

<u>Incident Information</u>	<u>Offender Information</u>
Report #: Juvenile Hall-7950-RPT-27707	RE: 1005398
Date: 9/7/2016 10:00:00 PM	PIN: 1005398
Report By: Hamby, Kelli	DPO: WS CART ICS / Ashburn, Jeff
Incident: Juvenile Hall-7950	
Incident #:	
Type:	Behavior, Force Used, Injury (Minor), Mental Health Referral, Pepper Spray, Refusal To Follow Directive, Restraints Used, Room Confinement, Security Risk(*SR), Sexual Behavior, Verbal Altercation, Suicide Ideation, Suicide Watch

This Special Incident Report was originally written by DPO I-Institutions Jason Ward on 09/8/2016 at 0454 hours.

On the above date beginning at approximately 2200 hours, youth 1005398 (room B-08) and youth 1010666 (room B-01) were advised to cease talking to one another under their doors. The youth were counseled no less than 4 times by DPO BENSON, DPO SHREEVE and me to stop their behavior, to no avail. The youth's conversation was becoming louder and they began inciting each other to "go all night".

At approximately 2230 hours I informed both youth they would be receiving consequences for failing to follow instructions and attempting to incite other youth to join in their poor behavior. At approximately 2240 hours 1005398 covered his window with a thin piece of toilet paper. I felt it was necessary to turn off his water to prevent him from wetting any more toilet paper or from flooding. I maintained my position in front of his door. I could see through the paper and 1005398 was talking the entire time, so I knew he was not endangering himself. 1005398 stated, "I'm ready to get sprayed! Come in here and I'll fuck you up!" I could see through a gap in the covered window that 1005398 had wrapped his head and face in his sweatshirt in an attempt to prepare for a confrontation. All staff informed 1005398 we had no intention of entering his room. Continued attempts to curb his behavior were unsuccessful. At approximately 0000 hours 1005398 incited 1010666 to cover his window. DPO SHREEVE entered the B Wing courtyard and was able to maintain a visual on 1010666. DPO SHREEVE re-entered B Wing and turned off 1010666's water.

Over the next hour both youth continued to scream, kick their doors and incite other youth in the wing to "go bad". Both youth uncovered their windows at approximately 0008 hours. 1005398 stated he would "flip a desk at school". Both youth called me "tigger" and "nigger". 1005398 stated, "I'm from Hangtown, I hang niggers!" At approximately 0051 hours both youth began to violently kick their doors and scream in attempts to "wake A Wing the fuck up!" At approximately 0100 hours 1005398 spat under his door at least three times. There were three visible puddles of saliva on the floor in front of his room. At approximately 0115 both youth used their emergency buttons inappropriately. While I was performing a room safety check 1010666 stated he was going to "grieve" me for turning his water off. I informed 1010666 that due to his continued behavior, his water would only be turned on for emergency use.

At approximately 0120 hours 1005398 began to incite 1010666 to urinate under his door and stated, "I'll piss under my door if you do!" 1005398 told DPO SHREEVE to "suck my fucking penis" when SHREEVE attempted to counsel him. At approximately 0130 DPO SHREEVE informed me that 1005398 had removed his clothing and was covered only in a sheet. Please see SHREEVE's supplemental report for further information. At 0135 while performing a room safety inspection, I witnessed 1005398 wearing only a sheet.

At approximately 0145 1010666 began covering his window. DPO BENSON maintained supervision on 1010666 and could hear him the entire time. 1010666 removed the cover on his window at approximately 0148. At the same time 1005398 covered his window. I was positioned in front of B-08 to maintain supervision when 1005398 removed the cover from his window and revealed that he was completely naked. He began shaking and jumping up and down and laughing. I left the window instantly after. At approximately 0154 DPO SHREEVE was performing a room safety inspection in B Wing and apparently 1005398 was still naked and 1005398 screamed, "Bryant was looking at my penis!" As of 0200 1005398 was still completely nude and laying on the floor. At approximately 0214 DPO SHREEVE

informed me that he witnessed 1005398 had put his shorts back on. At the same time 1010666 yelled to SHREEVE that if I entered his room he'd "swing on him".

At approximately 0225 hours 1010666 demanded ice. I asked him to show me his injured body parts. He was standing at the time and it should be noted he had been kicking his door on and off for over three hours. He showed me his left foot, which appeared slightly red but did not look swollen. I informed 1010666 that due to his continued riotous behavior and continuing to cover his window I could not safely provide him with ice at that time.

It was apparent that both youth's behavior was out of control, riotous, unsafe and was not stopping. At approximately 0235 DPO SHREEVE heard 1005398 make a statement about self-harm. Repeated questions to 1005398 about his intentions were unanswered. DPO BENSON placed a call to Assistant Superintendent MELROSE to advise him of the situation. It was determined based on his threats of self-harm, riotous behavior, and his instigation of other youth that 1005398 needed to be removed from his cell, placed in a suicide prevention gown and placed in a holding cell. DPO's BENSON, SHREEVE and I met to discuss our extraction plan. It was determined I would give directives at the door with DPO SHREEVE as my back-up while DPO BENSON monitored from the control area. If 1005398 refused directives and remained combative and non-compliant SHREEVE would utilize OC spray while I maintained control of the door.

I stood at the window of B-08 and directed 1005398 to allow us to handcuff him by placing himself in the prone position on his bed. 1005398 was still completely naked at this time. 1005398 refused all directives, although he did place his shorts on. 1005398 continued to yell expletives at DPO SHREEVE and myself and made it clear he would not comply with us removing him from his room. We informed 1005398 that based on his comments of self harm and his riotous behavior, we were moving him to B-Holding. I then gave him multiple directives that if we opened the door and he remained non-compliant, OC Spray would be utilized. 1005398 stated, "Then come spray me bitches!" I radioed BENSON that we would open the door and gave 1005398 a final directive to get in the prone position and that the door would be opening. At approximately 0247 I keyed B-08 and 1005398 continued to stand and face both SHREEVE and myself. I called "OC, Cover!" and so did DPO SHREEVE. 1005398 made no move to be compliant and SHREEVE gave a second warning. He deployed a less than three second burst of OC to 1005398's face and 1005398 turned away. I immediately shut the door and secured it in order to let the OC take effect. I counseled 1005398 during this time to become compliant and face the wall with his hands behind his back. He was defiant and yelling obscenities and kicking the door. Finally, after several minutes 1005398 agreed to become compliant. I directed him to face the wall with his hands behind his back. I opened the door and directed him to walk backwards towards the door. Once he reached the door I took control of his fingers and applied handcuffs, checking for proper fit and double locking them at approximately 0301 hours. I then escorted 1005398 to B Shower area while maintaining a grip on his left bicep and left forearm. SHREEVE had control of his right arm.

We began the decontamination process in B Shower at 0302 hours. 1005398 was allowed to rinse with cold water for approximately 8 minutes. 1005398 was calm and agreed to let us remove his shorts and be placed in a suicide prevention gown. I removed handcuffs at 0311. He was placed in the prevention gown and secured in B-Holding at 0313.

DPO BENSON retrieved a fan, which I set up in B Vestibule to circulate air for 1005398. At this time 1010666 made self-harming declarations to SHREEVE and was requesting to also be placed into a suicide prevention gown. SHREEVE and BENSON escorted 1010666 to A-Shower area. BENSON radioed for me to switch out with her. I responded to A Shower where 1010666 was handcuffed, kneeling on a bench and under SHREEVE'S control. I asked 1010666 if he would be compliant and remove his clothes and dress himself in the gown. 1010666 was evasive and moving around. I placed my right arm on his left wrist and my left hand on his left bicep to maintain better control. I gave directives that we would remove handcuffs and once we did so he needed to place his hands on his head. 1010666 stared at me without a reply. I repeated my directives and 1010666 mumbled an inaudible reply. SHREEVE removed handcuffs at 0323 and I maintained control of both 1010666'S hands as he placed them on his head. 1010666 was assisted to his feet and directed to lift his arms so that his shirt could be removed. 1010666 continued to make derogatory comments to me, calling me an asshole and that he would "sue" me. I maintained control of his left hand on his head and kept my right arm on his upper back to maintain control. 1010666 made attempts to turn in my direction but I stopped him by giving verbal commands. SHREEVE assisted in placing 1010666 in the Suicide Prevention Gown. Once dressed we escorted 1010666 back to his room (B-08) while I maintained a firm grip on his left arm bicep and forearm. With AS MELROSE'S assistance, 1010666 was placed in his room without

incident.

ACTIONS/ RECOMMENDATIONS:

Due to their self-harming statements both 1005398 and 1010666 will be placed on Suicide Watch. A Suicide Log was started for 1005398 at 0313 and 1010666 at 0335.

Room Confinement is recommended for both youth due to their threats to staff, failure to follow directives, continually covering their windows, riotous behavior and inciting other youth to join in their behavior and causing an unsafe situation in the institution. Strong consideration may be made for administrative separation for both youth.

A mental health referral for both youth has been completed and submitted on their behalf.

A medical slip was submitted on both youth's behalf, although neither reported any injuries. It should be noted that 1005398 was given a second shower and some milk to calm the burning by AS MELROSE.

Both 1005398 and 1010666 will be listed MIR (PT,PT,PT) on the tray list.

Notifications

Person Notified	Title	Time
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Officer Actions

Minor	Staff Action	Start Time	End Time
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STAFF SIGNATURE/TITLE**DATE****Review (9/13/2016)**

Reviewed By: Melrose, Chris

Approved as written: Yes

Comments: Use of OC and force was appropriate for the actions by the youth. Staff involved did a good job to handle this situation.

Persons Notified:

STAFF SIGNATURE/TITLE**DATE**

<u>Incident Information</u>	<u>Offender Information</u>
Report #: Juvenile Hall-7950-RPT-27708	RE: 1005398
Date: 9/7/2016 10:00:00 PM	PIN: 1005398
Report By: Hamby, Kelli	DPO: WS CART ICS / Ashburn, Jeff
Incident: Juvenile Hall-7950	
Incident #:	
Type:	Behavior, Force Used, Injury (Minor), Mental Health Referral, Pepper Spray, Refusal To Follow Directive, Restraints Used, Room Confinement, Security Risk(*SR), Sexual Behavior, Verbal Altercation, Suicide Ideation, Suicide Watch

This Supplemental Incident Report was originally written by DPO-II(I) Linda Benson on 9/8/2016.

On 9/7/2016 at approximately 2210 hours, I was in B-wing doing my initial checks when I heard loud banging noises coming from B-01, housed by 1010666 and B-08, housed by 1005398. I spent approximately fifteen minutes counseling both youth in an attempt to deescalate them, but was unsuccessful in my attempts. For the next four hours, from approximately 2230 hours to approximately 0230 on 09/08/16, both 1010666 and 1005398 continued disruptive behavior consisting of banging on their doors, hitting their emergency buttons continuously, covering their windows, cussing at and threatening staff and peers, and threatening to pee out of their sleeping room doors. During that time, the youth also casually discussed suicide for example, asking each other questions regarding "whip its" and how long it would take to "you know" by hyperventilating and what would staff do. Shortly after this discussion, the youth began breathing heavily and when staff came into B-wing, they stopped. When questioned by staff regarding this, both youth stated they were not suicidal. DPO Shreeve, DPO Ward and I made several attempts to counsel the youth and redirect their behavior, but they failed to follow staff directives and were not receptive to our counseling.

At approximately 0235 hours, 1005398 covered up his window and made the following statements, "I don't want to do this anymore. Nobody cares about me. I'm done with all this." 1005398 then uncovered his window and positioned himself in the corner of his room between his toilet and his wall where I could not get a visual on him. Due to the lack of visual, the nature of the comments he made and the conversations earlier regarding suicide, I was fearful 1005398 might be harming himself. I immediately went into the Control Room and called AS Melrose. I informed Melrose what was going on. Melrose authorized entry into B-08 to remove 1005398 for the purpose of putting 1005398 on Suicide Watch in a holding cell.

At approximately 0240 hours, I met with Shreeve and Ward to discuss entry. It was decided due to 1005398 being completed nude, I would stay in the Control Room and SHREEVE and Ward would enter B-08. I watched on the cameras and listened through the intercom speaker of B-08. I heard Ward give verbal directives to 1005398, which I couldn't make out through the speaker. 1005398 was yelling at Ward. I heard Shreeve call out "OC COVER" approximately three times before I observed, through the camera monitor in the Control Room, the door to B-08 was opened at 0249 and closed almost immediately. I could hear through the speaker, 1005398 banging on his door and yelling at Ward and Shreeve. Ward notified me via radio transmission 1005398 had been sprayed. Ward also stated Ward was giving 1005398 verbal directives, which 1005398 was not complying to.

At approximately 0257 hours, Ward asked if he and Shreeve should re-enter B-08, stating 1005398 was still actively resisting, yelling and kicking his door. I called AS Melrose and updated him on the situation. Melrose advised that we should re-enter B-08 and extract 1005398.

At 0301 hours, Ward notified me via radio transmission 1005398 was complying and stated handcuffs had been applied to 1005398. At that time, I observed on the camera monitor Shreeve and Ward escorting 1005398 to B-00 without further incident.

At approximately 0317 hours, I was positioned in B-wing getting a safety check when Shreeve informed me 1010666 had just disclosed to Shreeve he (1010666) wanted to kill himself. 1010666 was willing to comply with going on Suicide Watch. I observed Shreeve apply temporary wrist restraints to 1010666 through the trap door of B-01. Shreeve and I escorted 1010666 to A-00 where Ward and I switched out.

At approximately 0322 hours, I observed Ward and Shreve escort 1010666 back to B-01. 1010666 was dressed a suicide garment.

This concludes my involvement in the incident.

Notifications

Person Notified

Title

Time

Officer Actions

Minor

Staff Action

Start Time

End Time

STAFF SIGNATURE/TITLE

DATE

Review (9/13/2016)

Reviewed By:

Melrose, Chris

Approved as written:

Yes

Comments:

Use of OC and force was appropriate for the actions by the youth. Staff involved did a good job to handle this situation.

Persons Notified:

STAFF SIGNATURE/TITLE

DATE

<u>Incident Information</u>	<u>Offender Information</u>
Report #: Juvenile Hall-7950-RPT-27709	RE: 1005398
Date: 9/7/2016 10:00:00 PM	PIN: 1005398
Report By: Shreeve, Bryant	DPO: WS CART ICS / Ashburn, Jeff
Incident: Juvenile Hall-7950	
Incident #:	
Type:	Behavior, Force Used, Injury (Minor), Mental Health Referral, Pepper Spray, Refusal To Follow Directive, Restraints Used, Room Confinement, Security Risk(*SR), Sexual Behavior, Verbal Altercation, Suicide Ideation, Suicide Watch

This Supplement to DPO Ward's report was originally written by DPO II (I) Bryant Shreeve on September 8, 2016 at 0358 hours.

On the above date at approximately 2200 hours, 1005398 and 1010666 were being very disruptive in B wing (please see DPO Ward's report regarding their behavior). They were making threats towards staff, yelling and banging on their doors. At 0117 hours, 1005398 told me "suck my fucking dick". At 0130 hours, I was getting a room safety check and 1005398 had taken off all his clothes and was naked in his room. At 0152 hours, I was getting a room safety check and 1005398 yelled out, "Bryant's looking at my penis." At 0205 hours, 1010666 and 1005398 stated, "Tomorrow we are going to tell everyone that Jason drugged us and we don't remember anything."

At 0211 hours, 1010666 asked me to get him ice because his hands and feet were hurting from banging all day. I told 1010666 that I would not be able to give him ice at this time because of his aggressive behavior towards staff. At 0215 hours, I was counseling 1005398 when he dropped his shorts and grabbed his penis and was jumping up and down in front of me and was laughing about it.

At approximately 0235 hours, 1005398 had covered his window and made the statement, "I am done with all of this, I don't want to do this anymore, nobody cares about me." After DPO Benson called AS Melrose and informed him of the situation, DPO Benson relayed to DPO Ward and I the "okay" to remove 1005398 from B-8.

DPO Benson, DPO Ward and I all got together and came up with a plan about how we were going to remove 1005398 from his room.

At approximately 0244 hours, DPO Ward and I stood at 1005398's door and gave clear commands for 1005398 to get into the prone position with his head facing the wall. 1005398 continued to be noncompliant with our commands. We both informed 1005398 that because of his threats about fighting staff, if we have to open the door and he does not comply we will OC him. At approximately 0249 hours, I unholstered my OC spray and DPO Ward opened the door to B-8. 1005398 was still not complying with our commands. DPO Ward called "OC cover"; I then called "OC cover" twice and deployed my OC spray for no more than three (3) seconds. DPO Ward closed the door to B-8. 1005398 was walking around the room and kept banging on the door. At 0301 hours, 1005398 said that he would comply. We opened the door and had 1005398 walk backwards towards us out of the room and DPO Ward placed handcuffs on HARRSION. We escorted HARRSION to the B holding shower area and had him rinse off for approximately 10 min. At 0311 hours, we removed the handcuffs and placed 1005398 in the suicide safety garment and placed him into the B holding cell. This ended my involvement with 1005398.

At approximately 0315 hours, I went to check on 1010666 and he told me that he and 1005398 are brothers and "if 1005398 is going on "Suzie" then I am going to kill myself." I stayed at 1010666's door and had DPO Benson assist me with removing him. 1010666 stated that if I was the one to escort him he would not give me any trouble. I opened the trap door to B-1 and had 1010666 place his hands behind his back and put them through the trapdoor. At approximately 0320 I placed handcuffs on 1010666, checked for proper fit, and double locked them for the youth's safety. I placed handcuffs on 1010666 because of his behavior all night and was not sure if he would act out. I told 1010666 to kneel on the edge of the bed facing the window. 1010666 complied and I opened the door to his room and entered his room. DPO Benson waited outside the door. I placed 1010666 into an elongated rear

wristlock and escorted him to A holding to change him out into the suicide safety garment. 1010666 started to tense up a bit while in the holding cell so DPO Ward switched out with DPO Benson to have two (2) staff in A holding.

At approximately 0323 hours, I removed the handcuffs from 1010666 and he was changed into the suicide safety garment. DPO Ward and I each held one arm and escorted 1010666 back to B-1 to be housed. This ended my involvement with 1010666.

Notifications

Person Notified	Title	Time
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Officer Actions

Minor	Staff Action	Start Time	End Time
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STAFF SIGNATURE/TITLE**DATE****Review (9/13/2016)**

Reviewed By: Melrose, Chris

Approved as written: Yes

Comments: Use of OC and force was appropriate for the actions by the youth. Staff involved did a good job to handle this situation.

Persons Notified:

STAFF SIGNATURE/TITLE**DATE**

**EL DORADO COUNTY JUVENILE DETENTION FACILITIES
USE OF FORCE REPORT**

Minor's Name: 1005398 SIR#: 7950
Juvenile Detention Facility: Placerville Date/Time: 9/8/16/ @ 0600
Minor's Height: 5'9 Minor's Weight: 190 D.O.B.: 4/12/2000

Type of Behavior (check all that apply):

☐ Physical Altercation ☐ Escape ☐ Assault on a Minor
☐ Assault on a Peace Officer/Staff Member ☒ Mental Health Episode ☐ Suicide Attempt
☐ Resisting ☐ Damage to County Property

☒ Other (specify) Youth made suicidal comments that required the need to remove him from his room and place him on suicide watch. Youth was making threats towards staff prior about fighting if we entered the room and did not comply when we opened the door to his room.

Type of force used (check all that apply):

☐ Control/Compliance Hold ☐ Mechanical Restraint ☒ OC Spray

Type of force that controlled the minor's behavior: OC Spray

Time required to control the minor's behavior: Approximately three (3) Seconds for the OC use.

Effects of force used on minor (check all that apply):

☐ None apparent ☐ Compliance ☐ Increased resistance
☐ Fell to ground ☒ Eye Closure ☒ Stopped resistance
☒ Coughing ☐ Choking ☐ Continued some resistance
☐ Other (specify): _____

Injuries (complete for each injured person): None

Name: _____ Time called medical staff: _____
Injury description: _____
Name: _____ Time called medical staff: _____
Injury description: _____
Name: _____ Time called medical staff: _____
Injury description: _____

Bryant Shreeve [Signature] 10-20-16
Officer signature Date

[Signature]
Supervisor signature Date

Investigation required: ☐ Yes ☒ No

Date assigned: _____

Name: _____

Due Date: _____

[Signature] 10/24/2016
Superintendent/Assistant Superintendent signature Date

Incident Information

Report #: Juvenile Hall-8002-RPT-27889

Date: 10/6/2016 3:45:00 PM

Report By: Mutzig, Melissa

Incident: Juvenile Hall-8002

Incident #:

Administrative Separation, Assault on Staff, Behavior, Escape, Flooding, Force

Type: Used, Injury (Minor), Meals, Mental Health Referral, Pepper Spray, Refusal To Follow Directive, Restraints Used, Room Confinement, Security Risk(*SR)

Offender Information

RE: 1008101

PIN: 1008101

DPO: Closed /

This Incident Report was originally written by Deputy Probation Officer II (I) Tony Harris on 10/06/2016.

