superintendent and Chief Physician and Surgeon shall be responsible to ensure contact protocols are in place for appropriate response.

All prevention, intervention and de-escalation measures, such as the use of Conflict Resolution Teams, Mental Health Professional Teachers, Interns, Clergy, Nurses, Recreation Therapists, and Staff Assistants shall be considered and utilized when possible and practical.

A cool-down period shall be utilized in order to allow the youth sufficient time to:

- Be counseled by employees
- Reflect on their behavior
- Comply with the Correctional Peace Officer's instructions

During normal business hours, a Mental Health Professional shall be present. The Mental Health Professional will provide clinical intervention prior to extraction of the youth. The purpose of the intervention and/or consultation will be to evaluate the youth's present level of mental health functioning in an effort to achieve compliance. When a Mental Health Professional is not on duty, one shall be contacted for consultation.

If the youth is located in a room, all water to the room will be shut off to minimize potential injury to staff or the youth.



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Supervisor, Health Care Professional, Extraction Team and Video Camera Operator

Proceeds to the area where the proposed extraction is to take place. The Extraction Team will be assembled away from the immediate area of the proposed extraction, for example; in the dayroom area or outside, until summoned by the Supervisor.

Video Camera Recording Officer

1. Secures the camera, tape, backup tape, digital storage device, and backup battery from the Security Supervisor's office or the Security Control Center.
2. Ensures only the proper date and time is displayed on the camera while looking through the viewfinder.
3. Begins the video recording and states name, rank, date, time, and location of the controlled use of force.
4. Begins recording the Security Supervisor's briefing

Security Supervisor

1. States name and title.
2. Identifies the youth involved.
3. Recaps the circumstances of the proposed non-compliant youth/extraction situation on camera.

Non-Compliant Youth/Extraction Team Member, Medical/Mental Health Professional and Managerial Employee

Clearly and calmly identifies self by stating name, title, and role.

Facility Manager

1. Receives a briefing from the Supervisor concerning the circumstances involving the youth under consideration of the controlled use of force.
2. After the briefing, provides authorization to the Supervisor to proceed with the controlled use of force or denies the request.

Security Supervisor

1. Personally supervises the extraction.
2. Conducts a briefing, including possible tactics to be used, with the Extraction Team. The briefing will be video recorded and shall be completed away from the presence of any youth.
3. Verifies that the Extraction Team does not include an employee who was involved in the incident precipitating the need for extracting the youth.

Extraction Team Members

Puts on a blood borne pathogen protective suit and other protective equipment.



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Security Supervisor

1. Gives the youth a final opportunity to comply with the orders prior to using force and provides reasonable accommodations for a youth with disabilities.
2. Directs the Extraction Team to administer reasonable force. The application of reasonable force options will be consistent with training in an effort to accomplish the removal of the youth.
3. Directs the Extraction Team to administer reasonable force.
4. After reasonable force options have been administered, continues to give the youth instructions to persuade the youth to submit to handcuffs and exit the area.
5. If the youth complies with orders to submit to handcuffs, calls for the Mechanical Restraint Officer to restrain the youth and remove the youth from the room.
6. If the youth does not submit to handcuffs, makes a determination to physically extract the youth from the room.

Video Camera Recording Officer

1. Continues video recording at the scene of the proposed controlled use of force and records the events.
2. If the video recording is interrupted for any reason once the incident has begun, gives an explanation verbally while video recording. The entire incident must be video recorded in one segment or scene.
3. Continues video recording as long as the youth is resistive of Correctional Peace Officers or combative.
4. If oleoresin capsicum (OC) were used and the youth is allowed to decontaminate, ensures the decontamination is video recorded in the appropriate manner and in accordance with training.
5. If the youth refuses an offer to decontaminate, video records the refusal, if possible.
6. Continues recording as Health Care Professional conducts an initial evaluation of the youth to verify medical attention was provided.
7. Upon conclusion of the extraction process, video records the Security Supervisor's summary and debriefing. (The Security Supervisor will determine when the incident has been concluded.)

Once the incident is concluded, facility programming shall return to normal as soon as safely possible.

Health Care Professional

Examines the youth for injuries as soon as safely possible.

Video Camera Recording Officer

1. Labels the Audio/Video recording including the:
 - Date
 - Time
 - Youth's name and YA number
 - Video Operator's name
 - DDMS case number
2. Immediately delivers the recording to the Security Supervisor



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Facility Manager

Reviews the incident to ensure all employee actions were consistent with the Crisis Prevention and Management policy and procedures.

Security Supervisor

Ensures the Audio/Video recording is delivered to the Chief of Security/Assistant Superintendent's Office immediately following the incident and prior to departing the facility.

Chief of Security/Assistant Superintendent

1. Views the recording within three (3) business days, to initially evaluate the use of force.
2. If the Superintendent has not received the recording and Use of Force Incident Review-Section 7, Chief of Security Review form within six (6) calendar days of the incident, contacts the applicable Chief of Security to ascertain the status of the recording.

IMMEDIATE AND CONTROLLED USE OF FORCE DOCUMENTATION REQUIREMENTS

Any employee who uses force shall complete a Use of Force report. Any employee who witnesses/observes force shall complete Behavior Report/Supplemental Report. All observations shall be documented in the applicable reports prior to departure from the facility.

Reports must be prepared and entered into the Ward Information Network (WIN) system, signed, and submitted to the Security Supervisor prior to the employee departing the facility. Employees unable to submit their report(s) due to excessive work hours or having to return within 8 hours shall receive Security Supervisor approval to submit their report upon the return to duty.

If the employee is unable to complete the required documentation due to an injury, the employee may dictate the information to a Correctional Peace Officer Supervisor by proxy. This can be accomplished in person or via telephone. The report shall include the nature of the injury or condition that caused the employee to dictate the report to a Correctional Peace Officer Supervisor.

The Correctional Peace Officer Supervisor who actually prepares the report shall certify that the report is an accurate and complete representation of what was dictated by signing the report.

The Supervisor will include in the Comments section of the Use of Force Incident Review - Section 1, Supervisor Review form, the nature of the injury or condition that caused the employee to dictate their report to a Correctional Peace Officer Supervisor.

Upon the injured employee's return to duty or as soon as practical, the employee shall co-sign the dictated report.

Section One of the Use of Force form contains informational fields and provides critical information for data collection. The reporting employee may complete information inadvertently left out of the informational fields after the report has been submitted.

Minor corrections made to the original document must be made by the reporting employee, initialed, dated and lined through so that the original language remains legible. Other additions, deletions, corrections and clarification shall only be made on a supplemental report.



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Employees shall not collaborate with each other in the preparation of reports.

An employee may seek supervisory advice and assistance during the preparation of the reports. However, once the report has been signed and submitted to the employee's supervisor for review and signature, the supervisor shall not change the body of the employee's report.

Reports are to be written in the first person. Identify important information in the contents of the report as follows.

- Date, time, location, alarm activation and/or radio call for assistance.
- Describe in detail, the prevention, intervention and de-escalation efforts attempted.
- Describe in detail, the actions of the youth and circumstances leading to the use of force.
- Crisis Intervention Plan Review (Controlled Force Incident)
- Explain why the force was used and describe any threat perceived.
- Describe the specific force used or observed.
- If OC were used, identify the type and distance, and describe the application as, i.e. "multiple bursts or steady stream of OC from a MK-IV from approximately three feet."
- If physical strengths and holds were administered, identify what actions were taken, i.e. "placed both hands on youth shoulders, wrapping both arms around youth torso, grasping clothing, placing youth on the floor."
- Describe the youth's level of resistance and when resistance ended.
- Describe any observed employee or youth injuries and the cause of the injury, if known.
- Identify the employee who observed decontamination of OC.
- Employee that applied force to the youth needs to document that the youth was provided the opportunity to be seen by a Health Care Professional for medical attention. If the youth refuses medical attention, the refusal will be documented in the UHR by the Health Care Professional.
- Reports are not to contain clichés, buzzwords, slang terms, or abbreviations except as a direct quote.
- Indicate if the youth's clothing was removed and why.
- List the identities of any employee who observed or participated in the use of force.

Health Care Professional

Prior to leaving the facility:

1. Completes and submits an applicable Behavior Report form.
2. Documents in Section Five (5) of the Use of Force form if medical attention was or was not rendered including the following:
 - Date, time, and location of medical attention.
 - Name of Officer that escorted the youth for medical treatment.
 - Indicate if youth is mental health and/or WDP qualified.
 - Indicate youth's gender and age.
 - Indicates no medical attention needed or youth refused medical treatment.
 - The reason and type of medical attention.
 - A quote of the youth's own words in the Patient's description of the occurrence and injury
 - Medical staff's description of and extent of injury.
 - Witnesses' names and their summary of occurrence and injury.



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- Reason for medical attention.
 - Type of medical attention provided.
 - List accommodations provided, if applicable.
 - List medications prescribed for treatment.
 - Disposition
 - The name of the Health Care Professional (type or print) and their signature.
3. If a review of the youth's Unified Health Record was completed prior to the facilitation of a Controlled Use of Force incident, checks the appropriate box.
 4. Enters all information in the WIN System with the exception of the employee's signature.

Supervisor

1. Ensures each employee prepares and submits all documentation applicable to the incident prior to leaving the facility unless the employee is physically unable to prepare the report due to having been injured. Documentation includes all of the following:
 - Behavior Report form
 - Use of Force Report form
 - Report Review Notice form
 - Youth Interview Format form conducted by a Lieutenant (if necessary)
 - Report of Findings-Youth Interview form conducted by a Lieutenant (if necessary)
 - Use of Force Incident Review-Section 6, Supervisor Review form
 - State Compensation Insurance Fund Staff Report of Occupational Injury or Illness form (if necessary)
 - Staff Claim for Worker's Compensation Benefits form (if necessary)
 - Department of Health Services Report of Request and Decision for HIV Testing form (Applicable to incidents involving potential exposure to blood borne pathogens.) (if necessary)
 - Bloodborne Pathogen Exposure form (if necessary)
2. Gathers required written documentation from employees involved in a use of force incident.
3. Reviews documentation for content and clarity.
4. If further information is needed, issues a Report Review Notice form to the employee.
5. Obtains applicable documentation from the Health Care Professional, and inspects the documentation to determine if all relevant information is present.
6. If further information is needed, issues a Report Review Notice form to the Health Care Professional.
7. If the youth has made an allegation of unnecessary or excessive force during or subsequent to the incident, follows the process located in the Reporting Allegations of Unnecessary or Excessive Force procedures.
8. Ensures all video recordings related to use of force incident youth interviews and controlled force are forwarded to the Chief of Security for review.
9. Reviews all applicable reports, clarifications, and forms regarding the incident.
10. Uses own judgment to determine if the force was appropriate and in compliance with the Crisis Prevention and Management policy, procedures, and training prior, during, and following the use of force.
11. Documents evaluation of the incident in the Use of Force Incident Review-Section 6, Supervisor Review form. If the supervisor was involved in the force application during the incident, another supervisor shall complete the Use of Force Incident Review-Section 6, Supervisor Review form.
12. Submits the Incident Report Package to the Chief of Security within three (3) calendar days of the incident.
13. If the package is submitted after the three (3) calendar day guideline, explains the delay in the comment section of the Use of Force Incident Review-Section 6 Supervisor Review form.



DIVISION OF JUVENILE JUSTICE

Crisis Prevention and Management

Operating Procedures

All Facilities

Chief of Security

1. Ensures the quality, accuracy and credibility of all reports.
2. Reviews the incident report package, normally within three (3) business days of receipt from the Supervisor
3. Reviews the Use of Force Incident Review-Section 6, Supervisor Review form as well as all other documents related to the incident. The standard to be used in determining if the use of force was within policy will be based on the criteria contained in the Use of Force Incident Review-Section 7, Chief of Security Review form.
4. In the event the Chief of Security believes an inquiry/investigation may be necessary, marks the appropriate box found in the Use of Force Incident Review, Section 7 Chief of Security Review form

Superintendent/ Assistant Superintendent/Designee

1. Reviews the incident report package, normally within three (3) business days of receipt from the Chief of Security. The standard to be used in determining if the use of force was within policy will be based on the criteria contained in the Use of Force Incident Review-Section 8, Superintendent/ Assistant Superintendent/ Designee Review form.
2. If the incident meets any of the following criteria, the incident shall be forwarded to the Force Review Committee for review. This will be reflected by checking the appropriate box on the Use of Force Incident Review-Section 8, Superintendent/ Assistant Superintendent/ Designee Review form.
 - Self-injurious behaviors or suicide attempt
 - Serious injuries sustained by a youth or staff member
 - Single youth incident
 - Multiple (3 or more) applications of OC on a youth in a single youth incident
 - Use of OC on a youth with Mental Health designation or identified disability
 - Allegations of excessive or unnecessary force
 - Any incident deemed necessary for review by the Force Review Committee
3. Forwards the incident packet to the designated Use of Force Coordinator for processing.
4. Convenes a Force Review Committee meeting to determine if all aspects of documentation gathering have been completed.
5. Determines if any corrective action recommended by subordinates in relation to the incident is appropriate.
6. Performs an appropriate analysis to determine if the use of force described in the Incident Report Package was within the guidelines of the Crisis Prevention and Management policy, procedures and training. The analysis shall address violations of the policy.
7. Ensures the Facility Force Review Committee Analysis-Use of Force Incident form is completed and included in the Incident Report Package for review.

Use of Force Coordinator

If the incident packet indicates the need for Force Review Committee review, forwards the incident packet to the Force Review Committee. The Incident Packet will include all applicable reports to include the follow up youth interview. All youth interviews will be printed out of the WIN by the UOF Analyst for inclusion in all UOF incident packets regardless if selected for FRC review or not. If a youth follow up interview did not occur, it shall be reported to the Assistant Superintendent Office for follow up.

DECONTAMINATION



DIVISION OF JUVENILE JUSTICE

Crisis Prevention and Management

Operating Procedures

All Facilities

Any youth directly exposed to OC shall be afforded an opportunity to decontaminate as soon as practical and shall only decline medical attention to a Health Care Professional.

A youth may be indirectly exposed to OC when in an adjacent room or in the general area where OC is used. Decontamination of a youth indirectly exposed will be determined by the Security Supervisor in conjunction with an assessment by a Health Care Professional. The decision to decontaminate will be based upon obvious physical effects of the OC. A Use of Force Report is not required in these circumstances as the medical attention document will suffice.

Decontamination shall include the following:

- Removal from the affected area
- Medical attention
- Shower
- Clean laundry/linen

The need to medically treat a youth for serious injury may supersede the need to decontaminate from the effects of exposure to OC.

Methods of decontamination include:

- Standard Decontamination
- In-Room Decontamination
- Large Area Decontamination

Standard Decontamination

Correctional Peace Officer/Employee

1. Removes the youth from the contaminated area.
2. Requests Health Care Professional staff examine the youth as soon as safely possible.
3. Escorts the youth to a fully operational shower, as soon as safely possible.
4. If a spit hood/mask was applied, removes the spit hood/mask when the youth is showered. A new spit hood/mask will be issued if necessary.
5. If safe to do so, the youth removes clothing prior to showering.
6. Instructs the youth to flush the contaminated area of the body thoroughly with cool water.
7. If a youth continues to complain of effects of OC, provides the youth an additional shower and has the youth re-examined by Health Care Professional staff.
8. Issues the youth clean clothing after the youth has showered.

In-Room Decontamination

In-room decontamination may be used when the Security Supervisor determines that allowing a youth to decontaminate in a shower is a safety concern. An example would be a youth who is extremely agitated, or a youth on whom force was used to place the youth into the room or secure the food port.

A youth shall be afforded the opportunity to shower if appropriate.



DIVISION OF JUVENILE JUSTICE

Crisis Prevention and Management

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Health Care Professional

1. Instructs the youth how to self-decontaminate in the youth's room using water from the sink. If a sink is not available, decontamination will take place outside of the room, when safe to do so.
2. Documents the fact that the youth was given instructions in the Unified Health Record and on the Use of Force form, Section 5.

Living Unit Staff

Monitors the youth at least every 15 minutes for a period of not less than 45 minutes starting from the time the youth was last exposed to the OC. Documentation of the 15-minute checks shall be written in the Living Unit Log book by the Living Unit staff monitoring the youth.

Large Area Decontamination

Decontamination of affected Living Units or other large areas will be accomplished by the use of portable exhaust fans. If necessary, a maintenance employee may be called if the air ventilation system requires a maintenance employee to operate it. Floors may be mopped, if necessary.

If eye burning persists after decontamination, refer the youth to Health Care Professional staff for treatment.

Reasonable efforts will be made to decontaminate the existing assigned room prior to re-housing or to place a youth in another room, if available, if the room the youth was removed from has not been or is unable to be decontaminated.

ALLEGATIONS OF UNNECESSARY OR EXCESSIVE FORCE

Reporting

Every employee has an ethical and legal responsibility to report what they believe to be an incident of unnecessary or excessive force. Any employee observing unnecessary or excessive force shall make reasonable efforts to stop the violation. Any employee witnessing or receiving information alleging an incident of unnecessary or excessive use of force shall immediately report the incident verbally to the Security Supervisor, Chief of Security, or Executive Officer. The verbal report will be followed by appropriate documentation. In the event a Supervisor is the subject of the allegation the employee will notify the Chief of Security or Executive Officer.

Each involved employee shall document all details regarding any allegations or observations of unnecessary or excessive use of force. The documentation may be submitted via e-mail, but shall be followed up with a memorandum, to include the writer's signature. This memorandum will include:

- A quote of the youth's words, if applicable
- What transpired including observations of any apparent injuries
- The name of each employee who was present
- The name of the reporting employee's work area supervisor
- The name of the Supervisor, Chief of Security, or Executive Office that the employee reported the allegation to



DIVISION OF JUVENILE JUSTICE

Crisis Prevention and Management

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All Facilities

If it is unclear whether the youth is making an allegation of unnecessary or excessive force, the employee shall ask the youth directly and include the question and the response in their report.

Each witness of the reported allegation is also required to submit a separate memorandum detailing the youth's statement and the employee's own observations and actions.

All reports shall be submitted to the Security Supervisor, Chief of Security, or Executive Officer.

Employee Interviews

All inquiries shall follow policies and procedures outlined in the California Department of Corrections and Rehabilitation's Department Operations Manual (DOM), Chapter 3, Article 14. The State provides DJJ employees through computer log on, user identification and password, intranet access. The DOM is accessible in this manner.

Youth Interviews

Youth under the jurisdiction of the DJJ shall participate in recorded interviews conducted by the Superintendent/Site Administrator or designee. The Superintendent/Site Administrator or designee will utilize interviewing techniques that will extract pertinent information regarding the situation/incident reported. During an inquiry, a youth may be questioned directly concerning possible employee misconduct. However, questioning will be limited to the scope of the inquiry.

DJJ will make all reasonable effort to contact those youth who are no longer under DJJ's jurisdiction.

Report of Inquiry

Information collected by the Superintendent/Site Administrator or designee shall be assembled in a written Report of Inquiry. The investigative case file will contain the following:

- Written statements prepared by employees present and/or involved.
- Photographs of victims, participants, and the incident site
- Audio/Video recordings
- Physical evidence
- Applicable documents
- Written summaries of interviews conducted

Once all pertinent information has been gathered, the Superintendent/Site Administrator or designee will forward the Report of Inquiry to the Office of the Superintendent/Site Administrator for review.

Allegations of Unnecessary or Excessive Force Review Process

Security Supervisor

1. Reviews the reports for accuracy and clarity.
2. Verbally notifies the Chief of Security as soon as practical.
3. If there are injuries, arranges for the youth to be medically examined and requests a full medical assessment of the injuries.
4. Ensures that a Health Care Professional evaluates the youth.



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5. Interviews the examining Health Care Professional regarding the extent of the injuries and requests an evaluation of whether the injuries are consistent with the degree of force alleged.
6. Ensures the Use of Force Report form, section five has been properly completed.
7. Ensures each employee who witnessed the allegation and/or each employee who witnessed the event leading to the allegation immediately submits a report in memorandum format.
8. Interviews the youth following the Youth Interview Format regarding the allegation as soon as practical, but no later than 24 hours after receipt of notification of the allegation. The interview will be video recorded to capture the youth's statement and photographs will be taken of any injuries as a result of the alleged incident. Results of the interview shall be documented on the Report of Findings – Youth Interview form.
9. Submits an Use of Force Incident Review Package including all of the following documents relating to the allegation to the Chief of Security:
 - Behavior Report form
 - Use of Force Report form
 - Youth Injury Report form
 - Youth Interview Format form
 - Report of Findings-Youth Interview form
 - Use of Force Incident Review form
 - Related e-mails
 - Related memorandums, signed by the writer

At times a youth may make allegations of excessive or unnecessary force during or immediately after a controlled force incident and then refuse to participate in a video recorded interview. When this occurs, a Report of Findings-Youth Interview form is not needed. Instead, the Security Supervisor will note the youth's refusal in the comment section of the Use of Force Incident Review-Section 6, Supervisor Review form providing an analysis of whether the force used was in compliance with the Use of Force policy and procedures.

The Security Supervisor will afford the youth an opportunity to submit a written or verbal statement when the youth refuses to participate in the video recorded interview. This statement shall be documented in a memorandum format and submitted with the Use of Force incident packet.

Chief of Security

When informed of allegations, makes an initial assessment of the information received and determines whether the seriousness of the allegations and/or extent of the reported injuries warrant immediate notification to the Superintendent/Site Administrator. All allegations shall be reported to the Superintendent within one (1) business day.

Superintendent/Site Administrator

1. Reviews written reports submitted by the Chief of Security or other sources.
2. Determines whether the reported incident and/or situation did occur and which of the following actions is required:
 - No action needed
 - Conduct an inquiry
 - Recommend a formal Internal Affairs Investigation



DIVISION OF JUVENILE JUSTICE

Crisis Prevention and Management

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3. If an inquiry is required, appoints a designee to conduct the inquiry. The designee shall be a Correctional Peace Officer Manager/Middle Manager, Lieutenant, or a classification equal to or above those noted and shall be familiar with existing mandates relative to employee rights and other applicable rules, regulations, and laws.
4. Ensures the inquiry is completed within 45 days of assignment.
5. Forwards a recommendation to the Deputy Director of Facilities Operations and Programs for review.

Designee

1. Upon being assigned to complete an inquiry, completes and signs a Conflict of Interest Statement form. The completed statement shall accompany the completed Report of Inquiry.
2. Completes the inquiry within 45 days of Superintendent's Review of the complaint/report of misconduct.

Superintendent/Site Administrator

1. If an inquiry is not concluded in 45 days, requests a 30-day Extension from the Director of Juvenile Facilities.
2. The request shall include justification for the inquiry exceeding the mandated time frames and a revised projected completion date.
3. Any requests for an extension beyond the initial 30 day request shall be made through the Deputy Director of Facilities Operations and Programs and approved by the Director.
4. Inquiry time limits are subject to a maximum restriction of six (6) months.
5. Notifies the Deputy Director of Facilities Operations and Programs at the end of 90 days if the inquiry is not yet completed.
6. Notifies the Director at the end of 150 days if an inquiry is not yet completed.

Facility Youth Grievance Coordinator

1. In the event that a youth submits a staff misconduct complaint alleging excessive or unnecessary force on their person by a DJJ employee, contacts the Chief of Security to verify if a use of force incident occurred.
2. If the related incident report(s) exists, notes the corresponding DDMS case number on the staff misconduct complaint and submit the staff misconduct complaint to the Superintendent's office for administrative review within three (3) calendar days.
3. If there are no related reports of the incident, forwards the complaint to the Superintendent's office for appropriate action.
4. In instances where the allegation was submitted through the youth staff misconduct complaint process and there is no corresponding Behavior Report/Use of Force form, in consultation with the Superintendent, notifies the OIA and BIR.

