



Subject: Security Equipment Review

Policy Number: 310.0

Page: 1 of 2

Date Originated: April 1, 2004

Date Revised: January 28, 2016

**Authority: Title 15; Section 1326,
California Code of Regulations**

All Juvenile Justice Campus safety and security equipment, as indicated below, shall be inspected quarterly to insure that it is in proper working order and that an adequate supply is on hand. This practice is crucial in providing officers with reliable and trustworthy gear required to perform their custodial and correctional duties in a safe and effective manner.

I. SAFETY AND SECURITY EQUIPMENT

A. Safety and security equipment includes the following:

1. Individual Security Equipment
 - Handcuffs
 - O/C Pepper Spray MK-4
 - Latex gloves
 - Flashlights
 - Cell Phones (Assignment Based)
2. Transport Security Equipment
 - Firearms (Handguns&Shotguns)
 - Ammunition and Spare Clips
 - Defense Batons
 - Waist Chains
 - Shackles
3. Pod Safety Equipment
 - First Aid Kits
 - 911 Boxes and Knives
4. Protective Restraint Equipment
 - Protective Restraint Helmets
 - Security Smocks and Blankets
5. Emergency Response Equipment
 - Lexan Restraint Shields
 - Riot Control Helmets
6. General Security Equipment
 - Fixed Lobby Magnetometers
 - Hand Held Metal Detectors
 - KeyWatcher System
 - Hand Held Radios

II. SECURITY INSPECTION AND REVIEW

A. It is the responsibility of the Supervising Juvenile Correctional Officer (SJCO) in charge of the armories to conduct quarterly inspections and reviews of the safety and security equipment listed above.

1. He/she will document areas of concern and any corrective action taken for each equipment category. The only exception to this will be firearms and ammunition, which will be inspected quarterly by the Department's Range Master.
2. He/she as part of the quarterly inspection and review process will ensure safety and security equipment is serviced, repaired, replaced, or reordered as needed to insure proper operation and availability.

3. He/she will prepare and forward a quarterly report documenting this inspection and review and any corrective action taken to the Probation Services Manager/Assistant Director overseeing security. The quarterly security inspection and review reports will be forwarded to the facility Director at the end of each calendar year.

III. STAFF TRAINING

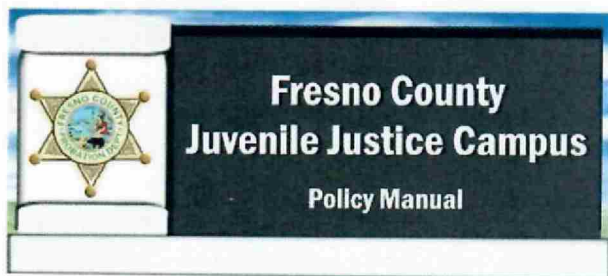
- A. The facilities Training Officer will prepare and forward a report to the facility Director at the end of each fiscal year indicating all training provided to peace officer staff for that year. The Director will review this report to ensure that officers have received necessary and required training design to protect the security of the facility, youths, and staff.

IV. SECURE SECURITY EQUIPMENT STORAGE

- A. Radios, handcuffs, shackles, waist chains, O/C pepper spray (MK-4), latex gloves and flashlights not issued to officers or housing pods will be stored in the Key Sign-in Storage Room of the Institutional Core, Detention and Commitment Buildings.
- B. Protective restraint helmets, security smocks and security blankets not issued to Booking and J Pod will be stored in the Key Sign-in Storage Room of the Detention and Commitment Buildings.
- C. Key sets not signed out will be stored in the KeyWatcher System in the Key Sign-in Room of the Institutional Core, Detention, Commitment and School Buildings.
- D. Hand held metal detectors not issued to Booking and Lobby Security Stations and lexan restraint shields and riot control helmets and will be stored in the Central Control Armory Room of the Detention and Commitment Buildings.
- E. Department issued firearms, ammunition and spare magazines assigned to the transportation staff will be stored in gun safes located inside the Transport Equipment Storage Room of the Institutional Core Building. Department issued defense batons, waist chains and shackles, will be stored inside the Transport Equipment Storage Room. Firearms and ammunition will be stored and issued in accordance with Departmental policy.

V. ISSUANCE OF SECURITY EQUIPMENT AND CHEMICAL AGENTS

Inventory and records of security equipment and chemical agents will be maintained in an equipment log by the SJCO in charge of the armories. The log will record the type of security equipment issued, serial number and the name of the officer it is assigned to. If the equipment is issued to a housing pod or Armory, that information will be noted as well as the name of the officer receiving the equipment.



Subject: Inventory Control Procedure

Policy Number: 521.0

Page: 1 of 2

Date Originated: October 1, 1991

Date Revised: February 12, 2007

**Authority: Title 15; Section 1324;
California Code of Regulations**

Juvenile Justice Campus (JJC) employees shall be responsible for the reasonable, proper and designed use, care and maintenance of any County equipment, fixed or moveable, issued, assigned or used by them.

I. EQUIPMENT USAGE STANDARDS

- A. Employees are to use or operate County equipment or vehicles in a safe prudent and lawful manner.
 - 1. Employees shall observe all County safety rules and use safe work procedures in the performance of his/her job duties.
 - 2. Employees shall use personal protective equipment and safety devices as required.
 - 3. Employees shall report immediately the loss, damage or unserviceable condition of County equipment or vehicles to his/her supervisor or the facility Watch Commander in their absence. Written follow-up reports may also be required.
 - 4. Employees shall report immediately any damage too publicly or privately owned real or personal property committed in the execution of official County business or peace officer duties to his/her supervisor or the facility Watch Commander in their absence. Written follow-up reports may also be required.
 - 5. Employees shall not take or remove from the JJC facilities any County property or personal property of in-custody minors that has been entrusted to the County.

II. EQUIPMENT CONTROL PROCEDURES

- A. Employees may be issued County owned equipment or clothing items to perform their assigned job duties.
 - 1. The assigned supervisor shall be responsible to ensure that each new employee assigned to him/her is issued any required equipment and/or clothing items in a timely manner.
 - 2. Each employee requiring replacement equipment or clothing items will contact their assigned supervisor and request the needed equipment. The supervisor will coordinate the requisition of the required items with the Supervising Stock Clerk.
 - 3. The condition of employees assigned equipment and/or clothing items will be noted at the time of issue, return or when inventoried.

- B. When assigned equipment and/or clothing items are issued to individual employees, the following procedures will be used to monitor and account for them.
 - 1. When the equipment and/or clothing items are available, the assigned supervisor will witness the issuing of the equipment/items and the employee will be required to sign an *Equipment Receipt Form*.
 - a. Original copy to the Supervising Stock Clerk.
 - b. One copy to the employee.
 - 2. When the equipment and/or clothing items are returned, an *Equipment Return Form* will be completed and witnessed by the assigned supervisor.
 - a. Original copy to the Supervising Stock Clerk.
 - b. One copy to the employee.
- C. Employees are responsible for the proper care and storage of equipment or clothing items issued to them. Officers shall utilize staff lockers provided to hold assigned equipment and/or clothing items.
 - 1. Employees are required to notify the assigned supervisor of the loss, damage or improper functioning of assigned equipment/items.
 - 2. If the loss, damage or improper functioning equipment is determined to be due to negligence of the employee, they may be required to reimburse the County of Fresno for the cost of replacement.
- D. Each Supervising Juvenile Correctional Officer will be responsible for maintaining an accurate inventory of equipment and/or clothing item issued to employees assigned to them.
 - 1. Uniforms, badges, duty belt, handcuffs, OC pepper spray and other equipment assigned to individual officers shall be inventoried annually at the time of his/her annual performance review.
 - 2. Facility key sets shall be accounted for each shift and documented in the log. Missing keys or key sets are to be reported immediately to the Watch Commander.



Subject: Incident Reports

Policy Number: 501.2

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Date Originated: February 9, 1993

Date Revised: February 1, 2008

**Authority: Title 15; Section 1362;
California Code of Regulations**

The Incident Report is the primary record used to document any situation that is unusual, relates to a problem or incident involving Juvenile Justice Campus (JJC) detainees, employees, visitors, property, or operations occurring in or outside the facility.

Incident Reports can be the basis for a minor's prosecution. Employees may be subpoenaed to court to testify about information contained in his/her incident report.

I. INCIDENT REPORTS

A. An Incident Report shall be written if any of the following occur:

1. Any use of a chemical agent, mechanical restraint, physical force, defense baton or lethal force on or by a minor;
2. An injury or death to a minor, employee, visitor or other agency personnel;
3. The transfer of a minor from one housing pod to another for disciplinary reasons;
4. The escape or attempted escape(s) of a minor, or escape planning by any minor;
5. Unusual events involving the public, i.e. parents, attorney(s), service providers or other agency personnel, etc;
6. Suicide attempts or placement on precautionary watch status;
7. Damage to the facility, County vehicles or equipment;
8. Breach of security, i.e., loss of keys, unlocked doors, contraband, etc.
9. Tension within the population, particularly those with racial or gang overtones;
10. Any incident or actions which may lead to criminal or civil proceedings, citizen's complaints, minor's grievance or any other matter which would warrant review by a higher authority;
11. Suspected child abuse mandatory reporting.
12. Other incidents may be reported on an incident report at the employee's discretion, or if directed by a supervisor, Probation Services Manager/Assistant Director or Director.

II. INCIDENT REPORT WRITING GUIDELINES

A. In addition to the general report writing guidelines, listed in Policy 501.1, all Incident Reports prepared by JJC employees should:

1. Be accurate in the facts reported. Reports must contain only the true and actual facts of the incident. Avoid overstating events. Be objective. Avoid drawing conclusions, making suppositions or including any bias.
2. Be complete in the reporting of all relevant and essential facts observed or learned. Reports must provide the facts that identify who, what, when, why, where and how of the incident. Include statements of victims, perpetrators and witnesses, use direct quotes whenever possible. Staff should include information that indicates:
 - a. Where he/she was at the time of the incident; this will include starting all narratives by identifying their call sign for the time of incident.
 - b. What he/she was doing at the time of the incident;
 - c. What he/she observed or heard;
 - d. What he/she did and said related to the incident;
 - e. Why he/she acted as they did.
3. Be written in a narrative format in chronological/sequential order of events. Record in sequential order all observations made and actions taken. Reporting officers should begin at the point he/she became involved in the incident and end at the point he/she completed their involvement in the incident.
4. Be written and submitted in a timely manner. Officers shall write and submit reports before the end of the shift, on the day of the incident. The Watch Commander must authorize any delays in advance. Note delays in the report. Turn in reports as soon as completed, not at the end of the shift as staff is leaving. (Title 15; §1362; California Code of Regulations)

B. Incident Reports have four sections, Identifying Information, Incident Description, Follow-up Information and Review and Signature. Unless otherwise noted, the following information must be included in Incident Reports:

1. Date of Incident: The month, day and year the incident occurred.
2. Time of Incident: The exact military time of incident.
3. Incident: The specific nature of the incident, e.g. "Two Minors Fighting", "Assault On Staff", "Attempted Escape", "Minor Placed On Precautionary Watch, etc.

4. Location of Incident: The specific area of the incident, e.g. "J Pod Dayroom", "D Pod Room 3", "Classroom 156", "Lobby 3", etc.
 5. Name of Reporting Staff: The legal name of the reporting officer.
 6. Title of Staff: The job title of the reporting officer.
 7. Date/Time Report Prepared: The date and time that the officer prepared the report.
 8. Minors Name: The legal name of all minor(s) involved in the incident. List First Name then Last Name. Use a separate line for each minor involved in the incident. The following additional information should be listed for each minor involved:
 - a. DOB: The date of birth of each minor;
 - b. Probation Number: The Probation Number of each minor;
 - c. DPO: The name of the minor's Deputy Probation Officer;
 - d. Pod: The assigned housing pod of each minor at the time of the incident.
 9. Others Present/Witnesses: The legal name and job title of others present during the incident.
 10. Description of the Incident: The what, when, why, where and how of the incident.
 11. Notifications: AS NECESSARY – The name of the person who made the notification, who was notified, date and time notification was made.
 12. Check Off Boxes: AS NECESSARY – Mark any that apply, Charges Filed, Child Abuse Report made, Emergency Medical Care required or a Medical Court Order Used.
- C. Do not repeat the any of the above listed information in the introductory sentence of the report narrative unless it relates to a chronological event in relation to the incident. ("At the above date and time" or "On Dec 12, 2004, at 1605hrs, in Pod 3B")

III. INCIDENT REPORTING PROCEDURES

- A. All employees involved in an incident shall be responsible for writing an Incident Report. The pod Senior Juvenile Correctional Officer (Senior JCO) shall review the completed report(s).
- B. The pod Senior JCO will:
 1. Review the report with the employee for clarity, content and completeness. If necessary, return the report to employee for corrections.

2. Complete follow-up information, i.e., administrative and/or parental notifications, medical and/or mental health referrals and check off boxes as necessary.
 3. Review and sign the finished report. Include recommendations for any actions to be taken concerning the incident. Submit the report electronically to the Watch Commander as soon as completed, not at the end of the shift as the officer is leaving.
- C. The Watch Commander is responsible for the review, approval and disposition of all Incident Reports submitted on his or her shift. He/she will:
1. Review each report for legibility, clarity and completeness of information concerning the incident and any recommended actions. If necessary, he/she will return report(s) to the reporting officer to make any necessary corrections. The reporting officer will make any necessary corrections and/or additions and electronically submit the revised report to the Watch Commander.
 2. Note any corrections, additional information (addendum's), clarifications, referrals, or supporting documents needed. If necessary, return report(s) to the Senior JCO for any needed follow-up information. The Senior JCO will provide needed additions and submit the report electronically to the Watch Commander.
 3. Review the finalized copy of the Incident Report(s), supporting documents and referrals for completeness, determine any necessary action(s) to be taken and submit to the appropriate Program SJCO electronically by end of duty shift.
 4. Ensure the appropriate housing pods are informed of action(s) to be taken and/or notifications to be made.
 5. Prepare and forward copies of Incident Reports, supporting documents and referrals to the facility Probation Services Manager/Assistant Director and Director, medical, mental health and maintenance staff as necessary.
 6. Place completed reports, including supporting documents, in the Incident Report binder in the Watch Commander Office.
- D. Each Program SJCO is responsible for the follow-up review and disposition of Incident Reports generated from his or her assigned area(s). He/she will:
1. Retrieve initial reports from their County e-mail account.
 2. Review reports, conduct any follow-up investigations needed, determine and initiate any further disposition and/or notifications needed.
 3. Forward reports electronically to Probation Services Manager/Assistant Director.

- E. The Probation Services Manager/Assistant Director is responsible for the administrative review and disposition of the reported incident. He/she will:
1. Review reports, assign any further follow-up investigations, dispositions and notifications as needed.
 2. Forward finalized reports electronically to the facility Business Office for filing.

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 JUVENILE INSTITUTIONS INCIDENT REPORT**

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IDENTIFYING INFORMATION	1. Date of Incident:	2. Time of Incident:	3. Incident:			
	4. Location of Incident:					
	5. Name of Reporting Staff:		6. Title of Staff:		7. Date/Time Report Prepared: 6/2/2004 2:06:07 PM	
	8a. Minors Name:		D.O.B:	Prob #:	D.P.O:	Unit:
	8b. Minors Name:		D.O.B:	Prob #:	D.P.O:	Unit:
	8c. Minors Name:		D.O.B:	Prob #:	D.P.O:	Unit:
	8d. Minors Name:		D.O.B:	Prob #:	D.P.O:	Unit:
	9. Other's Present/Witness:					

DESCRIBE THE INCIDENT THAT TOOK PLACE (WHAT – WHEN – WHERE – HOW AND WHY)

FOLLOWUP INFORMATION	NOTIFICATIONS:					
	PARENT/GUARDIAN		BY WHO		WHO NOTIFIED	
					DATE	TIME
SR. JCO REVIEW	ADMINISTRATION		BY WHO		WHO NOTIFIED	
					DATE	TIME
	CHARGES FILED <input type="checkbox"/> CHILD ABUSE REPORT <input type="checkbox"/> EMERGENCY MED. CARE <input type="checkbox"/> MED COURT ORDER USED <input type="checkbox"/>					
S.JCO. REVIEW	REVIEW/SIGNATURE:					
	REVIEW/SIGNATURE:					
ADMIN REVIEW	DIRECTOR OF INSTITUTION:		ASSIST. DIRECTOR:		PROGRAM SJCO:	
	ADMIN. COMMENTS:					

FRESNO COUNTY JUVENILE JUSTICE CAMPUS



MINOR'S HANDBOOK

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INTRODUCTION

You are being detained at the Fresno County Probation Department Juvenile Justice Campus for some type of law violation. Although you are detained, you still have certain rights. There are also rules that you must follow. The orientation video and this handbook along with an officer assigned to your housing pod will help you learn what is expected of you while you are in custody.

An officer will explain any part of the video or handbook you don't understand. After you have received the orientation you will be asked to sign a form stating you understand the rules and requirements expected of you while you are at the Fresno Juvenile Justice Campus.

COURT PROCESS

You will be going to a detention hearing within 72 hours of your incarceration. At that hearing your custodial status will be determined.

HOUSING ASSIGNMENTS (Classification)

The main goal of the Fresno Juvenile Justice Campus is to provide you with a safe and secure place to stay. Therefore, it is important to house you in a pod that best meets your needs. Your gender, age, criminal sophistication, seriousness of charges and behavior are all considered when assigning you to a pod. At the Fresno Juvenile Justice Campus you will either be housed at the Detention Facility (pre-disp.) or Commitment Facility (post-dispo.).



The Pods are as follows at the Detention Facility:

Medium Security Pods

These pods consist of individuals housed in a single cell setting. Male minors who meet the following will be assigned to these pods.

- a. If you are 14 to 18 years old.
- b. If you are awaiting your disposition/sentencing hearing.
- c. If you are involved in a gang but are not displaying any negative gang activities.
- d. If you have a potential for violence but are currently behaving in an acceptable manner.
- e. If you have been committed to the Fresno Juvenile Justice Campus Placement and are awaiting transfer to J pod.

Female Pods

This pod consists of girls housed in a single cell setting.

All girls' are housed in this pod with the exception of those girls who have been committed to the Substance Abuse Unit (S.A.U.) and New Directions Program located at the Commitment Facility.

Pre-Adolescent Pod

Mainly houses younger minors under 14 yrs old in a single cell setting.

- a. If you are 14 years old and younger not charged with murder.
- b. If you are awaiting court proceedings.
- c. If you are awaiting placement.