Officers Involved:

DPO II (I) Irene Magat

DPO II (I) Dominic Orsel

SrDPO (I) Byron Orsel

SDPO (I) Bobbi Bookmyer

Youth Involved:

1008101

On the above date, at approximately 1530 hours, I was supervising LME in the MP room. 1009177 stated to me "1008101 is flooding his room". I advised SDPO (I) Bookmyer 1008101 had flooded his room, and was covering his door window. I walked down to A-wing and shut off 1008101's water. 1008101 was splashing water from his room out into the A-wing hallway. I attempted to counsel him and requested he uncover his window. 1008101 stated "No, I don't give a fuck"! I noticed there was a large volume of water at the end of the hallway which had gone into rooms A-06 and A-07.

At approximately 1545, I observed 1008101 obstructing his door window with his mattress and bedding. SrDPO Byron Orsel asked 1008101 why he was upset, because he did not have any issues from day shift. 1008101 informed Orsel since staff was going to consider him as a "Norteno," he was going to act like one. 1008101 began to challenge staff and stated "come on let's do this"! Orsel asked 1008101 to take down his mattress. 1008101 informed Orsel staff was either going to have to remove him and the mattress from the room or stand there with our thumbs up our asses.

At 1543 hours, Orsel and I conducted another check and observed 1008101'S mattress and bedding still obstructing his door window preventing officers to complete visual room safety checks. Orsel and I vacuumed up the water in the hallway for the safety of the institution and completed it at 1607 hours. During this process, I noticed that 1008101 continued to cover is door window, however he removed his mattress a few times to see where Orsel and I were located.

Due to 1008101 barricading his door window preventing officers from conducting visual room safety checks, and failing to comply with officer's directives, SDPO (I) Bookmyer authorized staff to formulate a plan to move 1008101 into the holding cell where he could be properly monitored. SrDPO B. Orsel (I), DPO II (I) D. Orsel, and I formulated a plan to extract 1008101 out of his room. Due to water on the room floor, and 1008101'S threats made, and not complying with staff directives, OC spray was the level of force used for officer safety. DPO II (I) Magat advised she was going to remain in B wing to conduct room safety checks.

At approximately 1618 B. Orsel directed 1008101 remove the mattress from his door twice. 1008101 responded "No". I un-holstered my OC spray and B. Orsel then opened the door A-05; 1008101 dropped the mattress and ran towards D. Orsel. I deployed my OC for no more than three (3) seconds. 1008101 got loose from D. Orsel and ran towards B-wing. 1008101 then stopped at B-holding cell. I instructed 1008101 to go into cover position. DPO II (I) Irene Magat applied hand restraints on 1008101 right hand and put his hands behind his back. I applied hand restraints to his left hand. I checked for appropriate fit and double-locked. At approximately 1623 1008101 was then escorted to B-holding to start decontamination.

At approximately 1631, 1008101 was removed from B-holding cell and placed in front of a fan in B

shower area. At 1634 1008101 was placed under the shower in B-wing for additional decontamination. At 1643 1008101 second decontamination was complete. 1008101 was then escorted to A-wing shower. At 1646 1008101 hand restraints removed and youth was placed in A-wing for his regular shower. After shower youth was placed in room A-07.

ACTIONS/ RECOMMENDATIONS:

1008101 was offered but declined his Due Process Hearing; he will also be placed on Temp Administrative Separation and be reviewed by AS Melrose. A sick call slip and mental health referral was submitted on his behalf and a copy of these reports were placed in medicals and New Morning boxes. 1008101 will be placed on Paper and water restriction (PRN) till 10/12. The Room Roster was updated to show 1008101 new status. On-call was contacted on behalf of 1008101.

1008101 will be listed MIR (T,T,T) on the tray list.

Notifications

Person Notified	Title	Time
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Officer Actions

Minor	Staff Action	Start Time	End Time
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STAFF SIGNATURE/TITLE**DATE****Review (10/27/2016)**

Reviewed By: Melrose, Chris

Approved as written: Yes

Comments: Training issues not and reviewed with staff.

Persons Notified:

STAFF SIGNATURE/TITLE**DATE**

Incident Information

Report #: Juvenile Hall-8002-RPT-27897

Date: 10/6/2016 3:45:00 PM

Report By: Melrose, Chris

Incident: Juvenile Hall-8002

Incident #:

Administrative Separation, Assault on Staff, Behavior, Escape, Flooding, Force

Type: Used, Injury (Minor), Meals, Mental Health Referral, Pepper Spray, Refusal To Follow Directive, Restraints Used, Room Confinement, Security Risk(*SR)

Offender Information

RE: 1008101

PIN: 1008101

DPO: Closed /

This is a supplemental report to DPO (I) Harris' main report written by SDPO (I) Bobbi Bookmyer on 10/7/2016.

Officers Involved:

DPO II (I) Irene Magat

DPO II (I) Anthony Harris

DPO II (I) Dominic Orsel

SrDPO Byron Orsel

Youth Involved:

1008101

On the above date, at approximately 1535 hours, I was informed by DPO Harris that 1008101 had flooded his room, and was covering his door window. I went to A-05 and counseled with 1008101, he stated "I don't give a FUCK, and when staff open by door I'm going to swing on them". 1008101 had his door window covered with toilet paper and he was pushing water out from under his door into the hall way, I could see 1008101 through a gap in the TP. 1008101 was not receptive to my counseling, so I ask SrDPO Orsel to talk to 1008101 to see if he would take the toilet paper off his window.

Harris and B. Orsel started to vacuum up the water in the hallway and empty sleeping rooms for the safety of the institution and completed it at approximately 1605 hours. During this process, B. Orsel radioed that 1008101 continued covering his window. Large Muscle completed, and all the youth were safely returned to their rooms.

At approximately 1610 hours, Sr DPO B. Orsel, DPO II D. Orsel, DPO Harris and I formulated a plan to extract 1008101 out of his room. We did address officer safety. Based on the covered door window preventing officers from conducting visual room safety checks, the amount of water in 1008101'S room, threats made toward staff, not complying with staff directives, barricading his door window (breaching safety of the institution) OC was going to be the level of force presented.

At approximately 1618 hours Harris, D. Orsel , B.Orsel and I arrived at 1008101'S door. B. Orsel directed that 1008101 remove the mattress from his door on two occasions and 1008101 responded "No". HARRIS un-holstered his OC canister. B.Orsel then opened the door A-05. 1008101 dropped the mattress and ran out of his room toward D. Orsel and Harris with his both of his arms straight out. Harris deployed his OC canister toward 1008101'S face. 1008101 fell to the ground in A wing hallway on the wall side of his room but immediately got back up; failing to follow OC cover commands. Harris deployed his OC a second time to 1008101'S head area. D. Orsel then placed his hands over his eyes and began to haunch over and I felt droplets of OC hit my face. Harris and B.Orsel attempted to control 1008101 while he was on the ground. 1008101 was able to get up and push past B.Orsel.

Harris attempted to control 1008101 against the wall. He pushed passed HARRIS and I pushed 1008101 up against the wall, I was unable to get a control hold due to 1008101 being slippery from the OC spray, and subsequently he ran down A- wing hallway towards the multi-use room. I radioed DPO Magat that 1008101 was headed her way.

Harris, B.Orsel and I chased him down through the multipurpose room to B-wing hallway. 1008101 was stopped in the hallway between the B -wing holding cell and laundry room by DPO Magat.

Harris instructed 1008101 to go into cover position. Magat and Harris applied the handcuffs to 1008101'S wrists. I assisted D. Orsel and B.Orsel into the kitchen to wash the OC out from their eyes. I left B.Orsel and D. Orsel to finish the decontamination process and checked on Magat and Harris, 1008101 was placed in B-holding shower to start his decontamination process. B.Orsel arrived at B- holding and Harris and I started cleaning up A-wing hall way of OC and 1008101's bedding.

At 1646 hours, 1008101 agreed to fully cooperate and comply with staff directives. 1008101 came out of handcuffs. At 1655 hours, 1008101 was escorted to his room in new clothing and secured in A-07.

Action Taken / Recommendation:

1008101 was offered but declined his Due Process Hearing his Room Confinement will begin at 1615 hours; also he will be placed on Temp Administrative Separation (Temp Ad Sep). I completed a Use Of Force Report, and Temp Ad Sep paper work.

Notifications

Person Notified	Title	Time
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Officer Actions

Minor	Staff Action	Start Time	End Time
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STAFF SIGNATURE/TITLE**DATE****Review (10/27/2016)**

Reviewed By: Melrose, Chris

Approved as written: Yes

Comments: Training issues not and reviewed with staff.

Persons Notified:

STAFF SIGNATURE/TITLE**DATE**

Incident Information

Report #: Juvenile Hall-8002-RPT-27887

Date: 10/6/2016 3:45:00 PM

Report By: Orsel, Byron

Incident: Juvenile Hall-8002

Incident #:

Offender Information

RE: 1008101

PIN: 1008101

DPO: Closed /

Type: Administrative Separation, Assault on Staff, Behavior, Escape, Flooding, Force Used, Injury (Minor), Meals, Mental Health Referral, Pepper Spray, Refusal To Follow Directive, Restraints Used, Room Confinement, Security Risk(*SR)

This is a supplemental report to DPO (I) Harris's main report written by SrDPO (I) Byron Orsel on 10/06/16 at 1742 hours.

Officers Involved:

DPO II (I) Irene Magat
DPO II (I) Anthony Harris
DPO II (I) Dominic Orsel
SrDPO (I) Byron Orsel
SDPO (I) Bobbi Bookmyer

Youth Involved:

1008101

On the above date, at approximately 1535 hours, I arrived to the control room of Juvenile Hall from a transport. I was advised by SDPO (I) Bookmyer 1008101 had flooded his room, and was covering his door window. Knowing I had a good rapport with 1008101 and had spoken to him earlier in the day, I arrived at 1008101's door in an attempt to counsel him at approximately 1540 hours. I noticed there was a good amount of water at the end of the hallway between A-05, A-06 and A-07. I observed 1008101 obstructing his door window with his mattress and bedding. I asked 1008101 why he was upset, as he clearly appeared to not have any issues from day shift. 1008101 said, "Since staff is going to consider me as a Norteno, I'm going to act like one." I asked 1008101 to take down his mattress. 1008101 stated staff was either going to have to remove him and the mattress from the room or stand there with our thumbs up our ass. I then exited the hallway and to speak with SDPO (I) Bookmyer.

At 1550 hours, I conducted another check and observed 1008101'S mattress and bedding still obstructing his door window. DPO (I) Harris arrived; together we vacuumed up the water in the hallway for the safety of the institution. During this process, 1008101 continued to cover up his window. He removed it a few times to see where Harris and I were at. I attempted to counsel him in attempt to have him realize the bad choices he was making. He was not receptive to counseling.

Due to 1008101 barricading his door window preventing officers from conducting visual room safety checks, and failing to comply with officer's directives, SDPO (I) Bookmyer authorized staff to formulate a plan to move 1008101 into the holding cell where he could be properly monitored. DPO II (I) D. Orsel, DPO (I) Harris and I formulated a plan to extract 1008101 out of his room. Due to water on the room floor, and 1008101'S threats made not comply with staff directives, OC spray was the level of force use we will use for officer safety. DPO II (I) Magat advised she was going to remain in B wing to conduct room safety checks.

At approximately 1618 hours Harris, D. Orsel, Bookmyer and I arrived at 1008101'S door. I directed 1008101 to remove the mattress from his window on two occasions and 1008101 responded "No". HARRIS un-holstered his OC canister, I then opened the door A-05. 1008101 dropped the mattress and ran out of his room toward D. Orsel and Harris with his both of his arms straight out. Harris deployed his OC canister toward 1008101'S face; 1008101 immediately fell to the ground in A-wing hallway. He then got up in aggressive stance and Harris deployed his OC again to 1008101'S head area. I had difficulty engaging 1008101, as my eyes were affected by being in close proximity of the OC spray. I was able to observe 1008101 getting away from Harris and run toward Bookmyer and D. Orsel. Bookmyer and Harris attempted to control 1008101 against the wall. 1008101 ran passed both Bookmyer and Harris, and subsequently ran down A wing hallway.

Harris then chased 1008101 down through the multipurpose room to B wing hallway as Bookmyer and I followed.

As I arrived, I observed Harris instruct 1008101 into cover position. Magat and Harris applied the handcuffs to 1008101'S wrists. D. Orsel and I were then taken into the dining room to wash the OC out from our eyes.

I returned back to B wing shower area to assist with 1008101'S decontamination process at approximately 1630 hours.

At 1631 hours, I conducted a circulation check on 1008101's wrist and it was ok. At 1634 hours, I placed 1008101 into the shower area to resume the decontamination process. At 1641 hours, I conducted another circulation check on 1008101'S wrist and it was ok. At approximately 1646 hours, 1008101 asked to come out of the shower and stated he was done.

I then escorted 1008101 down to the A wing shower area so he could take his regular shower with soap. I was met by Harris who provided direct supervision.

At 1646 hours, 1008101 agreed to fully cooperate and comply with staff directives. 1008101 came out of handcuffs and at 1655 hours, 1008101 was escorted to his room in new clothing and secured in A-07.

Action Taken / Recommendation:

I submitted a Mental Health referral for 1008101 to be seen due to his unusual behavior, and having to be OC sprayed as a result. See Harris's main report for further action taken.

Notifications

Person Notified	Title	Time
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Officer Actions

Minor	Staff Action	Start Time	End Time
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STAFF SIGNATURE/TITLE

DATE

Review (10/27/2016)

Reviewed By: Melrose, Chris

Approved as written: Yes

Comments: Training issues not and reviewed with staff.

Persons Notified:

STAFF SIGNATURE/TITLE

DATE

Incident Information

Report #: Juvenile Hall-8002-RPT-27888

Date: 10/6/2016 3:45:00 PM

Report By: Mutzig, Melissa

Incident: Juvenile Hall-8002

Incident #:

Offender Information

RE: 1008101

PIN: 1008101

DPO: Closed /

Administrative Separation, Assault on Staff, Behavior, Escape, Flooding, Force
Type: Used, Injury (Minor), Meals, Mental Health Referral, Pepper Spray, Refusal To
Follow Directive, Restraints Used, Room Confinement, Security Risk(*SR)

This Supplemental Report was written by DPO II I, Irene Magat on 10/06/2016 at 2030 hours.

Officers Involved:

DPO II (I) Irene Magat
DPO II (I) Anthony Harris
DPO II (I) Dominic Orsel
SrDPO Byron Orsel
SDPO Bobbi Bookmyer

Youth Involved:

1008101

On the above date at approximately 1618 hours and while at the B-wing station, I heard someone running toward B-wing and yelling. I got up off the B-wing station chair and looked toward the multiuse room where the noise was coming from. I saw 1008101 running toward me. 1008101 was shirtless with only his shorts on. I did not see any staff with him, so I raised my hand and ordered him to stop. 1008101 stated that his eyes were burning and then 1008101 stood still in the B-wing hallway across from the laundry room.

A moment later DPO II Harris caught up to 1008101 and called "Cover". 1008101 dropped to the floor in the cover position and continued to complain that his eyes were burning. Harris took control of 1008101's left side while I applied mechanical restraints to 1008101's right wrist. At this time I realized that 1008101 had been OC pepper sprayed. I maintained control of the mechanical restraints as I guided 1008101's arm behind his back. Harris assisted me with applying the remaining cuff to 1008101's left wrist. The cuffs were checked for proper fit and double locked. Harris and I assisted 1008101 to a standing position.

I asked SDPO Bookmyer if she wanted us to start decontaminating 1008101. Bookmyer gave the approval to start decontamination. I placed a chair in the B-wing holding cell shower. At approximately 1423 hours, Harris began the decontamination process while I continued with room safety checks. Within a few minutes, SrDPO Orsel was able to assist with the decontamination process. I continued with room safety checks and kept logs on the decontamination process. Circulation checks were also logged and 1008101 was compliant throughout the process. At approximately 1646 hours, SrDPO Orsel radioed that the decontamination process was complete and the restraints were removed. 1008101 was secured in room (A-07) at approximately 1655 hours.

At approximately 1845 hours, I contacted CFMG on-call, Steve Frank PA. I reported the OC deployment, application of mechanical restraints and that 1008101 received some red scratches on his torso. Frank's orders were to have 1008101 be seen by the nurse in the morning.

Recommendation / Action Taken

I completed a Use of Force Report and a Report of Contact form. A copy of this report will be given to Medical for their review.

Notifications

Person Notified	Title	Time
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Officer Actions

Minor

Staff Action

Start Time

End Time

STAFF SIGNATURE/TITLE

DATE

Review (10/27/2016)

Reviewed By: Melrose, Chris

Approved as written: Yes

Comments: Training issues not and reviewed with staff.

Persons Notified:

STAFF SIGNATURE/TITLE

DATE

Incident Information

Report #: Juvenile Hall-8002-RPT-27902

Date: 10/6/2016 3:45:00 PM

Report By: Orsel, Dominic

Incident: Juvenile Hall-8002

Incident #:

Offender Information

RE: 1008101

PIN: 1008101

DPO: Closed /

Administrative Separation, Assault on Staff, Behavior, Escape, Flooding, Force
Type: Used, Injury (Minor), Meals, Mental Health Referral, Pepper Spray, Refusal To
Follow Directive, Restraints Used, Room Confinement, Security Risk(*SR)

This is a supplemental report to DPO (I) Harris's main report written by DPO II (I) Dominic Orsel on
10/06/16 at 1805 hours.

Officers Involved:

DPO II (I) Irene Magat
DPO II (I) Anthony Harris
DPO II (I) Dominic Orsel
SrDPO (I) Byron Orsel
SDPO (I) Bobbi Bookmyer

Youth Involved:

1008101

At approximately 1610 hours, SDPO (I) Bookmyer, DPO II (I) Anthony Harris, SrDPO (I) Byron Orsel, and I formulated a plan to extract 1008101 out of his cell into a cell with a trap door due to verbal threats 1008101 made toward staff and refusing to uncover his door window for wellness checks. It was decided to use OC to gain control over 1008101 due to his cell being unsafe to enter after he flooded his cell floor and his verbal treats toward staff.

At approximately 1618, B. Orsel directed 1008101 to remove the mattress from his door. 1008101 responded "No". Harris then un-holstered his OC spray and B. Orsel opened the door (A-05). The mattress dropped into the hallway, 1008101 pushed his way out of the door towards me. Harris deployed the OC spray toward 1008101 and the back spray made contact with my face and eyes effectively rendering me ineffective. I backed off to the wall with extreme blurred vision however; I could see 1008101'S body heading towards the multiuse room. I slowly made my way to the multiuse room where I could make out he was in the prone position and being secured. I made my way to the kitchen with B. Orsel who was also contaminated by the OC. This concluded my involvement to the incident.

Actions Taken / Recommendations:

See DPO II (I) Harris's original report for actions taken and recommendations.

Notifications

Person Notified	Title	Time
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Officer Actions

Minor	Staff Action	Start Time	End Time
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STAFF SIGNATURE/TITLE

DATE

Review (10/27/2016)

Reviewed By: Melrose, Chris

Approved as written: Yes

Comments: Training issues not and reviewed with staff.

Persons Notified:

STAFF SIGNATURE/TITLE

DATE

**EL DORADO COUNTY JUVENILE DETENTION FACILITIES
USE OF FORCE REPORT**

Minor's Name: 1008101

SIR#: 8002

Juvenile Detention Facility: Placerville

Date/Time: 10/06/16 @1634hours

Minor's Height: 5'10" Minor's Weight: 137

D.O.B.: 10/11/1998

Type of Behavior (check all that apply):

☐ Physical Altercation ☒ Escape ☐ Assault on a Minor
☐ Assault on a Peace Officer/Staff Member ☐ Mental Health Episode ☐ Suicide Attempt
☒ Resisting ☐ Damage to County Property
☐ Other (specify): _____

Type of force used (check all that apply):

☒ Control/Compliance Hold ☐ Mechanical Restraint ☒ OC Spray

Time required to control the minor's behavior: 4 Seconds

Effects of force used on minor (check all that apply):

☒ None apparent ☐ Compliance ☒ Increased resistance
☐ Fell to ground ☐ Eye Closure ☐ Stopped resistance
☐ Coughing ☐ Choking ☐ Continued some resistance
☐ Other (specify): _____

Injuries (complete for each injured person):

Name: SMITH, Michael

Time called medical staff: 1845

Injury description: SMITH received abrasions to his right side rib area.

Name: _____

Time called medical staff: _____

Injury description: _____

Name: _____

Time called medical staff: _____

Injury description: _____

Bobbi Bookmyer 10/09/16
Officer signature Date

[Signature]
Supervisor signature Date

Investigation required: ☐ Yes ☒ No

Date assigned: _____

Name: _____

Due Date: _____

[Signature] 11/3/2016
Superintendent/Assistant Superintendent signature Date

<u>Incident Information</u>	<u>Offender Information</u>
Report #: Juvenile Hall-7919-RPT-27563	RE: 1007564
Date: 8/25/2016 2:15:00 PM	PIN: 1007564
Report By: Bookmyer, Bobbi	DPO: Closed /
Incident: Juvenile Hall-7919	
Incident #:	
Type: Pepper Spray, Room Confinement, Security Risk(*SR), Suicide Attempt, Suicide Watch	
This report was originally written by SDPO (I) Bobbi Bookmyer on 8/25/2016.	