If the youth has suffered serious injury or Great Bodily Injury, the Security Supervisor, in consultation with the Superintendent, shall notify the Office of Internal Affairs (OIA) and the Bureau of Independent Review (BIR) as soon as possible, but no later than one hour after all safety, security, and control response measures have been implemented following incident discovery.

DEADLY USE OF FORCE REPORTING

When deadly force is used in the community, local law enforcement shall take charge of the scene. Any employee who observes the use of deadly force will document their observations in a memorandum format. The Deadly Force Review Board shall convene as soon as possible after the investigation is completed.



DIVISION OF JUVENILE JUSTICE

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A Correctional Peace Officer shall not report normal discharging of a firearm occurring on a shooting range unless an injury or death results.

Correctional Peace Officer

1. Upon using deadly force and/or discharging a division-approved firearm, whether on or off duty:
 - a. Ensures that a Supervisor is verbally notified of the incident without delay.
 - b. Gives an oral Public Safety Statement (PSS) to a Supervisor. It is also not acceptable for the employee to submit a written report as an alternative to the statement.
 - c. Follows any other directions and/or instructions as directed by local law enforcement or a Supervisor.

Supervisor

When there has been a use of deadly force, the on-duty Supervisor shall ensure that the chain of command is notified and all necessary health and safety, medical, and security measures are initiated. The on-duty Supervisor shall go to the location and ensure that the scene is protected.

For incidents occurring in a facility setting, the Watch Commander shall contact the facility DDMS Lieutenant.

For incidents occurring in a community setting, the on-duty Supervisor shall ensure local law enforcement is contacted.

The on-duty Supervisor shall ask the employee who used deadly force to provide a PSS immediately after the incident. This is the employee's oral statement. This statement helps determine the general circumstances of the incident, assesses the need for resources, sets the perimeter, locates injured persons, and determines the nature of the evidence to be sought. It shall provide basic information such as the number of persons involved in the incident, the number not yet in custody, and the number and direction of shots fired. The statement shall not include, and the employee should not be asked to provide a step-by-step narrative or a motive for his/her actions.

The following questions are intended to facilitate the gathering of the information necessary for the PSS. The on-duty Supervisor will ask the following questions.

- What happened?
- Where did it happen?
- When did it happen?
- Are there any victims?
- How many?
- Who are they?
- Where are they now?
- How many suspects are there?
- Where are they now?
- Did any escape or leave the area?
- Were shots fired?
- How many?
- Were there any warning shots?



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- In what direction were the shots fired?
- Where were you when you fired the shots?
- Where did they strike?
- Youth weapons
- Did you see any?
- Who had them?
- What type of weapons?
- Where are they?
- What is the scene?
- How large is the area?

The on-duty Supervisor shall:

1. Capture the essence of the oral statement in writing and submits to the Incident Commander
2. Verbally notify the site administrative employees of the incident without delay.
3. Document and submit a written report of the incident unless instructed otherwise by local law enforcement or a DJJ Administrator.
4. Follows any other directions and/or instructions pertaining to documentation, surrendering of the firearm, etc., as directed by local law enforcement or a DJJ Administrator.
5. As soon after the incident as is practical, the response supervisor must also initiate Critical Incident Referral protocols as delineated in Institutions and Camps Manual Section 1605-1609.

In circumstances where the use of deadly force results in death or Great Bodily Injury (GBI), the staff using the force will be placed on Administrative Time Off (ATO) for 72 hours in order to facilitate department interviews and staff wellness. These 72 hours will be paid contiguous time off, unless they are scheduled regular days off (RDO). RDOs will count toward the contiguous 72 hours but will not be paid unless the employee is called to work. If the 72 hours ATO overlap with a period of pre-scheduled time off (i.e. vacation, holiday, sick leave, etc.) the ATO will be used in lieu of, not in addition to the affected employee's leave credits.

Division of Juvenile Justice Administrator

1. Upon learning or being informed that a Correctional Peace Officer has been involved in the use of deadly force and/or the discharge of a division-approved firearm:
2. Notifies the Director and the Assistant Secretary of Internal Affairs of the incident without delay.
3. Ensures all documentation pertaining to the incident is completed and forwarded to the Director for review, unless instructed otherwise by local law enforcement or by the Director.
4. Follows any other directions and/or instructions pertaining to documentation, surrendering of the firearm, etc., as directed by local law enforcement or the Director.

Director

1. Upon being informed that a Correctional Peace Officer has been involved in the use of deadly force and/or the discharge of a division-approved firearm:
2. Notifies the Secretary of the California Department of Corrections and Rehabilitation and the Assistant Secretary of Internal Affairs of the incident without delay.
3. Ensures a Shooting Review Board is convened to review the incident.



DIVISION OF JUVENILE JUSTICE

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4. Ensures all cooperative and investigative procedures are followed in conjunction with local law enforcement, unless directed otherwise by the Department or local law enforcement.

Assistant Secretary of the Office of Internal Affairs or Designee

Designates a Special Agent to act as a liaison with local law enforcement, as well as lead and coordinate the correctional investigation.

Special Agent

1. Ensures the Supervisor has established a secure perimeter of the crime scene.
2. Ensures the appropriate investigative employees are assembled.
3. Ensures all necessary investigative procedures and coordination with affected law enforcement entities is accomplished. The product of the investigation will be a report to the Director with conclusion concerning the extent to which the use of force did or did not comply with the law.

TRAINING

It is the responsibility of the DJJ to ensure that all employees receive appropriate training and understand the Crisis Prevention and Management policy including both the application and subsequent documentation of the use of force. DJJ staff will be able to demonstrate sound decision making in determining the most appropriate course of action in crisis situations.

The Division of Juvenile Justice (DJJ) will train staff in:

- Crisis Prevention, Intervention, and De-Escalation
- Documentation, Reporting, and Monitoring Requirements
- Debriefing

In addition, Correctional Peace Officer staff will be trained in:

- Non-Force Response Options
- Force Options
- Use of Force Limitations
- Restraint Equipment and Restrictions
- Application of Force
- Incident Follow-Up

Security Supervisor

- Receives training in the proper use of video equipment within 30 days of employment
- Ensures subordinate Correctional Peace Officer staff are trained in the proper use of video equipment
- Receives training in the Use of Force Incident Review form completion

Employee

- Each new employee shall receive training in this Crisis Prevention and Management policy and procedures.



DIVISION OF JUVENILE JUSTICE

Crisis Prevention and Management

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All Facilities

- Each current employee shall receive training on implementation of this Crisis Prevention and Management policy and procedures.

Direct Care Staff

All Direct Care staff will receive training in crisis prevention and management techniques on a schedule approved by DJJ Executive staff.

Correctional Peace Officer

Each new Correctional Peace Officer shall receive training in Crisis Prevention and Management, and the Use of Force Options when attending the Basic Juvenile Correctional Academy. The Use of Force training shall include:

- Prevention, Intervention and De-escalation Techniques
- Proper use of restraint equipment
- Restraint techniques
- Extraction procedures

Within 180 days of approval, each current Correctional Peace Officer shall receive training on implementation of this Crisis Prevention and Management policy.

QUALITY ASSURANCE

Force Review Committee

All FRC committee members will be expected to review the UOF incident packet(s) prior to the FRC meeting. FRC committee members will also be required to document their findings on the FRC Member Analysis form (DJJ #). The form is designed to record the findings of the FRC Member for the following areas:

- What was the cause for the force incident?
- Were there any warning signs or triggers prior to the occurrence of the incident that staff could have recognized and employed prevention, intervention or de-escalation techniques as alternatives to the application of force?
- Did the incident require immediate response by staff or could staff have waited for additional staff to include a mental health clinician prior to the force intervention?
- If a controlled force incident involved an mental health youth or youth with a disability, what actions were taken to address any special needs of the youth?
- Was the use of force reasonable and necessary under the circumstances? Include any recommendations for training, mentoring, examples of other options, etc.

If the location of the UOF incident was on a living unit, then the TTS/SCWS responsible for that living unit shall be present at the FRC to review and discuss the incident.

At the conclusion of the UOF incident review, all FRC Member forms will be collected by the UOF Analyst and included in the packet for review and retention purposes.



DIVISION OF JUVENILE JUSTICE

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During the FRC meeting, the committee will document their findings of the appropriateness of actions taken using the Facility Force Review Committee Analysis-Use of Force Incident form. The FRC findings shall be based on a comparison of the documented facts of the incident against statute, regulation, policy, procedures, and training. Reviews shall include an examination of all documents and all available video recordings. The FRC shall also assess tactics applied by staff prior, during and following a use of force incident to determine if the best course of action was taken by incident scene staff and supervisors to safely bring an incident under control.

The FRC may determine and initiate requests for additional information or clarification. Requests for clarification will be initiated and tracked by the Use of Force Coordinator or Superintendent's designee. The FRC may make recommendations to initiate changes to policy, procedures, youth Crisis Intervention Plan, and/or training curriculum after a final review. The Superintendent may request an inquiry and/or investigation based upon their review of the incident and/or the findings of the FRC. The Superintendent will determine if any corrective action is appropriate or if adverse action is warranted upon reviewing the results of the inquiry and/or investigation.

DIVISION OF ADULT INSTITUTIONS

P.O. Box 942883
Sacramento, CA 94283-0001



June 18, 2018

VIA EMAIL ONLY

ikysel@ACLUsoCal.org

Ian Kysel
Staff Attorney
ACLU-Southern California
1851 E. First Street, Suite 450
Santa Ana, CA 92705

Dear Mr. Kysel:

PRA REQUEST RE: USE OF FORCE AND CHEMICAL AGENTS

This letter is in response to your request dated May 23, 2018, and is in follow up to the 14-day extension letter dated June 4, 2018 that was sent to you from the California Department of Corrections and Rehabilitation (CDCR)'s Division of Juvenile Justice.

Your request includes forty separate requests for records regarding the use of force generally, and the use of chemical agents specifically, occurring at each of the Department's thirty-five prisons and four juvenile facilities over the course of a three-year expanse of time. Because the requests encompass the records of two separate divisions within CDCR (the Division of Adult Institutions and the Division of Juvenile Justice), you will be receiving communications and responsive, non-exempt records from both Divisions.

Due to the time that will be necessary to search for, collect, and appropriately examine voluminous amounts of separate and distinct records, we will be providing you with intermittent productions of documents as they are gathered and reviewed. I expect to have an initial set of records available for production by July 9, 2018, at which time you'll be advised of the costs for producing those records.

If you have any questions concerning the response to your Public Records Act Request you may contact me at 1-916-324-2182

Sincerely,

A handwritten signature in black ink, appearing to read "Michael A. New", is written over the typed name.

Public Records Act Coordinator
Division of Adult Institutions
Reception Centers Mission

DIVISION OF ADULT INSTITUTIONS

P.O. Box 942883
Sacramento, CA 94283-0001



July 18, 2018

VIA EMAIL ONLY
ikysel@ACLUsoCal.org

Ian Kysel
Staff Attorney
ACLU-Southern California
1851 E. First Street, Suite 450
Santa Ana, CA 92705

Dear Mr. Kysel:

PRA REQUEST RE: USE OF FORCE AND CHEMICAL AGENTS

This letter is in response to your request dated May 23, 2018 regarding the use of force and use of chemical agents within the California Department of Corrections and Rehabilitation.

Due to the voluminous nature of the request, we will be providing you with intermittent productions of documents as records are identified; reviewed for responsiveness and any applicable exemptions; and are redacted, if necessary. Enclosed is the first set of documents that we are producing. These documents are responsive to requests numbers 1.a.ii, 1.a.viii, 1.a.xiii, 1.a.xv, 3.a.xv, and 3.a.xvi.

A training document that describes how to use or accomplish physical holds may be responsive to request number 2.a.v. However, portions of it is being withheld pursuant to CA Government Code section 6254(f) as a record of security procedures of a state police agency and as a security file compiled by a state agency for correctional purposes.

In addition to the attached documents, there are also publicly available documents that are responsive to your requests that can be accessed at the following internet addresses:

Department Operations Manual (DOM) sections 51020.1 through 51020.24 are responsive to requests 1.a.ii, 1.a.iii, 1.a.xi, and 1.a.xiii; DOM sections 31140.1 through 31140.45 and sections 33030.1 through 33030.34 are responsive to request 1.a.xv and can be found at (see next page).

https://www.cdcr.ca.gov/Regulations/Adult_Operations/docs/DOM/DOM%202018/2018%20DOM.pdf

California Correctional Healthcare Services' Inmate Medical Policy & Procedures chapters 4.17.1 and 4.17.2 are responsive to requests 1.a.viii and can be found at

<https://cchcs.ca.gov/wp-content/uploads/sites/60/2017/08/IMSPP-v04-ch17.1.pdf>

and

<https://cchcs.ca.gov/wp-content/uploads/sites/60/2017/08/IMSPP-v04-ch17.2.pdf>

California Code of Regulations sections 3268 through 3268.3 are responsive to requests 1.a.ii, 1.a.iii, 1.a.iv, 1.a.v, 1.a.xi, 1.a.xiii and can be found at

[https://govt.westlaw.com/calregs/Browse/Home/California/CaliforniaCodeofRegulations?guid=IE3CFAF60D47311DEBC02831C6D6C108E&originationContext=documenttoc&transitionType=Default&contextData=\(sc.Default\)](https://govt.westlaw.com/calregs/Browse/Home/California/CaliforniaCodeofRegulations?guid=IE3CFAF60D47311DEBC02831C6D6C108E&originationContext=documenttoc&transitionType=Default&contextData=(sc.Default))

As requested, this first set of attached documents is being provided to you electronically via email as their size and native format allows for this. Please be aware that it may not be feasible to provide all documents in future productions electronically and without cost. I expect to have another set of records available for production by August 10, 2018.

Sincerely,



Public Records Act Coordinator
Division of Adult Institutions
Reception Centers Mission

California Department of Corrections and Rehabilitation
 Division of Juvenile Justice
 P.O. Box 588501
 Elk Grove, CA. 95758-8501



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 Santa Ana, CA 92705
 Via Email: ikysel@ACLUsoCal.org.

June 18, 2018

RE: PUBLIC RECORDS REQUEST REGARDING CHEMICAL AGENTS

Dear Mr. Ian Kysel:

This letter is in response to your letter sent via email dated May 23, 2018 and received via email May 25, 2018. Attached to this email are documents in PDF format the California Department of Corrections and Rehabilitation (CDCR), Division of Juvenile Justice (DJJ) has determined are responsive to your request.

1. POLICIES AND PROCEDURES

DJJ is interpreting “in each facility operated by CDCR” as every correctional facility operated by DJJ. Youthful offenders who are convicted of a felony in a Superior Court of California and are under the age of eighteen are only housed in a DJJ facility and not a facility operated by the Division of Adult Institutions.

CDCR/DJJ is providing the attached Policies and Procedures:

Name of Policy and Procedure and/or Documentation	Time Frame	
	1/1/15 through 12/31/17	1/1/18 through 3/31/18
Treatment Intervention Program (TIP)	✓	✓
Behavioral Treatment Program (BTP)	✓	✓
Delivery of Mandated Services	✓	✓
Crisis Prevention and Management	✓	✓
Program Credits	✓	✓
Program Service Day	✓	✓
Youth Rights Handbook	✓	✓
Re-Reinforcement Systems	✓	✓
Youth Grievance	✓	✓
Disciplinary Decision Making System (DDMS)	✓	✓
Program Change Protocol	✓	✓

Section a, Subsection iii., DJJ does not have a responsive record to this request.

Section a, Subsection iv., DJJ does not have a responsive record to this request.

Section a, Subsection v., DJJ does not have a responsive record to this request.

Section a, Subsection vi., DJJ does not have a responsive record to this request.

Section a, Subsection x., DJJ does not have a responsive record to this request.

2. TRAINING MATERIALS

DJJ is interpreting “in each facility operated by CDCR” as every correctional facility operated by DJJ.

Copies of training materials between January 1, 2015, and December 31, 2017, (inclusive) and between January 1, 2018, and March 31, 2018, (inclusive) are provided as a PDF attachment to this letter via email. DJJ is interpreting the request for “copies of training materials” as training provided to all custody and staff located at every correctional facility.

Section a, Subsection ii., Training materials that contain information regarding security procedures are exempt from disclosure pursuant to California Government Code Section 6254(f).

3. DATA

DJJ is interpreting “in each facility operated by CDCR” as every correctional facility operated by DJJ.

Copies of aggregate data between January 1, 2015, and December 31, 2017, (inclusive) are provided as a PDF attachment to this letter via email.

Section a, Subsection i., attached is a PDF document; COMPSTAT Chemical UOF report.

Section a, Subsection ii., Due to the voluminous number of documents that must be reviewed in order to determine whether DJJ has records that are responsive to your request, DJJ is providing you with intermittent productions of documents as they are gathered and reviewed. I expect to have a response to this request available for production by July 9, 2018, at which time you’ll be advised of the costs, if any, for producing those records. DJJ reserves the right to partially deny your request based on an exemption pursuant to California Government Code Section 6254. DJJ does not have a responsive record to your request for documents that replace the names of youth with unique identifiers.

Section a, Subsection iii., Copies of videotapes and audio recording are exempt from disclosure pursuant to California Government Code Section 6254(c), (f) and (k). DJJ does not have a responsive record to your request for documents that replace the names of youth with unique identifiers.

Section a, Subsection iv., DJJ does not have a responsive record to your request.

Section a, Subsection v., Due to the voluminous number of documents that must be reviewed in order to determine whether DJJ has records that are responsive to your request, DJJ is providing you with intermittent productions of documents as they are gathered and reviewed. I expect to have a response to this request available for production by July 9, 2018, at which time you'll be advised of the costs, if any, for producing those records. DJJ reserves the right to partially deny your request based on an exemption pursuant to California Government Code Section 6254. DJJ does not have a responsive record to your request for documents that replace the names of youth with unique identifiers.

Section a, Subsection vi., Records of complaints to, or investigations conducted by DJJ or other state agencies are exempt from disclosure pursuant to California Government Code Section 6254(f) and (k). DJJ does not have a responsive record to your request for documents that replace the names of youth with unique identifiers.

Section a, Subsection vii., Records of complaints to, or investigations conducted by DJJ or other state agencies are exempt from disclosure pursuant to California Government Code Section 6254(f) and (k). DJJ does not have a responsive record to your request for documents that replace the names of youth with unique identifiers.

Section a, Subsection viii., Discipline records are exempt from disclosure pursuant to California Government Code Section 6254(k). DJJ does not have a responsive record to your request for documents that replace the names of youth with unique identifiers.

Section a, Subsection ix., Records of "injury to staff or youth" are exempt from disclosure pursuant to California Government Code Section 6254(c) and (f). DJJ does not have a responsive record to your request for documents that replace the names of youth with unique identifiers.

Section a, Subsection x., attached is a PDF document showing the number and volume of all containers or unit of chemical agents currently maintained or stored for use. O.H. Close and N.A. Chaderjian are combined; both facilities are in close proximity and use the same armory.

Section a, Subsection xi., attached is a PDF document showing the number and volume of all containers or unit of chemical agents currently maintained or stored for use. O.H. Close and N.A. Chaderjian are combined; both facilities are in close proximity and use the same armory.

Section a, Subsection xii., DJJ does not have a responsive record to this request.

Section a, Subsection xiii., Due to the voluminous number of documents that must be reviewed in order to determine whether DJJ has records that are responsive to your request, DJJ is providing you with intermittent productions of documents as they are gathered and reviewed. I expect to have a response to this request available for production by July 9, 2018, at which time you'll be advised of the costs, if any, for producing those records. DJJ reserves the right to partially deny your request based on an exemption pursuant to California Government Code Section 6254.

Section a, Subsection xiv., DJJ does not have a responsive record to this request.

Section a, Subsection xv., DJJ does not have a responsive record to this request.

Section a., Subsection xvi., DJJ does not have a responsive record to this request.

Should you have any questions or concerns please feel free to contact me at (916) 683-7450 to discuss this matter further.

Sincerely,

A handwritten signature in cursive script that reads "Craig Watson".

CRAIG WATSON
Associate Director

California Department of Corrections and Rehabilitation

Division of Juvenile Justice In-Service Training



Crisis Prevention and Management/ Use of Force Refresher

Version 2.0

11056805

Crisis Prevention and Management/Use of Force Refresher

Instructor Notes/Text

INSTRUCTOR NOTES

Overview

This lesson involves 1 hour of instruction, and concentrates on the proper prevention and de-escalation strategies of youth supervision, in order to effectively minimize crisis situations that may include communication, rapport building and assessments. The lesson also covers the criteria for the use of force, application of force and reporting requirements when force is used.

Be prepared throughout the lesson to provide your own correctional experience with youth crisis management and use of force, which can be used as a teaching tool for the participants.

An example of a Crisis Intervention Plan is located in the Appendix.

There are three activities involving a use of force situation. They are:

- Activity 1: Smith Video - Show video to class. After video is done, call on participants to answer the four questions. After, discuss the answers.
- Activity 2: Scenario - Read scenario or choose a participant from the class to read the scenario. Read the question and choose a participant to answer the question and explain their answer. You should call on more than one participant to answer the question and give their answer.
- Activity 3: Scenario - Read scenario or choose a participant from the class to read the scenario. Read the question and choose a participant to answer the question and explain their answer. You should call on more than one participant to answer the question and give their answer.

Before the Lesson

- Review the instructor guide and participant workbook to become familiar with the lesson content.
- Review the PowerPoint presentation.
- Make sure all details for the lesson are arranged, i.e., classroom, multi-media equipment, etc.
- Write your name, title, and workplace on the whiteboard or tear sheet.

Note

Pace the presentation time according to the timing allotment of each section noted in the instructor text.

The instructor text contains the proper sequence in which the slide sections should be displayed or emphasized so that they align with the lecture portion.

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I. INTRODUCTION

Section Time 1 min.

Slides 1.0–1.1

A. Overview of Lesson

This annual refresher lesson is designed to provide employees with a reminder of Crisis Prevention and Management/Use of Force expectations, and to reinforce the emphasis on prevention, intervention and de-escalation strategies to reduce use of force incidents.

II. CRISIS PREVENTION AND MANAGEMENT POLICY

Section Time
5 min.

Slides
2.0-2.3

A. Policy

The California Department of Corrections and Rehabilitation, Division of Juvenile Justice (DJJ) is committed to creating a safe environment for youth and staff. DJJ's goal is to avoid the use of force and address unstable/negative behaviors and crisis in a pro-active manner by utilizing a continuum of interventions, and developing crisis intervention plans for each youth. The policy includes:

1. The use of excessive and unnecessary force is strictly forbidden. Failure to use de-escalation techniques to avoid the use of force where there is the opportunity to do so, failure to protect youth and staff from harm due to assaultive or violent behavior and failure to protect youth from self-inflicted injury may result in disciplinary action. In the instances where force is necessary to protect youth or others from harm, or to prevent a youth from attempting to escape the boundary of a facility or custody during off-grounds transport, staff shall utilize the least amount of force necessary for the safety of staff, youth, and public, which poses the minimum risk injury to youth and staff.
2. DJJ will utilize a continuum of interventions in an effort to reduce the need for force. Mental health clinicians will be an integral part of this continuum and will work with all staff and youth to improve safety and help to prevent the use of force. All correctional peace officer staff will receive training in the use of pro-active interventions, non-physical interventions, de-escalation skills, conflict resolution, restraint techniques, and use of Oleoresin Capsicum (OC) authorized by DJJ.