Special Needs Housing Pod – J pod.

This pod functions with a modified program due to the nature of minors housed in this pod. All minors are housed individually in a single cell setting and have limited time out. You may be assigned to this pod for the following reasons:

- a. If you are committed to the Division of Juvenile Justice.
- b. If you are an individual identified as a Division of Juvenile Justice Parolee.
- c. If you have been found unfit for Juvenile Court Proceedings.
- d. Any male minor pending changes of murder, attempted murder, escape, or attempted escape.
- e. You could also be placed in this unit awaiting an opening to a medium security unit. Your stay in the maximum-security unit will only be temporary and as soon as an opening is available you will be transferred.
- f. If you fight or continue to make threats of fighting, and display the ability to carry out the threats.
- b. If you threaten or injure staff.
- c. If you are involved in gang activities, which result in disruption of a pod's program.
- d. If you attempt to escape or are caught plotting an escape.
- e. If you are involved in instigation and/or promoting a riot.
- f. Protective Custody.
- g. If you are displaying violent behavior, which represents a clear and present danger to staff or other children that cannot be managed within the other pods.
- h. Severe psychological or emotional problems where you have demonstrated a propensity towards violence either to yourself or others.



Maximum Security Pod – 9B

This pod consists of male minors housed in a single cell setting with a modified program. If you meet the criteria in Special Needs Housing Pod listed in handbook you will be placed in the High Security Pod, except for the following:

- a. Any minor who has been found unfit for juvenile court proceedings;
- b. Any minor committed to the Department of Juvenile Justice;
- c. Any minor identified as a DJJ parolee.
- d. Any male minor pending changes of murder, attempted murder, escape, or attempted escape.

The Pods are as follows at the Commitment Facility:

All pods on commitment side are medium security pods that consist of single and double person cells, with the exceptions of the girls (9A) and the high security pod (9B). You will be housed in one of these pods if you have been committed to the Commitment Facility.

Pod 6A, 6B, 8B – Committed to the Juvenile Justice Campus.

Pod 7A – Substance Abuse Unit (S.A.U) 180 Day Program

Pod 8A – New Horizon Program (N.H.P) 365 Day Program

Pod 9A – Female S.A.U & New Direction Program

Pod 9B – High Security



RULES OF CONDUCT

While you are in the Fresno Juvenile Justice Campus you are required to obey these Rules of Conduct:

1. Follow instructions by Officers.
2. Obey posted safety rules.
3. Do not destroy County of Fresno Property.
4. No possession of contraband items such as tobacco, drugs, or weapons.
5. Do not disrupt or cause disturbance in unit during activities.
6. No fighting or gang activity.
7. Attend school and behave in school.
8. No talking about planning or trying to escape.
9. Keep yourself clean and neat.
10. Keep the pod and your area clean and neat.
11. Treat others with respect.
12. Do not swear, put down, threaten, or scare others.

DISCIPLINARY PROCEDURES

It is essential that minors within the facility follow the established rules and procedures. This assists officers in being able to provide the best services available to minors housed at the Juvenile Justice Campus. For those individuals who choose not to comply with agency rules and/or the law, disciplinary sanctions will be administered. Disciplinary sanctions can range from the isolation or time out of a minor, to the use of chemical agents, use of force, or mechanical restraints. The level of disciplinary action must be consistent with the level of negative actions displayed by the minor.



Discipline within the JJC is divided into two distinct levels based on the seriousness of the violation. Level I consist of minor rule violations and Level II consist of major rule violations. Discipline within the JJC is divided into two distinct levels based on the seriousness of the violation. Level I consists of minor rule violations and Level II consists of major rule violations. If you are found to have violated a major rule violation and a formal discipline is imposed, you will have an opportunity for "Due Process."

DUE PROCESS - LEVEL II

The officer will provide you a completed and approved JJC Level II Disciplinary Form. You will be given the opportunity to indicate on the form whether or not the discipline will be appealed.

If the Probation Services Manager/Assistant Director determines a need for further review they will conduct a disciplinary due process hearing. This includes interviewing you and any other witnesses who may have been present when the major rule violation occurred

YOUR RIGHTS WHILE AT THE JUVENILE JUSTICE CAMPUS

- A place to sleep.
- Full meals made up of a balanced diet.
During the evening hour you will be provided with a snack.
- Full complement of clean clothes.
- Parental visits.
- Items necessary for personal hygiene.
- Minimum exercise to include at least one hour each day of exercise involving large muscle activities.
- Visits/telephone contacts with attorneys and probation officer.
- Receive and send unlimited letters each week.



YOUR RIGHTS WHILE AT THE JUVENILE JUSTICE CAMPUS (CONTINUED)

- The opportunity for a daily hot shower and access to a toilet and water as needed.
- The opportunity to attend religious services and/or religious counseling of your choice.
- Clean and sanitary living conditions.
- Medical care and necessary mental health assistance. Mental Health services are available as needed.
- Access to reading materials.
- A school program approved by the state.
- Counseling and case work services.
- Copy of facility rules and disciplinary procedures. Refer to your handbook.
- Access to grievance procedures, which consist of the following steps:
 - I. **Informal Grievance:** Officers will speak to you to resolve issue. You may request SrJco for assistance to resolve matter.
 - II. **Formal Grievance:** If the informal process fails, complete a JJC Minor's grievance form located on pod walls. You will then sign the form and give it to any Juvenile Correctional Officer (JCO); preferably the SrJCO or you have the option to confidentially file the grievance by placing the form in a confidential locked box located in the pods.
 - III. **Formal Grievance Review by Director of Institutions/Designee:** If this fails, SJCO will forward grievance to Director of Institution/Designee for review.
 - IV. **Grievance Review:** This is an opportunity for you to present evidence and testimony to the Director/Designee, free from any threat or act of reprisal.



Special programs will be available to you to address personal issues appropriate to the population which may include; substance abuse, personal health and awareness, mental health services, Planned Parenthood, and/or tutoring.

PREA (Prison Rape Elimination Act 2003)

It is the Juvenile Justice Campus position to be committed to a **Zero-Tolerance** standard for sexual assault and staff sexual misconduct as stated in PREA 2003. If you have been subjected to any type of sexual assault/misconduct by another inmate or staff, or have knowledge of any sexual activity, assault/abuse and/or rape it is imperative that you immediately report it to an officer or Watch Commander (WC) on duty. You do have the option to submit a form confidentially by using the grievance forms at this time by placing the form in the confidential box located on the walls in each pod. It is important to note that false allegation is prohibited and will result in disciplinary action.

VISITING HOURS AND DAYS

The Juvenile Justice Campus visiting is Wednesday thru Sunday from 3:30 p.m. to 9:00 p.m. and Saturday and Sunday from 9:00 a.m. to 5:00 p.m. Each pod is provided with two designated (1) hour visits during the week. An officer will advise you of your pod's visiting days and time frames during your orientation. Special visiting arrangements may be approved by the Watch Commander, Program Supervising Juvenile Correctional Officer, Probation Services Manager, facility Director or the Juvenile Court Judge.



Detention J Pod and Commitment 9/B Pods:

Regular visiting will be held from Wednesday through Sunday in the non-contact visiting rooms by scheduled appointment only. Minors who are eligible Phase III's may have regular contact visits upon review by JJC Administration. Visits will be scheduled Wednesday thru Sunday from 3:30 p.m. to 9:00 p.m. and Saturday and Sunday from 9:00 a.m. to 5:00 p.m. Visiting will not be scheduled to interfere with the minor's meal time.

The following Visitor Rules have been established to ensure a timely and orderly visiting process, while preserving safety and security of the facility and may be subject to change.

WHO MAY VISIT

Parents, grandparents, legal guardians, step-parents (if living in the home), spouse, and child of the minor are encouraged to visit. (Proof of identity and relationship will be required).

GENERAL VISITING INFORMATION

- No weapons are allowed in the facility. Personal effects, including hair clips, grooming items, keys, wallets, purses, pocket knives, nail files, large nail clippers, cell phones, pens, pencils, etc. are not allowed.
- Visitors are required to present a valid state or government photo identification when visiting.
- Visitors will be subject to metal detector screening, prior to admittance into the Juvenile Justice Campus.
- Minors are allowed a minimum of one (1) hour of visits per week.



- Only four (4) visitors per minor will be permitted at a time.
- Visitation will be denied to anyone who appears to be under the influence of an intoxicant. The odor of alcohol beverage on the breath will be considered under the influence.
- Lockers will be provided for individuals not having an alternative method of leaving property behind when visiting.
- Property for minors may be left on Monday from 5:00 p.m. until 7:00 p.m. and Wednesday from 11:00 a.m. until 2:00 p.m. Acceptable items include stamps, envelopes, wireless notebooks, a paperback book and magazines (from list of approved magazines only).
- Children are not to be left unattended in the waiting room, or outside the facility.
- Visitors may purchase soft drinks and snack items from the canteen. No articles may be brought into the facility when visiting. Snacks and drinks must be consumed during visiting hours. No items shall be allowed to be stored away.
- For more information on articles which can be left at the facility for minors, please contact the Juvenile Justice Campus.
- Visits may be shortened or terminated, for cause, by the Watch Commander.
- Visitors are expected to comply immediately, when asked to leave the building.



TELEPHONE CALLS

Once you're in the facility you have the opportunity to make two telephone calls; one to your mother, father, person who takes care of you, legal guardian, or an adult relative; and one to an attorney.

Any other telephone use is considered a **privilege**. Telephone calls will only be allowed to those minors who have maintained the highest Phase in that unit. Higher Phase phone calls are completed on designated nights, if programming permits.

EMERGENCY PROCEDURES/ USE OF FORCE

During an emergency or fire evacuation all minors are expected to follow officer's instructions. Horse playing, fighting or any other negative action that distracts officers from their duties is strictly prohibited. Failure to abide by officer's instructions can lead to an officer to direct you to a "Yard Check," which you will then immediately lay on your stomach, interlace your fingers behind your head and cross your feet; and wait for further direction. Therefore, it is imperative that you follow directions to ensure your safety.

Minors who fail to follow the lawful directives of JCOs should be aware that staff is authorized to carry and use O.C. (pepper spray), handcuffs, as well as physical force as outlined in policy, in the event there are combative minors or serious security violations that would compromise the safety and security of minors, staff and the JJC.



JJC Minors Orientation Sheet

Minors Name: _____	Date: / /	Pod: _____
<input type="checkbox"/> New (All orientation information needs to be reviewed with minor; <u>all</u> boxes need to be checked)		
<input type="checkbox"/> Transfer (For transfers only; check boxes that are in bold to orientate minor to new housing assignment)		

Orientation information reviewed with minors:

(Please check the boxes that apply)

<input type="checkbox"/> Rules of Conduct	<input type="checkbox"/> Access to Religious Services	<input type="checkbox"/> Visiting and Telephone Use
<input type="checkbox"/> Disciplinary Procedures (including Due Process)	<input type="checkbox"/> Access to Educational services	<input type="checkbox"/> Availability to Reading Material
<input type="checkbox"/> Grievance Procedures (including Confidential Grievance)	<input type="checkbox"/> Information on Court Process	<input type="checkbox"/> Programs and Activities (Phases, Privileges & Visiting)
<input type="checkbox"/> Access to Legal services	<input type="checkbox"/> Housing Assignments	<input type="checkbox"/> Use of Force
<input type="checkbox"/> Access to Health Care services	<input type="checkbox"/> Availability of Personal Care Items and opportunity for Personal Hygiene	<input type="checkbox"/> Use of Restraints and Chemical Agents
<input type="checkbox"/> Access to Counseling (M/H) services	<input type="checkbox"/> Correspondence	<input type="checkbox"/> Emergency and Evacuation procedures

The following method(s)/Technique(s) were provided to orientate minor:

(Please complete & check the boxes that apply)

Verbal: <input type="checkbox"/> Officer (print name) _____	
Translator Used: <input type="checkbox"/> Yes <input type="checkbox"/> No (if yes, name of officer) _____	
Written: JJC "Minors Handbook" provided -	
<input type="checkbox"/> Yes <input type="checkbox"/> No – Reason: _____	
<input type="checkbox"/> Handouts _____	<input type="checkbox"/> Other(s) _____
Video viewed:	
<input type="checkbox"/> Yes <input type="checkbox"/> No – Reason: _____	
Comments: _____	
Documentation: Logged - <input type="checkbox"/> Yes <input type="checkbox"/> No Chrono - <input type="checkbox"/> Yes <input type="checkbox"/> No	

I _____ (minor print name) have been orientated to the rules, expectations, disciplinary and grievance procedures, what is available to me, what I have access to and my rights while in custody at the Juvenile Justice Campus. I have reviewed the Juvenile Justice Campus "Minors Handbook" and viewed the JJC Orientation Video (unless noted "no" with reason as to why) and asked necessary questions to help me understand the admission process to JJC.

Minor's Signature

Date

JJC Officer's Signature

Date

To Be Placed in Minor's Folder
(To be **SCANNED** by Booking Officers upon minors release)

FRESNO001043



Subject: Force Options

Policy Number: 329.0

Page: 1 of 14

Date Originated: June 14, 1999

**Authority: Title 15; Section 1357;
California Code of Regulations**

**Date Revised: February 1, 2008
February 16, 2015**

Force Options

PURPOSE AND SCOPE

Under California law, peace officers have a duty not to use excessive force. This policy recognizes that the use of force by law enforcement requires constant evaluation. Even at its lowest level, the use of force is a serious responsibility. The purpose of this policy is to provide officers of the Juvenile Justice Campus (JJC) with guidelines on the reasonable use of force. While there is no way to specify the exact amount or type of reasonable force to be applied in any situation, each officer is expected to use these guidelines to make such decisions in a professional, impartial and safe manner.

PHILOSOPHY

The use of force by law enforcement personnel is a matter of critical concern both to the public and to the law enforcement community. Officers are involved on a daily basis in numerous and varied human encounters and, when warranted, may use force in carrying out their duties.

The JJC recognizes and respects the value of all human life and dignity without prejudice to anyone. It is also understood that vesting officers with the authority to use reasonable force and protect the public welfare requires a careful balancing of all human interests.

AUTHORITY

The authority for this policy is granted to the Chief Probation Officer of the County of Fresno in accordance with, but not limited to, P.C. § 830.5, 832, 835a, 1202.7, 1202.8, and 1203.2.

LAW

The use of force by members of the Fresno County Probations Department (the "Department") is authorized by statute.

PEACE OFFICER'S AUTHORITY - California Penal Code § 835a provides: "Any peace officer who has reasonable cause to believe that the person to be arrested has committed a public offense may use reasonable force to effect the arrest, to prevent escape or to overcome resistance. A peace officer who makes or attempts to make an arrest need not retreat or desist from his efforts by reason of the resistance or threatened resistance of the person being arrested; nor shall such officer be deemed an aggressor or lose his right to self-defense by the use of reasonable force to effect the arrest or to prevent escape or to overcome resistance."

POLICY

JJC policy requires that officer use only that amount of force that is "objectively reasonable" given the facts and circumstances perceived by the officer at the time of the event, to effectively bring an incident under control. "Reasonableness" of the force used must be judged from the perspective of a reasonable officer on the scene at the time of the incident without 20/20 vision of hindsight. Any interpretation of "reasonableness" must allow for the fact that Peace Officers are often forced to make split-second decisions about the amount of force that is necessary in a particular situation, under circumstances that are tense, uncertain and rapidly evolving.

Given that no policy can realistically predict every possible situation an officer might confront, it is recognized that officers must be entrusted with a well-reasoned discretion in determining the level and type of force appropriate to an incident. While it is the ultimate objective of every Peace Officer encounter to minimize injury to everyone involved, nothing in this policy requires an officer to actually sustain physical injury before applying "Objectively Reasonable" force [as defined in the 1989 U.S. Supreme Court decision *Graham v. Conner* (490 U.S.386).]

While the law requires Peace Officers to act reasonably, it also recognizes that, in the words of the U.S. Supreme Court, there are no "bright-line rules – mechanical applications"– regarding what level of force an officer may use. Put another way, unreasonable use of force is a level/type of force that no objectively reasonable law enforcement agent would have used.

I. DEFINITIONS

- A. "Force" is the use of manual and/or mechanical (includes weapons/chemical) means to compel compliance with a lawful order, overcome resistance, or to protect oneself or others.
- B. "Justifiable/Reasonable Force" is force used in accordance with the law; force that was objectively reasonable in light of the circumstances faced and known by the officer at the time it was used.
- C. "Lethal Force" is that level of force which has a reasonable likelihood to cause serious bodily injury or death.

- D. "Excessive Force" is the illegal or unreasonable use of force, with reasonableness determined by whether a reasonably prudent officer would have used the same amount of force in the same situation in light of the information available to the officer at the time.
- E. "Reportable Force" The level of force for which the officer must complete a formal Department report, determined on an individual basis by the Department.
- F. "Carotid Hold" is the application of a hold to the neck that restricts blood leaving the brain, which may result in the minor to whom it is applied becoming unconscious.
- G. "Choke Hold" is the application of pressure to the neck area to restrict air entering the lungs, which may result in the minor to whom it is applied becoming unconscious.
- H. "Physical Restraint" is the use of hands or restraint devices to restrict or gain total control of the movement of a minor's extremities. Restraint devices include, but are not limited to handcuffs and shackles.

II. JUSTIFIABLE REASONS FOR THE USE OF FORCE

- A. Officers shall carry out their custodial and correctional duties with a minimal reliance on the use of force. Officers may use "objectively reasonable" force for the purpose of defense and control as may be required in the performance of their duties. Before the deployment of any force, officers must consider the following factors: 1) immediacy of any threat to safety of the officer or others; 2) actively resistance (versus passive); 3) nature of circumstances, i.e.: tense, uncertain, and/or rapidly evolving (pace of events) need for "split second judgment"; 4) Severity of the crime/behavior at issue; 5) availability of time permitting consideration of other options to control the minor.