At approximately 1415 hours I heard from school that there was a female going down for a time out, a couple of minutes later I heard "cover" over the radio, I immediately responded to the school where 1007564 was refusing to leave the classroom. DPO D. Orsel, DPO Magat and I counseled with her but she continued to argue and refused to leave the classroom. Magat pulled out her Oleoresin Capsicum (OC) and informed 1007564 if she did not leave she would be sprayed. 1007564 continued to argue but Orsel finally got 1007564 to walk out of the classroom. While she walked she was calling staff "Bitches" and saying "go ahead spray me". When we approached her room (B-1) 1007564 refused to go inside, she continued to call staff "bitches" and yell at staff as she stood just outside the door. 1007564 ripped off her name tag from the wall as she slowly moved closer to entering her room. I closed the door and she pushed up against it, DPO Barnes and I pushed on the door while DPO Magat pushed her leg into her room. The door was secured and 1007564 began to scream and bang on her door. At approximately 1419 hours I heard a "Code 3" from D. Orsel to respond to B-1 that 1007564 was choking herself with a sheet. Barnes, Magat, O'Mara and I responded; Orsel opened the door and 1007564 took the sheet off from around her neck and was yelling "spray me, you fucking bitches, come and get this sheet, you're going to have to restrain me". 1007564 was pacing back and forth between the bunks and swinging her hand that had the ripped sheet in it. We attempted to talk to her but she continue to yell profanities at us and told Barnes "I hope you and your baby dies" and threatened Magat if "you come in my room I'm going to hit you in the face" 1007564 continued to call us "bitches" "Cunts" and "Niggers". 1007564 spit in Magat and O'Mara direction approximately three (3) times and was yelling "come in here and try to get this sheet you haggard bitch". Due to 1007564 continuing to elevate in her behavior, I had O'Mara shut the door and supervise her through the window as we came up with a plan to enter the room. During this time 1007564 sat on the floor by a bunk and placed her mattress by her feet. I decided that I would spray 1007564 with oc, then we would secure the door and wait for her to comply with our directives. O'Mara opened the door and as I went to spray 1007564, she covered herself with her mattress, I grabbed the mattress and deployed the Oleoresin Capsicum (OC) hitting her on her forehead, arm and back of legs. 1007564 began to kick at me and Orsel then took hold of her right arm and proceeded to place it behind her back. I took hold of 1007564's legs due to her kicking and O'Mara placed handcuffs on her; they where check for proper fit and doubled locked. Barnes retrieved leg shackles and secured them to her ankles. 1007564 then stated that she would cooperate, she was sat up and lead out of her sleeping room. As she left, I was standing outside her door and she attempted to ram up against me with the right side of her body. 1007564 moved to the B-wing shower area and was placed in a chair and the decontamination process was started. I then retrieved a fan and safety garments. I had 1007564 sit in front of the fan. After approximately 5 minutes 1007564 stated that she was cold and didn't want to sit in front of the fan any longer. 1007564 was then taken into B-holding shower area and directed to change into Safety garments, she argued over the situation but, eventually complied.

Recommendations / Actions Taken:

1007564 will be placed on Suicide Watch due to tying a sheet around her neck; an observation log was started at 1455 hours. A sick call slip and Mental Health referral was submitted on her behalf. 1007564 was offered but declined a Due Process Hearing for room confinement due to her behavior; her Room Confinement will start at 1430. I completed a Use of Force Report (# 546).

Notifications

Person Notified	Title	Time
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Officer Actions

Minor	Staff Action	Start Time	End Time
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STAFF SIGNATURE/TITLE

DATE

Review (9/6/2016)

Reviewed By: Melrose, Chris

Approved as written: Yes

Comments: Appropriate use of force and OC.

Persons Notified:

STAFF SIGNATURE/TITLE

DATE

<u>Incident Information</u>	<u>Offender Information</u>
Report #: Juvenile Hall-7919-RPT-27565	RE: 1007564,
Date: 8/25/2016 2:15:00 PM	PIN: 1007564
Report By: Melrose, Chris	DPO: Closed /
Incident: Juvenile Hall-7919	
Incident #:	
Type: Pepper Spray, Room Confinement, Security Risk(*SR), Suicide Attempt, Suicide Watch	

This Special Incident Report was originally written by DPO(I) Jennifer Barnes on 08/25/2016 at 1754 hours and is supplemental to SDPO(I) Bookmyer's report.

ON the above date at approximately 1415 hours, I heard a transmission from the school staff over the radio that they had a student that needed to go down to their room. As I was responding to the classroom from B Wing, I could hear yelling and I saw school staff standing in the area where 1007564' desk is. As I entered the classroom I could see that 1007564 had black marks down the center of her face (from her forehead to her chin) and she was yelling at school staff and causing a disturbance to the whole class and other wards had to be removed from their desks to reduce their proximity to 1007564. 1007564 was yelling that she was not going down to her room because she was "going to see the dogs tonight!" (therapy dogs). I gave 1007564 several directives to go to her room and she did not comply. DPO(I) D. Orsel was walking into the classroom and 1007564 began yelling about telling on her at him and calling him a "snitch!" Once in the classroom, DPO(I) D. Orsel and myself tried to counsel 1007564 to get her to leave the classroom and go to her room. SrDPO(I) O'Mara called "Cover" upon entering the classroom and all wards complied except for 1007564. 1007564 continuously yelled and demanded we "spray" her, refused to leave the classroom, and placed books and papers in front of her face so that if we OC sprayed her she could block it. 1007564 was laughing, yelling at staff, and using profanity and calling staff names throughout this time. DPO(I) D. Orsel counseled 1007564 more and placed his hand on her back to guide her out of her chair and 1007564 actively resisted DPO(I) D. Orsel by pulling away. She eventually stood up on her own and began to walk out of the classroom. On her way to her sleeping room she pulled some chairs in the way of staff as she passed them, pulled literature off of the walls, and pulled her name tag completely off of the wall outside of her sleeping room.

1007564 reluctantly went into her sleeping room, but prevented staff from securing her sleeping room door by sticking her foot in the doorway so that SDPO(I) Bookmyer could not secure the door. After several attempts to get 1007564 to move her foot out of the doorway and several directives given to 1007564 to move her foot out of the doorway, DPO(I) Magat had to push 1007564' foot out of the doorway with her foot while SDPO(I) Bookmyer and I pushed the door closed so that it could be secured. 1007564 then began screaming profanities in her room and calling staff "niggers", "cunt", "bitches", and threatening to punch DPO(I) Magat in the face.

At 1419 hours, DPO(I) D. Orsel called over the radio that 1007564 was choking herself. I was in the process of completing a room check in A Wing and immediately turned and headed toward B Wing. I called "Code 3 in B-1" and SDPO(I) Bookmyer and DPO Magat responded with me to B-01. Once we all arrived at B-01, DPO(I) D. Orsel opened the sleeping room door to B-01 and I observed that 1007564 had her pillowcase pulled around her neck and pieces of the pillowcase appeared to be torn. 1007564 was red in the face and still screaming at staff. DPO(I) D. Orsel and I tried to counsel 1007564 and she continued to interrupt us by screaming profanities at us, calling us names, challenging staff to OC spray her and screamed at me "I hope you and your baby die!" 1007564 began to throw her bedding and spit at SrDPO(I) O'Mara and DPO(I) Magat who were standing outside of her sleeping room door.

I walked away to complete a room check and when I returned SDPO(I) Bookmyer, SrDPO(I) O'Mara, and DPO(I) D. Orsel entered 1007564' sleeping room and SDPO(I) Bookmyer OC sprayed 1007564 due to the continued active resistance to staff, her attempt to continue to strangle herself with a pillowcase, and the threats of harm 1007564 was making to staff. SrDPO O'Mara requested leg shackles and I retrieved those from the B Wing Counselor Station. I entered B-01 and applied hard restraints to 1007564' ankles at 1432 hours to prevent her from kicking staff and I exited B-01. At this point 1007564 already had handcuffs on her wrists.

I then observed DPO(I) D. Orsel escorting 1007564 out of B-01 to the B Wing shower area. SrDPO(I) O'Mara had placed a chair next to the shower tower. DPO(I) D. Orsel assisted 1007564 to a seated position in the chair and I turned on the cold water so that it was running over 1007564's face. 1007564 was in the decontamination phase for approximately five (5) minutes. Once the decontamination process was complete, 1007564 was escorted to B Holding to dress in a safety garment.

Action Taken/Recommendation:

See SDPO Bookmyer's report

A Use of Force Report completed

Notifications

Person Notified	Title	Time
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Officer Actions

Minor	Staff Action	Start Time	End Time
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STAFF SIGNATURE/TITLE	DATE
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Review (9/6/2016)

Reviewed By: Melrose, Chris

Approved as written: Yes

Comments: Appropriate use of force and OC.

Persons Notified:

STAFF SIGNATURE/TITLE	DATE
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Incident Information

Report #: Juvenile Hall-7919-RPT-27568

Date: 8/25/2016 2:15:00 PM

Report By: Melrose, Chris

Incident: Juvenile Hall-7919

Incident #:

Offender Information

RE: 1007564,

PIN: 1007564

DPO: Closed /

Type: Pepper Spray, Room Confinement, Security Risk(*SR), Suicide Attempt, Suicide Watch

This special incident report was originally written by DPO II (I) Dominic Orsel on August 25, 2016 and is a supplemental to SDPO-I Bookmyer's report #7919.

On the above date at approximately 1414 hrs, I observed 1007564 through the classroom window with what looked like smeared pencil lead on her face. I made a radio transmission to school staff, "I was unaware they allowed 1007564 to wear make-up in class". I heard a radio transmission back, "Thank you Dominic".

At 1415 hours, I was coming out of the control room and saw that there was a disturbance in classroom one. School staff radioed they have a female to go down. 1007564 was refusing to follow school and staff directives to take a time out. DPO Magat, DPO Barnes, SrDPO O'Mara and I instructed 1007564 to come with us to her room. She insisted she was not going down because this was her third time out and she would miss the dog therapy later in the evening. SrDPO O'Mara instructed all the youth to go into the cover position and called a "code 3" over the radio. DPO's Magat, Barnes and I continued with counseling 1007564 to leave the classroom. At that time SDPO Bookmyer entered the classroom as well to counsel the youth and gave her multiple directives to go down to her room. School staff cleared the tables and chairs from the area around 1007564. Magat pulled out her Oleoresin Capsicum (OC) and informed 1007564 if she did not follow directives to go down to her room, she would be sprayed. While I was directing 1007564 to get up and walk down to her room, I approached 1007564 to assist her getting up from her chair. She actively resisted by pulling her arm away from me, got up yelling as she was walking down to her room, "Don't touch me", "Fucking spray me" and "You all a bunch of bitches". When 1007564 entered the hallway in B wing she tore off her door tag and stood by her door yelling at staff. 1007564 began going in her room reluctantly and then stuck her foot out and then began yelling that staff would have to spray her. DPO Magat directed her to move her foot into the room. Magat had to push 1007564's foot into the room with my assistance. 1007564 began screaming and yelling profanities toward staff.

At 1419 hours, I radioed that 1007564 was choking herself and I needed assistance. 1007564 had torn her pillow case and wrapped it around her neck while screaming she was going to choke herself. Within a few seconds, Bookmyer and Magat responded to B-01. Once all the staff arrived at B-01, I opened the sleeping room door to B-01 and I observed that 1007564 had her pillowcase pulled around her neck and torn in pieces. 1007564 was red in the face and still screaming at staff. Barnes and I tried to counsel 1007564, but she continued to scream over us profanities, calling us names, challenging staff to OC spray her and screamed at Barnes "I hope you and your baby die!" 1007564 began to throw her bedding and spit toward O'Mara and Magat who were standing outside of her sleeping room door.

1007564 got on the floor with her mattress and was waiting for staff to come in her room, in the thought we were going to spray her. O'Mara secured the door to B-01 while keeping a visual on 1007564. We discussed our plan and alternatives to her reaction. O'Mara opened the door, Bookmyer and I entered the room. Bookmyer deployed her OC spray, as Magat removed the remaining bedding. 1007564 began kicking toward Bookmyer, I started in on restraining 1007564. I maneuvered 1007564 into a prone position to get her right arm from underneath her body. O'Mara came over and applied one cuff to her right wrist and I placed the other cuff to her left wrist, checked for proper fit and double locked. Barnes placed shackles on her ankles. I escorted 1007564 out of her room and placed her in a chair under the cold shower water to begin the decontamination process. After approximately 5 minutes, 1007564 wanted to be out of the shower because she was cold.

This ended my involvement with this incident.

Actions Taken and Recommendations:

See SDPO Bookmyer's original SIR for further actions taken and recommendations.

A use of force report was filled out in PRIORS and a hard copy given SDPO Bookmyer.

Notifications

Person Notified	Title	Time
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Officer Actions

Minor	Staff Action	Start Time	End Time
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STAFF SIGNATURE/TITLE

DATE

Review (9/6/2016)

Reviewed By: Melrose, Chris

Approved as written: Yes

Comments: Appropriate use of force and OC.

Persons Notified:

STAFF SIGNATURE/TITLE

DATE

<u>Incident Information</u>	<u>Offender Information</u>
Report #: Juvenile Hall-7919-RPT-27566	RE: 1007564,
Date: 8/25/2016 2:15:00 PM	PIN: 1007564
Report By: Magat, Irene	DPO: Closed /
Incident: Juvenile Hall-7919	
Incident #:	
Type: Pepper Spray, Room Confinement, Security Risk(*SR), Suicide Attempt, Suicide Watch	

This Report was written by DPO II I, Irene Magat on 08/25/16.

On the above date at approximately 1415 hours, I assisted SrDPO O'Mara in classroom 1 after a Code 3 was called. DPO D. Orsel and DPO Johnson were already in the classroom counseling with 1007564. SDPO Bookmyer entered the classroom at the same time as I did and the other youth were in the Cover position. 1007564 was actively resisting staff's directives and pulled away from Orsel when he went to assist her from her chair. 1007564 refused to go down to her room after school staff had called, via the hand held radio, that 1007564 was being sent down from class. 1007564 was loud and grandstanding, challenging staff to pepper spray her and that she was not going to her room and missing the Dog Therapy today. I removed my Oleoresin Capsicum (OC) canister from my vest in preparation. 1007564 continued to taunt staff and referred to us at "stupid, ignorant, fucking bitches, fucking cunts, fucking niggers". After a few minutes of counseling, 1007564 went to her room (B-01) and began her ranting again, tearing things off the wall as she passed the B-wing station. In addition, 1007564 began insulting staff all the way to her door and then refused to go completely in her room, tearing her name tag off the wall. While 1007564 was herded into her doorway by staff, 1007564 continued to place her left foot out of the door while having her back to us. This prevented staff from being able to secure her door. A one point I was able to reach in the door jam with my right foot and apply pressure behind 1007564' left knee. This forced 1007564' leg to bend at the knee and her foot slid out of the door way. The door was secured and 1007564 was furious! 1007564 began screaming and having a fit. 1007564 tore her pillow case and started placing it around her neck. DPO D. Orsel opened 1007564' door and we all began counseling her again. At this point, 1007564 was actively resisting staff directives and she began threatening staff and started spitting at us, throwing her bedding at us as we stood in the doorway. 1007564 was taunting staff again and stated she wanted to be sprayed and that was the only way we were going to get her bedding. At one point, 1007564 stated that she hoped DPO Johnson's baby and Johnson would die. 1007564 began throwing a tantrum by throwing herself on he bunk and screaming and kicking her legs. In addition, 1007564 began hitting herself on the head with both of her hands and placing the torn sheet around her neck. At this time 1007564' door was secured and all above said staff present formulated a plan to go into the room and retrieve all bedding. This plan included calling OC cover and deploying the spray if 1007564 did not comply with our directives. At approximately 1425 hours we executed our plan. We entered 1007564 room and Bookmyer deployed OC pepper spray when 1007564 refused to give up her bedding. Orsel removed the torn pillow case from 1007564' hand and assisted O'Mara while she applied mechanical restraints to 1007564, wrists. After the restraints were applied, O'Mara and I quickly removed all bedding, mattresses and a pillow. Johnson retrieved leg shackles while I began setting up the shower area for decontamination. 1007564 was escorted out to the B-wing shower area by Orsel after Johnson applied the Leg restraints to her. 1007564 continued to yell and scream and began spitting at staff again. 1007564 was actively resisting and did not want to sit in the chair to be decontaminated stating, "Look what you did to me!". The shower was turned on and staff counseled with 1007564 and she finally calmed down and let the cool water run on her. This ended my involvement with this issue.

Notifications

Person Notified	Title	Time
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Officer Actions

Minor	Staff Action	Start Time	End Time
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STAFF SIGNATURE/TITLE

DATE

Review (9/6/2016)

Reviewed By: Melrose, Chris

Approved as written: Yes

Comments: Appropriate use of force and OC.

Persons Notified:

STAFF SIGNATURE/TITLE

DATE

<u>Incident Information</u>	<u>Offender Information</u>
Report #: Juvenile Hall-7919-RPT-27564	RE: 1007564,
Date: 8/25/2016 2:15:00 PM	PIN: 1007564
Report By: O'Mara, Mary	DPO: Closed /
Incident: Juvenile Hall-7919	
Incident #:	
Type: Pepper Spray, Room Confinement, Security Risk(*SR), Suicide Attempt, Suicide Watch	

This special incident report was originally written by SrDPO(I) O'Mara on August 25, 2016 and is a supplemental to SDPO-I Bookmyer's report #7919.

On the above date at approximately 1415 hrs, I was coming out of the dining room and saw that there was a disturbance in classroom one. 1007564 was refusing to follow school and staff directives to take a time out. I instructed the youth to go into the cover position and called a "code 3" over the radio. DPO-Is Magat, Orsel, and Barnes continued with counseling 1007564 to leave the classroom, and Bookmyer entered to classroom. I supervised the youth that were in cover. The school staff helped to pull tables, chairs and miscellaneous items out of the way to open up the area around 1007564. 1007564 continued to refuse to get out of her chair. As Orsel reached for her arm, she got up and exited the classroom. I remained in the classroom until Bookmyer gave an "all clear" for the cover.

I went to A-wing to speak with DPO-F Murphy who was counseling with a youth. I heard "code 3, B-1" over the radio. I returned the youth to his sleeping room, and asked Murphy if she would stand by in the classroom. I responded to B-01 where Orsel, Barnes, Magat and Bookmyer were counseling with 1007564. 1007564 was extremely agitated and had torn her pillow case into strips. 1007564 would not comply with staff requests to give up her bedding. She was making threatening comments towards staff, spitting at Magat and throwing her bedding at me. 1007564 was screaming at staff to "just spray her and get it over with." 1007564 got on the floor with her mattress and was waiting for staff to come in. I secured the door to B-01, keeping a visual on 1007564 while we made a plan for entering her room. I opened the door, Bookmyer entered the room and deployed her OC spray, as Magat removed the remaining bedding, and Orsel attempted to restrain 1007564. I asked Barnes to retrieve shackles. 1007564 had her hands under her body, as Orsel was able to get her right arm out and behind her back, I placed a handcuff on her wrist. Orsel let me know "he had it" and completed cuffing her. Barnes returned with the shackles and placed them on her ankles. 1007564 was escorted out of her room and placed in the shower to start the decontamination process. After approximately 5 minutes, 1007564 wanted to be out of the shower. I asked her if she would be compliant and go into the safety garment. She said she would. I escorted her to the holding cell with the assistance of Bookmyer and removed her handcuffs and shackles. 1007564 undressed herself, put the safety garment on, and entered the holding cell without further incident.

This ends my involvement with this incident.

Notifications

Person Notified	Title	Time
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Officer Actions

Minor	Staff Action	Start Time	End Time
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STAFF SIGNATURE/TITLE

DATE

Review (9/6/2016)

Reviewed By: Melrose, Chris

Approved as written: Yes

Comments: Appropriate use of force and OC.