3. Changes to the crisis prevention and management policy and/or procedures, as well as any clarification memorandum issued pertaining to the use of force, shall only be authorized by the Director or designee of DJJ.

Slide
2.4

B. Training Goals

Training goals shall include the following:

- Building strong professional relationships with youth to allow effective treatment to occur.
- Modeling self-regulating behavior in challenging circumstances.
- Minimizing the use of force.
- Minimizing the risk of injury to staff and youth.

III. CONTINUUM OF INTERVENTIONS

Section Time
18 mins.

Slide
3.0

A. Overview

DJJ will utilize a continuum of interventions in an effort to minimize the need for force. All DJJ staff have the responsibility to utilize a continuum of prevention, intervention and de-escalation strategies in order to effectively minimize crisis situations including but not limited to: communication, professional relationship/rapport building, presence, planning and instructions.

When we fail to communicate effectively there is an increased liability to DJJ and the Department. Failing to communicate effectively can lead to increased instances of the use of force, which can lead to litigation and lawsuits.

Slide
3.1

B. Crisis Prevention and Proactive Supervision of Youth

Prevention is a critical step in dealing with the management of crisis situations and behavior. All staff is expected to utilize pro-active practices and techniques. A foundation for positive youth development is one where a safe environment is maintained and supervised by fair, consistent, and supportive staff. The primary tools for staff to use in the prevention of crises are good rapport and the pro-active supervision of youth. Through the building of positive, supportive, professional relationships with youth, staff can develop rapport and recognize behaviors and situations which have the potential of escalating and may lead to violent or acting out behavior.

**Slide
3.2**

Instructor Note:
Play the Smith video for the class. It is located in the PPT & Video folder. Ask the following questions and discuss the answers with participants.

C. Activity 1: Smith Video

Learning Objective: You will participate in a class discussion on the use of force.

You will now watch a video scenario involving the use of force. After the video is shown, you will be called on to answer the following questions.

Questions:

1. Is this an example of proactive supervision?

No.

2. What were most of the youth in the dayroom doing prior to the incident?

Looking in the direction/area where the two youth are about to fight.

3. Is this an incident that requires all staff in the unit to respond to the area of the incident? Why?

No! - Based on the video footage. Other staff need to maintain proximity over the remainder of the group.

4. Based on your experiences, what would you have done differently?

Answers will vary.

Slides
3.3- 3.5

Instructor Note:
Refer participants to the Appendix: Crisis Intervention Plan.

D. Crisis Intervention Plan

The individual crisis intervention plan (CIP) is a part of the youth's overall integrated treatment plan. An individual CIP will be developed for each youth no later than 30 days of arrival at a DJJ reception center to describe prescriptive de-escalation techniques and interventions authorized for use with youth. These plans will be assessed at each case conference, weekly treatment team meetings and updated as needed. These plans will include:

1. Youth triggers
2. Early warning signs
3. Coping strategies
4. Interventions to be utilized
5. When should a clinician be called in a potential crisis
6. Restrictions/limitations on use of OC spray and physical restraints, if applicable

Slides
3.6 – 3.9

E. De-escalation Techniques

Instructor Note:

Lead a brief discussion on the following:

What type of interventions strategies do you use with youth:

- When trying to solve a problem or issue?
- When a conflict occurs between youth?
- When a crisis situation is building?

Instructor Note:

Inform participants of the de-escalation techniques supported by IBTM:

- Cognitive Behavior Primer
- CounterPoint™
- Aggression Intervention Training (AIT)
- Core Correctional Practices
- Reinforcement System
- Skill of the Week

There will be instances when pro-active supervision alone does not prevent a crisis situation from developing. When this occurs, the appropriate use of de-escalation techniques, as authorized by youth's individual CIP, may reduce the likelihood of the situation to becoming dangerous for youth and staff. Staff will be trained to utilize intervention strategies that contribute to effective communication, problem solving, prevention of power struggles, conflict resolution, and pro-active prevention and management of crisis. This will be done through behavioral de-escalation strategies, trauma informed interventions, and least restrictive measures. Whenever possible, qualified mental health professionals will be consulted and will respond to assist with de-escalation of potential crisis situations.

IV. CONTINUUM OF FORCE

Section Time
18 min.

Slides
4.0-4.2

A. Overview

All use of force must be appropriate to the level of risk presented by the youth and utilize the least amount of force necessary to stabilize the youth or situation, and be documented in the youth's individual CIP. Staff must stop at the lowest level of intervention that stabilizes the youth and situation and reduce the level of force as the youth and situation stabilize. Whenever practical, staff shall give the youth the opportunity to respond prior to utilizing a greater degree of force. When a youth's resistance stops, the application of force stops.

1. Reasonable Force

The amount of force that an objective, trained, and competent correctional peace officer faced with similar facts and circumstances, would consider necessary and reasonable to subdue an attacker, overcome resistance, effect custody, or gain compliance with staff commands to accomplish subduing an attacker, overcome resistance, and/or effect custody.

2. Immediate Use of Force

Refers to the use of reasonable force and due to time constraints, does not require authorization of a higher official when the behavior of a youth constitutes an imminent threat to the safety of any person or the security of the facility or the youth is causing substantial damage to DJJ property.

3. Controlled Use of Force

The planned force used in a facility setting, when a youth presence or conduct poses a threat to safety or security and the youth is located in an area that can be controlled or isolated. These situations do not normally involve the imminent threat to loss of life or imminent threat to facility security.

A controlled use of force shall be used with advance planning (review of the CIP), staff, and organization. A controlled use of force requires authorization of the superintendent or designee and the presence of a supervisor. Supervisors will not proceed with a controlled use of force with any youth with mental health or youth with disabilities considerations documented in youth's CIP until all responding staff have been briefed on those considerations.

Slide
4.4

B. Activity 2: Scenario

Learning Objective: You will participate in a class discussion on the use of force.

Read the following scenario involving the use of force. You will be called on to answer questions.

Scenario:

It is a Sunday at 2045 hours. Two youth (A & B) assigned to Space Mountain Hall are refusing to return to their assigned sleeping areas from the dayroom. Living unit staff has applied intervention efforts for a ten minute period of time prior to the arrival of a supervisor and security response staff. Security staff and the supervisor provide verbal dialogue and intervention options for both youth. After another ten minute period of time, youth A agrees to return to his sleeping area without further incident. Youth B is still in the dayroom refusing to return to his sleeping area. Staff on scene observes youth B adjusting

his waistband frequently and then he sits down on the dayroom floor with his back leaning against a wall. The supervisor makes the decision to implement controlled force protocols (consult with mental health staff, health care staff, review of UHR, identify staff roles to place youth B in custody) with the goal of safely returning youth B to his sleeping area.

Once youth B is placed in custody, staff affects a clothed body search. Youth B resists staff attempts to conduct a clothed body search, attempts to break free of their control hold grasp and is placed on the ground with staff holding on to him. Youth B places himself in a fetal position not allowing staff to search the waistband area of his person. Once youth B is under control on the floor, staff completes the clothed body search and discloses a clear plastic bag with a black cell phone tied to the waistband of his pants.

Youth B is then removed from the area and escorted to health care for a medical exam. Health care staff reports youth B has the following injuries; a contusion to the head above the left eyebrow and a chipped tooth.

A debriefing is conducted by the supervisor to identify approaches by incident scene staff that went well and what did not. The supervisor identifies incident scene staff roles and what they did and/or observed providing them an expectation of reports required for submission.

Question:

What type of force was used in the above scenario – immediate or controlled? Explain your answer.

Controlled force – Initially, youth B did not pose an imminent threat. Once in custody, he became resistive to staff search efforts and staff applied force to control his behavior. Also, because youth received contusion to the head above the left eyebrow and a chipped tooth, a supervisor will need to conduct a video recorded interview with the youth.

Slides 4.5-4.6

C. Use of Force Options

When other less restrictive non-force options have failed or are not practical under the circumstances existing at the time, reasonable force may be used. Under no circumstance shall the force used be greater than reasonably necessary to achieve control of youth and maintain safety and order. If staff should, at any point, determine the situation can be resolved without the use of force, the use of force process shall be terminated and staff will return to the use of preventative and de-escalation techniques. Use of force options do not have to be utilized in any particular sequence, but should be the force option staff reasonably believes is sufficient to control the incident.

Use of force options include but are not limited to:

- **Oleoresin Capsicum (OC):** Provides staff the ability to use force while maintaining distance.
- **Hand-held Batons:** The baton may be issued to custodial staff assigned to positions with direct youth contact. The baton should not be carried in the extended position unless it is being utilized for the protection of the youth and/or staff.
- **Physical Strength and Holds:** Any deliberate physical contact, using any part of the body to overcome conscious resistance, is considered physical force. A choke hold or any other physical restraint which prevents the person from swallowing or breathing shall not be used.
- **Less-lethal Weapons:** A less lethal weapon is any weapon that is not likely to cause death. A 37mm or 40mm launcher and any other weapon used to fire less-lethal projectiles is a less lethal weapon.
- **Lethal Weapons:** A firearm is a lethal weapon because it is used to fire lethal projectiles. A lethal weapon is any weapon that is likely to result in death.

Slides
4.7-4.8

D. Circumstances Under Which Force May be Used

Force may be used when all other appropriate pro-active techniques have been considered and/or used. Accordingly, force shall be used in the following circumstances:

- Where emergency/immediate intervention is necessary to protect the safety of any person, including the youth
- Where the behavior of youth adversely effects the operation of the facility over a significant period of time
- Where youth is causing substantial damage to DJJ property
- Where youth is physically attempting to escape the boundary of a facility
- Where youth is physically attempting to escape from custody while off-grounds

Slides
4.9-4.10

E. Circumstances Under Which Force May Not be Used

At no time is an employee permitted to use force against youth for punishment, retaliation or discipline. Force may not be used under any of the following circumstances:

- OC shall not be used on youth with a documented medical restriction from the application of OC. Youth will be counseled on their medical risk related to OC exposure. Documentation of this restriction shall be placed in youth's CIP. This restriction applies to all use of force situations unless there is a threat of imminent danger.

- OC shall not be deployed on youth diagnosed as mentally ill unless there is imminent danger of serious injury to youth or staff.
- OC shall not be used on pregnant female youth.

Slide
4.11

F. Non-Approved Force

The following non-approved force is prohibited:

- Any force that places youth in a prone position with youth's arm(s) and/or hand(s) secured behind their back, and secured to youth's leg(s)
- Carotid artery control hold
- Any force used to secure youth to a fixed object with youth's hand(s) behind the back

Slide
4.12

G. Deadly Force

DJJ recognizes the sanctity of human life. Deadly force refers to any use of force that is likely to result in death. Therefore, deadly force shall only be used when it is reasonable force and is needed to defend individuals from the immediate threat of death or great bodily injury.

V. SAFETY PRECAUTIONS

Section Time 5 mins.

Slides 5.0-5.3

A. Overview

Staff must be mindful of staff to youth size differentials when utilizing physical strengths and holds. As a safety precaution, when engaging in a restraint, staff must not apply their full body weight onto youth in order to achieve control. Correctional peace officers will be aware of *compressive asphyxia*. This limits the expansion of the lungs by compressing the torso, hence interfering with breathing. Compressive asphyxia can occur when the chest or abdomen is compressed backwards toward the spine.

Whenever youth complains that they cannot breathe, shows signs of difficulty in breathing, or vomits, staff must immediately remove pressure from the back, chest and abdomen without losing hold of youth. Staff must observe youth to determine whether they are breathing. Throughout the use of physical force, staff shall determine whether or not youth is responsive and can speak.

Staff must immediately initiate CPR and emergency medical response procedures if either breathing or signs of circulation are absent. If staff is unsure if either breathing or signs of circulation are absent, they must immediately initiate CPR and emergency medical response procedures.

**Slide
5.4**

B. Required Medical Evaluation

When force is used or youth is involved in a physical altercation, a medical evaluation shall be provided to youth as soon as practical, but no later than two hours after the incident. Health care professionals are the only staff authorized to accept youth's refusal for medical attention, but no later than two hours after a use of force incident.

**Slides
5.5-5.7**

C. Allegations of Unnecessary or Excessive Force

Every employee has an ethical and legal responsibility to report what they believe to be an incident of unnecessary or excessive force. Any employee observing unnecessary or excessive force shall make reasonable efforts to stop the violation. Any employee witnessing or receiving information alleging an incident of unnecessary or excessive use of force shall immediately report the incident verbally to a supervisor, the security supervisor, chief of security or executive officer. Staff who do not document staff misconduct shall be subject to discipline.

1. Notification

Instructor Note:
Briefly refer to the Glossary and read aloud definition of Serious Injury.

The superintendent or designee shall be immediately notified after an incident involving serious injury to youth, or youth and staff who made an allegation of excessive or unnecessary force due to the application of force.

**Slides
5.8-5.9**

D. Follow-Up After a Use of Force Incident

Debriefing after the use of force is an essential tool to learn about the well-being of youth and staff, to determine what caused the event, to become aware of critical events that may upset youth, to evaluate the effectiveness of interventions utilized

and to proactively mitigate future events. Debriefing is an integral part of a program's efforts to reduce the use of force. Each facility shall conduct a series of debriefings as soon as practical after each use of force.

After a debriefing session conducted by the supervisor, employees shall not collaborate with each other in the preparation of reports.

**Slide
5.10**

Instructor Note:

Ask the class how many have participated in a debriefing after a use of force incident?

- Call on someone to share a personal experience on debriefing. Ask them:
 - Who lead the debriefing?
 - Who participated in the debriefing?
 - How effective was the debriefing?
 - What did you learn?

VI. ADMINISTRATIVE REVIEW

Section Time
18 mins.

Slide
6.0

A. Overview

Each individual use of force incident at a DJJ facility will be evaluated at both supervisory and management levels to determine if the force used was proper and lawful under applicable laws, regulations, policies, procedures, and training. The policy set forth below shall be enforced to ensure the management team of DJJ is aware of use of force incidents, and is able to properly monitor and provide a thorough review of each use of force incident.

Slide
6.1

B. Use of Force Operating Procedures

It is your responsibility to be knowledgeable and follow the Use of Force Operating procedures.

1. Crisis Prevention, Intervention, and Management Strategies

- Staff Self-Assessment

Staff's ability to use disengagement strategies, and understanding how their reactions impact their ability to resolve crisis situations safely. Knowing when to ask for assistance or how to assist a co-worker experiencing difficulty is crucial to preventing the escalation of crisis situations. For example, a "Staff Exchange" strategy is when a staff would intervene with a co-worker by helping them out of a situation where they do not see how they are contributing to the escalation of the situation.

**Slide
6.2**

- De-escalation Strategies

Some areas and resources which might help staff to focus, develop, or increase their skills to de-escalate crisis situations:

- Verbal and Nonverbal Interventions
- Reflective Listening
- Empathy (awareness of the youth's emotional state)
- Interviewing Skills/Motivational Interviewing
- Crisis Intervention and/or Conflict Resolution

**Slides
6.3-6.4**

2. Use of Force

- Mechanical Restraints

A youth known to be pregnant shall not be mechanically restrained by the wrists, ankles, or both, or with a chain across the belly, or chained to another person. This includes, but is not limited to:

- Movement within the juvenile facility
- During any transport or time spent outside a local correctional facility
- During labor, delivery, and recovery after childbirth

In cases where there is a security need to protect the youth, staff and/or public, restraints may be used in the least restrictive and briefest manner possible.

Slide
6.5

- Physical Strengths and Holds

Health emergencies always override the use of physical strengths and holds. If a youth appears to have lost consciousness, or shows signs of any other health emergency, staff must immediately stop the physical force (without losing control of the youth) and observe the youth for breathing and signs of circulation.

Slides
6.6-6.8

3. Controlled Use of Force

- Special Consideration for Youth with Known or Identified Mental Health/Disability Issues

The superintendent shall ensure that a system is in place at the facility with monitors, documents, accounts for, and ensures compliance with the Crisis Prevention and Management policy and procedures in the use of force used by correctional peace officers on a youth with known or identified mental health/disability issues. At a minimum, this system shall include lists of youth names that are:

- Identified as mental health youth
- Presently taking psychotropic medication
- Identified as having a disability

These lists shall be retained in a secure location on the facility living units (SYCC office) for reference purposes on a need to know basis in the event of a controlled use of force.

**PowerPoint
6.9**

4. Allegations of Unnecessary or Excessive Force

- Employee Interviews

All inquiries shall follow policies and procedures outlined in the California Department of Corrections and Rehabilitation's Operations Manual (DOM), Chapter 3, Article 14. The State provides DJJ employees through computer log on, user identification and password, intranet access. The DOM is accessible in this manner.

**Slides
6.10-6.11**

5. Deadly Use of Force Reporting

- Correctional Peace Officer

Upon using deadly force and/or discharging a division-approved firearm, whether on or off duty;

1. Ensures that a supervisor is verbally notified of the incident without delay.
2. Gives an oral public safety statement (PSS) to a supervisor. It is also not acceptable for the employee to submit a written report as an alternative to the statement.
3. Follows any other directions and/or instructions as directed by local law enforcement or a supervisor.

**Slides
6.12-6.18**

- Supervisor

When there has been a use of deadly force, the on duty supervisor shall ensure that the chain of command is notified and all necessary health and safety, medical

and security measures are initiated. The supervisor shall go to the location and ensure that the scene is protected.

For incidents occurring in the facility setting, the watch commander shall contact the facility DDMS lieutenant.

For incidents occurring in the community setting, the on-duty supervisor shall ensure local law enforcement is contacted.

The supervisor shall ask the employee who used the deadly force to provide a PSS immediately after the incident. This is the employee's oral statement. This statement helps determine the general circumstances of the incident, assess the need for resources, set the perimeter, locate injured persons, and determine the nature of the evidence to be sought. It shall provide basic information such as the number of persons involved in the incident, the number not yet in custody, and number and direction of shots fired. The statement shall not include, and the employee should not be asked to provide a step by step narrative or a motive for his/her actions.

The following questions are intended to facilitate the gathering of the information necessary for the PSS. The supervisor will ask the following questions:

- What happened?
- Where did it happen?
- When did it happen?
- Are there any victims?

- How many?
- Who are they?
- Where are they now?
- How many suspects are there?
- Where are they now?
- Did any escape or leave the area?
- Were shots fired?
- How many?
- Were there any warning shots?
- In what direction were the shots fired?
- Where were you when you fired the shot?
- Where did they strike?

**Slide
6.19**

Youth weapons:

- Did you see any?
- Who had them?
- What type of weapons?
- Where are they?
- What is the scene?
- What size is the area?

**Slide
6.20-6.21**

1. Shall capture the essence of the oral statement in writing and submits to the incident commander.
2. Verbally notifies site administrative employees of the incident without delay.

3. Documents and submits a written report of the incident unless instructed otherwise by local law enforcement or a Department Administrator.
4. Follows any other directions and/or instructions pertaining to documentation, surrendering of the firearm, etc., as directed by local law enforcement or a DJJ Administrator.
5. As soon after the incident as is practical, the response supervisor must also initiate Critical Incident Referral protocols as delineated in the Institution and Camps Manual, Section 1605 -1609.

Slide
6.22

In circumstances where the use of deadly force results in death or great bodily injury (GBI), the staff using the force will be placed on administrative time off (ATO) for 72 hours in order to facilitate department interviews and staff wellness.

Slide
6.23

C. Activity 3: Scenario

Learning Objective: You will participate in a class discussion on the use of force.

Read the following scenario involving the use of force. You will be called on to answer questions.

Scenario:

It is a Thursday at 1100 hours. On Funny Farm Hall, three youth (Moe, Larry, and Curly) are refusing to exit the dayroom to return to their bed areas. The SYCC and YCCs are attempting verbal intervention to get the youth to comply and after several minutes, no compliance from the youth is gained. The CIPs are reviewed and the Psych/LPT contacted. The TTS is then contacted and he, also, is unable to diffuse the situation. The TTS contacts the program administrator to inform him/her. The sergeant is contacted and brings security staff for verbal intervention in an attempt to get the three youth to return to their bed areas. When that fails to produce cooperation, the sergeant tells Moe, Larry, and Curly they need to return to their bed areas or force will be used. Moe, Larry, and Curly then sit down on the dayroom floor holding on to a stationary table.

The sergeant provides a final warning to Moe, Larry, and Curly to go to their bed areas or force will be used. Moe, Larry, and Curly refuse to comply. The lieutenant forms an extraction team and the team goes to the hall to complete an extraction. Once the extraction of the three youth is complete, the youth are observed by medical to be cleared and then placed in an Alternative Program room on TIP.

Question:

What type of force was used in the above scenario – immediate or controlled? Explain your answer.

Controlled force – They should follow the controlled use of force procedures policy.

VII. CONCLUSION

Section Time 1 min.

Slide 7.0

A. Summary

This lesson was designed to provide you with a reminder of Crisis Prevention and Management/ Use of Force expectations, and to reinforce the emphasis on prevention, intervention and de-escalation strategies to reduce use of force incidents.

DJJ is committed to creating a safe environment for youth and staff. Its goal is to avoid the use of force and address unstable/negative behaviors and crisis in a pro-active manner by utilizing a continuum of interventions, and developing crisis intervention plans for each youth.

GLOSSARY

Word	Definition
Controlled Force	The planned use of force in situations where a youth is located in an area that can be controlled or isolated.
Crisis Situation	Any event where a youth is demonstrating behavior that clearly threatens the safety of youth, other individuals, or the security of the facility and requires some level of intervention. Crisis situations may escalate beyond verbal interventions when the level of imminent threat increases.
Debriefing	Refers to a meeting to share information and provide feedback as a means to assist staff in their daily interactions with youth. This occurs at multiple levels and includes youth, staff and administrative review.
Excessive Force	Use of more force than was needed to stabilize the youth and/or the situation.
Executive Officer	A correctional peace officer at the level of superintendent, assistant superintendent, chief of security, program administrator, parole agent III, treatment team supervisor, or supervising casework specialist.
Great Bodily Injury	An injury that creates a substantial risk of death.
Health Care Professional Staff	Includes all Physicians, Registered Nurses, Nurse Practitioners, Physician Assistants and Licensed Vocational Nurses. Includes all Physicians, Registered Nurses, Nurse Practitioners, Physician Assistants and Licensed Vocational Nurses.
Immediate Force	Refers to the use of reasonable force and due to time constraints, does not require authorization of a higher official when the behavior of a youth constitutes an imminent threat to the safety of any person or the security of the facility or the youth is causing substantial damage to DJJ property.
Imminent Danger	A situation in which staff would conclude from the available information that immediate action and/or use of force may be necessary and failure to act or delay is likely to result in death or serious injury to youth, staff or others by an attacker's act of aggression.