Each unique situation shall be evaluated on a case by case basis and the "totality of the circumstances" in accordance with the standards set forth in the U.S. Supreme Court cases: *Graham v Conner* and *Tennessee v Garner*. Below are justifiable reasons officers may intervene, restrain or use justifiable/ reasonable force:

1. To effect an arrest.
2. To prevent an escape.

3. Self-defense.
4. To protect another person.
5. To overcome resistance.
6. To enforce a court order.

III. THREAT ASSESSMENT

- A. Threat factors can be categorized as indicators of a minor's capability or intent. The intent of a minor is the more critical consideration, but recognizing and articulating the intent of someone, particularly prior to an actual assault, often is difficult. Following are some examples of intent and capability indicators:
 1. Intent indicators: These include but are not limited to, passive resistance, defensive preparations, fighting stance, hostile and/or aggressive verbal communication or non-verbal communication, coupled with non-compliance, with an officer's clear verbal commands.
 2. Capability indicators: These include but are not limited to, possession of or access to a weapon, including an officer's weapons, a demonstrated combat ability or skill, size or physical fitness, or cooperation of multiple minors clearly indicating a capability to harm.
- B. When feasible, provide a warning before the deployment of force.
- C. "Reasonableness" of the force used must be judged from the perspective of a reasonable officer on the scene at the time of the incident without 20/20 vision of hindsight. Any interpretation of "reasonableness" must allow for the fact that Peace Officers are often forced to make split-second decisions about the amount of force called for in a particular situation, under circumstances that may be tense, uncertain and rapidly evolving.

IV. FACTORS USED TO DETERMINE THE REASONABLENESS OF FORCE

- A. When deciding whether or not to apply any level of force and/or when evaluating whether an officer has used reasonable force, several factors should be considered. Examples of factors that may affect officer decisions include, but are not limited to:
 1. Conduct of the confronted minor (as reasonably perceived by the officer at the time).

2. The immediacy of any threat to the safety of the officer, others or to the minor themselves, (e.g. suicide attempts).
 3. Did the minor(s) actively resist arrest or attempt to evade arrest by flight.
 4. Situational officer/minor factors: (e.g., age, size, relative strength, skill level, injury/exhaustion, ratio of officers to minors); Are additional officers available to respond, if time permits and circumstances allow?
 5. Influence of drugs/alcohol and/or mental incapacity.
 6. Proximity of weapons.
 7. Availability of other options (i.e. Are other resources available to the officer under the circumstances?);
 8. Seriousness of the suspected offense or reason for contact with the minor;
 9. Training and experience of the officer;
 10. Potential for injury to bystanders, officers and minors;
 11. Risk of escape.
 12. Minor's known history of violence.
 13. Special knowledge or skill level of minor.
 14. Environmental factors.
 15. Prior contacts with the minor.
 16. Other exigent circumstances.
- B. It is recognized that officers are expected to make split-second decisions and that the amount of time available to an officer to evaluate and respond to rapidly changing circumstances may impact his/her decision.
- C. While various degrees of force exist, each officer is expected to use only that degree of force reasonable under the circumstances to successfully accomplish the legitimate correctional purpose in accordance with this policy.

V. FORCE OPTION GUIDELINES

- A. The following force options or techniques may be used to gain a minor's compliance:
1. Professional Presence and Reputation: An officer's command presence alone may allow him/her to gain a minor's compliance without the use of any greater force. Presence and reputation comprise the first line option to the maintenance of good facility control and the prevention of situations requiring physical intervention. An officer may demonstrate his/her authority by display of his/her badge, department emblem, clothing, uniform, or equipment.
 2. Dialogue, Counseling and Verbal Commands: An officer's ability to gain control of a situation using respectful communications and reasoning or verbal commands as needed with minors. Commands are the use of clear and direct instructions to perform an action or stop performing an action while employing command presence. A verbal command should be short, explicit, and delivered respectfully but with authority. Dialogue and counseling efforts, along with verbal commands, may often be the single most successful options available.
 3. Assisting or multiple officer presence: It is very important to get other officer(s) at the scene if time permits and circumstances allow.
 4. Restraining and Detaining: An officer's use of his/her hands on a minor with the intention of gaining control of the minor. Examples include the use of a firm grip, escort position or grappling types of techniques designed to hold a subject down by using the weight of an officer's body. Also included in this force option level would be the officer's use and application of temporary restraining devices such as handcuffs, shackles and/or the restraint chair. Officers may only use control and restraint application techniques as taught in a Standards and Training for Corrections (STC) certified course provided by Department approved instructors.
 5. Compliance Techniques: An officer's use of arrest and control techniques and holds. Examples include the use of joint manipulations, pressure point applications, come-a-longs, and take-down type techniques. Officers may only use arrest and control techniques as taught in a STC certified course provided by Department approved instructors and PC § 832 laws of arrest.
 6. Intermediate Force: An officer's use of Department approved equipment. This force option level includes the use of chemical agents, bodily force and impact weapons.

- a. Oleoresin Capsicum (OC) Pepper Spray: An officer's use of chemical agents is permitted under Penal Code section 22820 and Title 15 Section 1357. Officers may utilize Oleoresin Capsicum (OC) pepper spray, a natural food by-product, which causes a burning sensation in the eyes, nose, mouth and throat, and on the skin when applied. Officers may only use chemical agents as taught in a STC certified course provided by department approved instructors. (Also see Policy No. 329.4)
 - b. Bodily Force: An officer's use of hard blocking and striking techniques (e.g. use of fist, palm, knee, foot, elbow etc.) and upper body control holds. These defensive techniques should be considered as impact techniques and should be viewed in the same respect as impact weapons. Officers may only use bodily force hard blocking and striking techniques and control holds as taught in a STC certified course provided by Department approved instructors.
 - c. Defense Baton: An officer's use of the baton to apply come-a-longs and compliance techniques, takedowns and striking and blocking movements. The use impact weapons must be based on the tactical situation as assessed by the officer at the time. Officers may only use baton come-a-longs and compliance techniques, takedowns and striking and blocking movements as taught in a STC certified course provided by department approved instructors. Baton use shall be governed by and under the directives stated in JJC Policy No. 329.3 and Probation Department Administrative Policy No. 6.560
 - 6. Lethal Force: An officer's use of a firearm or any other force which has a reasonable likelihood of causing serious injury or death. Use of Probation Department issued firearms shall be governed by the directives stated in Probation Department Administrative Manual Policy Nos. 6.500 and 6.550.
- C. Use of force options/techniques 5c. and 6. listed above, are limited to use by JJC Armed Transportation Officers and Deputy Probation Officers only. These two force options may only be used while Transportation and Probation Officers are engaged in their assigned duties outside the secure perimeter of the facility.
- D. This list of force options guidelines is not intended to mean that the force options are to be used only in the order listed. Each officer is expected to use only that degree of force reasonable under the circumstances to successfully accomplish the legitimate correctional purpose in accordance with this policy.

VI. USE OF FORCE POLICY AND PROCEDURE GUIDELINES:

- A. Officers shall stop the use of force, restraints, chemical agents and impact weapons once the immediate situation is under control. Failure to cease such actions is a violation of this policy and may result in disciplinary action.
- B. Officers shall take affirmative action to stop, unnecessary or excessive use of force and shall report such conduct immediately to the facility Watch Commander. The observing officer shall complete a written Incident Report (IR) of his/her observations prior to leaving the facility at the end of his/her shift, unless directed by a supervisor that it can be completed at a later date and time. IR forms are located in the Juvenile Justice Management system database. Failure to report such an incident is a violation of this policy and may result in disciplinary action. (Title 15, §1357, CCR)
- C. In use of force situations, officers may utilize only those control, compliance and restraining techniques and devices and/or weapons which are approved and specifically issued by the JJC and in which the officer has completed a course of instruction as taught in a STC certified course provided by Department approved instructors. Control, compliance and restraining techniques and devices and/or weapons shall only be utilized after the officer has conducted a threat assessment.
- D. Once the scene is deemed safe and secure officers shall take appropriate aftercare procedures for minors; make required medical and mental health referrals, and make proper parental and administrative notifications. Officers shall additionally complete required incident reports, prior to leaving the facility at the end of the shift, for any use of force other than Professional Presence and Reputation or Dialogue, Counseling and Verbal Commands.
- E. In the event a minor has a known medical condition contraindicating the use of certain restraint devices and /or techniques, alternative techniques or devices should be used until and unless the minor continues to pose a serious risk of harm to themselves or others, necessitating the use of more drastic force options. Officers should exercise extreme caution when using force against pregnant females. An example would be to protect them if they were trying to harm the fetus by pounding on their abdomen.
- F. Minors shall be given the opportunity to file a grievance. (See JJC Grievance Policy No. 409.0)
- G. JJC Management will investigate allegations of illegal or unreasonable use of force cases. (See Fresno County Administrative Policy No. 4.190).

- H. Although California law authorizes the use of reasonable force to collect DNA samples and print impressions on qualifying offenders, force will not be used to obtain these items unless the court specifically orders it. (See JJC DNA Policy No. 550.13).
- I. JJC Administration will administratively review all reported uses of forces that occur at JJC. Both JJC and Probation Administration will administratively review all reported intermediate and Deadly force encounters that occur at JJC or outside of the facility when JJC staff is involved. On a monthly basis the Chief Probation Officer or his/her designee (at no less than the Director level) will chair the meeting and will consider changes to any policy, inspections, and training.

VII. USE OF FORCE PROHIBITIONS

- A. The use of carotid or choke holds are extremely dangerous and, can result in death. Such holds are therefore absolutely **unauthorized** and strictly **prohibited**.
- B. The use of force shall never be applied as punishment, discipline or treatment. (Title 15, §1357, CCR)
- C. The affixing of the minor's hands and feet together behind the back (hogtying) is prohibited. (Title 15, §1358, CCR)
- D. Department approved control, compliance and restraining techniques and/or weapons shall never be used in a manner inconsistent with established approved Departmental training; or in any manner inconsistent with legal, professional, or ethical conduct.
- E. The Chief Probation Officer has final authority to determine whether there has been a violation of this policy and whether employee counseling, retraining, or discipline are appropriate.

VIII. NOTIFICATION AND DOCUMENTATION

- A. The facility Watch Commander shall be notified immediately whenever an officer:
 - 1. Discharges a firearm for other than training purposes while on-duty.
 - 2. Applies force through the use of weaponless physical force options or chemical agents, i.e., restraining and detaining, compliance techniques, or deployment of OC.

3. Conducts any forced entry into a premises, building or facility booking or housing pod room.
 4. Takes an action that results in, or is alleged to have resulted in injury or death of a minor or another person, including injuries caused by other agencies on the scene.
- B. Officer Responsibilities – Officer(s) involved in any occurrence, which may be considered a reportable/critical incident shall:
1. Obtain medical assistance when reasonable and appropriate for any person(s) who have sustained injuries, complain of injury or who have been rendered unconscious.
 2. Notify his/her facility Watch Commander or Supervising Juvenile Correctional Officer (SJCO) immediately unless exigent circumstances delay notification.
 3. Document the use of any physical force in an Incident Report. This documentation will include at a minimum:
 - a. Date, time and location of incident.
 - b. Minor(s) name and DOB.
 - c. A complete description of the type/level of used, how it was used, and the results obtained.
 - d. A clear and factual justification for the use of force, including attempts to use less severe measures.
 - e. Extent of injury or complaint of injury to the minor(s), officer(s) or other person(s).
 - f. A description of all aftercare procedures and/or medical referrals or treatment.
 - g. Other pertinent facts surrounding the incident including any information leading up to the incident.
 - h. Names of witnesses and other officers present.
 - i. Photographs taken of any injuries to minors, staff or civilians.

4. An officer injured while applying any use of force, shall notify the Watch Commander by the end of the shift of his/her injury, write an IR (unless directed by a Watch Commander that it can be completed at a later date and time). The injured will be issued an OJI packet by the on duty Watch Commander and shall follow the guidelines set forth in JJC Policy No. 209 (On the Job Injury Reporting).
- C. Watch Commander or SJCO Responsibilities – When the Watch Commander or SJCO becomes aware of an incident in which force was used, he/she shall:
1. Respond to the scene, except for critical incidents involving Armed Transportation Officers and/or Deputy Probation Officers engaged in their assigned duties outside the secure perimeter of the facility. If a critical incident occurs outside the secure perimeter of the facility involving armed officers, the facility Probation Services Manager/Assistant Director shall respond to the scene and complete the investigation process.
 2. Assess the incident; conduct a thorough investigation, ensuring that witnesses are interviewed and statements obtained, injuries are photographed and that all evidence is collected, documented, and secured. It will be vital to maintain the chain of custody of all evidence until relieved by a higher authority or investigating agency, if charges are to be filed.
 3. Comment on whether or not the force was within policy, whether there are any training issues, and whether the force encounter requires further investigation by management.
 4. The Watch Commander or SJCO shall notify the Director or another Executive Council member of the incident and provide them with the following information as soon as practical: case number, date of occurrence, and names of all involved officer(s).
 5. The Watch Commander or SJCO shall gather all reports related to the incident, including those prepared by any other agency, and submit them to the facility Director as soon as practical. The reports shall be submitted in two working days if the incident involves an in-custody death or Departmentally issued firearm.
- D. Assistant and Director Responsibilities – When the facility Assistant Director/ Director receives a completed IR he/she shall:
1. Ensure the receipt of all incident related reports, including those of any other agency.

2. Ensure that witnesses were interviewed, evidence was collected, appropriate photographs were taken and relevant radio, audio, or video tapes preserved.
3. Review the report for completeness, accuracy, and consistency and determine if actions taken were lawful and within policy and training standards.
4. Identify any policy and/or training concerns, if applicable. Indicate if and how identified training concerns have been, or will be, satisfied at the Division level. Make other non-disciplinary recommendations as appropriate.
5. Detail the review process and sign off on the appropriate section.

IX. MEDICAL AND MENTAL HEALTH REFERRALS

- A. When any use of physical force is deployed on a minor, referrals shall be made to both the medical clinic and the mental health office.
- B. If, because of any use of force, the minor appears to have significant injuries that cannot wait until he/she is seen by clinic staff, the minor will immediately receive medical treatment (e.g., through transport to C.R.M.C). Signs or symptoms, requiring immediate medical referral, include but are not limited to the following:
 1. Difficulty in breathing, stopped breathing, aspiration or acute onset of asthma.
 2. Going in and out of consciousness.
 3. Coronary distress (i.e., chest pains, etc.).
 4. Seizure, vomiting or spitting up blood.
 5. Fractures, muscle injury, or circulatory impairment.
 6. Females in the last trimester of pregnancy.
 7. Fever.
 8. Recent chest or abdominal surgery.
 9. Any other life threatening or serious event requiring immediate medical attention.

In the above instances, restraints should be removed and immediate medical attention sought. In the case of coronary distress or cessation of breathing, officers shall call 9-911 and begin CPR procedures. A CPR mask is available in each housing pod office.

C. Signs or symptoms exhibited by a minor under physical restraint, which require immediate mental health response, include:

1. Head banging or other self-destructive behavior.
2. Psychotic behavior (i.e., hallucinations, etc.).
3. Suicidal behavior.
4. Self-Mutilation.

X. TRAINING

A. All officers will receive formal hands-on training on approved methods of use of force, self-defense and defensive tactics. All newly hired officers shall receive training during New Employee Orientation and Training regarding: Use of Restraints, OC/Chemical Agents, Use of Force Policy Review, and Force Options. Additionally, during the first year of employment, all permanent officers will attend Juvenile Correctional Officer Core and PC § 832 Powers of Arrest training. Extra Help officers will be placed in Juvenile Correctional Officer Core and PC § 832 training based on operational needs.

B. Additional annual training will be provided as follows:

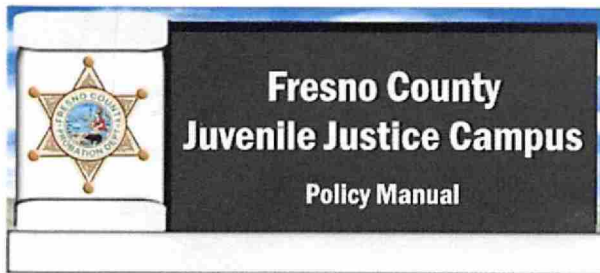
1. Juvenile Correctional Officers will receive Eight (8) hours of Force Options training.
2. Armed Juvenile Correctional Officers will attend: PC 832 Firearms (prior to their weapon being issued) Certification, Firearms Range Qualification training (quarterly), Force Options, Simunitions, Defensive Baton (prior to their weapon being issued) and any updates.

C. Use of Force Training - At least annually, officers authorized to carry deadly weapons shall receive in-service training on the Department's Force Options policy and demonstrate proficiency with all approved deadly weapons that officers are authorized to use. In addition, proficiency training shall be monitored by a certified weapons and Force Options instructor. Training and proficiency shall be documented.

D. Officers attending training on any topic covered by this policy (weaponless combat, chemical agent training, baton training, firearms training, etc.) are required to resolve any conflict between that training and this policy, in favor of the provisions of this policy. That is, this policy shall supersede any contradictory information in any non-Departmental training that an officer may attend.

Signature:  Date: 2-12-15
Rick Chavez, Chief Probation Officer

Signature:  Date: 2/13/15
Dr. Michelle Thomas, Corizon Medical Director



Subject: Firearms, Chemical Agents and Taser Weapons

Policy Number: 333.0

Page: 1 of 2

Date Originated: October 1, 1991

Date Revised: February 12, 2007

Authority: Section 6.500; Probation Administrative Policy

Section 871.5, Welfare and Institutions Code, establishes that it is a felony for any person who knowingly brings or sends into, or who knowingly assists in bringing into, or sending into any county juvenile hall, ranch, camp or forestry camp any controlled substance, the possession of which is prohibited by Division 10 (commencing with Section 11000 of the Health and Safety Code) or any firearm, weapon or explosive of any kind, or any tear gas or tear gas weapon.

Employees or volunteers of the Juvenile Justice Campus (JJC) are prohibited from possessing or carrying any firearm, chemical agent, baton or taser weapon while on-duty, unless approved by the Chief Probation Officer. (§6.500 and §6.510; Probation Administrative Policy)

This policy does not prevent an employee or volunteer from obtaining, on their own time and at their own expense, the training and licensing required by law for a private citizen to carry or possess firearms, chemical agent's or taser weapons.

I. JUVENILE JUSTICE CAMPUS PROHIBITION

- A. Employees, volunteers or private citizens who carry firearms are prohibited from bringing any firearms onto the JJC grounds, including the storage of firearms in vehicles parked in facility parking lots. Only law enforcement personnel and Juvenile Correctional Officers and Deputy Probation Officers with Department issued firearms are exempt from the prohibition.
- B. Employees authorized to carry firearms, chemical agents, tasers or other weapons, are prohibited from bringing any non-Department issued weapon into any JJC facility.
- C. Volunteers or private citizens who carry chemical agents, tasers or other weapons, are prohibited from bringing any weapon into any JJC facility.

II. ARMED PEACE OFFICER BUILDING ACCESS GUIDELINES

- A. Armed peace officers, including Deputy Probation Officers will only be allowed access to the following areas:
 - 1. Institutional Core Building Vehicle Sallyport;
 - 2. Institutional Core Building Business Office area;
 - 3. Detention Building Business Office area;
 - 4. Commitment Building Business Office area.