Persons Notified:

STAFF SIGNATURE/TITLE

DATE

**EL DORADO COUNTY JUVENILE DETENTION FACILITIES
USE OF FORCE REPORT**

Minor's Name: 1007564 SIR#: 7919
Juvenile Detention Facility: Juvenile Hall Date/Time: 8/25/2016 @ 1432
Minor's Height: 5'5" Minor's Weight: 115 D.O.B.: 3/24/1999

Type of Behavior (check all that apply):

☐ Physical Altercation ☐ Escape ☐ Assault on a Minor
☐ Assault on a Peace Officer/Staff Member ☒ Mental Health Episode ☒ Suicide Attempt
☒ Resisting ☐ Damage to County Property
☒ Other (specify): spitting at staff and throwing bedding at staff _____

Type of force used (check all that apply):

☒ Control/Compliance Hold ☒ Mechanical Restraint ☒ OC Spray

Type of force that controlled the minor's behavior: OC

Time required to control the minor's behavior: one minute Seconds/Minutes

Effects of force used on minor (check all that apply):

☐ None apparent ☒ Compliance ☐ Increased resistance
☐ Fell to ground ☐ Eye Closure ☐ Stopped resistance
☐ Coughing resistance ☐ Choking ☒ Continued some
☐ Other (specify): _____

Injuries (complete for each injured person): NONE

Name: _____	Time called medical staff: _____
Injury description: _____	
Name: _____	Time called medical staff: _____
Injury description: _____	
Name: _____	Time called medical staff: _____
Injury description: _____	

B. Backman 8/25/16
Officer signature Date

Supervisor signature Date

Investigation required: ☐ Yes ☒ No

Date assigned: _____

Name: _____

Due Date: _____

[Signature] 8/26/2016
Superintendent/Assistant Superintendent signature Date

<u>Incident Information</u>	<u>Offender Information</u>
Report #: Juvenile Hall-8477-RPT-29653	RE: 1007564
Date: 7/3/2017 3:25:00 PM	PIN: 1007564
Report By: Mutzig, Melissa	DPO: Closed /
Incident: Juvenile Hall-8477	
Incident #:	
Type: Assault on Staff, Force Used, Mental Health Referral, Pepper Spray, Refusal To Follow Directive, Restraints Used, Room Confinement	

This special incident report was originally written by SrDPO(I) O'Mara on July 3, 2017.

Officers involved: SrDPO O'Mara

SrDPO Orsel

DPO Reed

DPO Cata

EHDPO Bittle

Youth involved: 1007564

On the above date I was the acting shift supervisor. I was also assigned to 1500 room checks. At approximately 1515, I was stationed at the B-wing counselor station and noticed that 1007564 was standing in front of staff, she was yelling and her actions were very animated. She was there for over 5 minutes, so I radioed staff that she should be walking and participating in large muscle. At approximately 1525, I observed 1007564 cutting across the courtyard several times as well as walking toward the rest of the group. 1007564 has been in the courtyard when I have reminded the youth about the rules on how to walk in a group in the courtyard; so she is aware that both of those actions are not allowed, so that staff may have proper supervision of the group. I entered the courtyard and instructed 1007564 to go to her room. 1007564 began to argue and then walked away from me. I called the cover command and radioed a "code 2" in b-wing courtyard as I walked toward 1007564. The entire group except 1007564 went into the cover position. 1007564 threatened to "kick my ass" and postured toward me with clenched fists. I drew my OC spray, but she walked away from me and hid her face in her hands as she faced the wall. I continued to keep my OC unholstered due to 1007564's continual threats toward me, recent assault on staff in a similar situation (SIR #8446 6/8/17), and previous assault on another youth since the other youth were in the cover position. 1007564 was given instructions by SrDPO Orsel to just go to her room. She refused and walked toward the opposing wall, she was given another direction to go to her room (she was walking toward the door), but instead of going inside, she picked up a chair and tossed it, almost hitting SrDPO Orsel. After 1007564 tossed the chair, she came toward me again (still making verbal threats) and I tried to deploy my OC, it failed twice. On the third attempt, my OC did deploy, 1007564 had turned and the spray hit the back of her neck. 1007564 began to yell and walked toward the center of the courtyard. As the rest of the group were in cover, and given her unpredictable behavior, 1007564 was posing a security threat to the other youth (1007564 has assaulted youth in the past that were in the cover position). With her failure to follow staff directives, and travelling around the courtyard; staff had to step over the youth in cover, potentially causing harm to the youth and/or staff.

At approximately 1528, DPO Reed and EHDPO Bittle were able to get a control hold on 1007564 and escorted her to the ground. DPO Cata joined them to control 1007564 on the ground and assisted with getting 1007564 into the prone position. I approached them and placed hard restraints on 1007564. At that time, 1007564 dug her fingernails into my hand. I pressed back against her hand to get her to cease the attempt to cut into my hand and was successful. I then checked the restraints for proper fit and double locked them. Once the restraints were on, I left 1007564 in Reed, Bittle and Cata's control and assisted with getting the rest of the group down.

After the other youth were secure in their rooms and I had moved 1007564's roommate to another room, I entered the courtyard and held the door so Reed, Bittle, and Orsel could escort 1007564 into the building to be decontaminated. As they entered the building 1007564 tried to kick me. The decontamination process began at approximately 1534hrs and continued until approximately 1558hrs. During that time DPO Reed performed several circulation checks. During the decontamination process

1007564 continued to be combative and threaten me. At one point, 1007564 said, "I should have bitten a big hole in your hand." It should be noted that 1007564 bit another officer (June 8, 2017 - IR #8446) less than a month ago in a similar situation. She also said she was going to "swing on me first chance she gets." At one point, when I came back to check on the decontamination progress, 1007564 spit on me. I was on the other side of the shower wall, approximately 3 feet away from 1007564 and she spit at me, hitting my left forearm.

At approximately 1600hrs, 1007564 was returned to her room. 1007564 remained in her wet clothes, because she remained combative. She was escorted into her room and placed prone on her bunk, she continued to resist staff and ignore directions. I gave Cata the instruction to go get the Wrap. At approximately 1602hrs, I placed the ankle strap on 1007564's ankles, while Bittle held her legs. I attempted to get the leg restraint under her body, but we felt it would be safer to apply it on the ground. 1007564 was safely moved to the ground by Reed, Orsel and Bittle. They secured her legs. I placed the harness over her head and Orsel and Reed completed securing the harness. At that time, Reed, Orsel and Bittle ensured 1007564 was completely secured into the wrap.

I exited to clear B-holding. Once the holding cell was clear, I instructed Cata to place mattresses in the holding cell. Orsel, Reed and Bittle carried 1007564 into the holding cell at approximately 1608. Orsel and Reed remained in with 1007564 for approximately an hour counseling with her until she calmed down. The wrap and restraints were removed at approximately 1649hrs. 1007564 was given dinner and after dinner was complete; she was calm enough to be given a shower and her clothes changes out.

RECOMMENDATION/ACTION TAKEN: 1007564 was placed on room confinement for failure to follow staff directives, threatening staff, assaulting staff, and posing a security risk in the courtyard. 1007564 was offered a due process hearing, she declined a hearing. Due to the hour (2100hrs), the form was witnessed by Reed and Bittle instead of opening her door and having her sign the form (1007564 is known to refuse to return to her room when the door is open during non-program hours). 1007564's room confinement will begin at 1600hrs, the time she returned to her room after decontamination, and be reviewed in the next 24hrs.

A medical and mental health referral were submitted on her behalf. Use of Force and Restraint Reports were completed by all staff involved.

Notifications

Person Notified	Title	Time
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Officer Actions

Minor	Staff Action	Start Time	End Time
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STAFF SIGNATURE/TITLE

DATE

Review (7/12/2017)

Reviewed By: Mutzig, Melissa

Approved as written: Yes

Comments: This Review was originally written by SDPO (I) Mutzig on 7/12/17.

The use of OC spray was justified in this incident. 1007564 verbally threatened to harm SrDPO (I) O'Mara and postured toward O'Mara in a threatening manner. 1007564 refused to follow multiple directives from multiple officers to go inside the facility. 1007564 refused all directives and continued to walk around the courtyard stepping over and around the other youth who were in the cover position. On 7/28/16 while 1007564 was sentenced to

the Challenge Program at the Juvenile Treatment Center (JTC), 1007564 was involved in a physical altercation with another youth. During that altercation 1007564' victim went into the cover position and 1007564 kicked him in the face causing serious injury. Based on this event, 1007564 was presented as a threat to all youth who were in the cover position in the courtyard on 7/3/17. 1007564 also threw a chair which almost hit another officer in the leg.

There were multiple training issues involved in this incident. I debriefed this incident with all officers involved. Training issues were addressed with all officers; all questions and concerns were answered.

Persons Notified:

STAFF SIGNATURE/TITLE

DATE

Review (7/13/2017)

Reviewed By: Melrose, Chris

Approved as written: Yes

Comments: SDPO Mutzig addressed the debrief of the incident with me and notified me of the training issues. All training issues discussed with staff involved.

Persons Notified:

STAFF SIGNATURE/TITLE

DATE

Incident Information

Report #: Juvenile Hall-8477-RPT-29657

Date: 7/3/2017 3:25:00 PM

Report By: Mutzig, Melissa

Incident: Juvenile Hall-8477

Incident #:

Offender Information

RE: 1007564

PIN: 1007564

DPO: Closed /

Type: Assault on Staff, Force Used, Mental Health Referral, Pepper Spray, Refusal To Follow Directive, Restraints Used, Room Confinement

This is a Supplemental Report to SrDPO (I) O'Mara's Special Incident Report and was originally written by SrDPO (I) Byron Orsel on July 4, 2017 at 0624 hours.

OFFICERS INVOLVED:

SrDPO (I) O'Mara

SrDPO (I) B. Orsel

DPO (I) Reed

DPO (I) Cata

EHDPO (I) Bittle

YOUTH INVOLVED:

1007564

On 7/3/17 at approximately 1527 hours, I was supervising the Large Muscle Exercise (LME) activity in B wing Courtyard with EHDPO (I) Bittle and DPO (I) Cata. 1007564 stopped by our location and began loudly talking to Bittle and I. During this conversation 1007564 was bragging how it has been over a month since she has been last restrained. In addition, 1007564 made a comment how she should run Juvenile Hall and it's all the (DA)District Attorney's fault for keeping her in here . I told 1007564 that she needed to continue walking with the group, participate in the activity and not be so loud. 1007564 complied and continued walking. Shortly after, 1007564 started to step out of the group that was walking, and began walking inside the circle of the large group and cut across the other side without permission. I told 1007564 she needed to continue walking with the group and walk appropriately. 1007564 became argumentative with me asking why she had to walk with the group.

At this time, Sr.DPO (I) O'Mara responded from the B wing day room area and instructed for 1007564 to go back to her sleeping room due to her not following staff directives. 1007564 refused to return to her room. 1007564 asked if she was going to be in trouble if she had to return to her room. O'Mara again directed for 1007564 to go to her room and she would talk to her there. 1007564 refused O'Mara's directives. O'Mara called "Cover," then radioed "Code 2." All the youth in the courtyard complied with the exception of 1007564. DPO II (I) Reed responded to the emergency radio call in the courtyard.

1007564 made a threatening comment toward O'Mara, then placed one foot in front of the other, held up both of her fist and took a few steps toward O'Mara. O'Mara upholstered her OC canister and directed for 1007564 to get down on the ground in the prone position. 1007564 started to walk away from O'Mara covering her face. 1007564 walked to several different locations throughout the courtyard, failing to follow all staff's directives to return to her room. I attempted to redirect 1007564 to her room on a few occasions and was unsuccessful. O'Mara, Bittle, Cata and myself attempted to corner 1007564 in attempt to gain control of her. 1007564 was screaming at O'Mara, and continued threatening her to back away or she would hurt O'Mara. 1007564 said, "Spray me bitch." This comment was made on two occasions. I maintained a visual on the youth and all appeared to remain in the cover position and were all cooperative.

At that time, 1007564 kicked over a chair and walked away from staff. At that time O'Mara attempted to deploy her OC canister a few times and it failed. O'Mara deployed her OC a third time. By this time, 1007564 had turned away from O'Mara and the spray hit 1007564 in the back of the neck. 1007564 began to yell, and walked toward the center of the courtyard.

At approximately 1528 hours, Reed and Bittle were able to get a control hold and get 1007564 to the

prone position with Cata's assistance. Cata controlled 1007564's legs. O'Mara approached them and placed handcuffs on 1007564's wrist. Bittle transitioned to 1007564's legs as she began attempting to kick at staff. I maintained supervision of the group.

Cata and O'Mara then exited the courtyard and placed all youth in their sleeping rooms at 1530 hours. Once all youth were secured in their sleeping rooms, Bittle released the figure four leg lock off of 1007564. Reed and I developed a plan to get 1007564 to a seated position and stand her up to escort her to the shower area for decontamination. Bittle supported 1007564's head to prevent her from biting staff. Reed and I assisted 1007564 to her feet. O'Mara returned to the courtyard door and opened the door. As 1007564 was being escorted toward the door to B wing dayroom, 1007564 attempted to front kick O'Mara.

At approximately 1533 hours, 1007564 was escorted inside through B wing dayroom to the B wing shower area to be decontaminated. During the decontamination process 1007564 continued to be combative and threaten O'Mara. 1007564 told O'Mara when she would least expect it, she was going to, "kick her ass." 1007564 made a few attempts to spit at O'Mara as she passed through the hallway. After the decontamination process completed, 1007564 was directed to her room. She sat on the ground of the shower and advised Reed and I she wasn't going back to her room. O'Mara directed us to escort 1007564 to her room. Reed and I sat 1007564 up to the seated position and escorted her to her feet. Reed and I escorted 1007564 out of the shower area. I used an elongated wristlock on 1007564's left arm for escorting purposes only and Reed controlled 1007564's right arm. As 1007564 approached the second B wing doorway of the hallway just before her room, 1007564 positioned her foot on the window in order to attempt to prevent Reed and I from escorting her to her room. Reed was able to remove 1007564's foot as I continued with forward progress. We arrived at 1007564's doorway to her room, and again she placed her foot on the wall to stop her forward progress. Reed and I removed 1007564's foot and escorted into her room under supervision of Bittle and Cata. 1007564 was placed in the prone position on her bed. She refused to promise that she would be safe if we were to remove the hard restraints. She began to resist our control holds. I directed her to stop resisting, and she continued to resist, and attempting to kick at staff.

At approximately 1601 hours, O'Mara decided that we would place 1007564 in the Wrap in order to prevent her from injuring herself and staff. O'Mara placed the ankle strap on 1007564. In order to safely place the Wrap on 1007564, we moved 1007564 from her bed onto the ground in the prone position. I assisted Bittle placing the bottom portion of the Wrap onto 1007564's legs. Bittle secured the buckles on the bottom portion of the Wrap. I tightened the straps in order for Bittle to secure 1007564's legs. Reed and I applied and secured the upper body harness of the Wrap. 1007564 was placed into the seated position and the strap to the upper body harness was attached to the Carabiner clip near 1007564's feet. Bittle attached 1007564's hard restraints to the Carabiner clip on the back of the upper body harness.

O'Mara exited the room to clear B-holding. Once the holding cell was clear Reed, Bittle and I carried 1007564 into the holding cell at approximately 1608 hours. Reed and I remained in with 1007564 for approximately one hour counseling with her until she calmed down. From 1609 hours to 1640 hours, circulation checks were completed on 1007564's wrist by Reed and I and all was ok each time. The Wrap and handcuffs were removed at 1649 hours. 1007564 was provided dinner.

Action Taken / Recommendation:

See SrDPO (I) O'Mara's main report for action taken and recommendation. I completed a Use of Force and Restraint Report for my involvement in the restraint.

Notifications

Person Notified	Title	Time
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Officer Actions

Minor	Staff Action	Start Time	End Time
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STAFF SIGNATURE/TITLE

DATE

Review (7/12/2017)

Reviewed By: Mutzig, Melissa

Approved as written: Yes

Comments: This Review was originally written by SDPO (I) Mutzig on 7/12/17.

The use of OC spray was justified in this incident. 1007564 verbally threatened to harm SrDPO (I) O'Mara and postured toward O'Mara in a threatening manner. 1007564 refused to follow multiple directives from multiple officers to go inside the facility. 1007564 refused all directives and continued to walk around the courtyard stepping over and around the other youth who were in the cover position. On 7/28/16 while 1007564 was sentenced to the Challenge Program at the Juvenile Treatment Center (JTC), 1007564 was involved in a physical altercation with another youth. During that altercation 1007564' victim went into the cover position and 1007564 kicked him in the face causing serious injury. Based on this event, 1007564 was presented as a threat to all youth who were in the cover position in the courtyard on 7/3/17. 1007564 also threw a chair which almost hit another officer in the leg.

There were multiple training issues involved in this incident. I debriefed this incident with all officers involved. Training issues were addressed with all officers; all questions and concerns were answered.

Persons Notified:

STAFF SIGNATURE/TITLE

DATE

Review (7/13/2017)

Reviewed By: Melrose, Chris

Approved as written: Yes

Comments: SDPO Mutzig addressed the debrief of the incident with me and notified me of the training issues. All training issues discussed with staff involved.

Persons Notified:

STAFF SIGNATURE/TITLE

DATE

<u>Incident Information</u>	<u>Offender Information</u>
Report #: Juvenile Hall-8477-RPT-29658	RE: 1007564
Date: 7/3/2017 3:25:00 PM	PIN: 1007564
Report By: Mutzig, Melissa	DPO: Closed /
Incident: Juvenile Hall-8477	
Incident #:	
Type: Assault on Staff, Force Used, Mental Health Referral, Pepper Spray, Refusal To Follow Directive, Restraints Used, Room Confinement	

This supplemental incident report was originally written by Deputy Probation Officer II - Institutions Richard Reed on 07/03/2017.

Officers Involved:

SrDPO (I) Mary O'Mara
SrDPO (I) Byron Orsel
DPO II (I), Warren Reed
DPO I (I) Jason Cata
EHDPO (I) Ryan Bittle

Youth Involved:

1007564

On the above date at approximately 1525 hours I was setting up medications when I overheard a commotion and code 2 called in B-wing courtyard, I put away the medication I had out and went to assist in the B-wing courtyard. When I arrived in the B-wing courtyard the entire group was in the cover position except for 1007564. I observed O'Mara with her OC drawn directing 1007564 to go down to her room, I attempted to speak to 1007564 but she was too agitated and refused to listen to anything I had to say and continued to walk away from O'Mara in an attempt to hide her face. 1007564 was taunting staff and yelling "Are you gonna spray me, then fucking spray me!" and "I'll kick your ass!" At this point I observed O'Mara attempt to deploy OC unsuccessfully; 1007564 again moved away from staff and kicked over a chair. O'Mara then deployed OC again and was successful, with the OC striking 1007564 on the neck below her left ear. The OC had minimal effect on 1007564 and she continued to walk around the courtyard.

At this time approximately 1528 hours I approached 1007564 and grabbed a hold of her right arm, 1007564 began screaming "No Warren DON'T!" and attempted to pull away from my grasp, EHDPO Bittle immediately grabbed 1007564's left arm and 1007564 fell to the ground in a seated position. I was able to roll 1007564 into the prone position and maintained control of her right arm, O'Mara grabbed a hold of 1007564's left arm and Bittle moved to control 1007564's feet. O'Mara then applied handcuffs and checked for fit and double locked them. I then suggested that we get the group down to their rooms while Bittle and I maintained control of 1007564.

After the group was in their rooms, myself, Orsel and Bittle assisted 1007564 to a seated position and then to her feet. As I escorted 1007564 into the B-wing day room for decontamination she attempted to kick at O'Mara who was holding the door open. 1007564 continued to yell obscenities and threaten staff as we escorted her into the shower for decontamination.

At approximately 1533 hours, 1007564 was escorted into the B wing shower area to be decontaminated. During the decontamination process 1007564 continued to be combative and threaten O'Mara. 1007564 told O'Mara when she would least expect it, she was going to, "kick her ass." After the decontamination process was completed, 1007564 was directed to her room. She sat on the ground of the shower and said she wasn't going back to her room. Orsel and I then assisted her to her feet and we began escorting her to her room. As 1007564 approached the second B wing doorway of the hallway just before her room she positioned her foot on the window in order to attempt to prevent us from escorting her to her room. I was able to remove 1007564's foot and we continued with forward progress. We arrived at 1007564's doorway to her room, and again she placed her foot on the wall to stop her forward progress. I again removed 1007564's foot and escorted into her room under supervision of Bittle and Cata. 1007564 was placed in the prone position on her bed. She refused to promise that she would be safe if we were to remove the hard restraints and continued to resist our control holds.

At approximately 1601 hours, O'Mara decided that we would place 1007564 in the Wrap in order to prevent her from injuring herself and staff. O'Mara placed the ankle strap on 1007564. In order to safely place the Wrap on 1007564, we moved 1007564 from her bed onto the ground in the prone position. Orsel and Bittle placed the bottom portion of the Wrap onto 1007564's legs. Bittle secured the buckles on the bottom portion of the Wrap. Orsel tightened the straps in order for Bittle to secure 1007564's legs. 1007564 was placed into the seated position and Orsel and I applied and secured the upper body harness of the Wrap.

O'Mara exited the room to clear B-holding. At approximately 1608 hours Orsel and I carried 1007564 into the holding cell while BITTLE maintained control of 1007564's head to prevent any further attempts at her biting us. Orsel and I remained in B-holding with 1007564 for approximately an hour counseling her until she calmed down. From 1609-1640 hours circulation checks were completed on 1007564's wrist by Orsel and I and all was ok. The Wrap and handcuffs were removed at 1649 hours. 1007564 was provided dinner.

Actions taken/recommendations:

A Use of Force Report was completed and submitted.

See SrDPO O'Mara's report for actions taken and recommendations.

Notifications

Person Notified	Title	Time
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Officer Actions

Minor	Staff Action	Start Time	End Time
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STAFF SIGNATURE/TITLE

DATE

Review (7/12/2017)

Reviewed By: Mutzig, Melissa

Approved as written: Yes

Comments: This Review was originally written by SDPO (I) Mutzig on 7/12/17.