GLOSSARY

Word	Definition
Mental Health Crisis	An acute disturbance of thinking, mood, behavior, or social relationships that requires an immediate intervention. Indicators of such a disturbance may include, but are not limited to: suicidal threats, gestures or attempts; self-injurious or self-mutilative behavior; and mental manifestations of psychiatric disorders.
Mental Health Professional Staff	Includes Psychiatrists, Psychologists, and Licensed Psychiatric Technicians.
Reasonable Force	The amount of force that an objective, trained, and competent correctional peace officer faced with similar facts and circumstances, would consider necessary and reasonable to subdue an attacker, overcome resistance, effect custody, or gain compliance with staff commands to accomplish subduing an attacker, overcome resistance, and/or effect custody.
Serious Injury	Any of the following injuries: <ul style="list-style-type: none"> • Any loss of consciousness • Dislocation • Lacerations requiring stitches, sealants or other such procedures to close a wound • Concussion • Torn ligaments, muscles or tendons • Internal injuries • Broken, damaged or loss of tooth • Any hearing loss including punctured eardrum • Any loss of vision • Burns • Any serious injury to the face, head or neck area that requires treatment at a hospital, clinic or other outside medical provider • Poisoning • Toxic exposure • Any other injury requiring treatment at a hospital, clinic or other outside medical provider

GLOSSARY

Word	Definition
Unnecessary Force	The use of force not required or essential to subdue an attacker, overcome resistance, effect custody, or gain compliance with staff commands.
Youth Receiving Mental Health Services	Any youth who has a mental health condition that impairs his or her psychological and social functioning or requires psychotropic medication in order to restore psychological and social functioning or has engaged in suicide behavior within the last six months.

REFERENCES

- 1) California Law, Penal Code Sections 118.1, 240, 242, 147, 149 and 835.
- 2) *Crisis Prevention and Management*, California Department of Corrections and Rehabilitation, Division of Juvenile Justice, Institutions and Camps Manual (I&C), Section 2080, January, 2013.
- 3) *Crisis Prevention and Management Operating Procedures All Facilities*, California Department of Corrections and Rehabilitation, Division of Juvenile Justice, Institutions and Camps Manual (I&C), Section 2080.1, March, 2013.
- 4) California Department of Corrections and Rehabilitation, Division of Juvenile Justice, Institutions and Camps Manual (I&C), Sections 1605-1609.
- 5) California Department of Corrections and Rehabilitation, Operations Manual (DOM), Chapter 3, Article 14

Appendix

Crisis Intervention Plan

Crisis Intervention Plan

Individual: _____	YA# _____	WDP Youth _____	Yes _____	No _____
DOB: _____		If yes, explain in Section H)		
Clinician: _____		Medical Concerns: _____	Yes _____	No _____
YCC/CSW/PA: _____	Primary Diagnosis: _____	(if yes, explain) _____		
			Suicide Risk Level (SRL)	(High/Med/Low)
			Psych meds	Yes _____

<p>A. <u>What help to prevent crisis situations with this youth?</u> (What helps motivate this youth?)</p>
<p>B. <u>What is this youth's early warning signs?</u> (For example, irritable, withdrawn, short tempered, fidgety)</p>
<p>C. <u>What are this youth's triggers that might lead to a crisis situation?</u> (For example, noise in the dayroom , being confronted by staff in front of peers, losing a game, talking or not talking to family, problems in school.)</p>
<p>D. <u>What helps de-escalate this youth?</u> <u>What coping strategies have been successful with this youth?</u> (Successful intervention techniques, tone, MI skills, anger management techniques?)</p>
<p>E. <u>At what point in a potential crisis would it be helpful to call a clinician?</u> <u>Are there other staff members that would be a resource for this youth during a potential crisis?</u></p>
<p>F. <u>When it appears to be no other alternative, what physical interventions are appropriate for this youth (from least to most restrictive)?</u> <u>How does this youth respond to physical interventions / tough?</u> <u>Will additional staff / security escalate this situation?</u></p>
<p>G. <u>Does this youth have any restrictions or limitations to the use of OC?</u></p>
<p>H. <u>What are the WDP accommodations for this youth?</u></p>
<p>I. <u>What else should staff consider when this youth is in crisis?</u> (Medical, mental health, disability, anxieties, violence concerns?)</p>

California Department of Corrections and Rehabilitation

Division of Juvenile Justice In-Service Training



Oleoresin Capsicum (OC)

Version 1.0

11055826

Oleoresin Capsicum (OC)

Instructor Notes/Text

INSTRUCTOR NOTES

Overview

Oleoresin capsicum (OC) is a 2 1/2-hour lesson that will provide participants with information on Division of Juvenile Justice (DJJ) policy and procedures for using and applying approved OC and gas gun munitions in a correctional setting.

Due to recent lawsuits surrounding the application of OC in the facilities, it is imperative that correctional peace officers know the policy and understand how and when to use the proper amount of OC.

This lesson has a knowledge review. Review the answers with participants to ensure their understanding of the questions.

Before the Lesson

Advance preparation is necessary for effective delivery of this lesson. Study the material and allow ample time to prepare. Be sure to familiarize yourself with the needed materials, as advanced setup of equipment and gas gun munitions is necessary prior to teaching this lesson.

Review the instructor text. Unlike the participant text, the instructor text contains the proper sequence in which the PowerPoint slides and learning objectives should be displayed or emphasized so that they align with the lecture portion.

Make sure all details for this lesson are arranged, i.e., room, PowerPoint presentation, computer equipment, and protective masks.

Write your name, title, and workplace on the whiteboard or tear sheet.

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GLOSSARY

REFERENCES

I. INTRODUCTION

Section Time

5 minutes

Slides

1.0-1.1

Instructor Note

Define gas gun munitions.

A. Overview of Lesson

Welcome to the Oleoresin Capsicum (OC) training. This is a 2 1/2-hour training that will cover application and use of the Division of Juvenile Justice (DJJ) approved OC. Although this training will provide an overview of other types of chemical agents, OC is the only approved chemical agent for use within DJJ. There may be times, for example, during a mutual aid assist from other law enforcement agencies that other types of chemical agents may be introduced. However, DJJ personnel will not be trained nor are authorized to deploy these agents.

The overview is for informational purposes only. The purpose and goal of this training is to provide comprehensive knowledge and skills pertaining to understanding, using, and applying OC and gas gun munitions in a correctional setting.

This lesson consists of nine sections:

- Introduction—This is an overview and introduction to the learning objectives.
- Overview of OC—This section will give an overview of the history and uses of OC. You will also review the five force options and be introduced to the OC and the conditions under which they may be used in a safe manner.
- OC Described—This section examines chemical agents that are both legal and illegal. You will learn general tactical considerations for the delivery of OC, the three types of contamination, and the steps to be taken during the decontamination process.

- **Protective Masks**—You will be given an overview of the protective mask and gain an understanding of handling the mask, functions of the mask, and cleaning and storing the mask.
- **Gas Gun**—You will learn the proper policy, procedures, and safety issues relating to the use of the gas gun.
- **Conclusion**—This section will highlight the main points of the training.

Slide

1.2

B. Importance

Training that is appropriate, well-planned, and properly presented reduces the possibility of the misuse of OC while also reducing DJJ's exposure to liability.

This lesson contributes to a healthy, safe environment by resolving conflicts at the lowest, least invasive level.

II. OVERVIEW OF OLEORESIN CAPSICUM

Section Time

20 minutes

Slides

2.0-2.1

Slides

2.2-2.5

A. Introduction

The purpose of this section is to provide an overview of the history and uses of OC, review the use of force options and various legal issues involved, introduce various OC types and the conditions under which they may be used, and outline the parameters for their safe use.

B. History of Chemical Agents

World War I set the stage for the first major example of chemical warfare. During the war, many chemicals were developed. Some of them were lethal.

During this time, several of the chemical agents we will discuss first appeared. What was commonly called tear gas, and what we refer to as Chloro-Aceto-Phenone (CN), was used as a training agent during World War I.

A study revealed that CN had mild effects, but was strong enough to incapacitate for short periods of time, and had potential for peacetime use. By the beginning of World War II, CN was used as a riot control agent around the world. It is still utilized by law enforcement agencies; however, the military has not used it since 1960.

Another chemical agent, Diphenylaminchloroarsine (DM), produced such severe effects, it was impractical to use during training. It was, however, used during World War II. By the mid-fifties, the United Nations banned its use because of its severe effects, and manufacturing was terminated. This left a need for a riot control chemical with stronger effects than CN.

To fill this need, the chemical agent Ortho Chlorobenzalmalononitrile (CS), was introduced in the early 1950s. By 1959 the U.S. military had adopted it as its standard riot control agent, and by 1965, American police began to use it as well.

In 1989, the chemical agent OC began to be used by U.S. law enforcement.

OC is a natural oily compound that is extracted from cayenne pepper. It has been used in warfare for several centuries. Around 2000 B.C. in China, armies would burn red pepper to produce a suffocating smoke. The U.S. Postal Service has used OC as a dog repellent since 1961. The first law enforcement OC aerosol, commonly called pepper spray, was manufactured in 1973.

OC contains several active ingredients called capsaicinoids, which include capsaicin, dihydrocapsaicin, nordihydrocapsaicin, homodihydrocapsaicin, homocapsaicin, and nonivamide. Capsaicin, the main capsaicinoid, is a crystalline alkaloid.

Slide
2.6

C. Modern Uses for Chemical Agents

Chemical agents are designed to temporarily incapacitate individuals. They may temporarily cause confusion, disorientation, visual impairment, or incapacitate individuals in police or correctional situations.

Slides

2.7-2.8

D. DJJ Uses for Oleoresin Capsicum

As a correctional agency, DJJ uses OC to control youth behavior, to disperse crowds, to deny access to an area, and to assist with extractions.

Correctional peace officers decide when to use their issued aerosol agents, but must comply with the DJJ's Crisis Prevention and Management Operating Procedures (CPM). Only OC approved by the Director of DJJ may be used in a facility. No correctional peace officer is to supply their own type of chemical agent for duty use.

There are sections in the California PC and in the I&C Branch Manual which govern the use of OC and gas gun munitions within DJJ. These sections will be addressed in detail later in the training.

Slides

2.9-2.12

E. Review of Force Options

Inappropriate use of force is one of the most serious mistakes correctional peace officers can make during their careers. Therefore, it is very important that staff members understand and abide by DJJ's policy in this area.

When reviewing force options, the general policy states that DJJ operates under the CPM, emphasizing a philosophy of proper prevention, behavioral treatment interventions, and strategies to accomplish the treatment, education, and supervision functions with discretion, and minimal reliance on the use of force. Emphasis on the Integrated Behavioral Treatment Model (IBTM) methodology should be considered first, when practical, whenever use of force is being considered.

The use of OC is intended and designed to be used as a disabling agent for correctional peace officers to use to attempt to overcome resistance and to subdue persons with minimal injuries to officers, youths, and others.

Failure to abide by DJJ policy with the appropriate use of force could result in individual criminal/civil liability as well as administrative action for the correctional peace officer.

1. Excessive Force

- The use of quantities of OC which exceed the amount required for prevention or control. OC—like any type of airborne contaminant—can cause death if it displaces oxygen to less than 19.5 percent.
- Improper use of approved chemicals or chemical devices, e.g., intentional firing of a 37/38mm blast into the face or a multiple baton shell directly at the chest or head.
- Any use of OC motivated consciously or subconsciously by the desire to punish, retaliate, or discipline youth violates policy and is morally and ethically wrong.

Slides

2.13-2.14

2. Five Force Options

The need for a variety of force options has always been recognized. Given certain situations, deadly force is not justified. Nor is it always safe for correctional peace officers to approach youth and try to control them with physical strength and skill.

DJJ correctional peace officers have the following five force options available:

- a. Physical strength and holds
- b. Mechanical restraints
- c. OC
- d. Less lethal
- e. Firearms

This listing is not to be construed as meaning that force options are to be used only in the order listed above.

Slides

2.15-2.16

3. Use of Force Options

Circumstances may dictate that the correctional peace officer may begin at any of the five force options as appropriate. Several important points to remember are:

- Dialog/verbal persuasion should be ongoing in communication and problem solving with youth incorporating the methodology of the IBTM.
- When at all possible, staff should not use OC prior to physical strengths and holds with youth.
- Physical strengths and holds, mechanical, or OC shall not be used as punishment, retaliation, or for disciplinary purposes.
- Employees observing violation(s) or having knowledge of violation(s) of this policy shall immediately report the occurrence to the security supervisor, captain, or Superintendent.

Slide
2.17

F. Oleoresin Capsicum Policy

The DJJ's OC policy consists of a combination of legal requirements. Correctional peace officers are liable for both California PC and DJJ policy violations.

Slides
2.18-2.19

1. Approved Uses of OC

OC is to be used only in a manner consistent with the manufacturer's application instructions and the DJJ's policies regarding use of force.

Only OC approved by the Director of DJJ may be used in a facility. The OC shall be used only by trained correctional peace officers and their use shall be limited to:

- The youth's behavior presents a danger to the safety of any person, including the youth.
- The youth is causing substantial damage to public property.
- The youth is trying to escape while in a DJJ facility or off-grounds.

Slide
2.20

2. Prohibited Uses of OC

DJJ approved OC may be used in maintaining order only when an emergency occurs or is reasonably likely to occur and which may result in injury to person or property.

It is illegal for OC to be used as punishment, retaliation, disciplinary reasons, or to be used upon a person who is physically restrained or otherwise under control.

Force may not be used under any of the following circumstances:

- OC shall not be used on a youth with a documented medical restriction from the application of OC.
 - Documentation of this restriction shall be placed in the youth's Crisis Intervention Plan.
 - This restriction applies to all use of force situations unless there is a threat of imminent danger.
- The youth will be counseled on their medical risk related to OC exposure.
- OC shall not be deployed on a youth diagnosed as mentally ill unless there is imminent danger of serious injury to youth or staff.
- OC shall not be used on a pregnant female youth.

Slide
2.21

3. Steps Before OC Use

Before OC is used, consideration must first be given to the gravity of the situation; the present danger of injury to staff, youth, and property; and the consequences that may reasonably occur if youth do not comply.

Slides
2.22-2.23

Learning Objective 1: You will identify 1 action a correctional peace officer must take before oleoresin capsicum may be used.

When possible, OC may be used only after the following actions have been completed:

- Verbally direct youth to comply with staff instructions incorporating IBTM methodologies. Staff are required to attempt to use verbal persuasion with a youth before use of force, if possible.
- When time permits prior to the use of OC, considerations shall be given to a youth with identified medical and/or mental health conditions or a youth who may not understand directions because of a disability.
- In non-emergency situations (controlled use of force), and if the time needed does not create an additional safety or security issue, staff shall consult with a health care professional and mental health professional about existing medical and/or mental health condition(s). IBTM methodology incentives will be employed to attempt to control the situation without the use of force.

OC shall not be used unless DJJ training requirements have been satisfactorily completed.

Slides

2.24-2.26

4. Treatment After Exposure

Learning Objective 2: You will identify the first step in any decontamination process of a youth.

Policy requires there be a minimum treatment for youth after they have been exposed to OC.

After the use of OC, staff are to:

- Remove the youth from the contaminated area.

- Have a health care professional examine the youth as soon as practical, but no later than two hours after the incident.
- Escort the youth to a fully operational shower as soon as possible and instruct the youth to flush the contaminated area of the body thoroughly with cool water.
- If it is safe, the youth's clothing should be removed prior to showering.
- Remove all clothing which has been exposed to any OC and launder prior to their reuse.
- Issue the youth clean clothing after they have showered.
- If the youth continues to complain of the effects of the OC after being seen by a health care professional and provided decontamination, provide the youth with an additional shower and have the youth re-examined by a health care professional.

Slides

2.27-2.28

Learning Objective 3: You will identify who can accept a youth's refusal of medical treatment after exposure to oleoresin capsicum.

- Health care professionals are the only staff who can accept a youth's refusal of medical treatment. The need to medically treat a youth for serious injury may supersede the need to decontaminate from the effects of exposure to OC.

Slides

2.29-2.35

G. Planning

The Director of DJJ will establish procedural safeguards for OC to include the following:

- Standardized procedures for procurement, inventory, issuance, replacement, and disposal of OC.
- Standardized procedures to ensure that correctional peace officers are properly trained in the use of OC.

1. Procedures and Consideration

These shall include the following:

- Ensure that no employee shall use, or order the use of, OC until the employee has satisfactorily completed the DJJ approved training and maintained refresher requirements.
- Ensure proper training on the use of the 37/38mm and L-8 gas guns is satisfactorily completed.
- Minimize, to the extent possible, the exposure and effect of OC on persons not involved in the incident.
- Ensure that any youth exposed to OC shall be afforded an opportunity to decontaminate as soon as practical.
- OC will only be used until the youth complies or other force options are utilized if OC is determined to not be effective to minimize an immediate threat. Once the youth is no longer a threat, force will stop.

2. Guidelines and Provisions

Correctional peace officers need to be aware that the following five guidelines, although a part of a Superintendent's plan, will be their responsibility to implement. These guidelines shall include the following:

- Remove or allow non-involved youth the opportunity to leave the area prior to OC being used. Provide clear directions for route of exit from area. (In extreme emergencies, such evacuations may be impractical.)
- Ensure that no greater amount of OC is used than is necessary to accomplish the legitimate objective of the facilities.
- For health care professional, provide medical attention to all persons contaminated by the use of OC as soon as practical, but no later than two hours, after the incident. The need to medically treat a youth for serious injury may supersede the need to decontaminate from the effects of exposure to OC.
- Showering contaminated youth, as soon as practical, after exposure.
- To facilitate the decontamination of the area before replacing evacuated youth, i.e., use of the ventilation system and portable exhaust fans.

Each facility, camp, or other DJJ work site may have some variation in regard to how different types of OC are issued, stored, transported, or maintained. Sites vary in the types of devices allowed. It is the responsibility of each correctional peace officer to know and follow their work site policies.

Slides

2.36-2.37

H. Training**1. Training Requirements**

OC shall not be used unless training requirements have been satisfactorily completed. Each Superintendent shall provide for comprehensive training in the use, care, and procedures prior to issuance of any OC or mechanical restraining device.

Staff who use restraining devices without first completing the required training shall be subject to disciplinary action. Staff who knowingly possess, use, or transport any OC without satisfactorily completing a course of instruction approved by POST, may be subject to criminal prosecution pursuant to California PC Section 12403.7.

III. CHEMICAL AGENTS AND THEIR DESCRIPTIONS

Section Time

30 minutes

Slides

3.0-3.3

A. Chemical Agents Overview

Chemical agents are considered a less lethal use of force. They are used to distract, disable, disorient, disperse, and disrupt undesirable activities when other methods of compliance without the use of force have been exhausted.

The level of effectiveness will vary with each individual. OC may have less of an effect on mentally ill individuals, or those under the influence of drugs or alcohol. An individual's mindset may influence the effectiveness of OC. Goal-oriented and mentally focused individuals who have a strong goal to fight the effects of OC may still accomplish their goal even though they cannot see and are experiencing significant discomfort.

In this part of Section III, we will examine forms of OC that are legal and illegal. Although this section presents five types of chemical agents, the only chemical agent approved for use by DJJ is OC.

Slide

3.4

Instructor Note

Briefly discuss the non-approved chemical agents.

1. Chloro-Acteo-Phenone (CN)

The chemical agent CN is being removed from DJJ facilities through depletion of current stock. Once the existing stock of CN is exhausted it will no longer be authorized for use at DJJ facilities under normal circumstances. There may be instances where outside agencies provide mutual assistance and may bring CN into the facility for their use.

a. Descriptive Characteristics

- Color code—red
- Common name—tear gas

Slide

3.5

- Chemical class—lachrymator
- Odor—apple blossoms or cherries

b. Effects

- Physiological: The excessive secretion of tears; stinging or burning sensation to the eyes, mouth, throat, and nasal passages.
- Cases of extreme exposure can result in nausea, vomiting, and the blistering of the skin. Blistering is usually associated with an exposure to high concentrations for a prolonged period of time.
- Psychological: May cause mental disorientation and confusion. May cause fear or panic due to discomfort from physiological effects.

Slide

3.6

c. Viability

Vapor rise, the rate at which a solid turns into a gas, is considered high because of its low melting point of 138°F.

d. Reaction Time

Reaction time for CN ranges from an instantaneous reaction to having no effects at all. The effective time will vary due to the chemical composition, the mental state of the individual exposed, or their physical condition. The chemical CN dissipates between 5-15 minutes once the individual is removed from the contaminated area.

Slides

3.7-3.8

e. Reliability

CN is most effective on individuals who are lucid with a normal pain threshold. Failure rates may vary with individuals who are under the influence of drugs or alcohol or who are mentally ill.

The effectiveness of CN is temperature dependent. CN is useful at temperatures of 72° F or higher. There is no fire hazard associated with CN when it is used as an aerosol. There is, however, an extremely high fire hazard when used as a pyrotechnic grenade.

Slides

3.9-3.10

2. Ortho Chlorobenzalmalononitrile (CS)

The chemical agent CS is not authorized for use in the DJJ. It is discussed in this section because outside agencies might bring CS inside a facility during a mutual aid situation.

Note: If you encounter CS in your facility, do not use it. Report it via your chain of command.

a. Descriptive Characteristics

- Color code—blue
- Common name—tear gas
- Chemical class—irritant
- Odor—pungent or peppery

Slide

3.11

b. Effects

- CS is considered to be 10 times more effective than CN.
- Physiological: CS causes secretion of tears. It also results in the secretion of excessive mucous from the nose. In addition, it causes the uncontrollable blinking and closing of the eye caused by involuntary contraction of the eyelid muscle.
- Other physiological effects are a tightness of the chest associated with gripping pain. Some claim it feels like a heart attack. There might be a feeling of shortness of breath or suffocation. There could also be coughing and sneezing.
- Prolonged exposure or extreme exposure to CS may result in nausea, vomiting, and blistering. It also causes anxiety, fear, or panic due to discomfort from the physiological effects.

Slide

3.12

c. Viability

The vapor rate, the rate at which a solid turns into a gas, is considered low because of its high melting point of 201°F.

Slide

3.13

d. Reaction Time

Reaction time for CS ranges from instantaneous to no effects at all. The effective time will vary due to the chemical composition, the mental state of the individual, or their physical condition.

It dissipates between 5-15 minutes once the individual is removed from the contaminated area.

Slide

3.14

e. Reliability

CS is most effective on individuals who are lucid with a normal pain threshold. Failure rates may occur with individuals who are under extreme influences of drugs or alcohol, or who are mentally disturbed.

Slide

3.15

3. Hexachlorethan (HC Smoke)

There are numerous types of HC Smoke, and your facility may have several of them. HC Smoke may be used tactically to verify wind direction and wind velocity. It may also be used to physiologically move a crowd. A clear path of exit for the crowd needs to be clearly distinguished prior to using HC Smoke for crowd movement.

a. Descriptive Characteristics

- Color code—yellow
- Common name—smoke
- Chemical class—obscurant or carrier
- Odor—none or slightly sweet

b. Effects

Physiological: When combined with OC, HC smoke will displace oxygen at a faster rate than when OC is used by itself.

Exposure to HC smoke may cause irritation to the eyes.

Slide

3.16

Slide

3.17

c. Viability

The viability of smoke depends upon the wind velocity and the OC strength being used.

d. Reaction Time

Reaction time depends upon the amount of OC carried, the amount of OC used, its strength, the humidity, the temperature, and the mental state of the individual being exposed.

HC smoke increases the reaction time of the active chemical being delivered at the same time.

Slide

3.18

e. Reliability

The reliability of smoke varies with the chemical it is carrying.

f. Other Considerations

Although HC smoke is not itself a chemical agent, it is included here because of its significant role as a carrier of OC.

HC smoke should never be used indoors, as the smoke displaces oxygen and may cause asphyxiation.

Slide

3.19

4. Diphenylaminchloroarsine (DM)

The chemical agent DM is not authorized for use by any law enforcement agency in the United States. It is discussed because there are agencies that still have this chemical agent in their outdated inventories. If DM is used,

anyone exposed to this chemical must be provided immediate medical attention.

Note: If you encounter DM under any circumstances, do not use it. Report it through your chain of command.