B. Armed Juvenile Correctional Officers assigned to the Transportation Unit in addition to the areas listed above will be allowed access to the following areas to retrieve, secure and/or store Department issued firearms and batons only:

1. Institutional Core Building Transport Sallyport;
2. Institutional Core Building Transport Equipment Storage Room.

Access to these two areas is authorized only at times when no minors are present, including minors handcuffed to cuff rails in either the secure Transport Corridor or the Transport Sallyport. If minors are present in the area, they must be secured inside the Transport Holding Room prior to armed officers entering.

C. Armed peace officers, prior to entering other secured areas of the JJC facilities, shall:

1. Secure their weapons in gun lockers located in the Vehicle Sallyport, Institutional Core EM/Release Sallyport, or other secure areas with gun lockers.
2. Secure their weapons in their vehicle.



Subject: Youths Orientation

Policy Number: 401.0

Page: 1 of 2

Date Originated: October 1, 1991

Date Revised: January 28, 2016

Authority: Title 15: Sections 1350, 1353; California Code of Regulations

Youths who enter Juvenile Justice Campus are to be provided with an orientation to their housing pod and its programs. Provisions shall be made to provide accessible orientation information to all detained youth, including those with disabilities, limited English proficiency, or limited literacy. Youth who are committed will be advised of their estimated length of stay. (Title 15; §1350 & 1353; California Code of Regulations)

This orientation is intended to ease the youth's transition to detention, reduce rule violations and decrease staff time spent answering basic questions. If youth are to be held accountable for following facility rules or exercising rights and privileges, then they must be informed of those rules, rights and privileges before problems can develop.

Individual youths may be incarcerated for long periods of time. If a youth is moved to a different housing pod or committed to a treatment program, the youth will receive an orientation to the new program.

I. YOUTH ORIENTATION

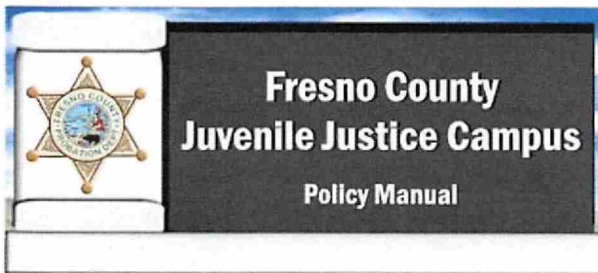
- A. As part of the admission process, when the youth enters a housing pod, they will receive an orientation. The Senior Juvenile Correctional Officer will assign a Juvenile Correctional Officer to conduct the orientation and ensure the orientation is completed. The orientation shall be completed within four hours of admittance to the pod, unless the youth does not speak English and no translator is available. Any youth entering the pod after 2100 hours will be oriented by the day shift the following day.
- B. To ensure that each youth understands the orientation materials, the orientation process shall include a verbal discussion with the youth of all written orientation materials given to them. (Title 15; §1353; CCR)
 - 1. If the youth does not speak English, the Senior Juvenile Correctional Officer will locate an officer or staff person who can translate the orientation materials into the appropriate language. (Title 15; §1353; CCR)
 - 2. If the youth is illiterate, the assigned officer will read the orientation material to the youth. (Title 15; §1353; CCR)
- C. The orientation shall include the following information; Facility rules and disciplinary procedures; Grievance procedures; Access to legal services; Access to health care services; Access to counseling services; Access to religious services; Access to educational services; Information on the court process; Housing assignments; Availability of personal care items and opportunity for personal hygiene; Correspondence, visiting and telephone use; Availability of reading materials, programs and activities; Use of restraints and chemical agents; Use of force; and Emergency and evacuation procedures. (Title 15; §1353; CCR)

II. ORIENTATION PROCESS

- A. The assigned officer will provide each youth with an overview of the pod program and a copy of the "Youth's Handbook".
- B. The officer will assist the youth to understand the orientation material and answer any questions the youths may have regarding the orientation materials.
- C. If the youth cannot read or comprehend the materials, the officer will read and explain the orientation material to the youth.
- D. The youth and the officer will be provided a quiet area and given enough time necessary to read and understand the orientation materials.
- E. After the youth has reviewed the orientation material, the officer shall review the orientation material with the youth and ensure that he/she understands the material.
- F. When the officer is confident that the youth understands the material, the officer will have the youth sign off on the orientation form. The form will be placed in the youth's folder. The officer will make pod log and chrono notations that the youth received an orientation. Upon release of the youth the orientation form will be removed from the youth's file.
- G. If a youth has a limited English proficiency, the officer will contact the on duty Watch Commander to provide an interpreter by phone and in email. The pod log, youth's chrono, along with the bed roster, will document the need of an interpreter.
- H. If a youth has limited literacy the officer will contact the on duty Watch Commander who will then make notifications to the school, youth's probation officer, JJC Administration, and pod staff to assist the youth in reading and writing.
- I. If a youth has a disability, the officer will contact the on duty Watch Commander who will make notifications to the school, youth's probation officer, JJC Administration, and pod staff to assist the youth.

III. DISCRIMINATION POLICY

The Fresno County Probation Department has a zero discrimination provision. The provision provides that all youth within the facility shall have fair and equal access to all available services, placement, care, treatment, and benefits, and provides that no person shall be subject to discrimination or harassment on the basis of actual or perceived race, ethnic group identification, ancestry, national origin, color, religion, gender, sexual orientation, gender identity, gender expression, mental or physical disability, or HIV status, including restrictive housing or classification decisions. Any complaints shall be made to the on duty Watch Commander or Program Supervisor.



Subject: Minors Orientation

Policy Number: 401.0

Page: 1 of 2

Date Originated: October 1, 1991

Date Revised: February 1, 2008

**Authority: Title 15; Section 1353;
California Code of Regulations**

All minors who enter Juvenile Justice Campus are to be provided with an orientation to their housing pod and its programs. (Title 15; §1353; California Code of Regulations)

This orientation is intended to ease the minor's transition to detention, reduce rule violations and decrease staff time spent answering basic questions. If minors are to be held accountable for following facility rules or exercising rights and privileges, then they must be informed of those rules, rights and privileges before problems can develop.

Individual minors may be incarcerated for long periods of time. If a minor is moved to a different housing pod or committed to a treatment program, the minor will receive an orientation to the new program.

I. MINOR ORIENTATION

- A. As part of the admission process, when the minor enters a housing pod, they will receive an orientation. The Senior Juvenile Correctional Officer will assign a Juvenile Correctional Officer to conduct the orientation and ensure the orientation is completed. The orientation shall be completed within four hours of admittance to the pod, unless the minor does not speak English and no translator is available. Any minor entering the pod after 2100 hours will be oriented by the day shift the following day.
- B. To ensure that each minor understands the orientation materials, the orientation process shall include a verbal discussion with the minor of all written orientation materials given to them. (Title 15; §1353; CCR)
 - 1. If the minor does not speak English, the Senior Juvenile Correctional Officer will locate an officer or staff person who can translate the orientation materials into the appropriate language. (Title 15; §1353; CCR)
 - 2. If the minor is illiterate, the assigned officer will read the orientation material to the minor. (Title 15; §1353; CCR)
- C. The orientation shall include the following information; Facility rules and disciplinary procedures; Grievance procedures; Access to legal services; Access to health care services; Access to counseling services; Access to religious services; Access to educational services; Information on the court process; Housing assignments; Availability of personal care items and opportunity for personal hygiene; Correspondence, visiting and telephone use; Availability of reading materials, programs and activities; Use of restraints and chemical agents; Use of force; and Emergency and evacuation procedures. (Title 15; §1353; CCR)

II. ORIENTATION PROCESS

- A. The assigned officer will provide each minor with an overview of the pod program and a copy of the "Minor's Handbook".
- B. The officer will assist the minor to understand the orientation material and answer any questions the minor may have regarding the orientation materials.
- C. If the minor cannot read or comprehend the materials, the officer will read and explain the orientation material to the minor.
- D. The minor and the officer will be provided a quiet area and given enough time necessary to read and understand the orientation materials.
- E. After the minor has reviewed the orientation material, the officer shall review the orientation material with the minor and ensure that he/she understands the material.
- F. When the officer is confident that the minor understands the material, the officer will have the minor sign off on the orientation form. The form will be placed in the minor's folder. The officer will make pod log and chrono notations that the minor received an orientation. Upon release of the minor the orientation form will be removed from the minor's file.



Subject: DISCIPLINE

Policy Number: 408.0

Page: 1 of 5

Date Originated: March 25, 1993

Date Revised: January 28, 2016

**Authority: Title 15; Section 1390;
California code of Regulations**

Discipline is defined as punishment; training that corrects, molds or perfects the mental faculties or moral character; control gained by enforcing behavior or order.

The proper and consistent use of discipline is a key element to the maintenance of the Juvenile Justice Campus (JJC) facilities safety, security, and order. It is essential that youth follow the established rules and procedures and they follow the directions of officers. Discipline in its many forms is the strategy to hold youths accountable for violations of the rules and of proper behavioral standards, and to help them learn that there are consequences for their behavior, both within the facility and the community.

In imposing discipline, it is critical that it be explained to the youth what he is being disciplined for, what the discipline consists of, and that an opportunity for the youth to appeal the discipline to a higher level of authority prior to discipline being imposed is provided. This must be done in a manner and in a language the youth understands. This policy statement defines acceptable and unacceptable forms of discipline and provides a procedure for disciplinary due process in which the youth has a right to appeal the imposition of discipline. This policy also defines non-disciplinary consequences, which may be taken in relation to a youth's behavior which are not disciplinary in nature and which are not acceptable.

I. DISCIPLINARY PRINCIPLES

A. For discipline to be effective four basic principles need to be followed. These are:

1. Consistency: There must be zero tolerance for rule violations. Any time a rule is violated or an officer's directive is not complied with, there must be consequences. The severity of the consequence is not nearly as important as the fact that there is a consequence each time an officer is aware that a violation has occurred.
2. Equity: There must be zero favoritism shown in the imposition of discipline. It makes no difference who the youth is or what the youth's prior behavior was. There must be a consequence for all violations of the rules.
3. Fairness: There must be no vindictiveness in the imposition of discipline. Discipline cannot be imposed in anger or retaliation. Discipline is not a tool for vengeance or retribution. It is a tool to hold youths accountable and to help them learn the parameters of proper behavior.
4. Timeliness: There must be no delays in advising a youth that his/her behavior is unacceptable and that discipline will be imposed. It is unfair to the youth, as well as to other youths and officers within the facility, to delay in pointing out to a youth that he/she has violated rules or directions.

II. NON-DISCIPLINARY CONTROL STRATEGIES

- A. It is essential, at all times, that officers maintain control of the youth's behavior within the facility. Any officer actions, which are taken, to control the youth's behavior and which cease as soon as the youth's behavior is under control, are not discipline and are not appealable. Examples of non-disciplinary control strategies that may be utilized by officers include but are not limited to:
 - 1. Segregation or time out until the youth is under control;
 - 2. Use of physical or mechanical restraints until the youth's behavior is under control;
 - 3. Removal of the youth from an area or activity until the youth is under control;
 - 4. Measures taken for the youth's self-protection, including precautionary watches, temporary removal of clothing or bedding, placement in the restraint chair, etc.
- B. The following consequences of the youth's behavior that are non-appealable and do not represent discipline:
 - 1. Advising the youth of expected conduct;
 - 2. Verbal counseling and reprimands;
 - 3. The failure to earn points for specific activities;
 - 4. The filing of additional criminal charges.

III. DISCIPLINARY USE GUIDELINES

- A. Officers shall be fair, consistent and timely when imposing discipline on youths.
- B. The youth must have prior knowledge of facility rules and regulations. This is done by ensuring each youth is properly orientated to facility rules and expectations.
- C. When officers impose discipline, it shall be done at the least restrictive level, which promotes the desired behavior. (Title 15; §1390, California Code of Regulations)
- D. When a youth who has limited English proficiency, disabilities, or limited literacy, the Senior Juvenile Correctional Officer (JCO) will locate an officer or staff person who can translate the disciplinary information into the appropriate language. (Title 15; §1390; CCR)
- E. When a youth is illiterate, the Senior JCO will have an officer read and explain the disciplinary information to the youth. (Title 15; §1390; CCR)

IV. NON APPROVED DISCIPLINARY MEASURES: Discipline does not include corporal punishment, group punishment, physical or psychological degradation or deprivation of the following:

- A. Bed and clothing;
- B. Daily shower, access to drinking fountain, toilet and personal hygiene items, and clean clothing;
- C. Full nutrition;
- D. Contact with parent or attorney;
- E. Exercise;
- F. Medical services and counseling;
- G. Religious services;
- H. Clean and sanitary living conditions;
- I. The right to send and receive mail; and,
- J. Education

IV. PROHIBITED DISCIPLINARY ACTIONS

- A. The following actions **shall not** be used by officer to impose discipline on youths:
 - 1. Corporal punishment, group punishment, physical or psychological degradation. (Title 15; §1390; CCR)
 - 2. Verbal humiliation and/or abuse, including profanity.
 - 3. The use of force shall never be applied as punishment, discipline or treatment. (Title 15; §1357; CCR)
 - 4. Discipline may not be delegated to any youth. (Title 15; §1391; CCR)
 - 5. Deprivation of basic rights, including bed and bedding, daily shower, access to drinking fountain, toilet and personal hygiene items, clean clothing, full nutrition, contact with a parent or attorney, exercise, medical services and counseling, religious services, clean and sanitary living conditions, right to send and receive mail, and education. (Title 15; §1390; CCR)
 - 6. Deprivation of large muscle exercise. Youths on disciplinary status shall continue to have an opportunity for a minimum one-hour of large muscle exercise. That one-

hour of exercise may be suspended only upon a written finding by the Director or Probation Services Manager/Assistant Director that the youth represents a threat to the safety and security of the facility. (Title 15; §1371; CCR)

V. DISCIPLINARY LEVELS

A. Discipline within the JJC is divided into two distinct levels based on the seriousness of the violation. Level I consist of youth rule violations and Level II consist of major rule violations as explained in Policy #407.0 Youths Rules of Conduct.

B. Level I Discipline - Youth Rule Violations

1. Level I discipline may be imposed by a JCO, or a Senior JCO, and is appealable to a Supervising Juvenile Correctional Officer (SJCO). Level I discipline will be imposed for violations of JJC facility rules, but DOES NOT INCLUDE; fights, assault, escape plot or attempt, possession of illegal items, or weapons, or willful destruction of property.

2. Level I discipline may include:

a. Failure to earn Character Counts points;

1) When a youth fails to earn Character Counts points they have an opportunity to appeal to the pod Senior JCO and/or to the SJCO in charge of the pod. This can be done by completing a Point Review Form (See attached Form).

C. Level II Discipline - Major Rule Violations

1. Level II discipline may be imposed by the Watch Commander and/or the SJCO in charge of the youth's pod upon the recommendation of a JCO, or a Senior JCO. Level II discipline is appealable to a Probation Services Manager/Assistant Director. Level II discipline shall be imposed for all violations not covered by Level I or for continuous violations of Level I rules.

2. Level II discipline includes:

a. Loss of privileges or activities, i.e., table games, ping-pong, movies, videos, television time, incentive telephone calls, etc.;

b. Demotion of program phase;

c. Suspension of furloughs;

d. Segregation of up to 24 hours;

VI. DISCIPLINARY DUE PROCESS OF A LEVEL II RULE VIOLATION

- A. When a youth has violated a facility rule or directive, and a decision is made to impose formal discipline the following process will be followed:
1. The youth will immediately be advised of the rule violation and that discipline will be recommended.
 2. The officer recommending that discipline be imposed will document the rule(s) violations and the recommended discipline on the JJC HIGH SECURITY CONTRACT (See attached Form). The officer will then have the form approved through their immediate chain of command.
 3. The officer will provide the youth with the completed and approved JJC HIGH SECURITY CONTRACT. The youth will be given the opportunity to indicate on the form whether or not the discipline will be appealed. (DUE Process)
 4. The Probation Services Manager/Assistant Director or Designee will then review the form and determine if appropriate disciplinary actions were taken. If the Probation Services Manager/Assistant Director or Designee determines a need for further review they will conduct a disciplinary due process hearing. This includes interviewing the youth and any other witnesses who may have been present when the major rule violation occurred.
 5. After evaluating all of the facts, the Probation Services Manager/Assistant Director or /Designee conducting the disciplinary due process hearing, will advise the youth verbally of the decision and complete the bottom section of the form. The Probation Services Manager/Assistant Director or Designee will send the original to the facility Business office for filing and a copy of the citation will be returned to the Senior JCO to place in the youths file.
 6. The JJC HIGH SECURITY CONTRACT that involves Due Process will be stored in the front office, with a copy to the Program Supervisor if there are comments.



No. 6.500

Page 1 of 25

SUBJECT: ARMING POLICY

EFFECTIVE: February 16, 1991

ADMINISTRATIVE MANUAL

LAST ADOPTED: March 28, 2008

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**CHAPTER 1
GENERAL POLICIES**

I. PURPOSE

The purpose of this policy is to clearly establish guidelines and procedures governing the on-duty arming of Fresno County Probation Department peace officers where the use of deadly force may be necessary to prevent serious bodily injury or death to the officer or another person. The policy sets forth the legal authority under which officers may carry, handle, store, and use Department issued and personally owned firearms on-duty. It also specifies the training and qualification requirements needed before an authorization to be armed on-duty is granted and the procedures to follow in the reporting and investigation of officer-involved shootings.

II. EXCEPTIONS

All officers will adhere to this policy and only the Chief Probation Officer or his/her designee may grant exceptions to any portion in writing.

III. LEGAL AUTHORITY TO CARRY AND USE A FIREARM

The status of peace officers in the Probation Department is defined in Penal Code Section 830.5:

The following persons are peace officers whose authority extends to any place in the state while engaged in the performance of the duties of their respective employment and for the purpose of carrying out the primary function of their employment or as required under Sections 8597, 8598 and 8617 of the Government code. Except as specified in this section, these peace officers may carry firearms only if authorized and under those terms and conditions specified by their employing agency:

1. A probation officer or deputy probation officer...
2. Any superintendent, supervisor, or employee of an institution having custodial responsibilities...
- A. The officer's use of peace officer powers is limited by statute, court decisions and opinions of the California Attorney General's Office to on-duty hours. Except as otherwise provided in this subdivision, the authority of these officers shall extend only as follows:
 1. To conditions...of probation by any person in this state on parole or probation.
 2. To the escape of any inmate or ward from a state or local institution.
 3. To the transportation of such person.
 4. To violations of any penal provisions of law which are discovered while performing the usual or authorized duties of his or her employment.