The use of OC spray was justified in this incident. 1007564 verbally threatened to harm SrDPO (I) O'Mara and postured toward O'Mara in a threatening manner. 1007564 refused to follow multiple directives from multiple officers to go inside the facility. 1007564 refused all directives and continued to walk around the courtyard stepping over and around the other youth who were in the cover position. On 7/28/16 while 1007564 was sentenced to the Challenge Program at the Juvenile Treatment Center (JTC), 1007564 was involved in a physical altercation with another youth. During that altercation 1007564's victim went into the cover position and 1007564 kicked him in the face causing serious injury. Based on this event, 1007564 was presented as a threat to all youth who were in the cover position in the courtyard on 7/3/17. 1007564 also threw a chair which almost hit another officer in the leg.

There were multiple training issues involved in this incident. I debriefed this incident with all officers involved. Training issues were addressed with all officers; all questions and concerns were answered.

Persons Notified:

STAFF SIGNATURE/TITLE

DATE

Review (7/13/2017)

Reviewed By: Melrose, Chris

Approved as written: Yes

Comments: SDPO Mutzig addressed the debrief of the incident with me and notified me of the training issues. All training issues discussed with staff involved.

Persons Notified:

STAFF SIGNATURE/TITLE

DATE

<u>Incident Information</u>	<u>Offender Information</u>
Report #: Juvenile Hall-8477-RPT-29659	RE: 1007564
Date: 7/3/2017 3:25:00 PM	PIN: 1007564
Report By: Mutzig, Melissa	DPO: Closed /
Incident: Juvenile Hall-8477	
Incident #:	
Type: Assault on Staff, Force Used, Mental Health Referral, Pepper Spray, Refusal To Follow Directive, Restraints Used, Room Confinement	

This is a Supplemental Report to Sr.DPO (I) O'Mara's Special Incident Report and was originally written by EHDPO (I) Ryan Bittle on July 3, 2017.

OFFICERS INVOLVED:

SrDPO (I) O'Mara
SrDPO (I) B. Orsel
DPO (I) Reed
DPO (I) Cata
EHDPO (I) Bittle

YOUTH INVOLVED:

1007564,

On 7/3/17 at approximately 1527 hours I was supervising the Large Muscle Exercise (LME) activity in B wing Courtyard with SrDPO (I) B. Orsel and DPO (I) Cata. 1007564 had stopped walking and was loudly talking to B. Orsel and myself. During this conversation she was bragging how it has been over a month since has been last restrained B. Orsel told 1007564 that she needs to continue walking with the group and participate in the activity. 1007564 complied and continued walking. Shortly after, 1007564 started to walk in small circles and not with the group. I told 1007564 she needs to continue walking with the group and walk appropriately, which she refused to do so.

At this time, SrDPO (I) O'Mara came from the B wing day room area and told 1007564 that she needed to go down to her sleeping room due to her not following staff directives. 1007564 stated that she was refusing to go down to her room if she is in trouble. SrDPO O'Mara called "Cover!" and all youth complied except 1007564. DPO (I) Reed responded to the courtyard.

1007564 started to threaten SrDPO O'Mara. SrDPO O'Mara upholstered her OC Spray and told 1007564 to get down on the ground. 1007564 started to walk away from SrDPO O'Mara while covering her face. 1007564 walked to several different locations throughout the courtyard, while SrDPO O'Mara was giving her commands. I placed myself in between the youth in the cover position and attempted to place myself in a position where I can watch the youth in the cover position, as well as protect the youth on the ground from any action 1007564 might take.

SrDPO O'Mara deployed her OC Spray on 1007564. 1007564 started to walk towards several youth in the cover position. DPO Reed grabbed 1007564' right arm and I grabbed 1007564' left arm. I attempted to place 1007564' left arm in a twist lock. As I was holding onto 1007564' left arm, she dropped to the ground and placed herself onto her back. 1007564 has several restraint incidents where she falls to her back and attempts to take a defensive kicking position (See SIR #8446, #8090). I placed weight onto her legs in order to prevent her from kicking me or other officers. I then hooked her right leg and turned her over into the prone position. I placed 1007564 in a figure four leg lock. SrDPO O'Mara placed 1007564 in hard restraints. Once she was placed in hard restraints, she was attempting to grab my hand. I placed 1007564' right hand in an elongated rear wrist lock, and DPO Reed placed 1007564' left hand in an elongated rear wrist lock.

At approximately 1530, DPO Cata placed all youth in their sleeping rooms. Once all youth were secured in their sleeping rooms, I released the figure four leg lock off of 1007564. DPO Reed, SrDPO B. Orsel, and I developed a plan to sit 1007564 up and to walk her to the shower to decontaminate. I supported 1007564' head, while SrDPO and DPO Reed assisted 1007564 to her feet. As 1007564 was being escorted to the shower area, she attempted to do a front kick at SrDPO O'Mara.

At approximately 1533 hours, 1007564 started the decontamination process with DPO Reed, SrDPO B. Orsel, and me assisting her. While 1007564 was decontaminating, she made several specific threats towards SrDPO O'Mara. At one point, 1007564 specifically stated, "Expect it when you least expect it, I will fuck up Mary". DPO Reed and SrDPO B. Orsel escorted 1007564 to her sleeping room (B-01). Along the way, 1007564 was positioning her feet on the doorways in order to attempt to prevent staff from escorting her. Once in her room, 1007564 was placed in the prone position on her bed, where she refused to promise that she would be safe if we were to remove the hard restraints.

At approximately 1601 hours, SrDPO O'Mara decided that we would place 1007564 in the Wrap in order to prevent her from injuring herself or staff. SrDPO O'Mara placed the ankle strap on 1007564. In order to safely place the Wrap on 1007564, we moved 1007564 from her bed onto the ground in the prone position. I placed the bottom portion of the Wrap onto 1007564's legs. I buckled the buckles on the bottom portion of the Wrap and SrDPO B. Orsel and I tightened the straps in order to secure 1007564's legs. DPO Reed and SrDPO B. Orsel applied the upper body harness of the Wrap. 1007564 was placed into the seated position and the strap to the upper body harness was attached to the carabiner clip near 1007564's feet. I attached 1007564's hard restraints to the carabiner clip on the back of the upper body harness.

As SrDPO B. Orsel, DPO Reed, and I were preparing to transport her from her sleeping room to B-Holding, 1007564 stated, "You know I bit Bryant last time you did this". 1007564 was referring to SIR #8446, where she assaulted staff. I went behind 1007564 and held her head in place to prevent her from biting SrDPO B. Orsel and DPO Reed due to her comment and history. SrDPO B. Orsel and DPO Reed carried her to B-Holding.

Recommendations/ Action Taken: I completed a Use of Force Report for my involvement in the restraint.

Notifications

Person Notified	Title	Time
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Officer Actions

Minor	Staff Action	Start Time	End Time
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STAFF SIGNATURE/TITLE**DATE****Review (7/12/2017)**

Reviewed By: Mutzig, Melissa

Approved as written: Yes

Comments: This Review was originally written by SDPO (I) Mutzig on 7/12/17.

The use of OC spray was justified in this incident. 1007564 verbally threatened to harm SrDPO (I) O'Mara and postured toward O'Mara in a threatening manner. 1007564 refused to follow multiple directives from multiple officers to go inside the facility. 1007564 refused all directives and continued to walk around the courtyard stepping over and around the other youth who were in the cover position. On 7/28/16 while 1007564 was sentenced to the Challenge Program at the Juvenile Treatment Center (JTC), 1007564 was involved in a physical altercation with another youth. During that altercation 1007564's victim went into the cover position and 1007564 kicked him in the face causing serious injury. Based on this event, 1007564 was presented as a threat to all youth who were in the cover position in the courtyard on 7/3/17. 1007564 also threw a chair which almost hit another officer in the leg.

There were multiple training issues involved in this incident. I debriefed this incident with all officers involved. Training issues were addressed with all officers; all questions and concerns were answered.

Persons Notified:

STAFF SIGNATURE/TITLE

DATE

Review (7/13/2017)

Reviewed By: Melrose, Chris

Approved as written: Yes

Comments: SDPO Mutzig addressed the debrief of the incident with me and notified me of the training issues. All training issues discussed with staff involved.

Persons Notified:

STAFF SIGNATURE/TITLE

DATE

<u>Incident Information</u>	<u>Offender Information</u>
Report #: Juvenile Hall-8477-RPT-29693	RE: 1007564
Date: 7/3/2017 3:25:00 PM	PIN: 1007564
Report By: Mutzig, Melissa	DPO: Closed /
Incident: Juvenile Hall-8477	
Incident #:	
Type: Assault on Staff, Force Used, Mental Health Referral, Pepper Spray, Refusal To Follow Directive, Restraints Used, Room Confinement	

This supplemental incident report was originally written by Deputy Probation Officer I - Institutions Jason Cata on 07/03/2017.

Officers Involved:

Sr.DPO (I) B. Orsel
SR.DPO (I) O'Mara
DPO II (I), Warren Reed
DPO I (I) Jason Cata
EHDPO (I) Ryan Bittle

Youth Involved:

1007564

On 7/3/17 at approximately 1527 hours while I supervised Large Muscle Exercise in B wing courtyard with Sr.DPO (I) B. Orsel and EHDPO Bittle. During the walking exercise, 1007564 raised her voice while complaining to Sr.DPO (I) about how she would run Juvenile Hall. Sr.DPO B. Orsel instructed 1007564 to continue walking, and 1007564 began walking but did only in small circles. Sr.DPO O'Mara then came from the B wing dayroom and told 1007564 that she would have to go down after she failed to listen to staff directives and would not walk as instructed.

1007564 began cursing, was defiant and stated that she would not go down to her room. SrDPO O'Mara called cover and all youth went down except 1007564. Sr.DPO O'Mara then approached 1007564, who refused to comply and took a combative stance toward Sr.DPO O'Mara. Sr.DPO O'Mara gave her a warning that she would have to use OC spray. Sr.DPO O'Mara attempted to deploy her OC spray and 1007564 kept walking around the courtyard and refused to go down. 1007564 continued to threaten Sr. DPO O'Mara and again walked in Sr. DPO O'Mara's direction. Sr. DPO O'Mara deployed her OC again this time the spray successfully made contact with 1007564. DPOII Reed approached 1007564, getting a hold of her right arm and she fell backwards. DPO Reed and EHDPO Bittle assisted 1007564 into prone position. 1007564 resisted and began kicking and I assisted EHDPO Bittle in holding down 1007564' feet. Sr.DPO O'Mara then applied hard restraints. EHDPO Bittle had control of 1007564' feet and I backed away and began taking youths to their rooms. I returned to the courtyard and 1007564 continued cursing and made threatening statements toward Sr.DPO O'Mara.

1007564 was escorted from the courtyard and before she reached the door, 1007564 kicked her foot toward Sr.DPO O'Mara who held the door open. During decontamination, 1007564 looked up and spit toward Sr.DPO O'Mara and continued to threaten Sr.DPO about how she will physically harm her. After 1007564 was taken to her room, Sr.DPO O'Mara instructed me to bring the Wrap and I brought it to B-1. I continued doing room checks and this ends my involvement in this incident.

Actions Taken/Recommendations:

See Sr.DPO Omara's report for disciplinary actions. I completed a Use of Force Report for my involvement in restraining 1007564.

Notifications

Person Notified	Title	Time
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Officer Actions

Minor	Staff Action	Start Time	End Time
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STAFF SIGNATURE/TITLE_____
DATE**Review (7/12/2017)**

Reviewed By: Mutzig, Melissa

Approved as written: Yes

Comments: This Review was originally written by SDPO (I) Mutzig on 7/12/17.

The use of OC spray was justified in this incident. 1007564 verbally threatened to harm SrDPO (I) O'Mara and postured toward O'Mara in a threatening manner. 1007564 refused to follow multiple directives from multiple officers to go inside the facility. 1007564 refused all directives and continued to walk around the courtyard stepping over and around the other youth who were in the cover position. On 7/28/16 while 1007564 was sentenced to the Challenge Program at the Juvenile Treatment Center (JTC), 1007564 was involved in a physical altercation with another youth. During that altercation 1007564' victim went into the cover position and 1007564 kicked him in the face causing serious injury. Based on this event, 1007564 was presented as a threat to all youth who were in the cover position in the courtyard on 7/3/17. 1007564 also threw a chair which almost hit another officer in the leg.

There were multiple training issues involved in this incident. I debriefed this incident with all officers involved. Training issues were addressed with all officers; all questions and concerns were answered.

Persons Notified:

STAFF SIGNATURE/TITLE_____
DATE**Review (7/13/2017)**

Reviewed By: Melrose, Chris

Approved as written: Yes

Comments: SDPO Mutzig addressed the debrief of the incident with me and notified me of the training issues. All training issues discussed with staff involved.

Persons Notified:

STAFF SIGNATURE/TITLE_____
DATE

**EL DORADO COUNTY JUVENILE DETENTION FACILITIES
USE OF FORCE REPORT**

Minor's Name: 1007564 SIR#: 8477
Juvenile Detention Facility: Juvenile Hall Date/Time: 07/03/2017 1527
Minor's Height: 5'5" Minor's Weight: 135 D.O.B.: 03/24/1999

Type of Behavior (check all that apply):

☐ Physical Altercation ☐ Escape ☐ Assault on a Minor
☒ Assault on a Peace Officer/Staff Member ☐ Mental Health Episode ☐ Suicide Attempt
☒ Resisting ☐ Damage to County Property
☐ Other (specify): _____

Type of force used (check all that apply):

☐ Control/Compliance Hold ☒ Mechanical Restraint ☒ OC Spray

Type of force that controlled the minor's behavior: application of mechanical restraints

Time required to control the minor's behavior: 30 sec Seconds/Minutes

Effects of force used on minor (check all that apply):

☒ None apparent ☐ Compliance ☒ Increased resistance
☐ Fell to ground ☐ Eye Closure ☐ Stopped resistance
☐ Coughing ☐ Choking ☒ Continued some resistance
☐ Other (specify): _____

Injuries (complete for each injured person): none reported

Name: _____ Time called medical staff: _____
Injury description: _____
Name: _____ Time called medical staff: _____
Injury description: _____
Name: _____ Time called medical staff: _____
Injury description: _____

[Signature] 7.4.17
Officer signature Date

[Signature] 7-06-17
Supervisor signature Date

Investigation required: ☐ Yes ☒ No

Date assigned: _____

Name: _____

Due Date: _____

[Signature] 7/10/2017
Superintendent/Assistant Superintendent signature Date

Date	Vendor	Facilty	QTY	Items	Price	tax	Total
7/15/2017	Adamson Police	Juvenile Hall	106-	MK -3 oc & 4 MC 4 OC	\$ 137.00	\$ 11.31	\$ 148.31
5/22/2017	Galls	Juvenile Hall	106-	MK -3 oc & 4 MC 4 OC	128.74	\$ 10.58	\$ 139.32

El Dorado County Probation Department

Incident Report - Institutions

Incident Information

Offender Information

Report #: Challenge-7862-RPT-27306

RE: [REDACTED]

Date: 7/28/2016 2:30:00 PM

PIN: [REDACTED]

Report By: Janette, Vince

DPO: Closed /

Incident: Challenge-7862

Incident #:

Administrative Separation, Assault on a Minor, Assault on Staff, Behavior, Force Used, Injury
Type: (Minor), Meals, Mental Health Referral, Physical Altercation, Refusal To Follow Directive,
Restraints Used, Room Confinement, Security Risk(*SR)

This SIR was originally written by DPO Baker II (I) on July 28th, 2016 at approximately at 1512.

At approximately 1430, I was standing at room B-5 speaking with [REDACTED] when I heard yelling coming from the pod. I looked over and observed 1007564 and 1009890 swinging their fists at one another. I called "cover" to all the youth in the pod, all complied except for 1009890 and 1007564. I ran over to the fight and sleeping room B-5 was left open, [REDACTED] immediately got into the cover position. As I was running over to the two youth I called a "CODE 3" over a radio transmission. As I approached the two youth DPO Burns was trying to get 1007564 off of 1009890. 1007564 continued to swing at 1009890 and would not get into the cover position, at this time 1009890 got into the cover position. I called "OC COVER" and removed my oleoresin capsicum(OC) from the holster. DPO Burns was able to grab 1007564 by the left arm, 1007564 swung at DPO Burns hitting her on the left side of her face. At this time I was able to grab 1007564 by her right arm and assist DPO Burns in getting 1007564 on the ground into the prone position. Once on the ground I secured my OC spray in the holster, it was not used due to the proximity of DPO Burns. 1007564 continued to resist and fight us by kicking and pulling away from us. SDPO Macabales replied to the code 3 transmission that was made over the radio. SDPO Macabales took control of 1007564's legs and applied a calf roll for compliance to prevent her from kicking staff. 1007564 stopped resisting, allowing DPO Burns and I to flip her on her stomach.

At approximately 1431, I secured 1007564's right wrist into the handcuff. DPO Burns handed me 1007564's left hand, I secured her left wrist into the handcuff. I checked both handcuffs for appropriate fit and double-locked them.

At approximately 1432, DPO Burns and I assisted 1007564 to her feet and escorted her to sleeping room B-2 placed her in a face down prone position on her sleeping platform. 1007564 was asked if she would be compliant if the handcuffs were removed. 1007564 answered yes. SDPO Macabales authorized that I remove the handcuffs from 1007564. The handcuffs were removed. At 1433, her door was secured by SDPO Macabales.

At approximately 1434, I walked over to 1009890 and directed him to stand up and placed him into an elongated rear wrist lock and escorted him to his sleeping room B-7.

At approximately 1436, SDPO Macabales advised all staff to end program and to put all youth in their sleeping room. All youth were secured in their rooms.

During the restraint involving 1009890 and 1007564, 1005398 continued to yell profanity and inciting the youth during a cover call. 1005398 yelled to 1009890 "Look at you now; you are the JTC bitch now that you got your ass kicked by a girl." "Kick that bitches ass, make him your bitch." 1005398 was directed to stop yelling and laughing from his sleeping room and to step away from his window, he did not comply.

ACTIONS TAKEN/RECOMMENDATIONS:

1005398 was placed on Room Confinement for inciting youth during a cover call and refusing to follow staff directives causing a safety and security issue. 1005398 will be placed on Security Risk (*SR) and he will receive MIR. 1005398 was offered his right to a Due Process hearing to which he declined at 1447. His Room Confinement will begin immediately. 1005398 will lose 40 points and be sent back to Base Camp Stage.

1009890 was placed on Room Confinement due to assault on another youth and not following staff directive. 1009890 will continue on Security Risk (*SR) with MIR. 1009890 was offered his right to a Due Process hearing to which he declined at 1452. His Room Confinement will begin immediately. 1009890 will lose 30 points for fighting back and not initially following staff directives.

I asked 1009890 if had any injuries and he stated yes and pointed to his mouth. He had a small puncture wound on his lip from his top teeth hitting his lip. His two front teeth each had a piece that had broken off. He showed me his elbow that had a dime size bruise but stated he was not in any pain. At 1540, SrDPO Alford called CFMG on call provider Amanda Tirpack who instructed the following medical treatment: 1009890 to use a bag of ice three times a day for the first day. Give 800mg IBU twice a day for three days. Youth is to see nurse on the next available rounds. 1009890 was offered Ice and Tylenol for his injuries, he declined medical treatment. 1009890 later asked staff for the above medical treatment at approximately 1758, Ice and Ibuprofen were provided.

1007564 was placed on Room Confinement due to the assault on staff, assault on another youth and refusal to follow staff directives. 1007564 was offered her right to a Due Process hearing to which she declined at 1447. 1007564 continues on Security Risk. 1007564 cannot lose any points as she has lost all her points to date.

I asked 1007564 if she had any injuries and she stated her knees were hurting from the restraint with minimal bruising. 1007564 was offered Tylenol for her injuries and declined.

At 1741, DCPO Janette called and authorized 1007564 to be placed on Administrative Separation. 1007564 is not to come out of her room for any activities until approved by DCPO Janette. It was explained to her she would be placed on Administrative Separation because of her Assault on another youth, Assault on staff and refusal to follow staff directives. She understood and signed the Administrative Separation contract. In addition, an Administrative Separation 72 hr log and an Administrative Separation Contact log was prepared.

A copy of this Special Incident Report was placed in the nurse's basket and will serve as a sick call slip to be seen by the nurse at the next available rounds.

Mental Health Referrals were completed for 1005398, 1007564, and 1005398.

Notifications

Person Notified	Title	Time
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Officer Actions

Minor	Staff Action	Start Time	End Time
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STAFF SIGNATURE/TITLE	DATE
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Review (7/28/2016)

Reviewed By: Macabales, Erwin

Approved as written: Yes

Comments: This review was originally written by SDPO(I) Macabales on 7/28/16 @2200
Staff actions and documentation were appropriate. Staff worked well as a team.

Persons Notified:

STAFF SIGNATURE/TITLE

DATE

Review (7/29/2016)

Reviewed By: Janette, Vince

Approved as written: Yes

Comments: I am going to request charges be filed on 1007564 for her assault on both staff and 1009890. 1007564 is being terminated from the Challenge program for her poor program adjustment and assaultive nature. Training issues were noted in this incident and will be addressed with the staff as appropriate.