Slide

3.20

a. Descriptive Characteristics

- Color code—green
- Common name—tear gas
- Chemical class—nauseating/sickening agent
- Odor—slightly like damp and smoky wood

Slides

3.21-3.22

b. Effects

- Physiological: Exposure to DM results in irritation to all mucous membranes, the nose, eyes, and throat. DM also causes a discharge from the nose that is similar to a cold, which is accompanied by sneezing and coughing.
- Severe headaches, acute pain, and tightness in the chest giving the feeling of a heart attack may also be experienced.
- Exposure to DM is extremely serious. Simultaneous nausea, vomiting, and diarrhea will result in dehydration and possible death. Fluid loss can be as much as eight quarts of liquids per hour.
- Psychological: The psychological effects of DM exposure are so severe that they may cause individuals to commit suicide.

Slide

3.23

c. Viability

Viability of DM is unknown.

d. Reaction Time

DM reaction time is immediate.

e. Reliability

DM is highly reliable.

Slide

3.24

5. Oleoresin Capsicum

a. Descriptive Characteristics

- Color code—red or black canister
- Common name—pepper spray
- Chemical class—inflammatory
- Odor—depends on the carrier

b. Effects

- OC is designed to keep the particulates airborne as long as possible.
- Psychological: Although mental disorientation may result, anxiety, fear, and panic are the most common reactions to OC exposure.
- Physiological: OC causes the involuntary closure of the eyes resulting in temporary visual impairment.
- Other physical effects of OC are the secretions of excessive mucous from the nose, shortness of breath or feeling suffocated, a tightness of the chest associated with a gripping pain.

Slides

3.25-3.27

- A small percentage of the general population may have an allergic reaction to various types of peppers and, therefore, to OC.
- While most allergic reactions are not life threatening, it is necessary to provide medical treatment to any persons that appear to be having an allergic reaction.
- Signs of an allergic reaction are itching, hives, difficulty in swallowing, and facial swelling, particularly around the eyes, lips, or nose.
- Anyone exhibiting these signs should be evaluated by a health care professional without delay.

Slides

3.28-3.29

c. Viability

OC has a very low vapor rate and, therefore, remains airborne for an extended period of time.

d. Reaction Time

OC initial reaction time varies from one individual to another, the amount of the agent used, and the pungency or strength level.

Humidity, temperature, and an individual's mental state may be a factor in how quickly they are affected. Some individuals have a very high threshold for pain, especially individuals who are emotionally disturbed or prone to substance and/or alcohol abuse.

e. Reliability

Reliability varies with the individual.

Slides

3.30-3.31

B. Oleoresin Capsicum

Learning Objective 4: You will identify 2 physical forms of oleoresin capsicum used for restraint in DJJ.

1. Physical Forms

- OC has two primary physical forms, liquid and solid. Liquid forms can be an aerosol, vapor, or a fogger, while solid forms can be either powder (micro-pulverized) or granules.
- The physical form in which OC is produced is a significant factor in the agent's overall effectiveness. In general, the liquid form is the least effective.

Slides

3.32-3.33

2. Three Types of Contamination

Correctional peace officers will be working in an environment where OC is used. There is always the possibility of experiencing some type of contamination.

There are three types of contamination. Each level will affect an individual differently.

- **Type 1: Direct Physical Contamination**

This type of contamination is described as direct physical contact with the OC used.

- **Type 2: Indirect Contamination**

This type is described as an indirect contact with the OC used. A Type 2 contamination is the result of physically touching another person or an item which has just been contaminated.

- Type 3: Area Contamination

This type is described as an area contaminated with the OC. An example of area contamination which is entering an inside or outside area that has just been contaminated by OC.

Slide

3.34

3. Decontamination of Individuals

Once contamination with OC has occurred, the next step is to consider how to decontaminate the individual(s).

a. General Directions

- The very first step in any personal decontamination process is to remove the individual from the contaminated areas to an open, upwind area.
- Keep the contaminated individual as calm as possible and restrict their activity.

Major discomfort should disappear in 10-45 minutes, depending upon the OC used.

Slides

3.35-3.36

b. Eyes

- The eyes should be washed with large amounts of cool water.
- Do not allow the individual to rub their eyes. Instead use a paper towel in a blotting motion if needed. Be sure to discard the paper towel after using it.
- Find out if the individual is wearing contact lenses. If they are, allow them to remove the lenses or call for a

health care professional to help remove them. The contacts may have become contaminated and need to be discarded.

- If there is a wind, have the individual face into the wind, keeping their eyes as open as possible.

c. Nose

- Encourage the individual to breathe as normally as possible.
- Have the individual blow their nose to remove extra mucous and OC particulates.

d. Chest

- If the individual is experiencing a sense of panic, and/or tightening of the chest causing difficulty in breathing, encourage them to remain calm and relaxed.
- If at any point the individual states or appears to be in medical distress, immediately contact a health care professional.

e. Skin

- Contaminated skin should be flushed with clear, cool water for at least 10 minutes.
- Keep the contaminated areas of the skin open to the air.
- Encourage the individual to sit down and remain quiet to reduce sweating.

Slides

3.37-3.38

- Do not apply creams, salves, oils, lotions, or burn creams. These will trap the OC on the skin.

Slide

3.39

4. General Policy Considerations

General policy considerations for the delivery of OC come from I&C Branch Manual, Section 2080.

Before OC shall be used, consideration must first be given to the gravity of the situation, the possibility of injury to staff, youth, and property, and the consequences that may reasonably occur if youth do not comply. When possible, OC may be used only after reasonable efforts to verbally direct youth to comply with staff instructions.

Slides

3.40-3.44

5. General Tactical Considerations

General tactical considerations for the delivery of OC require correctional peace officers to be aware of their surroundings at all times. There are 10 tactical factors that correctional peace officers must take into consideration when delivering OC and specialty impact munitions.

- Wind

The wind direction and velocity of the wind will determine where the munitions are to be deployed.

Low wind conditions: The munitions should be released close to the target area and will not have to be re-supplied as often.

High wind conditions: The munitions should be released further from the target area

and additional munitions may be necessary to cover the target area. The likelihood for contamination of a larger area is greatly increased in high wind conditions. This might prevent the use of OC.

Under all wind conditions, correctional peace officers must be properly equipped with a protective mask.

- Exit Routes

Establish a defined and controlled exit route before using OC and notify the youth of the exit route. Ensure that all staff responding to the incident also have a safe exit route. The exit route must be feasible considering all tactical factors.

- Obstructions

Identify all obstructions that may interfere with safe and/or efficient deployment of OC and specialty impact munitions. Obstructions may include buildings, tables, doors, barricades, and/or the landscaping of the area.

- Fire Hazards

Some of the OC and specialty impact munitions have the capability of starting a fire.

To minimize the possibility of fire, correctional peace officers should take into account any flammable materials in the area of delivery when using OC or specialty impact munitions. Examples of flammable materials are bedding, wooden floors (gymnasium), dry grass, and/or dry brush.

- Community Exposure

Some of the DJJ facilities are in close proximity to private property. Use of OC or specialty impact munitions near these areas could contaminate members of the community and/or their property.

When possible, limit any kind of OC exposure to community members and their property.

- Contaminated Areas

Correctional peace officers should take into consideration the area that may be contaminated when using OC or specialty impact munitions.

Areas such as kitchens and dining rooms may be more difficult to decontaminate after an incident; therefore, use of OC or specialty impact munitions could interfere with facility operations.

- Terrain

When delivering OC or specialty impact munitions, correctional peace officers should determine the type of terrain in the target areas.

OC or specialty impact munitions may travel further or miss the target if used on a concrete or asphalt surface.

If the terrain is in grassy, sandy, or muddy areas, the OC or specialty impact munitions will be more likely to stay near to the target area.

- Physical Plant/Layout

The DJJ has many different living unit structures and facility landscaping styles. When delivering OC, or specialty impact munitions, things such as size of room, location of incident, number of youth, and overall building structure should be taken into consideration.

- Climate

The effectiveness of OC and specialty impact munitions may be affected by various climate changes. Fog, rain, and snow will slow OC disbursement and dilute the OC so that it becomes less effective.

A rise in the temperature increases the effectiveness of OC, whereas a decrease will reduce effectiveness.

- Communication

Communication includes an awareness of the importance of maintaining ongoing contact with correctional staff involved. Hand signals and body language are often useful in maintaining this contact.

Slides

3.45-3.46

6. Delivery of OC

Following this topic on the delivery of OC, there will be a discussion which will include the various types of OC on the DJJ approved list except those which will be in the section on specialty impact munitions.

When discussing the approved OC, you will learn about delivery and the delivery distances.

The Mark IV aerosol has a recommended minimum deployment distance of three feet due to the concern of hydraulic needle effect in which the OC particulates penetrate the soft tissue of the eye or skin.

If any OC aerosol is disseminated at a distance less than the minimum recommended range, the correctional peace officer will need to ensure appropriate documentation of both the use of the aerosol and the justification for dissemination at less than the minimum recommended range.

A DJJ employee may use physical force in self-defense or in the defense of others. In such situations, employees shall use only the minimum force necessary to ensure their safety or the safety of others.

Slides

3.47-3.53

7. Approved Forms of OC

Learning Objective 5: You will identify 3 physical forms of oleoresin capsicum approved for use by DJJ.

- a. Mark IV OC (Aerosol Pepper Spray)
 - Use: Indoor/Outdoor
 - Minimum Deployment Distance: three feet.
 - Amount: Discharge to the facial area (i.e., burst of OC, multiple bursts of OC, or steady stream of OC) until subject complies with instructions or the agent is determined to be ineffective.

- Target Area: Primary target area is the facial area. Be sure to cover the eye zone (eyes, forehead, and brow). The secondary target area is the nose and mouth.
- b. Z305 Cap-Stun Pepper Spray Standard Duty
- The smallest device, this is often carried on the duty belt.
 - Use: Indoor/Outdoor.
 - Minimum Deployment Distance: three feet.
 - Amount: Discharge to the facial area (i.e., burst of OC, multiple bursts of OC, or steady stream of OC) until subject complies with instructions or the agent is determined to be ineffective.
 - Target Area: Primary target area is the facial area. Be sure to cover the eye zone (eyes, forehead and brow). The secondary target area is the nose and mouth.
- c. Z505 Cap-Stun Pepper Spray Crowd Control
- Use: Indoor/Outdoor
 - Minimum Deployment Distance: five feet.
 - Amount: Discharge to the facial area (i.e., burst of OC, multiple bursts of OC, or steady stream of OC) until subject complies with instructions or

the agent is determined to be ineffective.

- Target Area: Primary target area is the facial area. Be sure to cover the eye zone (eyes, forehead, and brow). The secondary target area is the nose and mouth.

d. Mark IX OC

- Use: Indoor/Outdoor
- Minimum Deployment Distance: six feet
- Amount: Discharge to facial area (i.e., burst of OC, multiple bursts of OC, or steady stream of OC) until subject complies with instructions or the agent is determined to be ineffective.
- Target Area: Primary target area is the facial area. Be sure to cover the eye zone (eyes, forehead, and brow). The secondary target area is the nose and mouth.

e. Mark 46 Pepper Spray (Horizontal)

- Use: Indoor/Outdoor
- Minimum Deployment Distance: 15 feet
- Amount: Discharge to facial area (i.e., burst of OC, multiple bursts of OC, or steady stream of OC) until subject complies with instructions or the agent is determined to be ineffective.

Slides
3.54-3.58

- Target Area: Primary target area is the facial area. Be sure to cover the eye zone (eyes, forehead, and brow). The secondary target area is the nose and mouth.

f. Approved Grenades

There are two types of grenades, pyrotechnic/burning and blast/expulsion. All grenades approved by the DJJ have OC as their active ingredient.

- Pyrotechnic/Burning

The pyrotechnic grenades can be identified by their emission ports/holes. Be aware that some have ports in the bottom of the grenade and can be accidentally ignited if they are used with a launching device. Pyrotechnic grenades are most likely to start a fire.

- Continuous Discharge White Military Maximum Smoke Grenade (Defense Technology [DT] 1073-1083)

This is a pyrotechnic type of grenade. It is used only outdoors due to the danger from fire. This grenade does not contain OC.

There are four uses of the Military Maximum Smoke Grenade:

1. Determine the wind direction.
2. Disorient youth.
3. Cover advancing staff.
4. When placed alongside an OC grenade, it becomes a carrying agent.

Sting-Ball Grenade (SBG) Combined Tactical Systems (CTS) 9590, CTS 9594, Defense Technologies (DT) 1089, DT 1090

This is a pyrotechnic type of grenade and is designed as a pain compliance distraction, disorientation, and OC device. This pyrotechnic device can be used indoors/outdoors, but consideration must be taken when it is used indoors, as with any pyrotechnic device.

Note: Every structure has a fire extinguisher available in case of fire.

The SBG contains a flash charge that produces a bright flash and a loud bang. At the same time, the blast propels approximately 180 rubber balls in a circular pattern. The blast is sufficient to project the rubber balls in a 50-foot radius.

The main purpose of the SBG is to minimize the risks of all staff, visitor(s), and youth of potentially violent or dangerous individual(s). The SBG may be hand thrown or launched from a 37/38mm gas gun. It may be deployed for ground use or aerial burst (overhead) at the discretion of the user.

The SBG should not be disseminated closer than 10 feet from any person(s). Serious injury may occur if disseminated closer than 10 feet.

The SBG should not be targeted at the youth's head, face, neck, throat, chest, or groin area.

Flameless Expulsion Grenade (DT 1056, DT 2040, CTS 5440)

This is a blast type of grenade. The blast grenades can be identified by their rupture grooves along the sides. Due to its lower potential for starting fires, it can be used both indoors and outdoors.

Using a blast grenade reduces the risk of fire, but it is dangerous too, because it displaces the oxygen in a confined area. There will be difficulty breathing if the oxygen level of the air falls below 19.5 percent.

There is a formula for calculating the amount of OC that can be used safely in a given area. Each facility has already used the formula to provide the calculations for their areas. This information is available from the captain or watch commander at your facility.

Delivery distance is 3-32 feet.

Note: The DT 1056 Flameless Expulsion Grenade is for indoor use only.

Blast Instantaneous Grenade (DT 1040)

It is a blast type of grenade and has a quick discharge time, eliminating the possibility of it being thrown back. This grenade is the least likely to be thrown back at you. It may be used both indoors and outdoors.

It creates an audible “blast” which may act as a distraction. Delivery distance is 3-32 feet.

8. Delivery of Grenades

Grenades can be hand delivered or fired from a 37/38mm gas gun equipped with a grenade launcher. A grenade launcher is an accessory for the 37/38mm gas gun used to accommodate the delivery of an OC grenade.

a. Hand Delivered

Proper gripping and tossing of the hand grenade should include the following:

Instructor Note

Demonstrate to participants the "C" clamp grip and the throwing motion for the grenade.

- Make a "C" clamp around the grenade with either your right or left hand, ensuring that all fingers are extended and together.
- Once the hand is in the proper position, firmly seat the lever (spoon) in the center of the webbing between your index finger and the thumb.
- Position the grenade so the pull pin is facing towards your body.
- Keep a firm grip on the grenade lever as you pull the pull pin from the grenade. (Note: You may have to straighten the pin prior to pulling it.)
- Extend the throwing arm straight back in an underhand motion.
- Swing the throwing arm forward and release the grenade allowing it to travel towards the target on the ground (similar to bowling).

b. Launched from 37/38mm Gas Gun

Proper launching from the 37/38mm gas gun should include the following:

Instructor Note

Demonstrate the proper hold and stance for launching OC from the gas gun.

- Receive or pick up the 37/38mm gas gun with the breech open and the muzzle pointing down.
- Maintain a balanced stance.
- Insert a launching cartridge into the open muzzle with the primer facing up and towards you, the shooter. The primer is located in the center of the end of the cartridge and is the device that, when hit with the firing pin, ignites the munition.
- Bring the butt of the gun up until the breech closes and locks in place.
- Keeping finger off the trigger, point the 37/38mm gas gun upwards.
- Insert the grenade into the open bore of the grenade launcher.
IMPORTANT: Make sure the lever (spoon) is contained inside the grenade launcher.
- Pull the pull pin from the top of the grenade.
- Place one hand on the forward grip and the other hand on the rear grip. Hold the gun in a port arms position (do not put your finger on the trigger).
- Place the stock of the gun firmly against your shoulder.
- Aim the gun at a 45-degree angle or greater.
- Fire the 37/38mm gas gun, aiming the grenade into the wind and a safe distance from the target.

IV. PROTECTIVE MASKS

Section Time

40 minutes

Slides

4.0-4.3

Instructor Note

During the lecture portion of this section, it is important to have a protective mask available for instructors' use. The mask will serve as a visual aid for the participants. As one instructor is lecturing, the other instructor should be demonstrating the information being presented, i.e., assemble and install filter, donning the protective mask, positive pressure seal check, and negative seal check.

Slide

4.4

Protective masks are an important piece of equipment for correctional peace officers to use when working in an environment where OC is being used. Protective masks come in small, medium, and large sizes.

The term "gas mask" is incorrect terminology. OC used by correctional facilities and law enforcement agencies is not a gas, but micro-pulverized particulates. It is burned and vaporized, disseminated as blast dispersion, or released in an aerosol or fog form.

The purpose of the protective mask is to offer the user nose and eye protection against the effects of OC. It is not an alternative to oxygen. It also does not protect against pure gas such as chlorine.

Inhaled air is drawn through the filter, which will remove or neutralize the contaminants from the inhaled air. Exhaled air leaves the face piece through the exhalation valve and consequently is not rebreathed.

The user should become familiar with the operations of the protective mask and ensure that it fits properly before use in any situation.

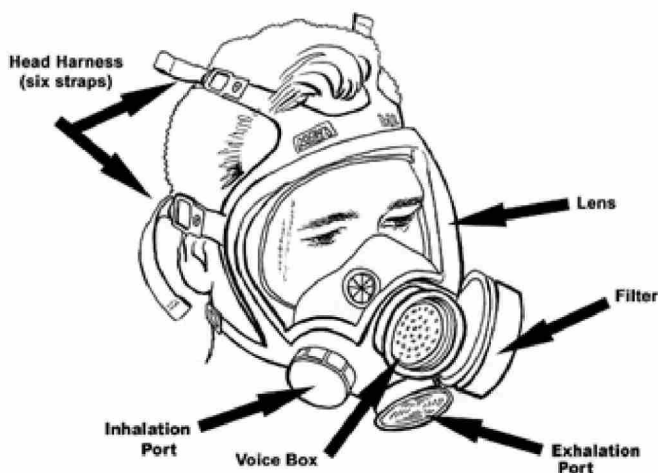
A. Handling the Protective Mask

Protective masks should always be handled carefully while avoiding the following:

- Scratching the lenses.
- Excessive stretching of the head straps which could cause tearing.

Slides

4.5-4.6

Learning Objective 6: You will identify the parts of a protective mask from an illustration.**1. Functions of the Protective Mask**

- **Head Harness**—These are the adjustable straps that go over your head. There are six adjustable straps.
- **Filter**—Removes agents from the air as you inhale.
- **Inhalation Port**—This allows the filter to attach to the face piece. There are two intake valves—one on each side of the face piece—which will allow the filter to be attached on either side.
- **Exhalation Port**—This allows you to exhale while wearing the mask.
- **Voice Box**—This allows for vocal communication while wearing the mask.
- **Lens**—This allows you to see or view while wearing the mask.

Slide

4.7

2. Pre-Use Inspections of the Protective Mask

Whenever it is necessary to use a protective mask, you should always begin with a pre-use inspection of the entire mask that includes:

- Checking the appearance of the entire mask for damage.
- Face piece: Check for a missing, distorted, or cracked lens. Check entire face piece for dirt, cracks, tears, or holes. Inspect for distortion that may occur from improper storage and make sure the rubber is flexible, not stiff.
- Valves: Check the condition of inhalation and exhalation valves. Make sure all (one inhalation and two exhalations) valves are present. Check for cracks, tears, distortion, dirt, or build-up between the valve and the valve seat.
- Head straps: Check head harness to ensure elasticity, that straps are not twisted, and that all adjusters are in place and working.
- Cartridge: Make sure the cartridge connectors are in place and undamaged. Ensure that cartridges are firmly seated. Inspect cartridges for damage, particularly the sealing bead around the bottom.

Slide

4.8

Slide

4.9

3. Donning and User Seal Checks

The protective mask, when properly used, removes harmful gasses, vapors, and all particulate aerosols from the inhaled air. Inhaled air is drawn through the filter, which removes or neutralizes the contaminants in the air before it is taken into the lungs. Exhaled air leaves the face piece through an exhalation valve and consequently is not rebreathed.

a. Assemble and Install Filter

Make sure that large and small tabs are aligned before turning the cartridge clockwise.



Slide

4.10

If tabs are aligned, the cartridge will easily drop into place and be seated against the protective mask. There should be no cracking or snapping sounds. These indicate that the cartridge is not aligned with the protective mask.

**Slide**

4.11

Once the cartridge is seated, flush against the protective mask, firmly turn the cartridge clockwise and it will seal against the protective mask. Most users can feel the cartridge seal (a “giving” sensation) and may hear a light popping sound.

Note: If the cartridge is mounted properly, it cannot fall off. If it is not mounted properly, chemical exposure may occur.

Slide

4.12

b. Donning the Protective Mask

Extend all head straps and insert the chin into protective mask.



Insert the nose and then the forehead. Pull the head harness straps over the head, affixing the face within the mask.

Slide

4.13



Ensure proper adjustment by tightening the straps evenly, two at a time, starting with the bottom straps and moving up.



Do not pull the straps out and away from the head; rather pull them to the rear of the head. Repeat the process if necessary, being sure not to pull the straps too tight.

Slide
4.14

c. Positive Pressure Seal Check



Cover the exhalation port with palm of hand. Gently exhale, causing the mask to slightly bulge. The mask should remain under pressure for approximately 10 seconds without noticeable leaks to the face seal. If a leak is detected, tighten straps and test again. Exhaling excessively or vigorously may result in breaking a good seal.

Slide
4.15

d. Negative Pressure Seal Check



When sealing the protective mask, make sure you follow these steps:

- Block off filter using the palm of hand.
- Inhale gently and hold your breath for 10 seconds. It should feel like the mask is pressing against your face due to the negative pressure and should remain in that state for the duration of the 10 seconds.
- Listen and feel for any leaks in the face piece.
- If pressure was not maintained in the face piece or any leakage is noticed, make certain that hair is not compromising the mask's seal to the face, then tighten straps and test again.

Slides

4.16-4.17

B. Maintenance and Care of the Protective Mask

Correctional peace officers who are assigned protective masks are responsible for inspecting, maintaining, cleaning, and disinfecting their protective masks. The following guidelines should be applied:

Correctional peace officers will only provide maintenance on which they have been trained.

Users shall inspect their protective masks for cleanliness and proper functioning before each use. Note: Cleaning with an alcohol wipe is recommended—if there is a question of cleanliness—before starting your posted position.

A protective mask should not be used more than once without being cleaned and sanitized. At a minimum, protective masks that are being used should be cleaned and sanitized daily.

Protective masks shall be stored in a clean, safe location where they will not be contaminated, deformed, or exposed to elements that could affect their operation.

When any part shows evidence of failure, it must be replaced immediately with the proper part.

Do not use filter(s) after the expiration date on the label.

Slide

4.18

a. Cleaning the Protective Mask

Before cleaning the protective mask, the filter must be removed. The following procedure is recommended:

- Wipe the protective mask with the cleansing wipes provided at the facility.
- Let the mask air dry for approximately one hour.
- Avoid direct exposure to sunlight.