5. To the rendering of mutual aid to any other law enforcement agency.
- B. The officer's authority to carry and use firearms on-duty shall be consistent with these provisions of the Penal Code and shall be limited by the terms and conditions specified by this policy. Nothing in this policy shall be considered or construed as conferring on the officer authority beyond that granted by the Penal Code.
- C. Officers authorized to carry firearms on-duty are required, pursuant to Section 830.5(d) of the Penal Code, to meet the training requirements of Section 832 and to qualify with the on-duty firearm at least quarterly. Nothing in this policy shall be construed to modify these requirements of the Penal Code. Officers authorized to carry firearms on-duty shall comply with the requirements of the Penal Code and this policy and maintain competency as determined by Department Range Masters.
- D. Under the provisions of section 830.5 of the Penal Code, an officer holds peace officer "status" at all times and may therefore carry a personal concealed firearm during off-duty hours without being in violation of Section 12027 of the Penal Code. The "authority" to act as a peace officer, however, only extends to on-duty hours while the officer is engaged in the performance of his/her duties. An officer who carries or uses a personal firearm off-duty, therefore, does so as a private citizen.
1. Officers shall not carry their department issued weapon while off duty. Any consequences or liability of any kind arising out of any act or incident involving the use or carrying of this weapon or a personally owned weapon that the officers may use, under the auspices of this policy, during off-duty hours shall be the sole, personal responsibility of the officer. The County assumes no liability or responsibility for such personal, off-duty use by an officer and any act or incident shall not be deemed an official or permitted act or incident or the exercise of peace officer "authority."
2. Any misuse of a department issued weapon or personal firearm off-duty by an officer may subject that officer to disciplinary action up to and including termination, in addition to any civil or criminal action to which the officer may be subjected.

**CHAPTER 2
AUTHORIZATION AND TRAINING PROCEDURES**

I. PROCEDURE FOR AUTHORIZATION TO CARRY FIREARMS

Possession or use of firearms by on-duty officers is strictly prohibited except under conditions provided for in this Chapter and with the written, express approval of the Chief Probation Officer or his/her designee. Permission to carry firearms will be granted only where one of the following special circumstances exists:

1. The officer is assigned to Armed Duty Assignment or Voluntary Armed Assignment as designated by the Chief Probation Officer or his/her designee. [Officers in Voluntary Armed Assignments will adhere to the Arming Policy dictates for designated Armed Assignments when performing duties as an Armed Officer]
2. There has been a documented, serious job-related threat against the life of an officer and sufficient cause exists to believe that the individual making the threat has both the means and ability to carry it out, and no alternative methods of providing the officer protection while on-duty are effective. Officers will be trained by a Range Master prior to being issued a weapon or being allowed to carry a personally owned weapon while on duty.

II. AUTHORIZATION TO CARRY A FIREARM ON-DUTY

- A. An authorization to carry a firearm on-duty shall be in writing and shall be signed by the Chief Probation Officer or his/her designee. No officer shall carry a firearm on his/her person or have a firearm in his/her possession in the office or any other job location or in a County-owned vehicle while on-duty without prior written authorization of the Chief Probation Officer or his/her designee, obtained pursuant to this Policy.
- B. The authorization to carry a firearm on-duty will contain all information required to complete Arming Policy Form A, which is attached and considered a part of this Policy. The signed Arming Policy Form A shall be retained by the department's Training Manager.
- C. The authorization to carry a firearm shall be subject to ongoing periodic review by the Chief Probation Officer or his/her designee.
- D. The Chief Probation Officer may, at any time, for any reason and without cause, revoke the authority of any officer to carry a firearm on-duty. The officer shall immediately be informed of the revocation and, if necessary, transferred to an Unarmed Duty Assignment. A copy of the written revocation shall be delivered to the officer within five (5) working days.
- E. Whereas it is a continuing recognized process/procedure for officers to be evaluated for "fitness of duty" of an Armed Duty Assignment; the officer further has an obligation to inform/notice the Department of any physical, mental and /or emotional issues that would preclude or incapacitate them from objectively and competently performing the duties of an Armed Duty Assignment position.

- F. The Chief Probation Officer, Division Directors, Probation Services Managers, or Lead Range Master may order any subordinate authorized to carry a firearm to cease carrying a firearm for good cause. Good cause is defined as any of the following:
1. The failure to re-qualify in the required time frame or failure to achieve a minimum qualifying score as determined by the Lead Range Master.
 2. Whenever the officer fails to attend required firearms training.
 3. Whenever the officer appears to lack the physical or mental capacity to carry and use the firearm in a safe manner.
 4. Whenever the officer has been convicted of an offense punishable as a felony or for a misdemeanor involving the carrying or use of a firearm, or an act of violence toward another person.
 5. When the officer is on administrative or medical leave.
 6. Whenever the officer has violated the Department policy concerning the carrying of firearms.
 7. Whenever the officer has carried, exhibited or used the firearm in an unsafe, careless or other inappropriate manner.
 8. Whenever the officer has been administratively reassigned as a result of a certified stress related condition.
 9. If the authorization was issued based on a specific threat to the officer, when the threat has been determined to no longer exist.
 10. Whenever it is determined that the medical, psychological, or health condition of the officer or the use of alcohol/drugs by the officer would interfere with the safe use or handling of a firearm.
 11. Whenever the officer has been suspended or terminated from the Department.
- G. If a revocation of authority to carry a firearm has been made, the person ordering the revocation shall submit a written report, within two (2) working days, to the Chief Probation Officer, indicating the circumstances that led to the revocation. A copy of the report shall be made available or mailed to the officer within five (5) working days following submission of the report. A copy of the report will be provided to the appropriate Director, Director responsible for oversight of the Lead Range Master, Probation Services Manager, and Lead Range Master.
- H. A written request for a review of any revocation decision may be made by the officer to the Chief Probation Officer; clearly stating the reason the authorization should be reinstated or specific objections to the decision. The Chief Probation Officer shall

then make a determination to revoke or not revoke the authorization. The Chief Probation Officer's decision is final.

III. STOLEN OR LOST FIREARMS

- A. An officer shall file a report with the appropriate law enforcement agency immediately upon discovery that his/her firearm is missing.
- B. An officer shall also immediately report a lost or stolen firearm to his/her supervisor who will notify the Chief Probation Officer via the chain of command.
- C. The officer will file a written report with his/her supervisor by the end of the assigned shift. The written report shall be submitted to the Chief Probation Officer through the chain of command.
- D. Arrangements may be made for the temporary or permanent issuance of another firearm if the Chief Probation Officer or Division Director authorizes such issuance. The officer shall qualify with the newly issued firearm before authorization to carry the firearm on-duty shall be effective.

IV. RESTRICTIONS ON CARRYING FIREARMS

Officers who have been authorized to carry a firearm on-duty are prohibited from doing so under the following conditions:

- A. Officers are prohibited from consuming alcoholic beverages or any controlled substance while on-duty, including any meal periods and any break periods.
- B. While in a condition resulting from the off duty use of alcohol and/or medication where the officer's motor skills, reflexes, vision, or judgment could potentially be adversely affected.
- C. While injured or in a physical condition causing inability to utilize a firearm properly or to comply with the requirements of the department's Force Options Policy.
- D. While on a disciplinary or investigative suspension.
- E. While on an extended leave of absence without pay, or other period of unpaid absence from the Department or while on Worker's Compensation status.
- F. When ordered by the Chief Probation Officer, Division Director, or Probation Services Manager not to carry a firearm.
- G. When the authorization to carry a firearm has been revoked.

V. REQUIRED TRAINING AND QUALIFICATIONS

- A. Responsibility

1. Any officer authorized by the Department to carry a firearm on-duty must participate in all required Departmental training and must meet all requirements set forth in this policy or otherwise required by the Department.
 2. It shall be the responsibility of the Department Training Manager and the Department Range Masters to ensure that a program of training providing at least the minimum standards of training required by statute and this policy is provided to officers authorized or applying for authorization to carry firearms.
 - a. The Department Training Manager and the Department Range Masters shall monitor all legislative and policy changes relating to the use of firearms by peace officers and shall provide necessary updated training in a timely manner.
 - b. The Department Training Manager shall maintain records of the training of all officers authorized to carry firearms and shall notify the Chief Probation Officer, Director responsible for oversight of the Lead Range Master, and the appropriate managers when any armed officer is not in compliance with the Department's training requirements.
- B. The following training and qualifications must be satisfactorily completed prior to approval being granted for an officer to carry a firearm:
1. The successful completion of training pursuant to Section 832 of the Penal Code (40 hours) which consists of the following:
 - a. The laws governing arrests and search incident to arrests;
 - b. The law of self-defense, the use of force by peace officers, and the understanding of the Force Options concept;
 - c. The civil liabilities of peace officers;
 - d. The ethical and moral considerations of the use of firearms and deadly physical force.
 2. The satisfactory completion of training pursuant to Section 832 of the Penal Code (24 hours) which consists of the following:
 - a. Firearm safety;
 - b. The care and cleaning of the authorized weapon;
 - c. Shooting proficiency.
 3. The satisfactory completion of an Arming Policy review training session under the guidance of the Lead Range Master or his/her designee.
 - a. A signed form acknowledging completion of this course shall be retained by

the Training Manager.

4. The successful completion of the following training:
 - a. Cardiopulmonary resuscitation and first aid certification;
 - b. Designated self-defense training.
 - c. Chemical agents certification.
 - d. Baton certification
- C. The skills, knowledge, and required certifications shall be maintained by each armed officer through reoccurring training and/or competency testing.
- D. Any officer authorized to carry a firearm on-duty must be certified as currently qualified and competent to do so by the Department Lead Range Master.
 1. The minimum qualifying score for each type of firearm shall be established by the Department Lead Range Master and approved by the Chief Probation Officer.
 2. Each officer authorized to carry a firearm on-duty shall qualify quarterly and maintain competence as determined by the Department Range Masters.
 3. Any officer who fails to qualify in three official attempts shall have his/her authorization to carry a firearm suspended. This suspension will remain in effect until the individual receives additional training and qualifies. Continued failure to qualify will result in revocation of the authorization to carry a firearm on-duty.
 4. Officers in Transportation assignments must qualify with both their duty handgun and the duty shotgun in accordance with Administrative Manual Policy No. 6.550. Failure to qualify on either weapons system will result in suspension of the authorization to carry both weapons systems. This suspension will remain in effect until the individual receives additional training and qualifies with both weapons systems. Continued failure to qualify will result in revocation of the authorization to carry a firearm on-duty.
 5. All officers shall qualify with their Department issued firearm and/or approved personally owned firearm. Officers not qualified with a particular weapon are not authorized to carry that weapon on-duty until they become qualified with it.
 6. Any officer who requests a re-issue of a firearm after an extended leave of absence of three (3) months or longer shall complete the standard firearms range qualifications course. In addition, the officer shall re-qualify on an approved range before any firearm shall be re-issued. The returning officer shall also receive and review all firearms training material provided to other officers during the absence.
 7. Qualifications shall be during on-duty hours.

8. An officer may, with the supervisor's approval, be authorized additional on-duty hours for practice to improve proficiency in the use of the on-duty firearm. The Department will provide ammunition and this training will be supervised by a Department Range Master. Any on-duty or off-duty practice with the on-duty firearm must be conducted at an authorized firing range. Staff who wish to practice off-duty may do so if they purchase the ammunition, as long as the ammunition meets departmental standards. No one other than the Peace Officer shall transport, carry, conceal, or utilize the firearm at any time.
 9. The Department is not liable for any injury/death of an employee or others while the employee engages in voluntary off-duty firearms practice and/or training.
- E. A Department Range Master must be qualified through an approved Range-Master School (e.g. Federal Bureau of Investigation, State Department of Justice, or other accepted training), and prepared to perform the following duties:
1. To conduct a firearms qualification course that ensures reasonable competency among all officers authorized to carry firearms on-duty.
 2. To conduct such shooting range and additional firearms related training as deemed appropriate and necessary.
 3. To provide a firing range program for use by Probation Department personnel.
 4. To establish and endorse such rules of conduct on the shooting range as deemed necessary for the safe operation of the shooting range and the safety of those using it.
 5. To notify the Chief Probation Officer, respective Division Director, Director responsible for oversight of the Lead Range Master, and respective Probation Services Manager in writing of any officer who fails to qualify after the third attempt on the same day.
 6. To observe the handling of firearms by officers, to report any firearm safety violations, and to take any other action which he/she deems necessary, including confiscation of an officer's firearm.
 7. To provide copies to the Department Training Manager of firearms training records for all officers authorized to carry firearms.
 8. To maintain an inventory and control of all Department issued weapons, ammunition, and magazines.
 9. To inspect weapons, ammunition, and equipment for safety and maintain inspection records, and to take any action which is deemed necessary, including confiscation of any officer's weapon, ammunition, and equipment, when unsafe weapons, ammunition, and/or equipment are discovered.

10. To confiscate and/or take control of a Department issued firearm of any officer who fails to achieve a qualifying score and/or exhibits inappropriate behavior while on the range. A written report must be submitted to the Chief Probation Officer within two (2) working days on any incident involving the confiscation of a firearm, ammunition, or equipment.
11. Department Range Masters may be exempted in certain instances from strict adherence to the storage and movement guidelines as found in this Arming Policy. This exemption - either verbal or written - will be from the Chief Probation Officer, Director responsible for oversight of the Lead Range Master, or Lead Range Master. This provision of the arming policy is to facility the operational requirements of the range training program. Range Master personnel shall adhere to all Federal/State statutes and policy guidelines regarding the safe transportation, handling and storage of ammunition and weapons. Good judgment in the transportation, movement and storage of weapons and ammunitions is the expectation

**CHAPTER 3
FIREARMS AND MAINTENANCE**

I. AUTHORIZED FIREARMS, AMMUNITION AND HOLSTERS

A. The officers authorized to carry firearms on-duty shall carry and use only the firearms, ammunition and holsters approved in writing by the Chief Probation Officer, Division Director responsible for oversight of the Lead Range Master, or Lead Range Master.

1. The Probation Department will purchase and register semiautomatic 40 caliber pistols along with commercially manufactured ammunition designed for that particular firearm. The ammunition may not be altered in any way, nor is reloaded ammunition to be used in the department owned firearms.
2. Personally owned pistols of 40 caliber of any make or model that was carried by an armed officer as his/her primary duty weapon prior to January 1, 2000, may continue to be carried by officers in Armed Duty Assignments. The firearm must have been inspected and approved for use by the Lead Range Master, and authorized by the Chief Probation Officer or his/her designee. All other officers in designated Armed Duty Assignments will carry a department issued 40-caliber Glock-model 23 firearm as their primary duty weapon. The only exception to this policy will be if an officer chooses to privately purchase the 40 caliber Glock model 23 and utilize it while on duty as his/her duty weapon. This purchase must be cleared in advance by the Department Lead Range Master. The maintenance and repairs on the personally owned firearm will be incurred at the officer's expense.
3. Personally owned backup firearms of 40 caliber or less may be carried by officers in designated Armed Duty Assignments. The backup firearm is viewed as a secondary weapon only and cannot be carried "in lieu of" the 40 caliber "primary" firearm. The backup firearm can be either a revolver or semiautomatic pistol holding at least five rounds of commercially produced ammunition. Maintenance and repairs of the backup firearm are the responsibility of the officer as well as the purchase of a holster and ammunition for this firearm. The backup firearm, holster, and ammunition must be inspected and approved for use by the Lead Range Master and authorized by the Chief Probation Officer or his/her designee. The officer must maintain quarterly qualification with the backup firearm within the course of fire determined by the Lead Range Master.
4. All personally owned holsters worn on-duty must be approved by the Lead Range Master prior to use. Holsters for the Department owned firearms will be supplied by the Department.
5. The Lead Range Master must approve any accessories or alterations to either Department owned or personally owned on-duty firearm holsters or related safety equipment such as mesh vests, baton holsters, magazine pouches, etc.
6. All parts and safety devices on the on-duty firearms as designed by the manufacturer will be intact and functioning at all times. At no time shall peace

officer employees other than department designated armory personnel alter the working mechanisms, parts or safety devices of any department issued firearm or backup firearm carried during the course of duty.

7. All authorized on-duty firearms, holsters and ammunition may be inspected quarterly by the Range Masters to insure that unauthorized alterations have not occurred.

II. FIREARM SAFETY AND STORAGE

A. Officers authorized to carry firearms on-duty are charged with the responsibility to observe and practice the following safety regulations:

1. Every firearm handled shall be treated as a loaded firearm until the handler has personally inspected the weapon to determine it is unloaded.
2. Firearms shall not be dry-fired, cleaned, repaired, exhibited, loaded or unloaded in any manner which could result in an accidental discharge. Firearms shall be unloaded only in an unloading tube, sand filled container, or area designated by Departmental Range Masters.
3. Firearms shall not be carelessly handled at any time.
4. Officers shall not use any firearm with which they have not been qualified (except as provided for in this policy in Chapter 4, 1, C) unless under the supervision of a Range Master.
5. Officers authorized to carry a firearm on-duty and assigned to designated Armed Duty Assignments having frequent community contact with probationers and offenders will be provided personal body armor purchased by the Department. The wearing of body armor is mandatory when the officer is engaged in organized and planned law enforcement activities; probation search and seizure operations; warrant serving activities; or arrest operations. When engaged in routine activities in the office or community, the wearing of body armor is recommended, but discretionary with the officer.
6. While traveling on County of Fresno business, whether it is job function or training, the expectation is that officers will take all actions possible to ensure that weapons are stored in the appropriate manner.

B. Firearm security and safety are the responsibilities of the armed officer. Officers authorized to carry firearms on-duty are charged with the responsibility to observe and practice the following regulations:

1. When not being carried or worn, the holstered firearm and ammunition shall be stored in a file cabinet with locking bar, weapons locker, weapons safe, or a location in the officer's vehicle that is secured and concealed from the plain view of others.