Persons Notified:

STAFF SIGNATURE/TITLE

DATE

Caseload Explorer (

El Dorado County Probation Department

Incident Report - Institutions

Incident Information	Offender Information
Report #: Juvenile Hall-8002-RPT-27897	RE: [REDACTED]
Date: 10/6/2016 3:45:00 PM	PIN: 1008101
Report By: Melrose, Chris	DPO: Closed /
Incident: Juvenile Hall-8002	
Incident #:	
Administrative Separation, Assault on Staff, Behavior, Escape, Flooding, Force Used, Injury Type: (Minor), Meals, Mental Health Referral, Pepper Spray, Refusal To Follow Directive, Restraints Used, Room Confinement, Security Risk(*SR)	

This is a supplemental report to DPO (I) Harris' main report written by SDPO (I) Bobbi Bookmyer on 10/7/2016.

Officers Involved:

DPO II (I) Irene Magat
DPO II (I) Anthony Harris
DPO II (I) Dominic Orsel
SrDPO Byron Orsel

Youth Involved:

#1008101, [REDACTED]

On the above date, at approximately 1535 hours, I was informed by DPO Harris that #1008101 had flooded his room, and was covering his door window. I went to A-05 and counseled with #1008101, he stated "I don't give a FUCK, and when staff open by door I'm going to swing on them". #1008101 had his door window covered with toilet paper and he was pushing water out from under his door into the hall way, I could see #1008101 through a gap in the TP. #1008101 was not receptive to my counseling, so I ask SrDPO Orsel to talk to #1008101 to see if he would take the toilet paper off his window.

Harris and B. Orsel started to vacuum up the water in the hallway and empty sleeping rooms for the safety of the institution and completed it at approximately 1605 hours. During this process, B. Orsel radioed that #1008101 continued covering his window. Large Muscle completed, and all the youth were safely returned to their rooms.

At approximately 1610 hours, Sr DPO B. Orsel, DPO II D. Orsel, DPO Harris and I formulated a plan to extract #1008101 out of his room. We did address officer safety. Based on the covered door window preventing officers from conducting visual room safety checks, the amount of water in #1008101'S room, threats made toward staff, not complying with staff directives, barricading his door window (breaching safety of the institution) OC was going to be the level of force presented.

At approximately 1618 hours Harris, D. Orsel , B.Orsel and I arrived at #1008101'S door. B. Orsel directed that #1008101 remove the mattress from his door on two occasions and #1008101 responded "No". HARRIS unholstered his OC canister. B.Orsel then opened the door A-05. #1008101 dropped the mattress and ran out of his room toward D. Orsel and Harris with his both of his arms straight out. Harris deployed his OC canister toward #1008101'S face. #1008101 fell to the ground in A wing hallway on the wall side of his room but immediately got back up; failing to follow OC cover commands. Harris deployed his OC a second time to #1008101'S head area. D. Orsel then placed his hands over his eyes and began to haunch over and I felt droplets of OC hit my face. Harris and B.Orsel attempted to control #1008101 while he was on the ground. #1008101 was able to get up and push past B.Orsel.

Harris attempted to control #1008101 against the wall. He pushed passed HARRIS and I pushed #1008101 up against the wall, I was unable to get a control hold due to #1008101 being slippery from the OC spray, and subsequently he ran down A- wing hallway towards the multi-use room. I radioed DPO Magat that #1008101 was headed her way.

Harris, B.Orsel and I chased him down through the multipurpose room to B-wing hallway. #1008101 was stopped in the hallway between the B -wing holding cell and laundry room by DPO Magat.

Harris instructed #1008101 to go into cover position. Magat and Harris applied the handcuffs to #1008101'S wrists. I assisted D. Orsel and B.Orsel into the kitchen to wash the OC out from their eyes.

I left B.Orsel and D. Orsel to finish the decontamination process and checked on Magat and Harris, #1008101 was placed in B-holding shower to start his decontamination process.

B.Orsel arrived at B- holding and Harris and I started cleaning up A-wing hall way of OC and #1008101's bedding.

At 1646 hours, #1008101 agreed to fully cooperate and comply with staff directives. #1008101 came out of handcuffs. At 1655 hours, #1008101 was escorted to his room in new clothing and secured in A-07.

Action Taken / Recommendation:

#1008101 was offered but declined his Due Process Hearing his Room Confinement will begin at 1615 hours; also he will be placed on Temp Administrative Separation (Temp Ad Sep). I completed a Use Of Force Report, and Temp Ad Sep paper work.

Notifications

Person Notified	Title	Time
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Officer Actions

Minor	Staff Action	Start Time	End Time
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STAFF SIGNATURE/TITLE

DATE

Review (10/27/2016)

Reviewed By: Melrose, Chris

Approved as written: Yes

Comments: Training issues not and reviewed with staff.

Persons Notified:

STAFF SIGNATURE/TITLE

DATE

Caseload Explorer (2011) Incident

El Dorado County Probation Department

Incident Report - Institutions

Incident Information	Offender Information
Report #: Juvenile Hall-7950-RPT-27707	RE: (REDACTED)
Date: 9/7/2016 10:00:00 PM	PIN: (REDACTED)
Report By: Hamby, Kelli	DPO: WS Record Seal / McMurtry, Virginia
Incident: Juvenile Hall-7950	
Incident #:	
Behavior, Force Used, Injury (Minor), Mental Health Referral, Pepper Spray, Refusal To Type: Follow Directive, Restraints Used, Room Confinement, Security Risk(*SR), Sexual Behavior, Verbal Altercation, Suicide Ideation, Suicide Watch	

This Special Incident Report was originally written by DPO I-Institutions Jason Ward on 09/8/2016 at 0454 hours.

On the above date beginning at approximately 2200 hours, youth #1005398 (room B-08) and youth #1010666 (room B-01) were advised to cease talking to one another under their doors. The youth were counseled no less than 4 times by DPO BENSON, DPO SHREEVE and me to stop their behavior, to no avail. The youth's conversation was becoming louder and they began inciting each other to "go all night".

At approximately 2230 hours I informed both youth they would be receiving consequences for failing to follow instructions and attempting to incite other youth to join in their poor behavior. At approximately 2240 hours #1005398 covered his window with a thin piece of toilet paper. I felt it was necessary to turn off his water to prevent him from wetting any more toilet paper or from flooding. I maintained my position in front of his door. I could see through the paper and #1005398 was talking the entire time, so I knew he was not endangering himself. #1005398 stated, "I'm ready to get sprayed! Come in here and I'll fuck you up!" I could see through a gap in the covered window that #1005398 had wrapped his head and face in his sweatshirt in an attempt to prepare for a confrontation. All staff informed #1005398 we had no intention of entering his room. Continued attempts to curb his behavior were unsuccessful. At approximately 0000 hours #1005398 incited #1010666 to cover his window. DPO SHREEVE entered the B Wing courtyard and was able to maintain a visual on #1010666. DPO SHREEVE re-entered B Wing and turned off #1010666's water.

Over the next hour both youth continued to scream, kick their doors and incite other youth in the wing to "go bad". Both youth uncovered their windows at approximately 0008 hours. #1005398 stated he would "flip a desk at school". Both youth called me "tigger" and "nigger". #1005398 stated, "I'm from Hangtown, I hang niggers!" At approximately 0051 hours both youth began to violently kick their doors and scream in attempts to "wake A Wing the fuck up!" At approximately 0100 hours #1005398 spat under his door at least three times. There were three visible puddles of saliva on the floor in front of his room. At approximately 0115 both youth used their emergency buttons inappropriately. While I was performing a room safety check #1010666 stated he was going to "grieve" me for turning his water off. I informed #1010666 that due to his continued behavior, his water would only be turned on for emergency use.

At approximately 0120 hours #1005398 began to incite #1010666 to urinate under his door and stated, "I'll piss under my door if you do!" #1005398 told DPO SHREEVE to "suck my fucking penis" when SHREEVE attempted to counsel him. At approximately 0130 DPO SHREEVE informed me that #1005398 had removed his clothing and was covered only in a sheet. Please see SHREEVE's supplemental report for further information. At 0135 while performing a room safety inspection, I witnessed #1005398 wearing only a sheet.

At approximately 0145 #1010666 began covering his window. DPO BENSON maintained supervision on #1010666 and could hear him the entire time. #1010666 removed the cover on his window at approximately 0148. At the same time #1005398 covered his window. I was positioned in front of B-08 to maintain supervision when #1005398 removed the cover from his window and revealed that he was completely naked. He began shaking and jumping up and down and laughing. I left the window instantly after. At approximately 0154 DPO SHREEVE was performing a room safety inspection in B Wing and apparently #1005398 was still naked and #1005398 screamed, "Bryant was looking at my penis!" As of 0200 #1005398 was still completely nude and laying on the floor. At approximately 0214 DPO SHREEVE informed me that he witnessed #1005398 had put his shorts back on. At the same time #1010666

yelled to SHREEVE that if I entered his room he'd "swing on him".

At approximately 0225 hours #1010666 demanded ice. I asked him to show me his injured body parts. He was standing at the time and it should be noted he had been kicking his door on and off for over three hours. He showed me his left foot, which appeared slightly red but did not look swollen. I informed #1010666 that due to his continued riotous behavior and continuing to cover his window I could not safely provide him with ice at that time.

It was apparent that both youth's behavior was out of control, riotous, unsafe and was not stopping. At approximately 0235 DPO SHREEVE heard #1005398 make a statement about self-harm. Repeated questions to #1005398 about his intentions were unanswered. DPO BENSON placed a call to Assistant Superintendent MELROSE to advise him of the situation. It was determined based on his threats of self-harm, riotous behavior, and his instigation of other youth that #1005398 needed to be removed from his cell, placed in a suicide prevention gown and placed in a holding cell. DPO's BENSON, SHREEVE and I met to discuss our extraction plan. It was determined I would give directives at the door with DPO SHREEVE as my back-up while DPO BENSON monitored from the control area. If #1005398 refused directives and remained combative and non-compliant SHREEVE would utilize OC spray while I maintained control of the door.

I stood at the window of B-08 and directed #1005398 to allow us to handcuff him by placing himself in the prone position on his bed. #1005398 was still completely naked at this time. #1005398 refused all directives, although he did place his shorts on. #1005398 continued to yell expletives at DPO SHREEVE and myself and made it clear he would not comply with us removing him from his room. We informed #1005398 that based on his comments of self harm and his riotous behavior, we were moving him to B-Holding. I then gave him multiple directives that if we opened the door and he remained non-compliant, OC Spray would be utilized. #1005398 stated, "Then come spray me bitches!" I radioed BENSON that we would open the door and gave #1005398 a final directive to get in the prone position and that the door would be opening. At approximately 0247 I keyed B-08 and #1005398 continued to stand and face both SHREEVE and myself. I called "OC, Cover!" and so did DPO SHREEVE. #1005398 made no move to be compliant and SHREEVE gave a second warning. He deployed a less than three second burst of OC to #1005398's face and #1005398 turned away. I immediately shut the door and secured it in order to let the OC take effect. I counseled #1005398 during this time to become compliant and face the wall with his hands behind his back. He was defiant and yelling obscenities and kicking the door. Finally, after several minutes #1005398 agreed to become compliant. I directed him to face the wall with his hands behind his back. I opened the door and directed him to walk backwards towards the door. Once he reached the door I took control of his fingers and applied handcuffs, checking for proper fit and double locking them at approximately 0301 hours. I then escorted #1005398 to B Shower area while maintaining a grip on his left bicep and left forearm. SHREEVE had control of his right arm.

We began the decontamination process in B Shower at 0302 hours. #1005398 was allowed to rinse with cold water for approximately 8 minutes. #1005398 was calm and agreed to let us remove his shorts and be placed in a suicide prevention gown. I removed handcuffs at 0311. He was placed in the prevention gown and secured in B-Holding at 0313.

DPO BENSON retrieved a fan, which I set up in B Vestibule to circulate air for #1005398. At this time #1010666 made self-harming declarations to SHREEVE and was requesting to also be placed into a suicide prevention gown. SHREEVE and BENSON escorted #1010666 to A-Shower area. BENSON radioed for me to switch out with her. I responded to A Shower where #1010666 was handcuffed, kneeling on a bench and under SHREEVE'S control. I asked #1010666 if he would be compliant and remove his clothes and dress himself in the gown. #1010666 was evasive and moving around. I placed my right arm on his left wrist and my left hand on his left bicep to maintain better control. I gave directives that we would remove handcuffs and once we did so he needed to place his hands on his head. #1010666 stared at me without a reply. I repeated my directives and #1010666 mumbled an inaudible reply. SHREEVE removed handcuffs at 0323 and I maintained control of both #1010666'S hands as he placed them on his head. #1010666 was assisted to his feet and directed to lift his arms so that his shirt could be removed. #1010666 continued to make derogatory comments to me, calling me an asshole and that he would "sue" me. I maintained control of his left hand on his head and kept my right arm on his upper back to maintain control. #1010666 made attempts to turn in my direction but I stopped him by giving verbal commands. SHREEVE assisted in placing #1010666 in the Suicide Prevention Gown. Once dressed we escorted #1010666 back to his room (B-08) while I maintained a firm grip on his left arm bicep and forearm. With AS MELROSE'S assistance, #1010666 was placed in his room without incident.

ACTIONS/ RECOMMENDATIONS:

Due to their self-harming statements both #1005398 and #1010666 will be placed on Suicide Watch. A Suicide Log was started for #1005398 at 0313 and #1010666 at 0335.

Room Confinement is recommended for both youth due to their threats to staff, failure to follow directives,

continually covering their windows, riotous behavior and inciting other youth to join in their behavior and causing an unsafe situation in the institution. Strong consideration may be made for administrative separation for both youth.

A mental health referral for both youth has been completed and submitted on their behalf.

A medical slip was submitted on both youth's behalf, although neither reported any injuries. It should be noted that #1005398 was given a second shower and some milk to calm the burning by AS MELROSE.

Both #1005398 and #1010666 will be listed MIR (PT,PT,PT) on the tray list.

Notifications

Person Notified	Title	Time
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Officer Actions

Minor	Staff Action	Start Time	End Time
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STAFF SIGNATURE/TITLE

DATE

Review (9/13/2016)

Reviewed By: Melrose, Chris

Approved as written: Yes

Comments: Use of OC and force was appropriate for the actions by the youth. Staff involved did a good job to handle this situation.

Persons Notified:

STAFF SIGNATURE/TITLE

DATE

Caseload Explorer

El Dorado County Probation Department

Incident Report - Institutions

Incident Information

Offender Information

Report #: Juvenile Hall-7950-RPT-27715

RE: [REDACTED]

Date: 9/7/2016 10:00:00 PM

PIN: [REDACTED]

Report By: Schindler, Jennifer

DPO: WS Record Seal / McMurtry, Virginia

Incident: Juvenile Hall-7950

Incident #:

Behavior, Force Used, Injury (Minor), Mental Health Referral, Pepper Spray, Refusal To
Type: Follow Directive, Restraints Used, Room Confinement, Security Risk(*SR), Sexual Behavior,
Verbal Altercation, Suicide Ideation, Suicide Watch

This supplemental report was originally written by Jennifer Schindler, Senior Deputy Probation Officer – Institutions on 9/8/2016:

On the above date at approximately 1130hrs, DPO(I) Duncan and I provided youth's #1005398 and #1010666 their Notice of Disciplinary Action regarding both being placed on Room Confinement for last night's incident. Both youth declined due process hearings.

Action Taken / Recommendation:

Both #1005398'S and #1010666'S Room Confinement has been started at 0300hrs today. They will have meals in their rooms. Both have paper trays due to also being on Suicide Watch.

Duncan witnessed each youth's answer and subsequently signed the paperwork documenting their wish to declined due process hearings. This paperwork will be submitted along with a copy of this report for review.

Notifications

Person Notified	Title	Time
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Officer Actions

Minor	Staff Action	Start Time	End Time
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STAFF SIGNATURE/TITLE

DATE

Review (9/13/2016)

Reviewed By: Melrose, Chris

Approved as written: Yes

Comments: Use of OC and force was appropriate for the actions by the youth. Staff involved did a good job to handle this situation.

Persons Notified:

STAFF SIGNATURE/TITLE

DATE

Caseload Explorer

El Dorado County Probation Department

Incident Report - Institutions

<u>Incident Information</u>	<u>Offender Information</u>
Report #: Juvenile Hall-7919-RPT-27563	RE: [REDACTED]
Date: 8/25/2016 2:15:00 PM	PIN: 1007564
Report By: Bookmyer, Bobbi	DPO: Closed /
Incident: Juvenile Hall-7919	
Incident #:	
Type: Pepper Spray, Room Confinement, Security Risk(*SR), Suicide Attempt, Suicide Watch	

This report was originally written by SDPO (I) Bobbi Bookmyer on 8/25/2016.

At approximately 1415 hours I heard from school that there was a female going down for a time out, a couple of minutes later I heard "cover" over the radio, I immediately responded to the school where #1007564 was refusing to leave the classroom. DPO D. Orsel, DPO Magat and I counseled with her but she continued to argue and refused to leave the classroom. Magat pulled out her Oleoresin Capsicum (OC) and informed #1007564 if she did not leave she would be sprayed. #1007564 continued to argue but Orsel finally got #1007564 to walk out of the classroom. While she walked she was calling staff "Bitches" and saying "go ahead spray me". When we approached her room (B-1) #1007564 refused to go inside, she continued to call staff "bitches" and yell at staff as she stood just outside the door. #1007564 ripped off her name tag from the wall as she slowly moved closer to entering her room. I closed the door and she pushed up against it, DPO Barnes and I pushed on the door while DPO Magat pushed her leg into her room. The door was secured and #1007564 began to scream and bang on her door. At approximately 1419 hours I heard a "Code 3" from D. Orsel to respond to B-1 that #1007564 was choking herself with a sheet. Barnes, Magat, O'Mara and I responded; Orsel opened the door and #1007564 took the sheet off from around her neck and was yelling "spray me, you fucking bitches, come and get this sheet, you're going to have to restrain me". #1007564 was pacing back and forth between the bunks and swinging her hand that had the ripped sheet in it. We attempted to talk to her but she continue to yell profanities at us and told Barnes "I hope you and your baby dies" and threatened Magat if "you come in my room I'm going to hit you in the face" #1007564 continued to call us "bitches" "Cunts" and "Niggers". #1007564 spit in Magat and O'Mara direction approximately three (3) times and was yelling "come in here and try to get this sheet you haggard bitch". Due to #1007564 continuing to elevate in her behavior, I had O'Mara shut the door and supervise her through the window as we came up with a plan to enter the room. During this time #1007564 sat on the floor by a bunk and placed her mattress by her feet. I decided that I would spray #1007564 with oc, then we would secure the door and wait for her to comply with our directives. O'Mara opened the door and as I went to spray #1007564, she covered herself with her mattress, I grabbed the mattress and deployed the Oleoresin Capsicum (OC) hitting her on her forehead, arm and back of legs. #1007564 began to kick at me and Orsel then took hold of her right arm and proceeded to place it behind her back. I took hold of #1007564' legs due to her kicking and O'Mara placed handcuffs on her; they where check for proper fit and doubled locked. Barnes retrieved leg shackles and secured them to her ankles. #1007564 then stated that she would cooperate, she was sat up and lead out of her sleeping room. As she left, I was standing outside her door and she attempted to ram up against me with the right side of her body. #1007564 moved to the B-wing shower area and was placed in a chair and the decontamination process was started. I then retrieved a fan and safety garments. I had #1007564 sit in front of the fan. After approximately 5 minutes #1007564 stated that she was cold and didn't want to sit in front of the fan any longer. #1007564 was then taken into B-holding shower area and directed to change into Safety garments, she argued over the situation but, eventually complied.

Recommendations / Actions Taken:

#1007564 will be placed on Suicide Watch due to tying a sheet around her neck; an observation log was started at 1455 hours. A sick call slip and Mental Health referral was submitted on her behalf. #1007564 was offered but declined a Due Process Hearing for room confinement due to her behavior; her Room Confinement will start at 1430. I completed a Use of Force Report (# 546).

Notifications

Person Notified

Title

Time

Officer Actions

Minor

Staff Action

Start Time

End Time

STAFF SIGNATURE/TITLE

DATE

Review (9/6/2016)

Reviewed By: Melrose, Chris

Approved as written: Yes

Comments: Appropriate use of force and OC.

Persons Notified:

STAFF SIGNATURE/TITLE

DATE

Caseload Explorer

El Dorado County Probation Department

Incident Report - Institutions

Incident Information

Offender Information

Report #: Juvenile Hall-7919-RPT-27568

RE: [REDACTED]

Date: 8/25/2016 2:15:00 PM

PIN: 1007564

Report By: Melrose, Chris

DPO: Closed /

Incident: Juvenile Hall-7919

Incident #:

Type: Pepper Spray, Room Confinement, Security Risk(*SR), Suicide Attempt, Suicide Watch

This special incident report was originally written by DPO II (I) Dominic Orsel on August 25, 2016 and is a supplemental to SDPO-I Bookmyer's report #7919.