If you have a respiratory illness, the filter could become contaminated and should be discarded after use. Contact the Communications Center for disposal and replacement of the protective mask.

Slides

4.19-4.21

b. Storing the Protective Mask

The life of a protective mask and filter is extremely dependent on proper storage conditions. The following guidelines are recommended:

- Protective masks must be stored in a clean and protected place to protect against dust, ultraviolet light, heat and

cold, moisture and chemicals, or mechanical damage.

- A dry area with a moderate constant temperature will minimize deterioration of the rubber and absorption of moisture by the filter.
- If the protective mask is put into a carrying case, try to avoid folding or creasing it. Do not store face pieces with the head harness over the front. Nest the harness in the facepiece itself.
- If a defect is noted in the protective mask, the Communications Center should be contacted for pickup and replacement of the filter. All repair work will be done at the manufacturer's facility or a certified repair station.
- Keep and/or store instruction guidelines with the protective mask.

V. GAS GUN

Section Time

40 minutes

Slides

5.0-5.1

A. Gas Gun Introduction

During this section, you will become familiar with the proper policy, procedures, and safety issues relating to the use of the gas gun.

The two types of gas guns used by the DJJ are the 37/38mm and the L-8 gas gun. Both of these are considered “less lethal” devices.

Correctional peace officers must be able to make quick, fair, and ethical decisions based on approved policy and procedures to ensure the safety of any person including the youth.

DJJ may require correctional peace officers to use the gas gun while on duty. However, DJJ will closely examine any incidents where this less lethal force option is used. It is imperative that you, as a correctional peace officer, know and follow procedures.

Slides

5.2-5.7

B. General Safety Precautions

Learning Objective 7: You will identify 2 safety precautions that must be followed whenever the 37/38mm and L-8 gas guns are used.

These safety precautions were developed to ensure that the health and safety of staff are not compromised during use of the 37/38mm and L-8 gas guns.

These safety precautions must be followed whenever correctional peace officers use the 37/38mm and L-8 gas guns:

- The number one priority is **SAFETY**.

- Treat all gas guns as if they are loaded.
- Ensure the 37/38mm or L-8 gas gun is unloaded and the breech is open upon receiving it and before handing it to another person.
- Ensure there are no obstructions in the barrel or chamber before loading.
- Verify the munitions being chambered.
- Keep the barrel down and bring the butt up when closing the breech and loading the 37/38mm or L-8.
- Never point a 37/38mm or L-8 gas gun unless intending to fire.
- Verify target before firing.
- Keep finger off the trigger until ready to fire and remove it when done.
- When the breech/cylinder is closed, the 37/38mm or L-8 gas gun is considered loaded.
- In case of misfire with the 37/38mm, pull trigger once more, lower barrel down, and slowly open breech. Remove misfired munition, place munition by feet and secure the misfired munition once the area is deemed to be safe. Munitions should then be disposed of properly, according to manufacturer's recommendations.

Note: This only applies to the 37/38mm. Never pull the trigger twice in the L-8 with a misfire, because the cylinder will have already rotated and a live round would then be ready to fire. If the safety is on the L-8, the cylinder will rotate and the gas gun will not fire.

No dry firing (firing the weapon with no munition loaded) except under training conditions as directed by an instructor.

Slides

5.8-5.9

C. Effects of Less Lethal Devices

As less lethal devices, gas guns are designed to cause both psychological and physical effects.

1. Psychological

Youth usually experience fear when a firearm is pointed in their direction. Any pain experienced by a youth as a result of the use of a firearm would reinforce their fear. This fear in turn creates a “fight or flight” response.

2. Physical

Gas guns are designed to deliver a range of effects. Some are made to cause only slight physical discomfort. Others are designed to incapacitate.

Slide

5.10

D. Types of Trauma

Depending on the rate or speed of delivery, blunt or penetrating trauma may result. It is important to maintain the minimal manufactured recommended deployment distances to minimize the possibility of great bodily injury or death. If deployment is at a distance of less than the recommended minimum distance, documentation that clearly defines the reason for the deployment of OC at less than established distances is required.

1. Blunt Trauma

Blunt trauma is an impact from an object that leaves the body surface intact, but may cause sufficient (non-life threatening) injury to incapacitate.

Possible blunt trauma includes:

- Concussions
- Contusions
- Fractures
- Chest injuries
- Abdominal injuries

Slide
5.11

2. Penetrating Trauma

Penetrating trauma leaves entrance and possible exit wounds if an object passes through the body. Although it can occur, penetrating trauma is an unintended and undesired possibility when delivering gas gun munitions. Possible penetrating trauma includes:

- Lacerations.
- Penetration of the chest cavity which could damage the lungs, heart, major blood vessels, and esophagus.
- Penetrations to the abdominal wall which may cause varying degrees of damage to soft tissue, organs, and blood vessels.

Slide
5.12

E. Gas Gun Policy

Because of its potential for resulting in lethal force, use of the 37/38mm and L-8 gas guns is covered by specific citations in U.S. Codes, the California PC, and the I&C Branch Manual.

Slides
5.13-5.14

- Authorization for Use

Learning Objective 8: You will identify who is authorized to use the 37/38mm gas gun and the L-8 gas gun.

It is essential that correctional peace officers understand who may use gas guns and under what conditions they are authorized.

Only trained correctional peace officers who are qualified can use the gas guns.

Slide
5.15

- Conditions for Use

The 37/38mm or L-8 gas guns may be used when it is determined that other less lethal force options would be ineffective. Examples of such incidents are:

- Group disturbances
- Hostage situations
- Serious violence posed by a youth or group of youth
- Escape potential

Slide
5.16

- Prohibited Use

Direct fire use of the 37/38mm or L-8 gas gun is prohibited at distances of less than 15 feet, except for the Muzzle Blast OC (CTS 24401/DT 1140) and the Foam Baton Round (CTS3555/DT1178) both of which can be fired at a distance of not less than 10 feet.

Slide
5.17

F. Approved Gas Gun Specialty Impact Munitions

Not all munitions that are available for the 37/38mm and L-8 gas guns are authorized for use by DJJ. Even if authorized, the inappropriate use of

these munitions may cause serious or fatal injuries to any person, including the youth.

Just as with the use of OC, correctional peace officers should be knowledgeable of the calculations of room size and oxygen displacement factors prior to using these munitions in an indoor setting. The necessary calculations have already been done at each facility and are available through the chain of command.

Munitions for Both Indoor and Outdoor Use

The following gas gun munitions are approved by the DJJ Director, for both indoor (dayrooms and other large buildings) and outdoor use.

- Muzzle Blast Dispersion Round (CTS 3440, DT 1140)

- This muzzle blast dispersion expels powdered OC.

This blast dispersion round is authorized at distances of 10 feet or more.

- Foam Baton Round (CTS 3555, DT 1178)

- The foam baton round is authorized as a direct fire or skip fire round at distances of 10-20 feet.
 - At distances of 10–20 feet, avoid the head, neck, liver, and kidney areas (target the waist or below).
 - At distances of 20–40 feet, the target area should be center mass (target the chest and below the shoulders).

- Stinger/Sting Ball Cartridge Short/Long 60 cal. And 32/31 cal. (CTS 3558/DT 6297 [short],

Slides

5.18-5.19

Instructor Note:

Define skip fire and direct fire. Although both are approved by DJJ policy, using the skip fire method prevents the potential for hitting the intended target in the facial area.

Slide

5.20

CTS 3559/DT 1199 [long], CTS 3553/DT 6296 [short], CTS 3556/DT 1197 [long])

- The Stinger/Sting Ball Round is skip fire only; target below the waist.
- At distances of 15-25 feet.
- Single Bean Bag/Super Sock Round (CTS 3581, DT 1225)
 - This direct-fire or skip fire bean bag round is authorized for use at distances of 15-35 feet.

Slides

5.21-5.22

G. Staff Responsibilities

Learning Objective 9: You will identify 4 responsibilities of non-supervisory correctional peace officers in the use of gas gun munitions.

This section will discuss the responsibilities of various staff positions related to gas gun munitions and the 37/38mm and L-8 gas guns.

The proper chain of command procedures, as established by the facilities, should always be followed.

Slides
5.23-5.24

1. Superintendent

Ensure the proper training is provided to designated and eligible peace officers in the use of the 37/38mm and L-8 gas gun, including the manufacturer's application instructions and DJJ's policies regarding use of force and OC.

Designated staff shall receive reference information at the time of training, addressing safety procedures and precautions in the deployment of the 37/38mm gas gun.

Review the Serious Incident Reports (SIR) and Use of Force forms related to the use of the 37/38mm gas gun. Forward the SIRs to the Deputy Director.

Slide
5.25

2. Captain

Ensure that 37/38mm and L-8 gas gun training is included in the annual OC training in accordance with the DJJ's Crisis Prevention and Management policy.

Evaluate every discharge of a 37/38mm and L-8 gas gun. Review the SIR and Use of Force forms related to the use of the 37/38mm and L-8 gas gun.

Slides
5.26-5.27

3. Security Supervisor

The security supervisor is designated based on the individual facility operation. The security supervisor is the duty lieutenant (watch commander) or duty sergeant.

Ensure that the 37/38mm and L-8 gas guns are inventoried on a daily basis, properly stored in the designated secure location, and unloaded at the time of storage.

Ensure that all subordinate peace officer staff under assigned supervision are properly trained in the use of the 37/38mm and L-8 gas guns.

Respond to each incident in which the 37/38mm or L-8 gas gun has been used or may be used.

Review all instances of deployment of the 37/38mm or L-8 gas gun by subordinate staff and document any use of the gas guns in a SIR DJJ 8.036.

Ensure that the Use of Force form, behavior report, and any required injury reports, Supervisor's Notification of Injury, DJJ 6.104, and State Compensation Insurance Fund Form, 3301 (Worker's Compensation claim form), are completed by involved staff prior to going off duty.

Ensure that the Superintendent, Assistant Superintendent, and the captain are notified as soon as possible, whenever a 37/38mm or L-8 gas gun is discharged.

Ensure that all staff and/or youth receive prompt medical attention as soon as safely possible.

Slides

5.28-5.29

4. Correctional Peace Officer

Complete an inventory of 37/38mm and L-8 gas gun and munitions each shift as assigned. Ensure that the 37/38mm and L-8 gas gun is in proper working condition and ready for deployment.

Contact the security supervisor prior to use of the 37/38mm or L-8 gas gun unless the situation is assessed as an emergency.

Note: An emergency is defined as an immediate danger to any person, including the youth, resulting from the actions of the youth.

Use a 37/38mm or L-8 gas gun only in a manner consistent with the manufacturer's application instruction and DJJ's policies regarding use of force.

Report the use of the 37/38mm or L-8 gas gun to the security supervisor immediately.

Complete the Use of Force form, behavior report, and any required injury reports prior to going off duty.

Slide

5.30

H. Use of Force Reporting

The Use of Force form, DJJ 8.412, shall be completed whenever OC, physical strengths and holds, mechanical restraint, baton, 37/38mm, or the pepper ball launcher is used on a non-compliant youth.

The incident shall also be documented on a Misconduct Behavior Report, DJJ 8.403.

The Use of Force form, the behavior report, and any required injury reports shall be completed by the correctional staff prior to departure from the facility, on the date of the incident.

Slide

5.31

Instructor Note

The video shown at the end of this section reviews nomenclature of the 37/38 and L-8 gas guns, so just briefly review the following section with the class.

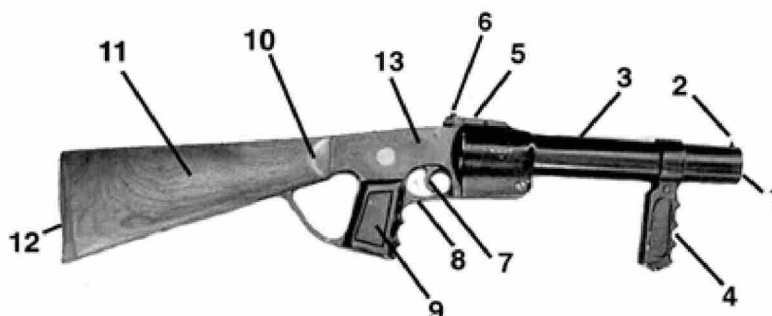
I. Descriptions of the Gas Guns

In order for correctional peace officers to safely use the 37/38mm and L-8 gas guns, they must be able to identify the parts of these devices and match the features to the appropriate model.

Note: The 37/38mm and L-8 gas guns have the potential to cause great bodily injury or death if used inappropriately.

1. 37/38mm Description

The 37/38mm gas gun is a DJJ approved less lethal device for delivering projectiles, impact munitions, and OC. The standard 37/38mm gas gun holds one round and must be manually reloaded.



a. Parts

1. Muzzle—Front end of the barrel where the projectiles exit.
2. Ramp Front—Located on the front of the barrel.
3. Barrel—Tube that the projectiles pass through.
4. Front Grip—Supports hand grip.

Instructor Note

Explain each part of the 37/38mm gas gun as listed by number on the picture and parts list presented.

5. Rear Sight—three rear sights: Flat Plane Sight, 50 yard range, and Peep Sights (two) openings align for 75 and 100-yard range.
6. Breech Lock Latch—Keeps the breech (the latch that opens the barrel for loading) locked.
7. Trigger—Fires the 37/38mm gas gun.
8. Trigger Guard—Protects the trigger.
9. Rear Grip—Grip that supports the trigger hand.
10. Comb—Top portion of stock that cheek rests on when firing.
11. Stock—Rear portion of 37/38mm gas gun.
12. Butt—Rests against and supported by the shoulder and arm.
13. Side Plate—Covers the trigger mechanism, the area where the trigger finger rests until ready to fire.

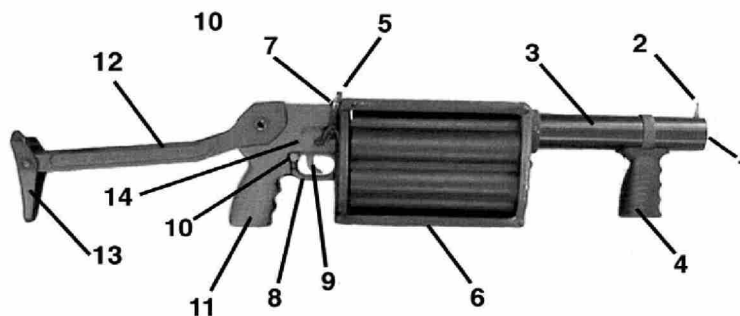
Slide
5.32

2. L-8 Description

The L-8 gas gun is a DJJ approved less lethal device that holds and fires up to six rounds from a rotating cylinder before it needs to be reloaded.

Instructor Note

Explain each part of the L-8 gas gun as listed by number on the picture and parts list presented.



1. Muzzle—Front end of the barrel where the projectiles exit.
2. Ramp Front Sight—Located on the front of the barrel.
3. Barrel—Tube that the projectiles pass through.
4. Front Grip—Supports hand grip.
5. Rear Sight—Square notch.
6. Rotating Cylinder—Holds up to six rounds.
7. Catch Lever—Opens the breech for loading/unloading the cylinder.
8. Trigger Guard—Protects the trigger.
9. Trigger—Fires the L-8 gas gun.
10. Safety—Safety is “on” when the button extends outward on the right side of the L-8 gas gun; it is ready to fire when the button extends to the left.

Note: Correctional peace officers should not rely on the red markings on the safety to indicate whether or not the safety is “on.” Time and use may wear the color off.

11. Rear Grip—Grip that supports the trigger hand.

12. Stock—Stock portion of L-8 that may be folded to use alternate firing positions.
13. Butt—Portion that rests against and is supported by the shoulder and arm.
14. Side Plate—Covers the trigger mechanism, the area where the trigger finger rests until ready to fire.

Slides

5.33-5.34

J. Loading/Unloading Procedures**1. 37/38mm Gas Gun**

These are the proper loading and unloading procedures for the 37/38mm gas gun.

a. Loading

- Receive or pick up the 37/38mm with the breech open and muzzle down.
- Maintain a balanced stance.
- Select appropriate munition.
- Keeping the muzzle down, load munition.
- Bring the butt of the 37/38mm gas gun up and keep the muzzle down until breech locks.
- Visually check to ensure the breech has locked properly.
- Prepare to fire.

b. Unloading

- Lower stock to the waist level. This will reduce the likelihood of contamination.
- Open breech by unlocking the breech lock latch.

- Remove empty casing from barrel keeping the muzzle down and the barrel pointed slightly away from the face.
- Safely dispose of empty casing.
- As soon as safely possible, casings should be collected and inventoried. This will help in preparing documentation after the incident.

Slides

5.35-5.36

2. L-8 Gas Gun

These are the proper loading and unloading procedures for the L-8 gas gun.

a. Loading

- Receive or pick up the L-8 gas gun with breech open and muzzle down.
- Wind cylinder counterclockwise until the cylinder stops.
- Maintain a balanced stance.
- Select appropriate munitions.
- Keeping the muzzle down, load munitions. The cylinder rotates clockwise and munitions should be loaded accordingly.
- Bring the butt of the L-8 gas gun up, keeping the muzzle down until the breech locks.
- Visually check to ensure the breech has locked properly.
- Prepare to fire.

b. Unloading

- Keeping the muzzle down and the barrel pointed away from the face, lower stock to waist to reduce the likelihood of contamination.
- Open the breech by unlocking the catch lever.
- Remove the empty casings from the cylinder keeping the muzzle down.
- Safely dispose of empty casings.

Slide

5.37

K. Trigger Finger Position

For safety reasons, keep the trigger finger on the side plate “indexed” until ready to fire munitions.

Slides

5.38-5.39

L. Holding/Carrying Positions

Learning Objective 10: You will identify the 3 carrying positions for the 37/38mm or L-8 gas gun approved by DJJ.

There are three positions in which an officer will hold or carry the 37/38mm or L-8 gas gun:

- Indoor ready
- Low ready
- Contact ready

Slide
5.40

Indoor Ready

Indoor Ready



The 37/38mm gas gun is against torso pointing down at an angle with trigger finger indexed (off the trigger). When responding to an incident, you will respond with the gas gun in an indoor ready position.

Slide

5.41

Low Ready**Indoor Ready to Low Ready**

When responding to an incident, respond with the gas gun in an indoor ready position.

Once you reach the incident, transition to the low ready position and scan the area for threats.

Muzzle of the gas gun is pointed forward at a 45 degree angle and trigger finger is indexed (off the trigger) while scanning the area for threats.



In the low ready position, the muzzle of the gas gun is down at a 45-degree angle (the muzzle must be low enough to allow you to see the hands of the youth and assess the threat level).

- Your trigger finger is indexed (off the trigger)
- Feet shoulder width apart, knees bent
- Upper body leaning slightly forward
- Strong hand pulls the toe of the butt firmly into the pocket of the shoulder
- The strong side elbow is touching your lower rib cage, support hand grasping fore grip, head up, with eyes scanning the suspected threat area

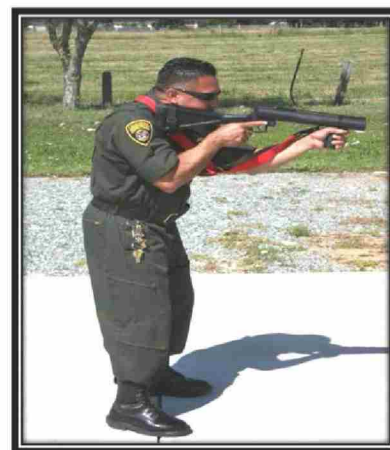
You can give clear verbal commands from this position.

Your head, eyes, and the muzzle of the gas gun should stay aligned, slowly scanning side to side assessing the threat area.

Slide

5.42

Contact Ready



- If a threat is discovered, you are ready and able to transition the gas gun to the contact ready position
- The contact ready position is raising the muzzle of the gas gun and pulling the butt of the weapon firmly into the strong side shoulder
- Your strong side cheek is firmly placed on the comb of the stock, with your strong eye looking through the sights, aiming at the target
- Your feet are shoulder width apart
- Toes of both feet should point toward the youth, knees bent, body weight leaning slightly forward toward the target
- The support hand lightly grasps the fore grip and both elbows are tucked under the gas gun
- The point of aim is based on the type of munition being fired and the circumstances of the incident
- Once a target has been selected, you should remove the trigger finger from the “index” position, placing the finger on the trigger

Slides
5.43-5.44

M. Weapons Equipment and Inventory Check

When correctional peace officers are assigned to a post where the 37/38mm or L-8 is secured, one of the first things they should do is inventory and check all of the assigned equipment to ensure they are in working order. Each post should have an inventory sheet that lists all assigned equipment and munitions.

If a correctional peace officer determines that any equipment is missing, defective, or not functioning properly, they should notify the security supervisor immediately.

The following are guidelines to use when checking the 37/38mm or L-8 gas gun:

- Barrel—Check for bulges, chemical build up, obstructions, heavy rust and pits.
- Frame—Check for cracks, wear, heavy rust and pits, loose screws.
- Sights—Check for loose, broken, or bent sights.
- Grips—Check for broken or loose grips.
- Safety—Ensure safety functions correctly.
- Munitions—Check for split casings, wholeness of munition, and ensure it is DJJ approved. Primer should be in place and undamaged. The primer is located in the end of the end of the munition; it is a small circle of primer which acts as the igniter when hit by the firing pin.

Slide
5.45

Instructor Note

Show Chemical Agents video as a lesson overview.
(22 minutes)

VI. CONCLUSION

Section Time

15 minutes

Slides

6.0-6.2

The use of OC, hand-delivered munitions, the 37/38mm gas gun, and the L-8 gas gun are law enforcement tools for correctional peace officers. They also have the potential for harm and must always be used within the larger framework of DJJ policy.

A. Summary

This OC training has provided you with the knowledge to use OC and gas gun munitions both safely and effectively. Also, this training has reviewed the DJJ policies regarding the use of OC and the gas guns, and the conditions under which they may be used safely.

By understanding and applying the manufacturer's application instructions and the DJJ's Crisis Prevention and Management Policy, correctional peace officers will reduce the risk of injury to themselves and others while decreasing liability for themselves and the DJJ.

Slide

6.3

B. Knowledge Review

You will now participate in a knowledge review covering the information in the class.

Instructor Note

Do not hand out the knowledge review – just call on certain participants for the answer and then discuss.

Ask if there are any questions regarding the information taught in this class.

KNOWLEDGE REVIEW

1. True or False: A correctional peace officer must make reasonable efforts to verbally direct youth to comply with staff instructions incorporating IBTM methodologies, if possible. **True**
2. True or False. The first step in any decontamination process of a youth is to remove the youth from the contaminated area. **True**
3. Who can accept a youth's refusal of medical treatment after exposure to OC?
 - A. Captain
 - B. The correctional peace officer assigned to the youth's living unit
 - C. **A health care professional**
 - D. The security supervisor
4. What are the two physical forms of OC used for restraint in DJJ.

Liquids and **solids**

5. All of the following are physical forms of OC approved by the DJJ EXCEPT:
 - A. Mark IV (Aerosol Pepper Spray)
 - B. Mark IX OC
 - C. **Mark IV CN**
 - D. Z305 Cap-Stun Pepper Spray Standard Duty

6. Fill in the blanks.

Identify the parts of a protective mask from an illustration.



- 1) Head Harness
- 2) Filter
- 3) Inhalation Port
- 4) Exhalation Port
- 5) Voice Box
- 6) Lens

7. Identify a safety procedure that must be followed whenever a 37/38mm or L-8 gas gun are used.

- A. Treat all gas guns as unloaded until ready to fire.
- B. **Keep finger off trigger until ready to fire and remove it when done.**
- C. Ensure gas gun is loaded.
- D. Keep the barrel up when loading.