2. Firearms shall not be kept in the work place overnight unless they are secured and locked in a designated weapons safe.
 3. When the firearm is taken to the officer's residence, it shall be kept in a secure and safe place where it is inaccessible to other individuals, particularly children, pursuant to current State and Federal statutes.
 4. Firearms are not to be stored overnight in a County vehicle or private vehicle unless permission is obtained in advance by the Director responsible for oversight of the Lead Range Master.
 5. No firearm, ammunitions, and/or other item, which threatens the security of a correctional facility, shall be left in any unattended vehicle within the secure perimeter. At such facilities, firearms, ammunition, and other items must be checked into a specific area designated by facility staff for safekeeping and temporary storage. If the facility does not have a storage area, the firearm shall be locked out of sight in the officer's vehicle, outside the secure perimeter.
 6. Under no circumstances is an on-duty officer authorized to carry a firearm aboard a commercial aircraft unless the officer has complied with all regulations of the Federal Aviation Administration, the particular air carrier, and any local jurisdiction responsible for airport security.
- C. Any accidental discharge of a firearm resulting from failure to comply with the above safety and storage regulations shall be considered an act of negligence and subject to disciplinary action up to and including dismissal. The weapon will immediately be confiscated by the officer's supervisor or a Range Master, and examined by the Department Armorer. In the event the weapon is not a Glock firearm, it will be inspected by a certified armorer of the weapons manufacturer.

III. FIREARM CARE AND MAINTENANCE

A. Cleaning and inspection

1. All cleaning necessary to maintain a fully functional/safe firearm in good working order is the responsibility of the officer to whom the firearm is assigned.
2. The firearm will be cleaned and inspected each time the officer participates in a shooting exercise to include private practice, or more frequently if deemed necessary by a Range Master.
3. The cleaning of a firearm in an office-setting, vehicle, or in the field is prohibited except when the firearm has been fouled by a foreign substance, which might render it inoperable. In those instances, all safety precautions shall be taken when cleaning the firearm.

B. Maintenance

1. All repairs and servicing of Department owned firearms will be performed by or under the direction of the Department approved Armorer. The only exception will be the normal cleaning of firearms (field stripping).
2. All repairs and servicing of personally owned firearms will be the sole responsibility and at the expense of the officer. Upon approval, individual officers who wish to utilize personally owned firearms for "on-duty" use shall maintain and service such firearms at their own expense.
3. Any officer whose Department issued or personally owned firearm or magazine has been damaged, and any officer who has a question regarding the safety or proper functioning of their firearm, shall notify a department Range Master, who will in turn have the firearm immediately inspected by a Department approved armorer.

IV. FIREARMS REMEDIATION TRAINING

- A. Any officer who fails qualification or is lacking the proficiency in basic fundamentals, safe weapon handling, and weapons manipulation shall attend remediation training with a designated Range Master. The length of the remediation training will be determined by the individual officer's progress and the designated Range Masters' assessment. The Chief Probation Officer or his/her designee, Director, or Lead Range Master shall determine who is to attend remediation training.
- B. The remediation training will consist of but not be limited to: weapons manipulation, basic fundamentals of weapon manipulation (i.e. Grip, Stance, Sight Picture, Trigger Control and Breathing), tactical exercises, and/or any other training deemed appropriate and necessary by the designated Range Master.
- C. The employee and respective Probation Services Manager and Division Director shall be notified in writing as soon as practical of the officer's need for remediation by the Lead Range Master.

**CHAPTER 4
USE OF FIREARMS**

I. REQUIREMENTS FOR CARRYING, DISPLAY, AND USE OF FIREARM

A. Carrying a firearm.

1. Officers authorized to carry firearms on-duty shall only carry firearms which have been issued by the Department, or approved by the Chief Probation Officer, his/her designee, or Lead Range Master in writing, and with which the officer has qualified pursuant to this policy.
2. The authorized and approved firearm must be encased in an approved holster. The display of a holstered firearm in a public area is allowed if the officer's badge is visible, or the officer is wearing clothing which clearly signifies peace officer status.
3. Any officer authorized to carry a firearm on-duty shall have in his/her possession whenever carrying a firearm his/her Department issued badge and Department identification card. The badge should be displayed unless the officer's assignment requires that the firearm and badge be concealed from public view. While on duty, unless assigned to training, an officer in an Armed Duty Assignment will carry his/her duty weapon. When involved in arrest operations or normal Probation activities outside of the office the officer will carry at a minimum two additional fully loaded magazines (other than the one in the magazine-well of the weapon), OC, baton, handcuffs, and handcuff key and any other safety equipment as described in Administrative Manual Policy 6.520, Safety Equipment. When working in the office the officer has the option of wearing Modified Duty Wear. The definition of Modified Duty Wear is carrying of the weapon, one fully loaded magazine (in the well of the weapon), handcuffs, handcuff key, and OC. The Department will provide holsters for both the weapon and OC to facilitate this Modified Duty Wear method of carry.
4. Designated officers assigned a specialized duty assignment as determined by the Chief Probation Officer will be issued a department approved and purchased shotgun while on duty. Qualification standards will be determined in accordance with the standards delineated in this arming policy. All other applicable guidelines for authorization to possess, store, load/unload etc., are delineated in Administrative Manual Policy Manual 6.550, Duty Shotgun.
5. This policy to carry equipment on a daily basis can be waived for Probation Services Managers by that individual's direct supervisor.
6. The firearm will have a bullet in the chamber with all magazines fully loaded.

B. Display and use of firearm

1. An officer authorized to carry a firearm on-duty shall not display or brandish the firearm as a threat unless its actual use in the situation would be proper pursuant to Department policy.
2. The firing of warning shots is prohibited.
3. Firing at or from a moving vehicle is prohibited except when necessary because of an imminent threat of death or serious bodily injury to the officer or another person. When on foot and attempting to stop a moving vehicle, officers shall exercise caution and attempt to position themselves in such a location that any evasive movement of the vehicle will not put them or any other person in jeopardy.
4. Firearms are not designed or intended to be used as clubs and should not be used to strike another person, except as a last resort in a life-threatening situation.
5. An officer shall not surrender his/her firearm to any person other than a department manager, a Range Master, an armorer, appropriate personnel in charge of a secure facility, or another law enforcement official.

C. Use of Non-Departmental Issued Weapons systems

1. When accompanying law enforcement officers from other agencies, either as part of a regular duty assignment or in connection with a special operation, there may be occasions (i.e. life threatening situations) when it is necessary to use weapons other than those issued by the Department. Whenever possible officers will be provided the opportunity, under the supervision of department Range Masters, to be familiarized with weapons other than those issued by the department.

II. UNHOLSTERING AND USE OF FIREARM**A. Unholstering a firearm**

1. Officers are authorized to draw their on-duty weapon from its holster, or to display it in public, under the following conditions:
 - a) The circumstances surrounding the incident create a reasonable belief that it may be necessary to use the firearm in conformance with this policy.
 - b) Whenever providing a backup role to a law enforcement agency.
 - c) When clearing a residence or building and/or the surrounding yard or entire property of that residence or building.
 - d) For maintenance and inspection. The officer shall ensure that the firearm is empty of ammunition prior to cleaning, inspection and/or readjustment and repair of equipment.

- e) For training purposes whenever utilizing the firearm in an approved training course, approved practice session, or qualification with the Range Masters.
- 2. The improper unholstering and/or display of a firearm will result in Departmental sanctions, including disciplinary action up to dismissal, and may result in civil or criminal sanctions being taken.
- 3. In determining whether the circumstances justify the unholstering and/or discharge of a firearm, the officer shall consider and give relative weight to the following factors:
 - a) Severity of the suspected offense or reason for contact with the individual.
 - b) The subject(s) pose an immediate threat to the safety of the officer, others or themselves, (i.e. suicide attempts).
 - c) The subject(s) actively resist arrest or attempt to evade arrest by flight.
 - d) Officer/subject factors (size and strength of the subject(s) vs. officer, injury/exhaustion, number of subject(s) v. officer(s).
 - e) Influence of drugs/alcohol (mental capacity).
 - f) Proximity of weapons.
 - g) Availability of force options (what options are reasonably available to the officer under the circumstances).
 - h) Training and experience of the officer.
 - i) Potential for injury to citizens, officers and suspects.
 - j) Risk of escape.
 - k) Other exigent circumstances.

B. Discharging a Firearm

- 1. An officer shall discharge his/her on-duty firearm(s) only when the officer is compelled to do so by existing circumstances. The officer shall not discharge a firearm in the course and scope of employment except as permitted in this policy. The improper use of a firearm will result in Department sanctions, including disciplinary action up to dismissal, and may result in civil or criminal sanctions being taken.
- 2. It is the policy of the Department that officers shall consider all reasonable means of self-protection and the protection of others in the officer's presence, including disengagement from a situation, before resorting to the use of a firearm.

3. Officers are authorized to discharge firearms in the line of duty under the following circumstances:
 - a) When there is a clear and present danger to the life of the officer or another person and the officer has a reasonable belief that the use of deadly force is necessary to prevent serious bodily injury or death to the officer or another person.
 - b) Justification for the use of deadly force is limited to what reasonably appears to be the facts known or perceived by the officer at the time the officer decides to shoot. Facts unknown to the officer and which could not reasonably have been expected to be known by the officer cannot be considered in later determining whether the shooting was justified. (Outlined in the USC decision of *Graham v. Conner/ Tennessee v. Garner*)
 - c) It is the policy of this Department that the use of a firearm by an officer shall be limited to circumstances where necessary for self-defense or defense of others, and there is an imminent threat of death or serious bodily injury. An officer is expected to use sound judgment in making a determination that the use of deadly force is necessary. When feasible, give a warning before the deployment of force.
 - d) Firearms may be discharged on an approved range and during other approved training, practice, or qualification.

III. REQUIRED REPORTING OF THE UNHOLSTERING, DRAWING, DISPLAYING OR DISCHARGE OF A FIREARM

A. Unholstering Reporting Procedure

1. An officer who unholsters, draws, or displays his/her firearm in the course of duty shall file an Unholstering Report, utilizing the Fresno County Probation Department Incident Report Form, to his/her supervisor as soon as possible, but no later than the end of the assigned shift. A report is not required if the unholstering was in accordance with activities specified in Section II, A, 1, (b) (c) (d) and (e).
2. The supervisor will forward a copy of the Incident Report to the Division Director who will forward the report to the Chief Probation Officer with copies furnished to the Director responsible for oversight of the Lead Range Master and the Lead Range Master.
3. The written report can be completed utilizing the Fresno County Probation Department Incident Report Form and should include the following information:
 - a) A complete description of the incident.
 - b) The names, addresses, and telephone numbers of all persons present during the incident.

- c) The names, telephone numbers, and departments of law enforcement personnel, and other participating agencies, and/or other persons.
- 4. The supervisor shall, within three working days, conduct an inquiry of the unholstering and determine if the action of the officer was appropriate or inappropriate pursuant to these policies.
- 5. The supervisor's written findings will be forwarded to the Division Director, Director responsible for oversight of the Lead Range Master, and Chief Probation Officer immediately for any action deemed appropriate. The Division Director will provide a copy of the written findings to the Lead Range Master.

B. Procedure for Reporting the Discharge of a Firearm

- 1. Whenever an officer intentionally or accidentally discharges a firearm in the course of his/her employment, except on a supervised range or in an approved training exercise, the officer as soon as safety permits shall:
 - a) Assess the situation and determine the condition of any injured person. If there are injured persons, the officer shall render first aid, if appropriate, and summon emergency aid.
 - b) Secure the scene to the best of the officer's ability until the agency with jurisdiction arrives.
 - c) Notify the local law enforcement agency with jurisdiction.
 - d) Notify his/her supervisor, who will notify the Division Director and the Chief Probation Officer.
 - e) Remain at the scene until dismissed by the agency with jurisdiction and/or the Department representative, unless it is unsafe to do so, or the officer is injured and needs medical treatment. Cooperate fully with any investigation related to the incident as prescribed by law.
 - f) Protect the firearm for examination and submit it to the appropriate investigator upon request.
 - g) Recognize that the supervisor of the agency with jurisdiction at the scene shall be responsible for the evidence.
- 2. The officer who discharged the firearm shall not discuss the incident with anyone except persons directly involved in the investigation or their legal representative.
- 3. Officers shall not comment to anyone from the media, general public, or others not directly involved in the investigation. Only the Chief Probation Officer or his/her designee will respond to media inquiries.

4. Officers shall comply with all requirements of the Force Options and Critical Incident Review policies.
5. The Division Director may order a psychological debriefing by a designated psychologist within forty-eight (48) hours following the incident.

IV. DEPARTMENTAL FOLLOW-UP OF SHOOTING INVOLVING INJURY OR DEATH

- A. Whenever an officer notifies a Manager, Division Director, or the Chief Probation Officer of the discharge of a firearm, the person notified or his/her designee shall respond to the scene of the incident.
 1. With due consideration for the preservation of life and the arrest of the suspect, it shall be the responsibility of the Probation personnel responding to preserve all the evidence until properly relieved by appropriate investigative personnel.
 2. Probation personnel responding to the scene shall cooperate with appropriate investigative personnel's investigation.
 3. The crime scene should be protected, witnesses identified, and any statements offered by witnesses documented.
 4. The officer who discharged the weapon will be relieved of his/her firearm in a discreet manner when safe and reasonable to do so, and in accordance with Chapter 4, Section (I)(b)(5) of this policy. The firearm should be rendered safe and should be secured. The probation personnel responding should avoid touching or handling the firearm as much as possible.
 5. All information gathered by the responding Probation personnel should be given as soon as possible to the local law enforcement officers or other appropriate investigative personnel.
 6. If necessary, additional Probation Department personnel should be called to assist.
 7. If there has been a death or injury as a result of the discharge of the firearm, a member of the Probation Department should be assigned to remain with the officer involved in the shooting and to provide aid and assistance. The person so assigned should refrain from inquiring about the facts of the incident.
 8. If the officer involved in the shooting needs transportation, a member of the Probation Department should be assigned to provide transportation. The officer involved should avoid driving.
- B. When the discharge of a firearm by an officer results in injury or death to another person, the officer shall be immediately relieved of field duties and may be reassigned to other duties within his/her classification, or be placed on Administrative Leave without loss of pay or benefits, until authorized to return to duty by the Chief Probation Officer or his/her designee. Neither action implies improper conduct by the officer.

- C. While on Administrative Leave, the officer must remain available for official departmental interviews. The officer shall not discuss the incident with anyone except the law enforcement agency handling the investigation, the District Attorney, Departmental personnel assigned to the investigation, the officer's private attorney, the officer's representative, the officer's psychologist, the officer's chosen cleric, and the officer's immediate family.
- D. Any officer present during an incident involving the discharge of a firearm which results in the injury or death of another person shall be required to undergo a debriefing with a designated psychologist within forty-eight (48) hours following the incident. The debriefing shall not be related to any departmental investigation of the incident. The debriefing session shall be protected by the privileged doctor-patient relationship, unless a "Tarasoff" situation arises. *Tarasoff defined: (1985) CA Statute: California law now provides that a psychotherapist has a duty to protect or warn a third party only if the therapist actually believed or predicted that the patient posed a serious risk of inflicting serious bodily injury upon a reasonable identifiable victim. CSC decision Tarasoff v. Regents of the University of CA 17 Cal.3d 425 [1976])*
- E. Before the officer returns to duty from an Administrative or other leave resulting from the shooting incident, he/she must undergo a psychological evaluation and be cleared for return to duty. A psychological evaluation may also be required before an officer, reassigned because of a shooting incident, can return to the previous armed work assignment.
- F. Any officer directly involved in a shooting incident resulting in injury or death will be offered the services of the Fresno County Sheriff's Department "Companion Officer Program", which provides peer counseling to officers who have been involved in critical incidents.
- G. Any officer, non-sworn member of the Probation Department, or any department volunteer/student intern who is present or directly involved while on-duty in a shooting incident or an incident involving the brandishing of a firearm in a threatening manner shall be required to undergo a debriefing with a designated psychologist within 48 hours following the incident. The debriefing shall not be related to any department investigation of the incident and shall be protected by the privileged doctor-patient relationship.

IV. RELINQUISHMENT OF FIREARMS

- A. Whenever there is an intentional or accidental discharge of a firearm by an officer, regardless of whether an injury or death has occurred, his/her firearm will be immediately surrendered to a Department manager for the purpose of examination and/or for other investigative purposes. The Department will request an inspection of the firearm by a person of competent authority to determine its mechanical and/or functional condition, in addition to any other physical examinations that may be necessary as part of the investigation. Chain of evidence procedures must be followed if the firearm is being relinquished for investigative purposes.

B. During the period of time that an officer's firearm is being examined and/or tested, arrangements may be made for the temporary issuance of another firearm if authorized by the Chief Probation Officer or his/her designee.

1. The officer must qualify with the newly issued firearm prior to carrying it on-duty.
2. When the testing of the officer's firearm is completed, it will be returned to the officer and the temporarily issued firearm shall then be promptly returned to the Department.

**CHAPTER 5
DEPARTMENTAL REVIEW OF SHOOTING INCIDENT**

I. SHOOTING INQUIRY BOARD

- A. All incidents involving the discharge of a firearm by an officer shall be investigated by the law enforcement agency having jurisdiction over the location of the incident.
- B. There shall also be a Department Shooting Inquiry Board, i.e., the "Board", which will convene for the purpose of determining the facts in each instance of a firearm discharge required to be reported by this policy.
- C. The Board shall be composed of the following personnel:
 - 1. A designee of the Chief Probation Officer
 - 2. A Division Director designated by the Chief Probation Officer
 - 3. A Probation Services Manager designated by the Chief Probation Officer
 - 4. The officer involved in the shooting may, if he/she chooses, designate any non-related sworn member of the Department to serve as an additional member. This officer shall serve as an impartial member of the board and will not serve as an advocate for the officer involved. The member shall not be selected from persons who are involved in the shooting or any subsequent investigation; nor shall the additional member be the immediate supervisor of the officer involved.
 - 5. The Chief Probation Officer shall designate which of the above members shall serve as Board Chairperson.
 - 6. At least one member of the Board other than the designee chosen by the officer will be currently serving in a designated Armed Assignment.
- D. It shall be the purpose of the Board to review the facts surrounding the incident. It may, upon the authority of the Chairperson, interview witnesses or investigators. At the conclusion of this review, the Board's actions and duties shall be restricted to the following:
 - 1. A brief written summary of the incident as determined by the facts presented to the Board.
 - 2. The Board's opinion, after consultation with the District Attorney's Office, of whether the discharge violated any laws.
 - 3. The Board's opinion of whether the discharge violated any department policy.
 - 4. Whether or not the action of the officer was reasonable, safe, and necessary.

5. Any minority opinion of a member, in the event that the Board's opinion is not unanimous.
6. The signature of each Board member.
7. The Chief Probation Officer has the right to accept or reject the findings of the Board.