On the above date at approximately 1414 hrs, I observed #1007564 through the classroom window with what looked like smeared pencil lead on her face. I made a radio transmission to school staff, "I was unaware they allowed #1007564 to wear make-up in class". I heard a radio transmission back, "Thank you Dominic".

At 1415 hours, I was coming out of the control room and saw that there was a disturbance in classroom one. School staff radioed they have a female to go down. #1007564 was refusing to follow school and staff directives to take a time out. DPO Magat, DPO Barnes, SrDPO O'Mara and I instructed #1007564 to come with us to her room. She

insisted she was not going down because this was her third time out and she would miss the dog therapy later in the evening. SrDPO O'Mara instructed all the youth to go into the cover position and called a "code 3" over the radio. DPO's Magat, Barnes and I continued with counseling #1007564 to leave the classroom. At that time SDPO Bookmyer entered the classroom as well to counsel the youth and gave her multiple directives to go down to her room. School staff cleared the tables and chairs from the area around #1007564. Magat pulled out her Oleoresin Capsicum (OC) and informed #1007564 if she did not follow directives to go down to her room, she would be sprayed. While I was directing #1007564 to get up and walk down to her room, I approached #1007564 to assist her getting up from her chair. She actively resisted by pulling her arm away from me, got up yelling as she was walking down to her room, "Don't touch me", "Fucking spray me" and "You all a bunch of bitches". When #1007564 entered the hallway in B wing she tore off her door tag and stood by her door yelling at staff. #1007564 began going in her room reluctantly and then stuck her foot out and then began yelling that staff would have to spray her. DPO Magat directed her to move her foot into the room. Magat had to push #1007564's foot into the room with my assistance. #1007564 began screaming and yelling profanities toward staff.

At 1419 hours, I radioed that #1007564 was choking herself and I needed assistance. #1007564 had torn her pillow case and wrapped it around her neck while screaming she was going to choke herself. Within a few seconds, Bookmyer and Magat responded to B-01. Once all the staff arrived at B-01, I opened the sleeping room door to B-01 and I observed that #1007564 had her pillowcase pulled around her neck and torn in pieces. #1007564 was red in the face and still screaming at staff. Barnes and I tried to counsel #1007564, but she continued to scream over us profanities, calling us names, challenging staff to OC spray her and screamed at Barnes "I hope you and your baby die!" #1007564 began to throw her bedding and spit toward O'Mara and Magat who were standing outside of her sleeping room door.

#1007564 got on the floor with her mattress and was waiting for staff to come in her room, in the thought we were going to spray her. O'Mara secured the door to B-01 while keeping a visual on #1007564. We discussed our plan and alternatives to her reaction. O'Mara opened the door, Bookmyer and I entered the room. Bookmyer deployed her OC spray, as Magat removed the remaining bedding. #1007564 began kicking toward Bookmyer, I started in on restraining #1007564. I maneuvered #1007564 into a prone position to get her right arm from underneath her body. O'Mara came over and applied one cuff to her right wrist and I placed the other cuff to her left wrist, checked for proper fit and double locked. Barnes placed shackles on her ankles. I escorted #1007564 out of her room and placed her in a chair under the cold shower water to begin the decontamination process. After approximately 5 minutes, #1007564 wanted to be out of the shower because she was cold.

This ended my involvement with this incident.

Actions Taken and Recommendations:

See SDPO Bookmyer's original SIR for further actions taken and recommendations.

A use of force report was filled out in PRIORS and a hard copy given SDPO Bookmyer.

Notifications

Person Notified	Title	Time
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Officer Actions

Minor	Staff Action	Start Time	End Time
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STAFF SIGNATURE/TITLE

DATE

Review (9/6/2016)

Reviewed By: Melrose, Chris

Approved as written: Yes

Comments: Appropriate use of force and OC.

Persons Notified:

STAFF SIGNATURE/TITLE

DATE

Caseload Explor (2011

Procedure Number: G10
Issued: 07/04
Revised: 03/08
Revised: 06/10
Revised: 05/11
Revised: 05/12
Revised: 07/12
Revised: 10/12
Revised: 06/13

USE OF FORCE
(Title 15, Section 1357)

The El Dorado County Probation Department has established guidelines for the use of force involving minors detained in juvenile detention facilities. "Use of force" is defined as the application of physical techniques or tactics, chemical agents or weapons to a human. It is not a use of force when a minor is searched, escorted or handcuffed. A probation officer shall use only the amount of force that appears reasonably necessary to overcome the resistance of the minor based on the totality of the circumstances presented to the probation officer at the moment the force was applied. The use of any force shall be based on the facts known to the officer at the time of the incident, the officer's professional judgment, and shall be within the lawful actions of the officer.

In each Juvenile Detention Facility (JDF), the department must provide for the safety and security of minors, staff and visitors, and prevent the destruction of County property. Use of force is authorized:

- In self-defense or defense of another.
- To prevent the escape of a detainee.
- To move a detainee from one location to another.
- To protect a detainee from self-inflicted injuries or suicide.
- To prevent damage to county property.

Services must be provided efficiently and humanely with minimal reliance on the use of force. Force must never be utilized when compliance can be gained by less severe methods. A physically aggressive minor should usually be given verbal direction to stop the behavior before force is used. Force is never to be used as a threat to gain compliance or for punishment, retaliation or discipline. Staff must never allow anger or emotions to cause loss of control during any force or restraint incident.

Probation officers may face circumstances in the course of employment that present life threatening situations and warrant defensive actions beyond the scope of the Use of Force procedure. In other words, this procedure does not prohibit officers from using any lawful means of self-defense when faced with a risk of great bodily injury or a life-threatening situation.

THE OBJECTIVE REASONABLENESS STANDARD

Any use of force will be evaluated under the "objective reasonableness standard," taking into consideration the totality of the circumstances known to the probation officer at the time the incident occurs, without benefit of "20/20 hindsight." The reasonableness of force will be evaluated from the perspective of any reasonable probation officer at the time of the incident. Any evaluation of reasonableness must allow for the fact that a probation officer must often make split second decisions about the amount of force that reasonably appears necessary in a

particular situation, sometimes with limited information and in circumstances that are tense, uncertain and rapidly evolving. Further, the “objective reasonableness standard” is the sole justification for whether the probation officer acted reasonably, not whether the officer had less intrusive alternatives available.

CONSIDERATIONS FOR THE USE OF FORCE AND RESTRAINT

Mechanical restraints are handcuffs, leg irons, and waist chains. These devices may be used to maintain control after force is used. They can also be utilized for potentially combative minors who need to be moved from one location to another. In the case of females who are known to be pregnant, the use of mechanical restraints is limited to handcuffs placed with the hands in front of the body.

Mechanical restraints should be removed as soon as the minor arrives at the intended location, has regained emotional and behavioral control and made a verbal commitment to not harm him/herself or others. These mechanical restraints can cause cutting and bruising. If necessary, restraints may be readjusted following application for proper fit, then double locked.

Use of force is defined as physically controlling a minor’s behavior for 15 minutes or less. Use of force also includes deployment of OC spray. Restraint is defined as physically controlling a minor’s behavior for more than 15 minutes.

Where circumstances permit, any instance when a minor becomes out of control to the extent that force or restraint may be necessary, staff shall immediately notify and request the presence of the Supervising Deputy Probation Officer-Institutions, Shift Supervisor, Assistant Superintendent or Superintendent. Absent any imminent danger to themselves or others, staff must contain the minor until one of the above arrives. The Supervisor, Shift Supervisor, Assistant Superintendent or Superintendent will immediately report to the area and approve the use of force and/or restraint, if applicable.

FACTORS USED TO DETERMINE REASONABLENESS

When determining whether to use force, or when evaluating whether a probation officer has used reasonable force, a number of factors should be taken into consideration, as time and circumstances permit. These factors include, but are not limited to:

- Immediacy and severity of the threat to staff or other minors.
- Officer/minor factors, including age, size, strength, number, injuries, skill and ability levels, previous exhibition of violence, injuries sustained, level of exhaustion or fatigue, etc.
- Influence of alcohol, drugs or mental capacity.
- Availability of other options and their possible effectiveness.
- Seriousness of current situation or offense.
- Training and experience of the probation officer.
- Potential for injury to self and others.
- The risk and reasonably foreseeable consequences of escape.
- Proximity of weapons or dangerous improvised devices.
- The apparent need for immediate control of the minor or a prompt resolution of the situation.
- Any other exigent circumstances.

Further, staff must also assess the conduct and degree of resistance exhibited by the minor; for example:

- The minor is cooperative and complies with verbal commands or other directions.
- The minor is uncooperative or fails to respond to verbal commands or other directions.
- The minor is passively or defensively resisting an officer's authority and direction, which includes verbal or physical cues of non-compliance.
- The minor is attempting to interfere with the officer's actions by inflicting pain or physical injury to the officer without the use of a weapon or object.
- The minor assumes a fighting stance, charges an officer, or verbally or physically indicates intent to commit an assault.
- The minor commits an attack using an object, a weapon, or an empty hand assault, wherein the officer reasonably believes that the assault will result in serious injury and/or death.

In any use of force or restraint situation, staff should be aware of the potential for being subjected to "gassing." Force utilized to prevent and control this possibility must be considered.

An officer involved in using force or restraint must be able to articulate the factors considered and justify the actions taken.

REPUTATION AND PRESENCE

An officer's reputation and presence is the first and most often used option to maintain situational control of minors, often enabling an officer to prevent most situations from requiring physical intervention. Reputation and presence includes an officer's demonstrated professionalism, integrity, and reputation for fairness, and should have an impact on a minor's behavior. These characteristics, to be effective, must be consistently maintained.

The presence of more than one probation officer may also serve to de-escalate a situation and add to the control of a minor.

VERBAL SKILLS AND COMMANDS

A probation officer must have strong verbal skills when dealing with minors, and must develop rapport and an appropriate relationship with minors. Sometimes discussing the minor's situation with him/her will de-escalate a potentially unsafe situation. When necessary, verbal requests or commands can be used to obtain compliance and to control the situation/minor. Verbal commands must be firm, clear, concise and reasonable to be effective, and should not be threatening. It is hoped that strong officer presence and verbal skills with minors will de-escalate the majority of the situations that a probation officer may face.

CONTROL AND RESTRAINT

Probation officers shall be certified by a qualified, approved trainer before they are authorized to utilize any control and restraint techniques, or as approved by the Chief Probation Officer or his/her designee. Thereafter, an approved trainer reviews control and restraint techniques with all probation officers on a regular basis. When determining if control and restraint techniques will be used, a probation officer shall assess the situation and the minor(s) for the appropriateness of attempting to physically control and restrain him/her.

Consideration for the use of control and restraint techniques apply to pregnant females to the extent that all efforts less than physical force shall be exhausted prior to using hands on techniques.

Hand controls and/or compliance holds may be used to take physical control of a minor. Further, a probation officer can use these physical skills, including self-defense as well as escape techniques, when confronted with an immediate risk of assault or violence from a minor or when a minor exhibits resistance.

A probation officer may use mechanical restraints (handcuffs, leg irons, waist chains with attached cuffs) as officer safety tools. For example, handcuffs may be utilized when securing a minor who is in custody. However, restraints shall not be used as a threat or punishment. Restraints shall be applied in a manner compliant with department training standards, including being double locked and checked for proper fit (handcuffs and leg irons).

CHEMICAL AGENTS: OLEORESIN CAPSICUM (OC) SPRAY

Permission to use OC spray has been granted by and is under the sole control of the Chief Probation Officer of El Dorado County. Staff authorized to use OC spray must:

- Be an El Dorado County Probation Department employee with Peace Officer powers pursuant to 830.5 P.C., and completed training required by 832 P.C.
- Be on duty and authorized through the chain of command to possess/use OC spray.
- Successfully complete a department approved chemical agents course pursuant to 22820 P.C. and Management of Assaultive Behavior or Weaponless Defense Course.
- Complete all training re-certification requirements of the above courses.
- Read and sign the acknowledgement of the Department's policies and procedures on use of force and chemical agents.

OC spray may be used for the purpose of self-defense or defense of another in any situation in which the officer has a reasonable belief there exists risk of assault or violence from a minor. Whenever possible, staff must request assistance and the presence of the Supervisor, Shift Supervisor, Assistant Superintendent or Superintendent when the use of OC spray is likely.

OC spray may only be deployed without warning when it is obvious that even a momentary delay would result in an increased threat to the safety and security of others.

OC spray shall not be used for:

- Punishment.
- Retaliation.
- Discipline.
- Threats.

Whenever possible, OC spray should not be used on minors that are pregnant or with medical histories of:

- Respiratory problems.
- Heart disease or related problems.
- Seizures.
- Under the influence of stimulants (cocaine, methamphetamine, PCP).

- Prescribed psychotropic or stimulant users.
- Obesity.
- Corrective eyewear such as contact lenses.

All reasonable efforts should be made to avoid spraying these minors; however, staff safety and the safety of other minors is the primary responsibility. There may be occasions, due to the violent circumstances, where OC spray must be used on these persons to prevent serious injury to others.

The OC spray canister must be carried in its holster. It should be carried in such a position on the officer to be easily accessible when needed, while minimizing the potential for accidental discharge. Officers must develop the skill to easily unholster, re-holster and secure the canister.

An officer should use whichever hand is most effective to deploy OC spray; however, it is recommended all officers practice with both hands.

Officers should be prepared for the likelihood that some of the chemical might get on them during or after the use of OC spray. Thorough washing of contaminated skin areas is mandatory.

Immediate Action and Medical Attention

The first step after deploying OC spray is to take control of the minor, as soon as possible. Staff may wait and give verbal commands and wait until the spray dissipates from the air. The minor should be placed in mechanical restraints with the use of approved control techniques.

Remove the minor and any officer(s) involved from the contaminated area and remove any contaminated clothing. Any contaminated clothing should be washed thoroughly before future use.

Staff shall ensure first aid and decontamination is immediately provided if safe to do so, followed by further medical treatment, when necessary. The minor shall be kept under direct observation at all times while in OC distress and during the decontamination process. If the minor is injured, or remains in OC distress for 45 minutes or more, the minor must be examined by on-site medical staff, or contact must be made with the on-call medical provider and his/her instructions followed. In all situations where OC has been deployed on a minor, that minor shall be referred to medical staff to be examined on their next available rounds.

Decontamination Guidelines

Prior to decontamination, inquire if the minor is wearing contact lenses and if so, and if possible and safe to do so, allow him/her to remove the lenses. Hard lenses may be cleaned in the normal manner; soft lenses must be discarded.

Monitor the minor and provide verbal reassurance that the effects are only temporary and the decontamination process will begin as soon as possible. The minor should not be placed on or allowed to lie on his/her stomach while suffering the effects of OC spray, especially while handcuffed.

The minor should be exposed to fresh air, when possible.

Use cool water and begin applying water on the eyes and face of the minor, or any other contaminated area of the body. The exposed area of the minor's face must be flushed with large amounts of cool water. Explain that excess spray is being washed away and relief from the contamination is inevitable. The minor's face or eyes cannot be rubbed with a cloth or towel as this will only increase the inflammation.

Creams, salves, oils, lotions, burn cream or oil based products or soaps should not be applied or used on or to clean the skin as these products will only trap the OC spray on the skin.

The minor may produce some amount of bodily fluids, usually in the form of mucous, saliva, and tears. For the officer's protection, universal precautions shall be followed, including wearing rubber/latex gloves for the decontamination process when possible.

Once any initial medical assessment has been completed or first aid has been rendered, the probation officer shall take digital photographs of any areas of the minor's body involving visible injury or the minor complains of pain. The probation officer shall also take overall digital photographs of uninjured areas of the minor's body. Any photographs taken shall be attached to the incident report written by the primary probation officer who utilized force.

Staff must remain alert to any behavior or remarks that may indicate the need for intervention by Mental Health.

Clean and decontaminate, or dispose of, any affected areas including mattresses, pillows, bedding or personal belongings. Re-issue clean clothing and bedding as necessary.

Security and Inventory of OC Spray

Supervising Deputy Probation Officers-Institutions and Shift Supervisors will be responsible for the daily security, inventory, issuing, and authorizing the use of OC spray, including the following:

- Canisters will be stored in a locked drawer in the control room.
- A control system will be maintained that includes inventory, testing for operability, and replacement as needed.
- OC spray shall never be taken off institutional grounds, except on approved transportation of minors.
- Any form of "horseplay" involving OC spray is strictly forbidden and will result in disciplinary action.

The assigned Supervising Deputy Probation Officer-Institutions shall inspect all OC spray canisters at least once monthly for leaks and to assure the OC spray is working properly; this can be done by spraying a short burst in a safe area where no minors or members of the public are present. The assigned SDPO-I should make sure lint or dirt has not clogged the nozzles and each canister is not dented or damaged. The assigned SDPO-I shall become familiar with the weight of each canister's contents. OC spray shall be considered for replacement when the level is reduced to half of the original volume.

The assigned SDPO-I will keep track of expiration dates of OC spray, and order and issue new canisters when appropriate. When a canister needs disposal, the canister shall be given to the Armory Officer in the field division. Expired or used OC spray canisters shall be disposed per

department process by the Armory Officer in the field division. The assigned SDPO-I shall not attempt to dispose of OC spray or canister in any manner, other than being turned in to the Armory Officer in the field division.

(Note: Any person, who changes, alters, removes or obliterates the name of the manufacturer, the serial number or any mark of identification on a tear gas product is guilty of a felony.)

Care should be taken to avoid exposing an OC spray canister to prolonged periods of direct sunlight due to the possibility of seal rupture.

Note: Deadly Force is prohibited in El Dorado County juvenile detention facilities.

DUTY TO INTERCEDE

Any probation officer present and observing another peace officer using force that is beyond that which is objectively reasonable under the circumstance shall, when in a position to do so, intercede to prevent the use of unreasonable force. Any probation officer, who observes another employee use force that exceeds the degree of force permitted by law, policy (including Probation Department Policy IV10, Employee Conduct) and procedure, should promptly report these observations to a supervisor, the Assistant Superintendent, or the Superintendent as soon as possible. Thereafter, as soon as possible but by the end of the following business day, the probation officer who observed the unreasonable use of force shall complete a written memorandum detailing the unreasonable use of force, including the date, time, place of occurrence, the identity of all parties involved, a description of the events, a description of the force used, and any other information deemed necessary in order to completely and accurately describe the use of force incident.

DOCUMENTATION

Any use of force or restraint on a minor shall be documented in a Special Incident Report (SIR), a Use of Force Report (form #546), a Restraint Report (form #524) if necessary, and the logbook.

The Use of Force Report is completed if physical control is needed for 15 minutes or less, or if OC spray is deployed.

The Restraint Report is completed if the use of force exceeds 15 minutes.

The Special Incident Report must include the following, as approved and reviewed by the Supervisor/Shift Supervisor:

- A full description of the incident including the names of all parties involved.
- The factors perceived by the probation officer.
- The risks created by the minor, and why any particular intervention technique was used.
- Why the use of force was “objectively reasonable” under the circumstances presented to the probation officer (i.e. self-defense, defense of another, prevention of self-harm or damage of county property, etc.).
- Any statement made by the minor(s) involved.
- Staff’s efforts to de-escalate the minor(s) involved and gain compliance through less severe interventions, and what the intended result of the application of force might have been.

- Efforts to call for additional assistance and the presence of a supervisor.
- Effects of OC spray exposure on minor(s) and staff, including any injuries, if applicable.
- Decontamination provided to minor(s) and staff, and any first aid given, including effects of first aid, if applicable.
- Decontamination provided to any other person(s) present, and any first aid given, including effects of first aid, if applicable.
- Any pre-existing medical condition(s) of minor(s) or staff, if known, and effects of OC spray exposure on these medical condition(s), if applicable.
- Any outside agencies contacted, if applicable, and services provided by these agencies.
- Any other pertinent information necessary to provide an accurate and detailed account of the use of force or restraint.

The Supervisor/Shift Supervisor on duty must also:

- Review the SIR and Use of Force and/or Restraint Reports for thoroughness, reasonableness and compliance with policies and procedures.
- Ensure that the minor(s) has been referred to medical/mental health staff.
- Determine appropriate placement and disposition of the incident.
- Forward all documents for review by the Assistant Superintendent or the Superintendent.

The Assistant Superintendent or Superintendent must:

- Review all incidents for compliance with policies and procedures.
- Consider the minor's version of the incident.
- Assess the reasonableness of force and the quality of documentation to defend against potential litigation.
- Consider and follow up on any pending issues or injuries.
- Initiate an internal or criminal investigation when necessary.

USE OF FORCE FOR DNA COLLECTION

Force will not be used to collect a DNA sample. If the subject refuses to voluntarily give a DNA sample, the staff member is directed to explain to the subject that they are required by law to submit and allow the sample to be taken. If that effort fails, the staff member shall notify their shift supervisor of the situation. The shift supervisor may attempt to get a voluntary sample. If that fails then the initiating officer shall document the situation on a Special Incident Report, and on the 298.1 PC Admonishment Form (#50) pursuant to Probation Officer Procedures section G11, DNA Testing.