8. Fill in the blanks: Only **trained correctional peace officers** who are **qualified** can use the gas guns.

9. **True** or False:

The four responsibilities of non-supervisory correctional peace officers in the use of gas gun munitions are:

1. Report the use of the 37/38mm gas gun to the on-duty supervisor immediately.
2. Use the gas guns only in a manner consistent with the manufacturer's instructions and department policies.
3. Complete an inventory of 37/38 gas gun and chemical munitions each shift.
4. Complete the Use of Force form, behavior report, and any required injury reports prior to going off duty.

10. Fill in the blanks.

Identify the 3 carrying positions for the 37/38mm or L-8 gas gun.

Indoor ready

Low ready

Contact ready

GLOSSARY

Word	Definition
Chemical Agents	Solid, liquid, or gaseous substance that produces an effect on a person by acting on the body tissue.
CN	Chloro-Acteo-Phenone
CPM	Crisis Prevention and Management Operating Procedures
CPOST	Commission on Peace Officer Standards and Training
CS	Ortho Chlorobenzalmalonontrile
DM	Diphenylaminchloroarsine
DOJ	Department of Justice
HC Smoke	Hexacnlorethan Smoke
IBTM	Integrated Behavioral Treatment Model
I&C	Institutions and Camps Branch Manual
Munition	For purpose of this training munition is the propellant or projectile used to dispense oleoresin capsicum or rubber ball rounds, bean bags, etc.
OC	Oleoresin capsicum is a spray agent derived from hot cayenne peppers.
PC	Penal Code
Physiological	Involving the body and its normal functioning.
Psychological	Related to or arising from the mind or mental activity; affecting the mind.
Qualified Immunity	Provides legal protection to government officials from liability for the violation of an individual's federal constitutional rights.
Security Supervisor	Duty lieutenant (watch commander) or duty sergeant designated as the supervisor to respond based on the individual facilities operation.

GLOSSARY

Word	Definition
Skip fire	To fire an OC projectile from a gas gun toward the ground 3-5 feet in front of you so that the projectile bounces from the ground at an angle and strikes the intended target in the lower area of the body rather than center mass when a projectile is fired directly at the intended target.
Specialty Impact Munitions	Devices used in the delivery of a propellant or projectile form of OC, i.e., sting ball cartridge, foam baton round, muzzle blast dispersion round, etc.
Tear Gas	An agent that stimulates the corneal nerves to cause tears, pain, or vomiting.
TSA	Transportation Security Agency
Viability	The ability to work or function adequately.

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- 3) Division of Juvenile Justice, Institutions and Camps Branch Manual, Crisis Prevention and Management, Section 2080.
- 4) FindLaw United States Court of Appeals, Eighth Circuit. Muhammad v. McCarrell, No. 07-2235. Internet. October 24, 2014.
<http://caselaw.findlaw.com/us-8th-circuit/1457367.html>
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California Department of Corrections and Rehabilitation

Division of Juvenile Justice In-Service Training



Report Writing

Version 1.0

11056786

Behavior Report Writing

Instructor Notes/Text

INSTRUCTOR NOTES

Overview This lesson involves 1 1/2 hours of instruction, and will cover the behavior report writing and the reporting requirements needed when use of force is used. It will provide participants with the fundamental foundation for completing forms and documents in a clear, factual, chronological and legible manner.

Activity: Tuolumne Video – Behavior Report Inform participants they will be participating in an activity where they will watch a video scenario, review a completed Use of Force (DJJ 8.412) form (Appendix 4), and look for mistakes in the report. The video should only be played once, so ensure participants are informed.

Make sure to pass out a blank piece of paper for participants to use during the activity.

Review each section of the filled-out form with class. Call on different participants as you go through each of the sections to see if they've found the errors.

Remember, there may be some discussion throughout this activity, as participants might have slightly different answers. Point out that sometimes people see things from different angles. That is why it is so important reports are written individually by all observers, so that the fact finder can gather as much information as possible about the situation to ensure a fair and complete outcome.

Before the Lesson Read the instructor text and PowerPoint presentation to become familiar with the material that will be presented.

Make sure all details for the lesson are arranged, i.e., classroom, PowerPoint equipment, etc.

Write your name, title, and workplace on the whiteboard or tear sheet.

Note

Pace the presentation time according to the timing allotment of each section noted in the instructor text.

The instructor text contains the proper sequence in which the slide sections should be displayed or emphasized so that they align with the lecture portion.

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Glossary

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Appendices

I. INTRODUCTION

Section Time

5 minutes

Slides

1.0-1.1

The Report Writing class will cover the writing of behavior reports and the reporting requirements needed when use of force (UOF) is used. It will provide you with the fundamental foundation for completing forms and documents in a clear, factual, chronological and legible manner. Remember, all reports are legal documents and must be completed in a timely manner.

A. Overview of Lesson

A well written report is much more likely to accomplish its purpose of holding a youth accountable.

During this class, we will cover:

- Basics principles of effective report writing
- Writing behavior reports
- Reporting principles when force is used
- Proper documentation on the Use of Force (DJJ 8.412) form
- Use of force report writing activity

II. REPORT WRITING

Section Time

15 minutes

Slides

2.0-2.9

Let us now review some of the basic principles of effective report writing.

A. The Basics for Report Writing

In order to be effective, written communication should contain the following eight elements:

- Factual
- Clear
- Objective
- Brief
- Chronological
- Professional
- Legible
- Grammatically correct

1. Factual

Factual reports must only contain the facts about what happened. Do not make any of your own conclusions or offer any opinions. A fact is a statement that can be proven. An opinion is a formal expression of judgment or a personal belief.

Facts prove themselves and exist independent of the observer; they are not opinion or speculation. Reports should tell **who**, **what**, **when**, and **where**, but not why (this is a subjective term).

You should choose your words carefully, as words have different meanings and connotations to different people. Avoid slang and inflammatory words. Use words that are not likely to be misconstrued or manipulated.

2. Clear

Your report must be simple and direct so that it is easy to understand. Say what you mean and say it clearly. When writing, reread your report and consider if someone who did not know the situation or the youth would understand it. Make sure your document paints a clear picture of the event or situation. Have someone else read your report. Then make sure it makes sense to that person.

Here are a few questions that you can ask yourself to make sure your writing will be clear to your readers:

- Is the language adapted to the readers?
- Are the words the simplest that carry thought?
- Is the sentence structure clear?
- Does each paragraph contain only one main idea?
- Are these ideas presented in the best order?

Greater clarity will result from writing in the first person. When using the first person, refer to yourself as “I.” For example, write, “I responded to the fight”, instead of “This staff member who is writing this report responded to the fight.”

3. Objective

Your communication should be objective. Objective means non-opinionated, fair, and impartial. For example: “Youth Lopez struck Youth Smith in the face with his right fist.” This sentence is clear and portrays exactly what happened. Your reports can be objective if you use words with non-emotional overtones.

For example, consider the following sentence:
“Youth Lopez viciously struck Youth Smith with the

intent to kill him.” Words like “viciously” and “with the intent to kill him” are subjective and do not belong in a report.

4. Brief

A well-written report should be brief. Brief means not including flowery language. Avoid unnecessary words and do not include irrelevant details. Avoid repetitive wording and unnecessary adjectives. Use the simplest way to clearly describe what you are trying to convey. Use simple words, including words and phrases that convey only the essential facts.

5. Chronological

Often when significant events happen, you will blurt out the emotional facts first. To place events in chronological order, facts must be arranged in the order of occurrence. Once you get facts down, they can be arranged in the order in which they happened (what happened first, second, etc.).

Chronological order will help facts flow in a logical order as the reader reviews your report. This will show the progression of a specific event (as in a behavior report) or the progress a youth has made in a behavioral or treatment area.

6. Professional

Report writing is professional and legal. Do not use slang. Always use professional language. If you are quoting unprofessional language used by someone else, use quotation marks. Be aware that we become accustomed to some words and ways of speaking that others might not understand or misinterpret the meanings. For example, do not use terms like “24/7,” meaning all the time; “wet room” meaning detention room or “shank” meaning facility-made weapon.

7. Legible

Although much of the written communication is being done by computer, handwritten communication is still necessary within the facilities. Make sure log notes, daily operation reports, etc., are written in a legible manner to ensure clear interpretation of the information to be conveyed.

8. Grammatically Correct

Be sure to use correct grammar and punctuation because it can change the meaning of what you write. Use the spell-checker if you are using a computer. Proofread or have someone else proofread your report before you finalize the information.

Slides

2.10-2.14

B. Importance of Written Communication

As correctional staff, you will frequently communicate in writing what you have observed, heard, and what you have done. Thus, written communication is a critical tool.

Your written communication can supply factual data and establish responsibility for incidents you have observed.

Proper recording and reporting practices increase knowledge among staff, allowing for a safer environment.

As correctional staff, you are held to a higher standard and you will be evaluated on your writing skills. Your ability to write will be a representation of both you and the Department.

1. Safety

The single most important reason for clear written communication is the safety of staff, public, and youth. If a youth is detained, you may need to know why. Is he/she suicidal or assaultive? Does he/she have a history of assaults on staff?

Written notations create a connection between shifts, and decisions made within your facility. If your report identifies a security risk, such as improper storage of cleaning chemicals, security procedures may be changed as a result of that report.

2. Legal

Written communication has legal ramifications as well. What you write in a report can be subpoenaed for court, either civil or criminal. It must be based on facts, not on perceptions and thoughts.

3. Permanent

Writing is a permanent form of communication. Verbal speech is subject to memory loss, distortion, and can be challenged. When something is written down, it is a permanent record and provides proof of practice and reference.

III. BEHAVIOR REPORTS

Section Time

25 minutes

Slides

3.0-3.2

The behavior report is the most important document in the Disciplinary Decision Making System (DDMS) and court process. A well-written report is much more likely to accomplish its purpose of holding a youth accountable than a poorly written report.

A. Who is Required to Submit a Report?

Any employee who witnesses/observes an incident shall complete a Level 2 or Level 3 Behavior/Supplemental report. All observations shall be documented in the applicable reports prior to departure from the facility.

Reports must be prepared and entered into the Ward Information Network (WIN) system, signed, and submitted to the security supervisor prior to the employee departing from the facility. Employees unable to submit their report(s) due to excessive work hours or having to return within 8 hours shall receive security supervisor approval to submit their report upon the return to duty.

Slides

3.3-3.9

Instructor Note

Refer participants to Appendices 1 and 2 – Level 2 and 3 Behavior Reports. Inform class they will be inputting information into WIN, but have them view the paper form for informational purposes. There are WIN screen examples of a Level 2 and 3 at the end of this section.

B. Form and Style

When writing behavior reports use the narrative style; writing in the first person. Describe the incident in the chronological order in which the events occurred.

1. Information Boxes

First, ensure all boxes at the top of the report are filled in correctly. These include:

- Level of Behavior Report i.e., Level 2 or 3
- Name of Youth
- DJJ Number
- Facility
- Living Unit
- Incident Date
- Time
- Place incident occurred

2. Description of Youth Behavior

Write a narrative of events in the specific sequence in which they occurred.

- Indicate date and time.
- Indicate where you were located and what you were doing.
- Indicate what other staff members were present, their locations, and what they were doing.
- Indicate what brought your attention to the incident and where the youth involved were located.
- Describe what you observed take place.
- Indicate what action you took.
- Include in the narrative anything you heard the youth say that may be important.
- For behavior reports, conclude by indicating whether or not the youth was placed on the Treatment Intervention Program (TIP).

3. Signature and Disposition

The last steps are to ensure that the writer's name and title are entered correctly. Then, select an allegation from the drop-down menu and the appropriate disposition for Level 2 Behavior Report. Level 3 Behavior Report allegations will be set by the treatment team supervisor (TTS)/supervising casework specialist (SCWS).

Slides

3.10-3.20

C. Key Items to Writing Behavior Reports

The following is a list of key things to remember when writing behavior reports.

- State when the incident occurred and, if different, when it was discovered. Never write, "On the above date and approximate time..."
- Use the youth's name and DJJ number as early in the report as possible.

- Give specific locations using fixed reference points.
- Describe the specific sequence of events and behaviors.
- If force was used or observed, describe in detail. Do not write, "I used departmentally approved control hold." Instead write, "I placed my left hand on Youth Smith's left upper arm..." then continue describing any actions taken.
- If Oleoresin Capsicum (OC) was used, identify the type, distance, and duration of the application, for example: "steady stream or multiple burst of OC from a MK-IV from a distance of approximately five feet."
- Describe any injuries that occurred.
- If the youth appears to be intoxicated or under the influence, describe the behavior, odor, etc.
- Describe any contraband or weapons that were involved.
- If the youth makes an admission or an incriminating statement, include the statement in the report. Use quotes wherever possible.
- If additional staff members are involved, identify them by full name and title.
- Avoid the use of pronouns as much as possible as they (the pronouns) can confuse the reader.
- For all behavior reports, state whether or not the youth was placed on TIP. If so, indicate that the SRSQ was completed, the score, and whether or not the youth was placed on suicide watch.
- Write your own behavior report or supplemental report. **NEVER** write a report based on information supplied by another staff member. Likewise, do not write reports for other staff members.

- Do not use clichés, buzzwords, slang terms, gang monikers, or abbreviations except as a direct quote in any reports. Be sure to include an identification of any gang monikers used in the quote. For example, “Youth Smith stated, ‘It was Nite Owl from Watsonville’ (‘Nite Owl’ is known to be the moniker for Youth Jones, YA 22222).”
- Do not list more than one incident in a Behavior Report or Supplemental Report. Write separate reports.
- Do not list two youths’ names at the top of the form. Write a separate report for each youth involved.
- Do not name confidential witnesses in the report or the information provided.
- Name the victim, if any, and describe any injuries incurred as a result of the behavior.
- Do not rely on other staff members to report what you witnessed.
- Do not editorialize. This is considered giving your opinion. For example, do not write “This type of behavior will not be tolerated.”
- Do not express your opinion, just report the facts.
- Unless pertinent, do not cite prior rule violations or previous offenses. (Report is for repeated rule violations, gang involvement, commitment related, etc.)

Turn to the next page for examples of Level 2 and Level 3 Supplemental Behavior Reports.

Level 2 Supplemental Behavior Report:

DJJ_WIN_v13

File Edit Find CheckFor Task Report/Forms Tools Windows Help

CHAD - DDMS: 9,383 of 215,040

QUEZADA, Jose YA: 94649 Case: CHAD146883 Stage: Case Closed-Lvl2

Level 2 Status Behavior Rept Level 2 Appeal Supplementals

Report Date: 5/8/2017 Incident Date: 5/8/2017 Incident Unit: San Joaquin
 Report Time: 1330 Incident Time: 1330 Place of Incident: San Joaquin

Print Supplementals

Level: 2

Description Of Behavior (From Behavior Report)

On Monday, May 8, 2017 at approximately 1330 hours, youth Quezada, Jose DJJ #94649 refused to attend school 5th period class, shop #17. Youth Quezada was marked absent with school code T7 for the period, refusal to go to class and was told he would receive a DDMS to document his refusal (Truant).

Supplemental Behavior Reports

New

Behav. Report Writer	Date

Level 3 Supplemental Behavior Report:

DJJ_WIN_v13

File Edit Find CheckFor Task Report/Forms Tools Windows Help

CHAD - DDMS: 9,383 of 215,040

MUNOZ, Ralph Vincent 94776 Incident No CHAD146949.A

Original Behavior Report Information

Incid Date: 5/12/2017
 Incid Time: 0120
 BR Date: 5/12/2017
 BR Time: 15:08:00
 BR Writer: Ron Oswald
 BR Wr Title: YCO

This Supplemental

Date: 5/12/2017
 Time: 19:18
 Writer: Oscar Lopez
 Title: YCC

New UOF

Use of Force
 No UOF Record.

Description of Behavior

Update/Save to Clipboard Review DDMS Print

Today on Friday May 12, 2017 at approximately 1150 hours, I YCC O. Lopez witnessed a group disturbance (9 total) in the McCloud hall dayroom. I was supervising dayroom program from behind the YCC counter when I observed youths Ingraham, Saul YA# 94762 (North), Munoz, Ralph YA# 94776(North), Molina, Adrian YA# 94780(North), Coleman, Asaahdi YA# 94772(Blood), and Paradise, De Jon Terrel YA # 94769(Blood) get up from the chairs in front of rooms 14 and 13 and walked quickly towards the table in front of rooms 7 and 6. The table was occupied by youths Macias, Jonathan YA # C0061 (South), Parrish, Bryan Vahn YA # 94764 (South), Sanchez, Isaac Andres YA # 94778 (South), and Camey, Eddy YA # 94773 (South). Ward Ingraham was the first to strike another Ward with closed fists in the upper torso and facial area while the rest of the group followed. While the entire group continued to strike each other with closed fists in the upper torso and facial area, I gave verbal instructions to all the Wards in the day room to get down on the ground or force will be utilized while pressing my personal alarm. At this time YCC B. Vang put out the radio transmission notifying the Coms. Center of the group disturbance. At this time I unholstered my Cap-Stun Z-505 pepper spray and all non-involved youth began to get down. As I was getting ready to use my Z-505 I heard approximately two loud explosions from the sting ball grenade that was deployed from the tower, which at that point all the combatants stopped fighting and immediately got down on the ground. At this point all youth on the hall were down with their stomachs flat on the floor and hands behind their backs waiting for security and ERT's to respond to the hall. All combatants received medical attention and were

IV. USE OF FORCE REPORTS

Section Time

15 minutes

Slides

4.0-4.3

Written reports regarding both immediate and controlled use of force will be documented on the Use of Force (DJJ 8.412) form. All reports are to be written in first person.

A. Who is Required to Submit a Report?

Any employee who uses force shall complete a Use of Force form. Any employee who witnesses/observes force shall complete a Behavior/Supplemental report. All observations shall be documented in the applicable reports prior to departure from the facility.

Reports must be prepared and entered into the Ward Information Network (WIN) system, signed, and submitted to the security supervisor prior to the employee departing from the facility. Employees unable to submit their report(s) due to excessive work hours or having to return within 8 hours shall receive security supervisor approval to submit their report upon the return to duty.

Slides

4.4-4.6

B. Body of the Report

The following information needs to be included in the body of your report:

- Date, time, and location of incident.
- Indicate who was involved. (list all and be specific)
- Describe in detail, the de-escalation efforts attempted.
- Describe in detail, the actions of the youth and circumstances leading to the use of force.
- Document alarm activation and/or call for assistance.
- Document warning that force will be used if the behavior does not stop. (If time permits, per policy.)
- Explain why the force was used and the threat perceived.

Instructor Note

Give personal examples of de-escalation efforts.

- Describe the specific force used or observed.
- Describe youth's level of resistance.
- Describe any observed employee or youth injuries and the cause of injury, if known.
- Indicate who provided escort/transport.
- Document the whereabouts of all staff assigned to unit.
- Indicate who provided medical attention to the youth.
- Indicate the employee who observed decontamination of OC.
- Indicate who provided fresh laundry.
- Document how long youth was in decontamination shower.

Slide
4.7

C. Chemical Restraints

- If OC was used identify the type and distance and describe the application as, for example, "continuous; multiple bursts, etc. of OC from an MK-IV from approx. three feet."
- If OC was dispersed closer than DJJ policy states, document and explain why it was used at this distance.

Slides
4.8-4.10

D. Physical Restraints

- If physical restraints and holds were administered, identify and describe what actions were taken, i.e., "placed both hands on youth's shoulders, grasping his t-shirt and pulling him to the ground."
- Use descriptive terms to describe the actions step-by-step; do not use the names of techniques or say "I used a Department approved control hold." Instead say, "I placed my left hand on the youth's left shoulder and my right hand on the youth's right shoulder grasping his T-shirt with both hands and pulled him to the ground while giving him verbal instructions to get down on the ground."

- Do not use clichés, buzzwords, slang terms, or abbreviations except as a direct quote.
- List the identities of any employee who observed or participated in the use of force.
- Employees shall not collaborate with each other in the preparation of reports.

Slides

4.11-4.13

E. Staff Completing Report

If an employee is unable to complete the required documentation due to an injury, the employee may dictate the information to a correctional peace officer supervisor by proxy. This can be accomplished in person or via telephone. The report shall include the nature of the injury or condition that caused the employee to dictate the report to the supervisor.

All reports must be signed and dated. Spell check and proofread all reports before submitting. If it is necessary to add or change information on a completed report, a supplemental report must be created and submitted indicating the revised changes/additions.

Report Distribution:

- 1 – UOF report to the yard sergeant
- 1 – Copy of behavior report or supplemental to the yard sergeant for UOF packet and 2 copies to the program manager/TTS of the unit.

Slide

4.14

F. Additional Reporting Requirements

Document all staff's names and titles and all interventions provided prior to force being used.

Medical staff/mental health staff who provide clinical intervention prior to or following any use of force incident must submit a supplemental behavior report documenting their interventions and observations.

Slide

4.15

G. Time Frames

All reports must be prepared and entered into the WIN system, signed, and submitted to the security supervisor prior to the employee departing the facility.

Employees unable to complete the required documentation before the end of their shift due to excessive work hours, or having to return within 8 hours, shall receive the security supervisor's approval to submit their report upon return to duty.

Slides

4.16-4.17

H. Section Five - Medical

- Medical staff who provide medical services to the youth after the use of force must complete and submit a signed Use of Force Section Five form prior to leaving the facility. Enter all information into WIN except signature.
- If a youth declines medical attention after being exposed to OC, the refusal shall be stated by the youth to the on-duty health care professional and documented in the youth's Unified Health Record (UHR) and Section Five.
- Health care professional shall also document the fact that the youth was given instruction for self-decontamination in the UHR and Section Five.
- This refusal to medical staff should also be documented in the body of your report.

Slide

4.18

I. Unnecessary or Excessive Force

Every employee has an ethical and legal responsibility to report what they believe to be an incident of unnecessary or excessive force. They shall make reasonable efforts to stop the violation and immediately report it verbally to the watch commander/supervisor and follow up with a written report. The documentation may be via e-mail, but shall be followed up with a signed Memorandum.

V. USE OF FORCE (DJJ 8.412) FORM

Section Time

25 minutes

Slides

5.0-5.3

The Use of Force (DJJ 8.412) form is the form that shall be completed when OC, physical restraint, mechanical restraint, less lethal, baton, 37/40mm, or pepper ball are used to restrain a youth. We will now review the form and discuss the required information needed for each section.

A. Header

STATE OF CALIFORNIA
DEPARTMENT OF CORRECTIONS AND REHABILITATION
DIVISION OF JUVENILE JUSTICE
USE OF FORCE
DJJ 8.412 (Rev 02/12)

WIN 2006

Date: _____

Time of Use: _____

Facility: _____

Location of use: _____

Case Number: _____

Instructor Note

Information will be inputted into WIN, but for informational purposes, the examples in this section are from the paper form.

The information in the header should transfer from WIN:

- Date
- Time of Use
- Facility
- Location of Use
- Case Number

Slides
5.4-5.7

B. Section One

Section One						
<input type="checkbox"/> OC	<input type="checkbox"/> Physical	<input type="checkbox"/> Mechanical	<input type="checkbox"/> Less Lethal	<input type="checkbox"/> Baton	<input type="checkbox"/> 37/40mm	Pepperball
Name of Youth:			YA# / M#:			
Describe Type of Force:			Amount Used:		Distance Deployed:	
			Crisis Intervention Plan Reviewed? YES/NO			
			Was Equipment Effective? YES / NO			
Behavior Report(s) Submitted By: _____			Date: _____			
Behavior Report(s) MUST be attached prior to submission for review and retained as a permanent attachment.						