ARMING POLICY FORM "A"**AUTHORIZATION TO CARRY A DEPARTMENT ISSUED
OR PRIVATELY OWNED FIREARM ON DUTY**

Officer's Name: _____ Date: _____

Current Assignment: _____

Is current assignment a designated armed position? Yes___ No___

Has the above officer completed PC832 requirements? Yes___ No___

Has above officer received a copy of the Departmental Arming Policy and review it? Yes___ No___

Does above officer have any physical limitations, which preclude the carrying of a firearm on duty?
Yes___ No___

Has above officer passed an Arming Psychological Exam? Yes___ No___

Is the officer CR/First Aid certified? Yes___ No___

Has the officer attended approved Use of Force training? Yes___ No___

Is the officer certified to carry OC? Yes___ No___

(NOTE: A Psychological Exam can be waived by the Chief Probation Officer on Peace Officers hired prior
to July 1983) Waived _____**FIREARM DESCRIPTION**

Manufacturer: _____ Caliber: _____

Model #: _____ Serial # _____

Department owned weapon? Yes___ No___

Personally owned weapon? Yes___ No___

Primary duty weapon? Yes___ No___

Secondary weapon? Yes___ No___

Has above officer successfully qualified with this weapon? Yes___ No___

All above information has been verified. Authorization recommended? Yes___ No___

Date: _____ Lead Range Master: _____

Authorization Granted/Denied Date: _____

Chief Probation Officer or Designee

to the reasonable officer standard (Outlined in the USC decision of *Graham v. Connor*/*Tennessee v. Garner*) and use sound judgment in making a determination that the use of deadly force is necessary. When feasible, give a warning before the deployment of force.

TRAINING

- A. The Probation Department shall, wherever feasible, provide its own training on use of force.
- B. Use of Force Training—At least annually, members authorized to carry weapons shall receive in-service training on the Department's Force Options policy and demonstrate proficiency with all entrusted weaponry that staff is authorized to use. In addition:
 - (a) Proficiency training shall be monitored by a certified weapons and weaponless defense instructor;
 - (b) Training and proficiency shall be documented; and
 - (c) Staff shall annually demonstrate the safe and effective application
- C. Staff members who attend training on any topic covered by this policy (weaponless combat, chemical agent training, baton training, firearms training, etc.) are required to resolve any conflict between that training and this policy, in favor of the provisions of this policy. That is, this policy shall supersede any contradictory information in any non-Departmental training that an employee may attend.

USE OF FORCE REPORTS AND NOTIFICATIONS

Any use of bodily force, chemical agents, firearms and impact weapons by a member of this Department shall be reported immediately to management and documented promptly, completely, and accurately in accordance with the Critical Incident Review Policy.



No. 6.510

Page 1 of 3

SUBJECT: PEPPER SPRAY - AUTHORIZATION
AND USE OF

EFFECTIVE: October 1, 1993

ADMINISTRATIVE MANUAL

LAST ADOPTED: March 28, 2008

GENERAL STATEMENT

Use of chemical agents is permitted under section 12403 of the California Penal Code. Oleoresin Capsicum – O/C Pepper Spray, is issued to authorized personnel for the purpose of defense and control.

POLICY

It is the policy of the Fresno County Probation Department that the issuance, possession and on-duty use of O/C Pepper Spray may be granted to specified staff by the Chief Probation Officer, or the respective division Directors. No staff employed by the Fresno County Probation Department will be given authorization to possess or use O/C Pepper Spray on-duty until they have successfully completed a prescribed course of training in the use of O/C Pepper Spray.

TRAINING

All staff authorized by the Chief Probation Officer to possess and use O/C Pepper Spray must successfully complete a certified course of instruction approved by the Fresno County Probation Department.

DISPENSING OF PRODUCT

The procurement and inventory control of O/C Pepper Spray will be the responsibility of respectively, the Juvenile Justice Campus – Commitment, Juvenile Justice Campus – Detention, Elkhorn Division, and the departmental Lead Range Master or his/her designee. Dispensing procedures for OC are as follows:

- A. Probation Officers, Extra Help Deputy Probation Officers, Victim/Witness Advocates, and Probation Technicians throughout the department will be issued O/C Pepper Spray by the department's Lead Range Master or his/her designee.
- B. ECF Juvenile Correctional Officers – will be issued O/C Pepper Spray in accordance with the current policies/practices at the Elkhorn Correctional Facility.
- C. Juvenile Justice Campus (Commitment & Detention) Juvenile Correctional Officers – will be issued O/C Pepper Spray in accordance with the current policies/practices at the Juvenile Justice Campus (Commitment & Detention).
- D. Each staff person carrying an O/C Pepper Spray canister is responsible for determining that it is more than half full or having it replaced when it is not.
- E. Each staff person shall be responsible for performing a functions check on their OC canister. The functions check will ensure that the OC canister is pressurized and ready for tactical deployment. Officers in Voluntary Armed assignments will generally perform a functions check during Quarterly Range Training.

F. These current dispensing policies/practices can be altered or modified by the respective Division Director at any time, based on the needs of the division or facility.

STORAGE AND TEMPERATURE EFFECT ON O/C PEPPER SPRAY CANISTERS

Staff who are issued O/C Pepper Spray canisters must maintain the product in a locked area of their office, personal vehicle, or County owned vehicle when the product is not being personally carried. It is the staff member's sole responsibility to insure that the O/C Pepper Spray is secure when not being personally carried and that the product cannot come into the possession of untrained/unauthorized persons. When the O/C Pepper Spray is taken to the officer's residence it shall be kept in a secure and safe place where it is inaccessible to other individuals, particularly children

Regardless of what location the O/C Pepper Spray canister is secured at the officer must be aware that if the storage location temperature exceeds 120 degrees, the seal on the canister will rupture, causing the O/C Pepper Spray canister to be useless.

DECONTAMINATION/CLEANUP PROCEDURES

Decontamination measures must be undertaken after a person has been sprayed with O/C Pepper Spray. Before the decontamination process can begin, the person shall be handcuffed or mechanically restrained and quickly moved to an area that has not been contaminated by O/C Pepper Spray. The person should be told to calm down, relax and try to breathe normally. Continuous flushing of the face and eyes with cool water should begin immediately as soon as the tactical situation allows, with respect to officer safety. This flushing of the face and eyes should help to reduce the symptoms within a 30-45 minute period. All symptoms should be alleviated within 60 minutes but if symptoms persist beyond this time limit, medical attention should be considered.

In an institutional setting the minor may be moved to the showers where cold water is used to decontaminate. Contaminated clothing should be removed from the individual as soon as is practical and replaced with a non-contaminated set of clothing.

Staff performing community supervision/surveillance/searches shall have in their vehicle a minimum of one empty one-quart bottle to utilize for decontamination. In the absence of available water, the contaminated person should be placed in front of a fan or a vehicle air conditioning vent.

MEDICAL PROCEDURES

Contact medical personnel if excessive redness remains on suspect's skin or if irritation continues after flushing.

Additionally if the subject shows signs or symptoms to include: difficulty in breathing, stopped breathing, aspiration or acute asthma onset, coronary distress (i.e. chest pains), seizure, vomiting or spitting blood, or females in the last trimester of pregnancy, immediate medical attention shall be sought. In the case of coronary distress or cessation of breathing, staff shall call 911 and begin CPR procedures.

Doukas, Sophia

Subject: FW: New Sabre Red OC distribution on 2/16/2014

From: Jasper, John
Sent: Wednesday, July 18, 2018 11:05 AM
To: Doukas, Sophia <sdoukas@fresnocountyca.gov>
Cc: Jasper, John <JJasper@fresnocountyca.gov>
Subject: FW: New Sabre Red OC distribution on 2/16/2014

This is when we went live with the New OC and PowerPoints had to incorporate the new material of OC product and delete the old material regarding the old OC product. Hence the revised materials included the one I sent you.

John Jasper
Supervising Juvenile Correctional Officer
Fresno County Probation Department
Juvenile Justice Campus- 702
702-Control, JJC Booking, Medical Liason, Court Holding, Probation Transport Operations.
3333 E. American
Fresno, CA 93725
Office line 559-600-5037
Office Fax 559-600-5099



website: www.co.fresno.ca.us/probation

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From: Jasper, John
Sent: Sunday, February 15, 2015 12:51 PM
To: Probation - Juvenile Correctional Officer Series <ProbationJuvenileCorrectionalOfficerSeries@co.fresno.ca.us>
Subject: New Sabre Red OC distribution on 2/16/2014

All staff,

On Monday 02/16/2015 starting at 0600hrs the new Sabre Red OC Canisters will be issued out to each trained officer on each shift who attended the OC update course over the last two weeks. If you did not attend the policy update that included the OC update see your supervisor immediately. 702 staff must report to 703 W.C. for their Sabre red O/C canisters. Please report to your assigned Watch Commanders Office to receive your Sabre Red canister. You must turn in your old canister to receive a new one. Questions please speak to your immediate supervisor or on duty Watch Commander.

John Jasper

Supervising Juvenile Correctional Officer

Fresno County Probation Dept

Juvenile Justice Campus

JJC Detention

3333 E. American

Fresno, CA 93725

☎ Office line 559-600-5038

☎ Office Fax 559-600-5099

website: www.co.fresno.ca.us/probation



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USE OF FORCE OPTIONS CHEMICAL AGENT INFORMATION.

O/C Physiological Effects:

When a Peace Officer employs O/C they can expect physiological effects to occur - with the suspect - in the following areas; eyes, skin, nose, mouth, throat/lungs, stomach

Eyes:

- Heavy tearing due to burning sensation
- Severe Twitching
- Involuntary closing or blinking

Skin:

- Burning sensation
- Stinging sensation on exposed areas
- Some redness with lighter skinned people

Nose:

- Irritation and burning sensation
- Runny nose

Mouth:

- Salivation
- Burning sensation

Throat and Lungs:

- Coughing
- Gagging sensation
- Shortness of breath
- Temporary paralysis of the larynx (person unable to speak)

Stomach:

- Nausea (caused by shock, not the OC itself)

O/C Psychological Effects:

A suspect may also experience any of the following psychological effects when exposed to O/C

- Disorientation
- Anxiety
- Panic
- Aggression

Legal Issues:

Statutory Law - tear gas as defined in the Penal Code is used as a generic term for all chemical agents.

Tear Gas - means all liquid, gaseous, or solid substances intended to produce temporary discomfort through being vaporized or otherwise dispersed in the air

Tear Gas Weapon - is any shell, cartridge, canister or bomb capable of being discharged or exploded which allows the release of tear gas.

There are a variety of situations where peace officers may use chemical weapons. Examples are but not limited to:

- self defense
- overcoming the resistance of a non-compliant individual
- effecting an arrest
- preventing escape
- crowd or riot control
- dangerous animal

Criminal and Civil Liabilities

Courts have recognized the humanitarian use of aerosol sprays versus the use of hard empty hands, impact weapons, dogs, and even firearms.

Courts have also recognized and upheld the discretion of officer standard.

Courts have ruled against the officer when aerosols have been used punitively, maliciously, or with negligence.

Use of Force Policy

Refer to Dept UOF

OC Decontamination Procedures

If you have access to a fan it can be used to speed up the decontamination process

Plenty of fresh cold water, air and time are the key

Fresh clothing - if appropriate

Fresh bedding - if appropriate

Cell or area to be ventilated fully, and bed, walls, floor and general area to be decontaminated

If you spray someone in the field you can use the air conditioning in your car to assist with the decontamination

If subjects condition does not begin to clear up within 30-45 minutes, and exposed area continues to burn, seek medical assistance

OC First Aid

- Cold water is the best tool to treat a burn caused by an OC contamination
- Long enough exposure to OC can cause a chemical blister or burn
- All injuries must be documented and reported to your supervisor
- Notify medical staff if condition does not improve within 45 minutes



Subject: Pod Logs

Policy Number: 503.0

Page: 1 of 3

Date Originated: October 1, 1991

Date Revised: February 12, 2007

**Authority: Title 15; Section 1324;
California Code of Regulations**

The pod log is the primary record used to document all activity for each pod. The log will be maintained as a confidential record, but is subject to review for legal cause. Pod logs will contain required information and notes needed to accomplish the purpose and safety of the pod.

Each officer is expected to read the pod log at the beginning of his/her duty shift, including activity occurring on the officer's regular days off. Each officer shall make a log entry that the log was read, specifying the timeframe of the log review dates and sign with his/her first initial and last name. The pod Senior Juvenile Correctional Officer is responsible for ensuring that pod officers read the pod log daily.

The Watch Commander and/or the Program Supervising Juvenile Correctional Officer is responsible for reviewing all pod log notations on a shift-by-shift basis and "signing-off" as having completed a review.

I. LOG ENTRY GUIDELINES

- A. All officers shall log on the computer using their assigned log-on ID and password, and to sign each of their log and chrono notations with his/her first initial and last name.
- B. Be concise, specific and professional, yet brief when making log and chrono entries.
- C. Informational log entries related to minor's activities will include the time and number of minors involved.
- D. Pod logs and chrono notations are subject to review by peace officers throughout the department. In court actions these chrono notes can be pulled for evidence, and if officers are using unprofessional language, derogatory terms, or editorializing about a minor or parent, that can become part of the Court documents. Inappropriate use of the JAS system in this manner may result in disciplinary action.

II. LOG NOTATIONS

- A. Corrections Standards Authority (CSA) mandates that "no single occupancy room is to hold more than two minors and minors have a fixed bunk or Stack-a-Bunk to sleep on". The Senior Juvenile Correctional Officer or lead person on-duty in the pod shall verify and note compliance with these mandates at the beginning of each shift. If not in compliance, the Watch Commander will be immediately notified and corrective measures taken. Once compliance has been verified a log entry will be made as follows:

1. "No more than two minors are occupying a single occupancy room."

2. "In times of crowding, every minor not assigned a bunk has been provided with a Stack-a-Bunk to sleep on".
 3. During the graveyard shift (2300 to 0700), Juvenile Correctional Officers assigned to the pod will have the responsibility of ensuring that we are in compliance with the above guidelines. If not in compliance, the Watch Commander will be immediately advised and corrective action taken. Once compliance is verified officers will make the following log notations:
 - a. "No more than two minors are occupying a single occupancy room".
 - b. In times of crowding, every minor not assigned a bunk has been provided with a Stack-a-Bunk to sleep on."
- B. Types of information or pod activities that require notations in the pod log:
1. Security Information
 - a. Names of officers on duty and the key set, O/C canister, handcuff, and radio numbers assigned to them.
 - b. Pod population counts.
 - c. Utility and security item counts.
 2. Activities Information
 - a. Admission, releases, and transfers of minors to and from the pod.
 - b. The location of minor's when they leave and return to the pod for court, clinic, interviews, out of pod work assignments, etc.
 - c. Visitors to the pod.
 - d. Pod activities conducted, i.e., indoor or outdoor recreation, table games, letter writing, pod forums, church, volunteer groups, meals, etc.
 3. Operational Information
 - a. Problem areas, i.e., maintenance issues, food shortages, supply shortages, laundry or bedding shortages, etc.
 - b. Placement on a special status, i.e., precautionary watch, room alone, shower alone, protective custody, medical isolation, etc.
 - c. Unusual occurrences (note if an incident report was written).
 - d. Minor's grievances filed.

- e. Juvenile Probation and Camp Funding (J.P.C.F.). assessments and case plans assigned and completed.
 - f. Disciplinary actions taken, i.e., loss of recreation time, behavior contracts, special programs and/or high security contracts written.
 - g. Minors involved in new law violation or a significant breach of pod rules (fighting, threatening officers, continual non-compliance, etc.).
4. Chrono Information - Log notes that need to be placed into minor's chrono are:
- a. Minors orientation completed.
 - b. Telephone calls completed.
 - c. Visitors for the minors.
 - d. Pertinent information regarding actions and emotional states of minors, including Mental Health referrals, grievances filed, etc.
 - e. Summary of officer group/individual counseling or treatment interaction.
 - f. Summary of Mental Health staff group/individual therapy contacts and any "alerts" noted by Mental Health staff.
 - g. Minors returned to the pod from school classes as either a Return to Pod (RTP) or Kicked Out of School (KOS) and reason for removal.
 - h. Log notations made regarding the behavior of minors.
 - i. Serious medical conditions.
 - j. If any meds were given that day.

III. LOG REVIEW AND STORAGE

- A. When a minor is released from custody, the individualized computer "chrono" notations will be transferred to the minor's retrievable electronic file within the Juvenile Automation System (JAS).
- B. Each year, during the month of January, the electronic file will be accessed and destroyed if the individual noted has attained the age of twenty (20) years of five (5) years have passed since the last data entry.



Subject: Orientation and Training

Policy Number: 125.0

Page: 1 of 3

Date Originated: October 1, 1991

Date Revised: January 28, 2016

**Authority: Title 15; Section 1322;
California Code of Regulations**

Each Juvenile Correctional Officer (JCO) assigned to the Juvenile Justice Campus shall be provided with orientation and training necessary to perform his/her duties and deliver an acceptable level of service.

I. CHILD SUPERVISION STAFF ORIENTATION AND TRAINING

- A. Prior to assuming any responsibilities, each JCO shall be oriented to his/her duties, including: child supervision duties; the scope of decisions he/she shall make; the identity of his/her supervisor; the identity of persons who are responsible to him/her; persons to contact for decisions beyond his or her responsibility; and, ethical responsibilities. (Title 15, §1322, California Code of Regulations)
- B. Prior to assuming any responsibility for the supervision of youths, each JCO shall receive a minimum of 40 hours of facility specific orientation, including: (Title 15, §1322, CCR)
 - 1. individual and group supervision techniques;
 - 2. regulations and policies relating to discipline and basic rights of youths pursuant to law and the provisions of this chapter;
 - 3. basic health, sanitation and safety measures;
 - 4. suicide prevention and response to suicide attempts;
 - 5. policies regarding use of force, mechanical and physical restraints;
 - 6. procedures to follow in the event of emergencies;
 - 7. routine security measures;
 - 8. crisis intervention and mental health referrals to mental health services;
 - 9. documentation; and
 - 10. Fire/life safety training.
- C. Prior to assuming primary responsibility for supervision of youths, each JCO shall successfully complete the requirements of the Juvenile Corrections Officer Core Course pursuant to Penal Code Section 6035. (Title 15, §1322, CCR)

- D. Prior to exercising the powers of a peace officer each JCO shall successfully complete training pursuant to Section 830 et seq. of the Penal Code. (Title 15, §1322, CCR)

II. STC TRAINING REQUIREMENTS

- A. Fresno County participates in the Standards and Training for Corrections Program (STC) administered by the Corrections Standards Authority (CSA).
1. Within the first year of employment every Juvenile Correctional Officers must successfully complete Juvenile Correctional Officer Core course. (Title 15, §176, CCR)
 2. Supervising Juvenile Correctional Officers must successfully complete the 80 hour Supervisor Core course within their first year of promotion. (Title 15, §181, CCR)
 3. Within the first year of employment every full-time Deputy Probation Officers must successfully complete Probation Officer Core course. (Title 15, §173, CCR)
- B. The STC requires the following classifications to complete the minimum number of training hours. (Title 15, §184, CCR)
- | | |
|--|-------------------|
| 1. Deputy Probation Officer | 40 hours annually |
| 2. Juvenile Correctional Officer | 24 hours annually |
| 3. Senior Juvenile Correctional Officer | 24 hours annually |
| 4. Supervising Juvenile Correctional Officer | 40 hours annually |
| 5. Probation Services Manager/Assistant Director | 40 hours annually |
| 6. Probation Division Director | 40 hours annually |
- C. A number of courses will be offered each year. Attendance at specific courses may be directed by management to meet programmatic needs or to assist the employee in achieving satisfactory levels of job performance.