GRIEVANCE BY MINOR

Any minor who believes that force or restraint was utilized in violation of this procedure may seek resolution through the grievance process.

Course Objectives



- Learn about Oleoresin Capsicum
- Examine the effects of OC
- Review OC tactical deployment considerations
- Examine policy and procedure recommendations
- Cover personal and area decontamination protocols
- Examine Legal Issues
- Review agency policy and procedures

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Priority of Life



- No matter what tactic or use-of-force is used, several factors must be considered:
 - Hostages
 - Citizens
 - Law Enforcement/Correctional Officers
 - Tactical Officers
 - Suspects

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Solution Categories



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History and Terminology

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What is OC?

- OC is an inexpensive, low-level, less lethal force option. Officers use this self-defense tool to help protect themselves against individual(s) who pose a physical threat.
- It can provide an officer with several tactical advantages, including:
 - Maintaining stand-off distance
 - Creating a pause in combat
- It is utilized in a variety of tactical environments, including:
 - Patrol
 - Corrections
 - SWAT
 - Crowd Management
 - Military Peace-Keeping Missions
 - Security Personnel

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Delivery Systems Spray Patterns

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Delivery Systems

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- Projector selection considerations:
 - Mission
 - Assignment
 - Environment
 - Carry Options
- First Defense® projectors are designed to quickly deliver more product on target
- Use in upright position unless it a 360° projector



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Delivery Systems – Stream Spray Pattern

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- A strong concentrated stream
- Spray directly into face, aiming at the eyes and brow
- Target specific
- Greater standoff distance
- Less respiratory effect



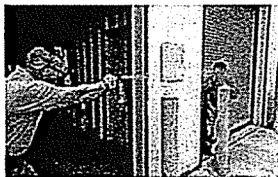
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Delivery Streams – Cone Spray Pattern

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- Disperses OC in a wide pattern making it easier to acquire the target.
- The spray is completely filled with microscopic droplets causing every area around the subject's eyes, nose and face to be covered.
- Affects the respiratory system
- Can be affected by the wind



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Delivery Systems – Foam Spray Patterns

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- Comprised of powerful fast-acting foaming surfactant that coats the face upon contact
- Designed for climate-controlled environments such as courtrooms, hospitals, schools and corrections
- Spray directly into eyes
- Less stand-off distance
- Foam can be slippery on certain surfaces



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WORK TECHNOLOGY

Delivery Systems – Vapor Spray Pattern

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- Immediate and extreme effects on the eyes, respiratory system and exposed skin, with dramatic cough reaction
- Intense high volume fine mist
- Propellant evaporates inches from nozzle leaving only the OC in flight
- Reaction is quick, intense and involuntary
- .7% MC Pungency
- Steel Canister complies with DOT requirements
- Ideal for corrections and tactical applications
- EDW and chemically safe



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WORK TECHNOLOGY

OC Vapor Deployment

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- Consider using a mask
- Wind direction important
- Limit exposures to 6 seconds of total spray duration in confined spaces with poor ventilation
- Very effective in confined spaces, such as cells and attics
- Projector w/wand adapter can be used with hose and wand attachment
- Remove suspect after exposure
- Easier area decontamination

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WORK TECHNOLOGY

OC Aerosol Effects



Protester pepper-sprayed by police at Occupy Denver (2012)

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California DOJ-EPA Study

- Most comprehensive research to date 1995-1996
- Agencies documented the use and effectiveness of two distinctly different OC products.
 - 10% stream delivery water-soluble (First Defense)
 - 5% fog delivery oil-soluble
- Study helped establish industry standards for selection criteria
- The report reflects both safety and effectiveness of OC aerosols and supports the use of OC in the escalation of force, while minimizing both officer and subject injuries.

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1996 CA DOJ Usage Reports

Number of Agencies Reporting	518
Reports to Date	23,095
Percent Effective	87%
Subjects Not Injured	20,278
Officers Injured Due to OC	1
OC Related Deaths	0

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OC Research




- "The Effectiveness and Safety of Pepper Spray", NIJ Funded Research Report (April 2003)
 - Found injuries to both officers and suspects as well as complaints of excessive force declined after OC was introduced
- NIJ Research in Brief (February 1997)
 - Found OC successfully incapacitated humans in 90% of the confrontations
 - Assaults on officers declined after OC was introduced
 - Use-of-force complaints decreased by 53% during the study period, and no complaints regarding the use of OC
 - Showed that a well-developed OC spray program can provide operational benefits to police


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 47005 12-04-07


Physiological Effects




- OC is classified as an Inflammatory Agent
- It can cause pain and a burning sensation to any contaminated skin, localized heat sensation, redness and swelling.
- May experience feelings/reactions such as:
 - Tightness in the chest
 - Shortness of breath
 - Nasal discharge
 - Coughing
- The two primary physiological effects of OC exposure are:
 - Involuntary closure of the eyes
 - Burning sensation in the upper respiratory tract and to the exposed skin.



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 47005 12-04-07

Psychological Effects



Warning/Drawing of the OC Projector:

- can intimidate a suspect into compliance
- affect others' actions

Once deployed, can change a suspect's:


- will to fight
- ability to focus


Environmental awareness:

- elevated positions
- traffic concerns
- innocent bystanders


Reactions Vary:

- panic
- fear
- anxiety





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 47005 12-04-07

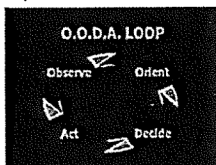
OODA Loop

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PATTERNS OF CONFLICT

- If an opponent is reacting to a situation that no longer exists, they will be forced to start over again. At this point, you are "in their loop"
- This will result into a "paralysis by analysis" by your opponent.
- The key is to "get inside" your opponents loop

Col. John Boyd



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Reactions Vary

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Suspects may:

- Raise hands
- Have a delayed reaction
- Attempt to decon
- Sit or fall down
- Flee or fight
- Exhibit auditory exclusion
- Experience no change
- Become more aggressive
- Heat/Humidity/Environmental Factors



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Reactions Vary

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Failure Rate

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- Difficult to quantify, but it does exist
- Can be subjective
- Unrealistic expectations
- Target not (fully) acquired
- Nothing is 100% effective, not even a firearm. DO NOT be overconfident. OC is not "karate in a can" and is not intended to be incapacitating.
- Some people have a very high threshold for pain, may be emotionally or mentally disturbed or under the influence of alcohol/drugs.
- We have found from contaminating thousands of officers that the level of effectiveness varies with each student.



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ADVANCED TECHNOLOGY

Deployment Considerations

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Occupy Portland (2012)

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ADVANCED TECHNOLOGY

Accessibility

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- Quick Access
 - Response to spontaneous threat
- Ergonomics
 - Position that works best for personal coordination and body makeup
- Accidental Discharge and Retention
 - Eliminates the possibility of accidental discharge
 - Anything on an officer's duty belt can potentially be taken by a suspect
- Handguns
 - Ensure projector does not interfere with gun/holster



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ADVANCED TECHNOLOGY

Deploying the Projector

- Gripping the OC Projector**
 - Grip – using a “C” clamp.
 - Actuation (Thumb/Finger)
- Drawing the Projector**
 - One-Hand Stance
 - Strong Hand Draw
 - Weak Hand Draw
 - Low Profile Carry
 - Two Hand Conceal
 - Behind Leg Conceal
- Support Hand Considerations

C-Grip Method

Index Method

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Environmental Conditions

Pre-deployment considerations:

- Cross Contamination
 - Airborne particulates may move to adjacent rooms/cells or through ventilation systems.

This is most prevalent in fog delivery systems.

Environmental Factors:

- Wind and rain
- Heat and humidity
- Cold

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Deployment Tactics

- Deploy OC to the Facial Area assuring coverage of EYES, NOSE and MOUTH.
- Quickly evaluate the effectiveness of the OC and re-deploy or transition to other means of control if necessary.
- It is important to be proficient in physical tactics and weapon related skills.
- Using OC early can provide an element of surprise.
- Use OC prior to escalation of a physical altercation.
- Take advantage of distance.
- Give it time to work.
- Communicate with fellow officers when spraying a subject who is in proximity of/in physical contact with another officer.

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- It is imperative to hit the target area**



Post-Deployment

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Controlling the Suspect:

- Use handcuffing and approved control techniques

In Custody Handling:

- After a subject has been sprayed and secured:
- Ensure person is breathing normally
- Be cognizant of issues/positions that may hinder the suspect's ability to breathe
- Subjects should be monitored for medical distress



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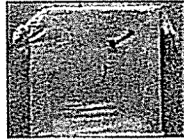
Flammability

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- Flammable or non-flammable label warnings on aerosols are legally required statements and are based on DOT regulations
 - Defense Technology® OC products are non-flammable
- EDW tested and safe; warnings are marketing claims and based on testing with Tasers®
 - All but our blended products are EDW tested and safe
 - Our OC/CS products are not EDW safe



OC / CS Blend



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Decontamination

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Decontamination

Effects of contamination include:

- Physiological Effects
- Psychological Effects

Decontamination must also include:

- Physiological decontamination
- Psychological decontamination

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Personal Decontamination Steps

Step 1 – Remove subject from the contaminated area.

Step 2 – Place subject in an area of fresh air, facing wind if possible. Shade works better than direct sun exposure.

Step 3 – Continue to verbally reassure subject. Keep him/her calm, restrict activity and encourage blinking of eyes.

Step 4 – If applicable have EMS or subject remove contact lenses.

Step 5 – Wash affected skin with copious amounts of fresh running water. A blotting motion is best when using paper towels, rotating after each blot to avoid recontamination.

Step 6 – Do not rub eyes. Flush eyes with copious amounts of cool water!

Step 7 – Monitor subject. If symptoms persists, seek medical aid immediately.

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Personal Decon Don'ts

- Myths, misconceptions and misinformation are prevalent and can lead to complaints of eye injuries
- OC is a plant oil. Remove plant oils from skin using water and non-oil based such as baby shampoo (if available)
- Your eyes are a more fragile mechanism than your skin
 - DO NOT use soap in your eyes, not even baby shampoo!
 - DO NOT use sugar in your eyes!
 - DO NOT use milk in your eyes!
 - DO NOT rub your eyes or apply salves, creams, oils or lotions.
- Avoid moving the OC from one area to another

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Personal Decontamination

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OC and CS Aerosol Blends

- Use cool water to remove from eyes
- Further relief may be gained by showering with cool water
- Fans may be helpful with CS
- Blow nose to discharge particulates
- Consider removing contaminated clothing
- Blink often and try to keep eyes open so the water and wind can help remove contaminants
- Tearing helps clear CS and OC from eyes



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ARTIC TLPNG 007

OC and CS Recovery

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- Talking reassuringly may help to relieve discomfort and prevent panic.
- Usually an individual will recover within an hour.
- Anyone not exhibiting significant improvement after 1 hour may need medical attention.
- If at any point the subject states or appears as if they are in medical distress, immediately call EMS.
- Pre-existing medical conditions should be considered prior to operational deployment and/or training exercises.

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ARTIC TLPNG 007

Area Decontamination for OC


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- Ventilate structure in an attempt to introduce fresh air and clear the airborne OC.
- Open doors and windows and use fans if possible to facilitate air circulation.
- Wash exposed surfaces with soap and water or at least a damp cloth using commercially available detergents.
- Clothing and other fabrics can be cleaned in their usual manner (machine wash or dry cleaning).
- Rubber gloves and a gauze face mask can be used during the clean up process.
- Consider seeking professional cleaning assistance.





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ARTIC TLPNG 007



Health Risk Review



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International Association of Chiefs of Police (IACP) Study, March 1994

Study:


- 30 incidents of sudden in-custody deaths occurring between 1990 and 1993 with regard to a concern over the possible role OC may have played in some of these deaths


Conclusion:

- Sudden in-custody death is not a new phenomenon nor is it attributable to the use of OC. Rather, sudden in-custody death can occur at any time for a variety of reasons.

Recognition of risk indicators include:

- Bizarre/violent activity
- Obesity (especially pot bellies)
- Disrobing
- Drug and or alcohol involvement
- Increased strength
- The apparent ineffectiveness of aerosol spray
- The use of positional restraint techniques should be avoided

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Pepper Spray's Effect on Ability to Breathe


National Institute of Justice, December 2001

Study:

- The effect of OC on respiration particularly when combined with positional restraint.
- 34 subjects exposed to OC spray, both while sitting and in the prone maximal restraint position.
- Researchers compared these results with those obtained in the same two positions when subjects inhaled placebo spray.

Conclusion:

- OC spray exposure and inhalation resulted in no significant risk for respiratory compromise or asphyxiation, even when combined with positional restraint.

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First Aid for OC



- Any person who has been exposed to OC and subsequently arrested should be given the means and opportunity to decontaminate.
- Monitor the subject for respiratory distress.
- An allergic reaction to OC Aerosol spray is possible but rare.
- Signs of allergic reaction:
 - Itching, hives, difficulty in breathing and/or swallowing, facial swelling, particularly around the eyes, lips or nose
 - Provide medical treatment to any person believed to be having an allergic reaction.
- All subjects should be closely and continuously monitored until symptoms are no longer persistent and/or cleared by certified medical personnel.
- Provide medical attention to anyone requesting it.

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Hydraulic Needle Effect



- The consequence of pressurized liquid traveling at high pressure penetrating soft tissue.
- The eyes are the greatest concern when aerosols are delivered at close distances. Soft tissue injury can occur by means of compressed gases or liquids striking soft tissue at high speed.
- There is no medical research offering a guide to the pressure thresholds of pepper spray where such an injury would be likely.
- Defense Technology® is not aware of an instance where a chemical aerosol projector caused a hydraulic needle effect.
- The recommended distances are recommendations only and are offered as a guide to follow unless the situation dictates otherwise.

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Considerations for Dealing with Subjects Armed with OC



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Surviving an OC Attack

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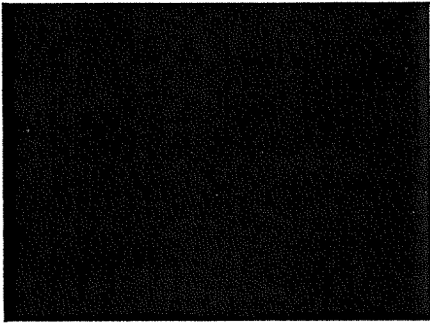
- This may be a fight for your life.
- There are many considerations and possible responses.
- Two options:
 - Close and engage the suspect
 - Retreat
- These options are only designed to initiate thought and discussion. Any response must be consistent with your agency's policies, procedures and training.
- Considerations:
 - Create distance while simultaneously securing your firearm
 - Use your support hand to cover one eye
 - If the suspect continues to attack, your justification for a higher degree of force may be increased. If the suspect turns and runs, your justification for a deadly force response may diminish.

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LEARNER TECHNOLOGY

Surviving OC Attacks – Exposure

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LEARNER TECHNOLOGY

Subjects Armed with OC

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- Chemical and OC aerosol projectors are readily available to the public.
- Prepare your officers should they be sprayed.
- The IACP Legal Office Section wrote:
 - "When a criminal attacks an officer with OC spray, it is with the intent to harm the officer, escape or both. It is common knowledge that a high percentage of officers who are incapacitated, or have had their guns taken away from them, are later shot with their own weapons. It would be unconscionable to ask an officer to take a chance that the OC spray attacker is merely going to walk away after incapacitating the officer."
- Officers should respond to threats against them in accordance with current statutes and departmental policies.

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LEARNER TECHNOLOGY

Officer Distress Considerations

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- A controlled response by an officer who is incapacitated by a chemical agent.
- Secure your weapon.
- Raise your non-gun hand to protect the face and head from a potential blow.
- Attempt to move into a position of cover or safety.
- Drop to one knee or crouch in a balanced stance for stabilization which is a visual cue (position) to fellow officers that you are in need of assistance.
- Assisting officers should verbally identify themselves to avoid misidentification.



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Legal Issues

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BIRMINGHAM, Alabama — A federal judge has granted class action status to a lawsuit challenging the Birmingham Police Department's use of pepper spray in schools.

Federal Appeals Court to Hear Pepper Spray Case- alleges overuse of chemical agent in local schools by resource and city police officers.
11.7.12

Judge Refuses to Block Use of Pepper-Spray at Sit-Ins
Law: Activists had sought injunction after officers broke up a
Headwaters Forest protest by swabbing liquid in demonstrators' eyes.
November 15, 1997

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Pepper Spray Case Law

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- The use of pepper spray on non-violent demonstrators was determined to be excessive where there were less intrusive alternatives. (*Headwaters Forest Defense v. County of Humboldt* (9th Cir. 2002) 276 F.3rd 1125.)
- It has been held that squirting pepper spray randomly into a crowd of demonstrators where there was insufficient cause to believe the demonstrators posed an immediate threat to the safety of the officers or others might be excessive and expose the offending police officers to civil liability. (*Lamb v. Decatur* (C.D. Ill. 1996) 947 F.Supp. 1261.)
- However, the use of a "chemical irritant" against party-goers who are impeding a lawful arrest and fighting with law enforcement officers, particularly after a warning, was not improper, or excessive. (*Jackson v. City of Bremerton* (9th Cir. 2001) 268 F.3d 646, 651-653.)
- The use of pepper spray on fighting prison inmates in a maximum security prison, in an attempt to stop the fight, was held to be reasonable, although the failure to provide medical attention to other inmates who might also have been affected by the pepper spray vapors, showing a "deliberate indifference" to their health, will subject correctional authorities to potential civil liability. (*Clement v. Gomez* (9th Cir. 2002) 298 F.3d 898.)

LE legal update by Robert Phillips

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Pepper Spray Case Law

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- The court found it was reasonable when a police officer pepper sprayed the inside of a car as a suspect tried to roll up the window on his arm during a traffic (Lawyer v. City of Council Bluffs (8th Cir. Ct. of Appeals 2004 No. 03-1032))
- Suspect entered a liquor store with an axe and briefly held two employee hostages. Later one was released and the other escaped. Upon enter Officer ordered him to drop the axe but he ignored their requests. In an attempt to subdue suspect one officer pepper-sprayed him, but he raised the axe and charged the offices at which time he was shot and killed. The mother sued the police claiming the decision to use pepper spray was a misjudgment. The case went to court where the court found the officer(s) actions were objectively reasonable. (Isom v. Town of Warren Rhode Island (1st Cir. Ct of Appeals 2004 No. 03-1765))
- Claimant was stopped and transported to police station for breathalyzer. He was uncuffed for the test but the machine did not work. Before being transported to another test location he was ordered several times to take his hands out of his pockets so he could be handcuffed. In accordance with policy the trooper warned him that he would be pepper sprayed and prior to placed his hand on the suspect's elbow but he still refused. He was pepper sprayed and immediately removed his hands. Suspect sued for excessive force but the court disagreed and cited the warning among other factors. (Passino v. State 89383) (Ct of Claims of NY 1998)

Cases cited above found on FindLaw

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Legal Authority

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USE-OF-FORCE

- In any situation involving the use-of-force, the core transaction must be lawful or any force will be deemed unnecessary.
- To use force against another person, lawful authority must exist justifying the use-of-force, and that force must be reasonable.



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Use-of-Force Policy

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- OFFICER PRESENCE: A uniformed officer; marked police vehicle
- VERBAL COMMANDS: "Get your hands out of your pockets!"
- SOFT PHYSICAL TECHNIQUES: Contact to guide a person or escort; lightly grabbing an arm or shoulder; a hand to chest for direction control
- HARD PHYSICAL TECHNIQUES – Limb Control Techniques; Takedown, Ground Stabilization; Striking Techniques
- INTERMEDIATE WEAPONS – Impact Weapons; Less Lethal Impact Munitions; Electrical Devices
- DEADLY FORCE – Impact Weapons; Neck Restraint; Firearm



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OC Justification

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Where does your department place OC on its use-of-force matrix?

- Policy Discussion
 - Non-combative subject
 - Non-compliant subject
 - Hiding suspect
 - Protest situations
 - Restrained subject
 - patrol car
 - jail cell
 - Handcuffed suspect



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OC Deployment

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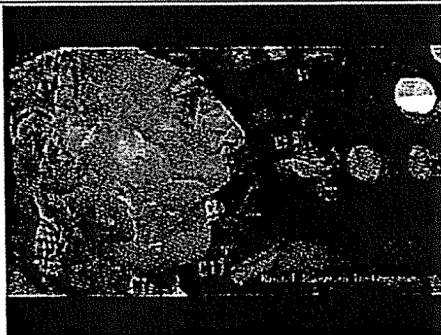


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Justification and Perception

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Policy and Procedures

- Comprehensive policies should be in place prior to use, and should address the justification for use and correlate to the agency's Use-of-Force policy.
- Officers should only use aerosol projectors which are approved by their agency.
- Policies should address Decontamination and Reporting requirements.
- Only officers trained in the use of OC, should be permitted to carry OC.

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Products Overview

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Projector Label Information

Front Label

- New Improved Top
- .073 taller
- Band Color and %MC

Back Label

- Shows Delivery System
 - Steam
 - Cone
 - Foam
 - Vapor

Serial/Lot Numbers

- Can be referenced for court purposes

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