- Check the appropriate box: OC, Physical, Mechanical, Less Lethal, Baton, 37/40mm, Pepperball
- Name of youth and their DJJ number
- Describe the type of force used, i.e., MK-IV OC, CAP-STUN Z-505 or MK-IXOC
- Amount of OC used, i.e., 1 burst, multiple bursts, continuous burst, steady stream, etc.
- Distance OC was deployed, i.e., 3 feet, 8 feet, etc. Note: if you deployed OC agents closer than Department policy, you will need to explain why in Section Two narrative.
- Was equipment effective? Yes or No
- Crisis Intervention Plan Reviewed? Yes or No
- Behavior/Supplemental Report(s) submitted by who and date

Note: Behavior/Supplemental Report(s) must be attached prior to submission for review and retained as a permanent attachment.

C. Section Two

Section Two			
Describe in detail the need for the use of force:			
Force User:	Signature:	Classification/Post Description:	Date:
_____	_____	_____	_____

This is the body of the report and where you will describe the details of the incident, as well as the need for the use of force used. Be sure to write the details in first person and do not use slang, jargon, buzzwords, etc., unless you are quoting something said.

Listing things in chronological order will help you lay out the details of the incident, as well as help the supervisor/manager during their review to get an idea of what took place.

This information will be automatically transferred from the behavior report or supplemental behavior report when the “create use of force report” tab is activated.

Print and sign your name, classification/post description and date of report.

D. Section Three

Section Three	
Additional Staff Involved	
Name - Classification	Name - Classification
_____	_____
_____	_____
_____	_____
Alarm Activation/Radio Call YES/NO	

This is where you will list all additional staff involved in the incident. You will need to list their names and classification. They will be identified during the debriefing by the security supervisor. You will also indicate if an alarm was activated and/or radio call.

Slides
5.13-5.15

E. Section Four

Section Four

OC Decontamination

☐ Decontamination Shower Given

If no shower given, state reason:

☐ Refused ☐ Not Required

Staff Person Providing Decontamination:

Length of Time in Fully Operational Shower:

Contaminated Clothing Removed for Laundry:

Information will need to be documented here whether OC was or was not used during the incident:

- Indicate if a decontamination shower was given.
- If the youth refuses or if decontamination is not required, mark the appropriate box as the reason for no shower given.
- Indicate the staff person providing the decontamination.
- Document the length of time the youth received the decontamination shower.
- Document if the contaminated clothing was removed for laundry, and if the youth received fresh clothing after the decontamination shower.

Slides

5.16-5.17

F. Section Five

Section Five	MEDICAL ATTENTION
Name of Officer who escorted youth to medical treatment: _____	
<input type="checkbox"/> Mental Health Youth <input type="checkbox"/> WDP Qualified Youth GENDER: <input type="checkbox"/> Male <input type="checkbox"/> Female AGE: _____	
<input type="checkbox"/> NO MEDICAL ATTENTION NEEDED <input type="checkbox"/> REFUSED MEDICAL TREATMENT/EXAMINATION	
Patient's description of the occurrence and injury: _____ _____	
Medical staff's description and extent of injury: _____ _____	
Witnesses' names and their summary of occurrence and injury: _____ _____	
TREATMENT:	
Date _____	Time _____
Location _____	
Reason for medical attention: _____ _____	
Type of medical attention provided: _____ _____	
List accommodation(s) provided: _____ _____	
List medicine(s) prescribed for treatment: _____ _____	
DISPOSITION: _____ _____ _____	
UHR Review prior to Controlled Force: YES <input type="checkbox"/> NO <input type="checkbox"/>	
TREATING MEDICAL STAFF:	
_____ Print Name	_____ Signature

All health care/medical staff will document information in Section Five of the Use of Force form indicating if medical attention was or was not rendered, along with the following:

- Name of officer that escorted the youth for medical treatment.
- If youth is mental health and/or if the youth is qualified for the disability program.
- Youth's gender and age.
- If no medical attention was needed or youth refused medical treatment.
- A quote of youth's own words in the patient's description of the occurrence and injury.
- Description of the extent of injury.
- Witnesses' names and their summary of occurrence and injury.
- Date, time, and location of medical attention.
- The reason and type of medical attention provided.
- List accommodations provided, if applicable.
- List of medications prescribed for treatment.
- A written disposition.
- A check in the appropriate box if a review of the youth's UHR was completed prior to the facilitation of a controlled use of force incident.
- The name (type and print) and signature of the health care professional.
- The entering of all information into the WIN system with the exception of the employee's signature.

Slides

5.18-5.20

Instructor Note:

- Show Tuolumne video
- Have participants review Use of Force form in Appendix 4. Inform them there are some deliberate errors in the report.
- After approximately ten minutes, review and discuss the completed form. Call on participants to indicate the errors that were found.

The mistakes are underlined and marked in bold Red on pages 24 and 25.

The correct version follows, on the pages 26 and 27.

G. Activity: Tuolumne Video – Use of Force Form

Learning Objective: After watching a video scenario, you will review and discuss a completed Use of Force (DJJ 8.412) form.

You will now observe a use of force video scenario. Pay close attention, as the scenario will only be shown one time. Afterwards, you will review the Use of Force form in Appendix 4 relating to the incident. There will be some deliberate mistakes in the information on the form so be sure to check it over for accuracy and punctuation and ensure that all of the appropriate signatures are in place. Make note of any discrepancies found.

The instructors will review and discuss the behavior report with the class. You may be called on to supply answers as to what errors were found in the report.

IMPORTANT INSTRUCTOR NOTE:

The Tuolumne incident/video is several years old and some of the use of force procedures used by staff are outdated. After viewing the video, ask participants – What should have been done differently during this incident? (For example: if youth Khaki was bleeding profusely from his facial area, he should have immediately been placed in mechanical restraints and escorted to medical for observation/treatment of his injuries and OC exposure before directing him to the shower.) Discuss answers with class.

Section One

☐ OC ☐ Physical ☐ Mechanical ☐ Less Lethal ☐ Baton ☐ 37/40 mm ☒ Pepperball

Name of Youth: Big Khaki

YA# / M#: #12345

Describe Type of Force: MK-IV OC Pepper Spray

Amount Used: _____ Distance Deployed: _____

Continuous Burst 2 to 3 feet

Was Equipment Effective? YES

Crisis Intervention Plan Reviewed? YES

Behavior Report(s) Submitted By: YCC J.O. Spot

Date: Today

Behavior Report(s) MUST be attached prior to submission for review and retained as a permanent attachment.

Section Two

Describe in detail the need for the use of force:

On the (today's date) and (current time), while positioned at the YCC counter, this staff member observed youth Khaki Pants #12345 and youth Jean Shorts #98765 involved in a one-on-one fight. The location of the fight was in the unit dayroom located between the dayroom stationary tables in the center portion of the dayroom floor. At the time of the incident, there were approximately 20 youth in the dayroom. During the fight both youth were striking each other with closed-fists to each other's head and upper torso area with the intent to kill each other.

After the initial observation, I activated my personal alarm to notify central control for assistance. As I approached the two youth fighting, I issued instructions to both youth to stop fighting or I would spray them with OC spray. They both refused to follow my instructions to stop the fighting. Therefore, I applied a continuous burst of a Department approved chemical agent to facial and upper body areas of both combatants at a distance of approximately two to three feet. The application was effective as both combatants fell to the floor. Once on the floor, youth Khaki was on top of youth Jean and striking him with closed fists to head and upper torso area of his person. Without warning, youth Longhair Simpson runs into the incident from behind me and attacks youth Khaki by kneeling youth Khaki in his head area in an effort to get Khaki off of youth Jean. At this point, all involved and non-involved youth were laid out prone on the dayroom floor.

I then observed that youth Khaki had suffered an injury causing him to bleed hella profusely from his facial area due to the attack by youth Longhair. I handed youth Khaki a towel. I observed YCC Help and YCC Assist in the dayroom area. YCC Help placed mechanical restraints on youth Jean and I directed youth Khaki to the shower stall nearest the incident area where he was provided a 15 minute decontamination shower and fresh clothing. As two additional security staff arrived, I placed mechanical restraints on youth Longhair.

YCC Help spoke with the sergeant for briefing purposes. I then assisted youth Longhair to his feet and escorted him out of the area. Sergeant then assisted youth Jean to his feet and with the assistance of YCC Help, escorted youth Jean to bottom floor shower area where he was provided a 15 minute decontamination shower and fresh clothing.

Both Youth Khaki and Youth Jean were later escorted by security to medical and examined for injuries and OC exposure. All remaining youth were placed in there rooms so that staff could debrief and assess the program for the threat of any further potential violence.

Force User:

Signature:

Classification/Post Description:

Date:

J.O. Spot

J.O. Spot

YCO

Today

Name Section Three	
Additional Staff Involved Name - Classification <u>YCC Support</u> <u>YCC Assist</u> 	Name – Classification Alarm Activation/Radio Call YES
Section Four	
OC Decontamination If no shower given, state reason: Staff Person Providing Decontamination: Length of Time in Fully Operational Shower: Contaminated Clothing Removed for Laundry:	<input checked="" type="checkbox"/> Decontamination Shower Given <input type="checkbox"/> Refused <input type="checkbox"/> Not Required <u>YCC J.O. Spot</u> <u>10 minutes</u> <u>Yes</u>

Section One			
<input checked="" type="checkbox"/> OC <input type="checkbox"/> Physical <input type="checkbox"/> Mechanical <input type="checkbox"/> Less Lethal <input type="checkbox"/> Baton <input type="checkbox"/> 37/40mm <input type="checkbox"/> Pepperball			
Name of Youth: <u>Big Khaki</u>		YA# / M#: <u>#12345</u>	
Describe Type of Force: <u>MK-IV OC Pepper Spray</u>		Amount Used: <u>Continuous Burst</u>	Distance Deployed: <u>2 to 3 feet</u>
		Crisis Intervention Plan Reviewed? <u>YES</u>	
		Was Equipment Effective? <u>YES</u>	
Behavior Report(s) Submitted By: <u>YCC J.O. Spot</u>		Date: <u>Today</u>	
Behavior Report(s) MUST be attached prior to submission for review and retained as a permanent attachment.			
Section Two			
Describe in detail the need for the use of force:			
<p>On the (today's date) and (current time), while positioned at the YCC counter, I observed youth Khaki Pants #12345 and youth Jean Shorts #98765 involved in a one-on-one fight. The location of the fight was in the unit dayroom located between the dayroom stationary tables in the center portion of the dayroom floor. At the time of the incident, there were approximately 20 youth in the dayroom. During the fight both youth were striking each other with closed-fists to each other's head and upper torso area.</p> <p>After the initial observation, I activated my personal alarm to notify central control for assistance. As I approached the two youth fighting, I issued instructions to both youth to stop fighting or I would spray them with OC spray. They both refused to follow my instructions to stop the fighting. Therefore, I applied a continuous burst of OC pepper spray to facial and upper body areas of both combatants at a distance of approximately two to three feet. The application was effective as both combatants fell to the floor. Once on the floor, youth Khaki was on top of youth Jean and striking him with closed fists to head and upper torso area of his person. Without warning, youth Longhair Simpson runs into the incident from behind me and attacks youth Khaki by kneeling youth Khaki in his head area in an effort to get Khaki off of youth Jean. At this point, all involved and non-involved youth were laid out prone on the dayroom floor.</p> <p>I then observed that youth Khaki had suffered an injury causing him to bleed profusely from his facial area due to the attack by youth Longhair. I handed youth Khaki a towel. I observed YCC Help and YCC Assist in the dayroom area. YCC Help placed mechanical restraints on youth Jean and I directed youth Khaki to the shower stall nearest the incident area where he was provided a 15 minute decontamination shower and fresh clothing. As two additional security staff arrived, I placed mechanical restraints on youth Longhair.</p> <p>YCC Help spoke with the sergeant for briefing purposes. I then assisted youth Longhair to his feet and escorted him out of the area. Sergeant then assisted youth Jean to his feet and with the assistance of YCC Help, escorted youth Jean to bottom floor shower area where he was provided a 15 minute decontamination shower and fresh clothing.</p> <p>Both Youth Khaki and Youth Jean were later escorted by security to medical and examined for injuries and OC exposure. All remaining youth were placed in their rooms so that staff could debrief and assess the program for the threat of any further potential violence.</p>			
Force User: _____	Signature: _____	Classification/Post Description: _____	Date: _____
<u>J.O. Spot</u>	<u>J.O. Spot</u>	<u>YCC</u>	<u>Today</u>

Name Section Three	
Additional Staff Involved	
Name - Classification	Name – Classification
<u>YCC Help</u>	_____
<u>YCC Assist</u>	_____
_____	_____
Alarm Activation/Radio Call YES	
Section Four	
OC Decontamination	<input checked="" type="checkbox"/> Decontamination Shower Given
If no shower given, state reason:	<input type="radio"/> Refused <input type="radio"/> Not Required
Staff Person Providing Decontamination:	<u>YCC J.O. Spot</u>
Length of Time in Fully Operational Shower:	<u>15 minutes</u>
Contaminated Clothing Removed for Laundry:	<u>Yes</u>

VI. CONCLUSION

Section Time

5 minutes

Slides

6.0-6.1

A. Summary

During the Report Writing lesson, we spent time discussing the importance of written communication, writing good reports, and report writing guidelines. We covered the writing of behavior reports and the reporting requirements needed when use of force is used. You also watched a use of force video scenario and spent time reviewing and finding errors in the written incident behavior report.

When writing a report, it is important to list factual information in chronological order. Your writing reflects your education, your competence, and your professionalism. Take the time to proofread/edit your reports before turning them in prior to departure from the facility.

Remember: All reports are legal documents. Your reports will be read by many other professionals, both within the Department and outside agencies, i.e., judges, court appointed experts, etc. The goal in all report writing is communication that is clear, complete, brief, and impartial documentation. Write for clarity, not entertainment.

GLOSSARY

Controlled Force - The planned use of force in situations where a youth is located in an area that can be controlled or isolated.

Excessive Force - Use of more force than was needed to stabilize the youth and/or the situation.

Health Care Professional Staff - Includes all Physicians, Registered Nurses, Nurse Practitioners, Physician Assistants and Licensed Vocational Nurses.

Mental Health Professional Staff - Includes Psychiatrists, Psychologists, and Licensed Psychiatric Technicians.

Unnecessary Force - The use of force not required or essential to subdue an attacker, overcome resistance, effect custody, or gain compliance with staff commands.

REFERENCES

- 1) Division of Juvenile Justice, Institutions and Camps Manual, Section 2080, Crisis Prevention and Management - Use of Force Policy
- 2) *Written Communication Module I*, Basic Correctional Juvenile Academy lesson, November 2008.
- 3) *Written Communication Module II*, Basic Correctional Juvenile Academy lesson, April 2005.

LIST OF APPENDICES

1. Level 2 Intermediate Misconduct Behavior Report (DJJ 8.403A)
2. Level 3 Serious Misconduct Behavior Report (DJJ 8.403B)
3. Use of Force (DJJ 8.142) Form
4. Use of Force (DJJ 8.142) Form for Video Activity

Appendix 1

Level 2 Intermediate Misconduct Behavior Report (DJJ 8.403A)

CASE # _____

NAME OF YOUTH (LAST – FIRST – MIDDLE)	YA NUMBER	FACILITY	LIVING UNIT
DATE	TIME (MILITARY TIME)	PLACE INCIDENT OCCURRED	
DESCRIPTION OF YOUTH BEHAVIOR (FACTS – WHO WAS INVOLVED – WHAT HAPPENED – LIST NAMES OF OTHER PERSONS PRESENT)			

PRINTED NAME	TITLE
SIGNATURE	DATE
VIOLATION CODE	DISPOSITION
PRINTED NAME (PERSON MAKING DISPOSITION)	TITLE
SIGNATURE	DATE

LEVEL 2 APPEAL

YOUTH IS TO CHECK AND INITIAL THE APPROPRIATE BOX

☐ _____ I DO NOT WISH TO APPEAL THIS ACTION.

☐ _____ I WISH TO APPEAL THIS ACTION. (I WAS ADVISED THAT I MUST SUBMIT MY APPEAL WITHIN 24 HOURS OR I WAIVE MY RIGHT TO APPEAL)

YOUTH'S SIGNATURE	TIME (MILITARY TIME)	DATE
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LEVEL 2 - LIVING UNIT SUPERVISOR REVIEW (REQUIRED WHETHER OR NOT YOUTH APPEALS)

☐ AFFIRM DISPOSITION ☐ MODIFY DISPOSITION ☐ DISMISS ☐ REDUCE TO LEVEL 1

COMMENT

SIGNATURE	DATE
-----------	------

LEVEL 2 - TREATING MENTAL HEALTH CLINICIAN REVIEW (REQUIRED FOR CASES INVOLVING YOUTH RECEIVING MENTAL HEALTH SERVICES)

☐ AFFIRM DISPOSITION ☐ MODIFY DISPOSITION ☐ DISMISS/ADJUST YOUTH'S TREATMENT PLAN (Acting out behavior resulted from mental illness or its treatment)

COMMENT

SIGNATURE	DATE
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Appendix 2

Level 3 Serious Misconduct Behavior Report (DJJ 8.403B)

DEPARTMENT OF CORRECTIONS AND REHABILITATION
DISTRIBUTION

CASE # _____

This image shows a single sheet of white paper with horizontal ruling lines. The lines are evenly spaced and run across the width of the page. There are no margins, text, or other markings on the paper.**PROGRAM MANAGER REVIEW** (Enter in WIN)

<input type="checkbox"/> PROCESS AS LEVEL 3	<input type="checkbox"/> REDUCE TO LEVEL 2	LEVEL 2 DISPOSITION _____
SIGNATURE _____		DATE _____

Appendix 3

Use of Force (DJJ) 8.142 Form

WIN 2006
Date: _____
Time of Use: _____
Facility: _____
Location of use: _____
Case Number: _____

INSTRUCTIONS

This form shall be completed when an OC, physical restraint, mechanical restraint, soft restraint, baton, 37mm, or pepper ball are used to restrain a youth.

Section One

☐ OC ☐ Physical ☐ Mechanical ☐ Soft Restraint ☐ Baton ☐ 37mm ☐ Pepperball

Name of Youth: _____

YA# / M#: _____

Describe Type of Force: _____

Amount Used: _____

Distance Deployed: _____

Was Equipment Effective? YES / NO

Crisis Intervention Plan Reviewed? YES/NO

Behavior Report(s) Submitted By: _____

Date: _____

Behavior Report(s) MUST be attached prior to submission for review and retained as a permanent attachment.

Section Two

Describe in detail the need for the use of force:

Force User: _____

Signature: _____

Classification/Post Description: _____

Date: _____

Section Three

Additional Staff Involved

Name - Classification

Name - Classification

Alarm Activation/Radio Call

YES/NO

Section Four

OC Decontamination

☐ Decontamination Shower Given

If no shower given, state reason:

☐ Refused

☐ Not Required

Staff Person Providing Decontamination:

Length of Time in Fully Operational Shower:

Contaminated Clothing Removed for Laundry:

Section Five

MEDICAL ATTENTION

Name of Officer who escorted youth to medical treatment: _____

☐ Mental Health Youth ☐ WDP Qualified Youth GENDER: ☐ Male ☐ Female AGE: _____

☐ NO MEDICAL ATTENTION NEEDED ☐ REFUSED MEDICAL TREATMENT/EXAMINATION

Patient's description of the occurrence and injury: _____

Medical staff's description and extent of injury: _____

Witnesses' names and their summary of occurrence and injury: _____

TREATMENT:

Date _____ Time _____ Location _____

Reason for medical attention: _____

Type of medical attention provided: _____

List accommodation(s) provided: _____

List medicine(s) prescribed for treatment: _____

DISPOSITION: _____

UHR Review prior to Controlled Force: YES ☐ NO ☐

TREATING MEDICAL STAFF:

Print Name

Signature

Appendix 4

Use of Force (DJJ) 8.142 Form

For Video Activity

Section One

☐ OC ☐ Physical ☐ Mechanical ☐ Less Lethal ☐ Baton ☐ 37/40 mm ☒ Pepperball

Name of Youth: Big Khaki

YA# / M#: #12345

Describe Type of Force: MK-IV OC Pepper Spray

Amount Used: _____ Distance Deployed: _____

Continuous Burst 2 to 3 feet

Was Equipment Effective? YES

Crisis Intervention Plan Reviewed? YES

Behavior Report(s) Submitted By: YCC J.O. Spot

Date: Today

Behavior Report(s) MUST be attached prior to submission for review and retained as a permanent attachment.

Section Two

Describe in detail the need for the use of force:

On the (today's date) and (current time), while positioned at the YCC counter, this staff member observed youth Khaki Pants #12345 and youth Jean Shorts #98765 involved in a one-on-one fight. The location of the fight was in the unit dayroom located between the dayroom stationary tables in the center portion of the dayroom floor. At the time of the incident, there were approximately 20 youth in the dayroom. During the fight both youth were striking each other with closed-fists to each other's head and upper torso area with the intent to kill each other.

After the initial observation, I activated my personal alarm to notify central control for assistance. As I approached the two youth fighting, I issued instructions to both youth to stop fighting or I would spray them with OC spray. They both refused to follow my instructions to stop the fighting. Therefore, I applied a continuous burst of a Department approved chemical agent to facial and upper body areas of both combatants at a distance of approximately two to three feet. The application was effective as both combatants fell to the floor. Once on the floor, youth Khaki was on top of youth Jean and striking him with closed fists to head and upper torso area of his person. Without warning, youth Longhair Simpson runs into the incident from behind me and attacks youth Khaki by kneeling youth Khaki in his head area in an effort to get Khaki off of youth Jean. At this point, all involved and non-involved youth were laid out prone on the dayroom floor.

I then observed that youth Khaki had suffered an injury causing him to bleed hella profusely from his facial area due to the attack by youth Longhair. I handed youth Khaki a towel. I observed YCC Help and YCC Assist in the dayroom area. YCC Help placed handcuffs on youth Jean and I directed youth Khaki to the shower stall nearest the incident area where he was provided a 15 minute decontamination shower and fresh clothing. As two additional security staff arrived, I placed handcuffs on youth Longhair.

YCC Help spoke with the sergeant for briefing purposes. I then assisted youth Longhair to his feet and escorted him out of the area. Sergeant then assisted youth Jean to his feet and with the assistance of YCC Help, escorted youth Jean to bottom floor shower area where he was provided a 15 minute decontamination shower and fresh clothing.

Both Youth Khaki and Youth Jean were later escorted by security to medical and examined for injuries and OC exposure. All remaining youth were placed in there rooms so that staff could debrief and assess the program for the threat of any further potential violence.

Force User:

Signature:

Classification/Post Description:

Date:

J.O. Spot

J.O. Spot

YCO

Today

Name Section Three	
Additional Staff Involved Name - Classification <u>YCC Support</u> <u>YCC Assist</u> 	Name – Classification Alarm Activation/Radio Call YES
Section Four	
OC Decontamination	
<input checked="" type="checkbox"/> Decontamination Shower Given <input type="checkbox"/> Refused <input type="checkbox"/> Not Required	
If no shower given, state reason:	
Staff Person Providing Decontamination:	<u>YCC J.O. Spot</u>
Length of Time in Fully Operational Shower:	<u>10 minutes</u>
Contaminated Clothing Removed for Laundry:	<u>Yes</u>