III. NON-STC STAFF TRAINING

- A. Employees in job classifications not covered by STC, (Clerical, and kitchen, janitorial and supply) may be scheduled for training appropriate to their job duties as it is available.
- B. Attendance at specific courses requested by the employee requires the concurrence and recommendation of their supervisor and the approval of the Director.

- C. Attendance at specific courses may be directed by management to meet operational needs or to assist the employee in achieving satisfactory levels of job performance.

IV. TRAINING ATTENDANCE AND PARTICIPATION REQUIREMENTS

- A. Attendance at scheduled training is mandatory. The Director or Probation Services Manager/Assistant Director of the facility must authorize any absences prior to the scheduled starting time of the training course.
- B. Juvenile Justice Campus facility staff are expected to:
 - 1. Be in training on time and not be late.
 - 2. Remain in the training until it is concluded.
 - 3. Participate fully and comply with requests/directions from the trainer.
 - 4. Demonstrate appropriate courtesy, consideration and behavior.

V. TRAINING RECORDS

- A. Staff training records will be kept by the Department Training Officer. The training record shall contain an up-to-date chronological list of all STC and departmental training completed by the staff member.

From: Ian Kysel
Sent: Wednesday, May 23, 2018 3:04 PM
To: Michelle Ochoa Castañeda
Subject: FW: PRA Request re Chemical Agents
Attachments: 00344781.pdf

Ian Kysel, Staff Attorney
ACLU Foundation of Southern California

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From: Wille, Arthur [mailto:awille@fresnocountyca.gov]
Sent: Friday, May 18, 2018 3:43 PM
To: Ian Kysel
Cc: Haynes, Kirk ; Acosta, Rosalinda ; Passmore, Vicki ; Ruiz, Kristine ; Doukas, Sophia ; Garcia, Pete (Probation) ; Cederborg, Daniel ; Basham, Catherine ; Melikian, Brian ; Beavers, Lindsay D.
Subject: PRA Request re Chemical Agents

Mr. Kysel:

Attached please find letter of today's date. Please contact me if you have any questions.

+** Attached file(s):
2018.05.18 Letter to Kysel re PRA Request (Chemical Agents) (00344781.pdf)

Arthur Wille
Senior Deputy County Counsel
Office of the Fresno County Counsel
2220 Tulare Street, Suite 500
Fresno, CA 93721
Tel: (559) 600-3462
Fax: (559) 600-3480
New Email Address: awille@FresnoCountyCA.gov

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DANIEL C. CEDERBORG
County Counsel

May 18, 2018

VIA E-MAIL

Ian Kysel, Esq.
American Civil Liberties Foundation
Southern California
Orange County Office
1851 E. First Street, Suite 450
Santa Ana, CA 92705

E-Mail Address: ikysel@ACLUsoCal.org

RE: *Public Records Act Request, dated May 9, 2018*

Dear Mr. Kysel:

This Office represents the County of Fresno and its respective Departments. We write in response to your Public Records Act request received by the Fresno County Probation Department on May 9, 2018. Your request seeks three broad categories of records, with each category including numerous subcategories.

The Department has determined that responding to your request will require searching for, collecting, and examining a voluminous amount of separate and distinct records. In addition, the Department will be required to compile data, write programming language or a computer program, or construct a computer report to extract data from the Department's electronic records to respond to your request.

Based thereon, the Department has determined that unusual circumstances exist which necessitate the extension of the County's time to respond to your records requests by fourteen (14) additional days. (Government Code section 6253, subdivision (c)(2),(4).)

///

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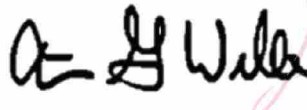
///

Therefore, on or before June 1, 2018, the Department will notify you in writing of the estimated date when any records which are subject to disclosure under the Public Records Act will be made available to you. If any records are to be withheld, the Department will demonstrate that the records in question are exempt under express provisions of the Public Records Act, or that on the facts present, that the public interest served by not disclosing the records clearly outweighs the public interest served by disclosure of the records. (Government Code section 6255, subd. (a).)

Very truly yours,

DANIEL C. CEDERBORG

County Counsel



Digitally signed by Arthur G. Wille
DN: cn=Arthur G. Wille, o=Office of
the Fresno County Counsel, ou,
email=awille@co.fresno.ca.us, c=US
Date: 2018.05.18 15:39:41 -07'00'

By **Arthur G. Wille**

Senior Deputy County Counsel

cc: Kirk Haynes, Chief Probation Officer
Rosalinda Acosta, Assistant Chief
Vicki Passmore, Division Director
Kristine Ruiz, Assistant Director
Sophia Doukas, Assistant Director
Pete Garcia, Assistant Director
Daniel C. Cederborg, County Counsel
Catherine E. Basham, Chief Deputy County Counsel
Brian L. Melikian, Chief Deputy County Counsel
Lindsay D. Beavers, Deputy County Counsel



Daniel C. Cederborg
County Counsel

July 3, 2018

VIA EMAIL

Ian Kysel, Esq.
American Civil Liberties Foundation
Southern California
Orange County Office
1851 E. First Street, Suite 450
Santa Ana, CA 92705

Sent via email to: ikysel@ACLUsoCal.org

Re: Public Records Act Request, dated May 9, 2018

Dear Mr. Kysel:

In the County's last letter to you, dated June 1, 2018, the County estimated that records responsive to Category 1 of your request, which had not already been provided to you, if any, would be produced to you on or about July 3, 2018. The Probation Department has now determined that most records responsive to Category 1 have already been produced to you in response to your Public Records Act request, dated April 2, 2018. To assist you in your review, the Department prepared documents that identify which previously produced records are responsive to the various subcategories of Category 1. Those documents are enclosed for your review. Any responsive documents that were not produced as a part of that request are also attached.

If you have any questions regarding the foregoing, please contact the undersigned at (559) 600-3479.

Very truly yours,

DANIEL C. CEDERBORG
County Counsel

By Lindsay Beavers
Deputy County Counsel

Enclosure: Category 1 records

cc: Kirk Haynes, Chief Probation Officer
Rosalinda Acosta, Assistant Chief
Vicki Passmore, Division Director

Ian Kysel
Re: Public Records Act Request
July 3, 2018
Page 2

Kristine Ruiz, Assistant Director
Sophia Doukas, Assistant Director
Pete Garcia, Assistant Director
Daniel C. Cederborg, County Counsel
Catherine E. Basham, Chief Deputy County Counsel
Brian L. Melikian, Chief Deputy County Counsel
Arhur G. Wille, Senior Deputy County Counsel

7/2/2018

1. Policies and Procedures

- a. Copies of any and all of the following policies and procedures used/in effect
Between January 1, 2015 and March 31, 2018 (inclusive) in each facility operated by
FCPD.
 - ii. Any and all behavior management or other policies and procedures governing use
of force by staff, including what kind of force can be used and the continuum of
appropriate force permitted in specific circumstances.

Refer to previously provided:

Policy #329.0 Use of Force

Policy #329.2 Use of Restraints

Policy #329.3 Use of Impact Weapons

Policy #329.4 Use of Chemical Agents

Policy #329.5 Forced Cell Extraction & Capture Shield Use

Policy #333.0 Firearms, Chemical Agents and Taser Weapons

Fresno County Probation Department
3333 E. American Avenue
Fresno, CA 93725
(559) 600-4700

FRESNO000943

7/2/2018

1. Policies and Procedures

- a. Copies of any and all of the following policies and procedures used/in effect
Between January 1, 2015 and March 31, 2018 (inclusive) in each facility operated by
FCPD.
- iii. Any and all behavior management or other policies and procedures governing use
of cell/room extraction, including any requirements to video or audiotape cell/room
extraction.

Refer to previously provided policies:

Policy #329.0 Use of Force

Policy #329.2 Use of Restraints

Policy #329.5 Forced Cell Extraction & Capture Shield Use

Fresno County Probation Department
3333 E. American Avenue
Fresno, CA 93725
(559) 600-4700

FRESNO000944

7/2/2018

1. Policies and Procedures

- a. Copies of any and all of the following policies and procedures used/in effect
Between January 1, 2015 and March 31, 2018 (inclusive) in each facility operated by
FCPD.
 - iv. Any and all behavior management or other policies and procedures governing use
of de-escalation techniques by staff.

Refer to previously provided:

Policy #329.0 Use of Force

Policy #329.5 Forced Cell Extraction & Capture Shield Use

7/2/2018

1. Policies and Procedures

- a. Copies of any and all of the following policies and procedures used/in effect
Between January 1, 2015 and March 31, 2018 (inclusive) in each facility operated by
FCPD.

v. Any and all behavior management or other policies and procedures governing
use of chemical agents (including they type, size/volume and approved method
of deployment for those chemical agents) and methods of application as well as
chemical agent cleanup/decontamination after use.

Refer to previously provided policy:

Policy #329.4 Use of Chemical Agents

Fresno County Probation Department
3333 E. American Avenue
Fresno, CA 93725
(559) 600-4700

FRESNO000946

7/2/2018

1. Policies and Procedures

- a. Copies of any and all of the following policies and procedures used/in effect
Between January 1, 2015 and March 31, 2018 (inclusive) in each facility operated by
FCPD.

- vi. Any and all policies and procedures regarding storage and maintenance
requirements for any chemical agents permitted to be stored, used or carried in the
facility.

Includes:

Policy #310.0 Security Equipment Review

Policy #521.0 Inventory Control Procedure

Refer to previously provided:

Policy #329.4 Use of Chemical Agents

Fresno County Probation Department
3333 E. American Avenue
Fresno, CA 93725
(559) 600-4700

FRESNO000947

1. Policies and Procedures

- a. Copies of any and all of the following policies and procedures used/in effect Between January 1, 2015 and March 31, 2018 (inclusive) in each facility operated by FCPD.

xii. Any and all policies and procedures on requirements to debrief or discuss use of force incidents, including use of chemical agents, with youth after the incident.

FCPD does not have policies or procedures on requirements to debrief or discuss use of force incidents, including use of chemical agents, with youth after the incident.

1. Policies and Procedures

- a. Copies of any and all of the following policies and procedures used/in effect Between January 1, 2015 and March 31, 2018 (inclusive) in each facility operated by FCPD.

xiv. Any and all policies and procedures regarding the information provided to youth to explain rules, rights, policies and procedures related to the use of force, including but not limited to use of chemical agents (including copies of such information, as provided to youth, in each language in which it is available).

Refer to previously provided:

JJC Orientation video

Minor's Handbook

Policy #408.0 Discipline (Revised January 2016)

Policy #408.0 Discipline (Revised March 2008)

Policy #408.1 Disciplinary Separation (revised January 2016)

Policy #408.1 Disciplinary Separation (revised February 2008)

Policy #409.0 Youth's Grievance Procedure (revised January 2016)

Policy #409.0 Youth's Grievance Procedure (revised June 2009)

JJC Minors Orientation Sheet

Fresno County Juvenile Justice Campus General Operations Program Manuel



Daniel C. Cederborg
County Counsel

July 3, 2018

VIA EMAIL

Ian Kysel, Esq.
American Civil Liberties Foundation
Southern California
Orange County Office
1851 E. First Street, Suite 450
Santa Ana, CA 92705

Sent via email to: ikysel@ACLUsoCal.org

Re: Public Records Act Request, dated May 9, 2018

Dear Mr. Kysel:

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If you have any questions regarding the foregoing, please contact the undersigned at (559) 600-3479.

Very truly yours,

DANIEL C. CEDERBORG
County Counsel

By Lindsay Beavers
Deputy County Counsel

Enclosure: Category 1 records

cc: Kirk Haynes, Chief Probation Officer
Rosalinda Acosta, Assistant Chief
Vicki Passmore, Division Director

Ian Kysel
Re: Public Records Act Request
July 3, 2018
Page 2

Kristine Ruiz, Assistant Director
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7/2/2018

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FCPD.
 - ii. Any and all behavior management or other policies and procedures governing use
of force by staff, including what kind of force can be used and the continuum of
appropriate force permitted in specific circumstances.

Refer to previously provided:

Policy #329.0 Use of Force

Policy #329.2 Use of Restraints

Policy #329.3 Use of Impact Weapons

Policy #329.4 Use of Chemical Agents

Policy #329.5 Forced Cell Extraction & Capture Shield Use

Policy #333.0 Firearms, Chemical Agents and Taser Weapons

Fresno County Probation Department
3333 E. American Avenue
Fresno, CA 93725
(559) 600-4700

FRESNO000973

8/1/2018

2. Training Materials

- a. Copies of any and all of the following policies and procedures used/in effect between January 1, 2015 and March 31, 2018 (inclusive) in each facility operated by FCPD.
 - i. Any and all training materials on the use of chemical agents, including but not limited to permissible use and standard(s) for use, methods of application and cleanup/decontamination.

E-mail dated Sunday, February 15, 2015

Power Point presentation entitled 2Revised-OC presentation

Instructor OC Lesson Plan

Refer to previously provided:

Policy #329.0 Force Options

Policy #329.4 Use of Chemical Agents

Fresno County Probation Department
3333 E. American Avenue
Fresno, CA 93725
(559) 600-4700

FRESNO001402



Daniel C. Cederborg
County Counsel

August 3, 2018

VIA EMAIL

Ian Kysel, Esq.
American Civil Liberties Foundation
Southern California
Orange County Office
1851 E. First Street, Suite 450
Santa Ana, CA 92705

Sent via email to: ikysel@ACLUsoCal.org

Re: Public Records Act Request, dated May 9, 2018

Dear Mr. Kysel:

In the County's letter to you, dated June 1, 2018, the County estimated that records responsive to Category 2 of your request, which had not already been provided to you, if any, would be produced to you on or about August 3, 2018. The Probation Department has now determined that most records responsive to Category 2 have already been produced to you in response to your Public Records Act request, dated April 2, 2018. To assist you in your review, the Department prepared documents that identify which previously produced records are responsive to the various subcategories of Category 2. Those documents are enclosed for your review. Any responsive documents that were not produced as a part of that request are also attached.

If you have any questions regarding the foregoing, please contact the undersigned at (559) 600-3479.

Very truly yours,

DANIEL C. CEDERBORG
County Counsel

By Lindsay Beavers
Deputy County Counsel

Enclosure: Category 2 records

cc: Kirk Haynes, Chief Probation Officer
Rosalinda Acosta, Assistant Chief

Ian Kysel
Re: Public Records Act Request
August 3, 2018
Page 2

Vicki Passmore, Division Director
Kristine Ruiz, Assistant Director
Sophia Doukas, Assistant Director
Pete Garcia, Assistant Director
Daniel C. Cederborg, County Counsel
Catherine E. Basham, Chief Deputy County Counsel
Brian L. Melikian, Chief Deputy County Counsel
Arthur G. Wille, Senior Deputy County Counsel

8/1/2018

Instructor OC Lesson Plan

Fresno County Probation Department
3333 E. American Avenue
Fresno, CA 93725
(559) 600-4700

Overview:

Time Start/finish	Description of Training Exercises/Activities/Content	Materials/Notes/PPT
0800-0810	Instructor Introductions Student introductions	MATERIALS: Computer, overhead projector power point
0810-0830	Training objectives and safety guild lines reviewed Students sign sheet and pre-test given.	Pens, Pre-test, Class roster
0830-0900	-History of chemical Agents -3 Common Chemical Agents	Computer, overhead projector power point
0900-1030	-Physiological Effects -Psychological Effects -Legal Issues -Use of Force -Department Policy -Officer Safety -Stances , tactics, techniques - Verbal Skills -Video on OC	
1030-1040	Break	
1040-1140	-Decontamination -First Aid -Saftey protocols on live exposure -Introduction to stances application techniques	
1140-1200	POST Test/ evaluation	
1200-1215	Break Trainees change from uniform to PT gear meet at designated area.	POST Test/Evaluation PT Gear provided by trainee
1215-1230	Review of stances and practical on firing the INERT OC.	Inert OC MK-4
1230-1400	Live exposure of OC to trainee along with decontamination/ trainee(s) are inspected by an Instructor for before allowing to leave the class.	Towel, water hose, live Chemical Agent (OC) for exposure.

Time/pp slide/trainers note/method	Trainers script/Activity/Topic
0800-0810 Materials: Computer, Clicker, Power point, Pre- test and POST Tests	Trainer introductions and background Course overview This is a basic OC certification course /refresher course. Officers who successfully pass the course will be certified to carry "Pepper spray" and will have satisfied the California Penal code sections PC 835a and PC 12403 and training requirements set forth by the State Of California and the Department. Notes <i>Have the power point turned on to the intro, click through each instructor name that is teaching the class and have each instructor introduce themselves. The have students introduce themselves. Slide #17</i> Administrative Needs: This class can be taught morning or afternoon hours will have to be adjusted. Breaks as needed and scheduled on the outline. Ground Rules: Refer to power point on student safety guidelines - slides #21-22
0810-0830	Go over Training objectives and safety guild lines reviewed on PowerPoint. Notes <i>Instructor while passing out Pre-test advise all trainees that they should review the test, answer best to their abilities and not spend a lot of time trying to figure out the answer if they do not know. PowerPoint will cover all test questions.</i>
0830-0900 Slides #24-38 (14)	- History of chemical Agents Show power point slides and discuss history. - 3 Common Chemical Agents Show power point slides and discuss types of OC. Notes <i>Instructor is to remind class we cover different Chemical Agents however to refer trainees to their department Policies and Procedures. Basic course certification is for Oleoresin Capsicum (pepper spray).</i>

<p>0900-1030 slide #39-45 (7)</p>	<p>Physiological Effects-</p> <p>Notes: <i>Each person will shows signs and symptoms of one or more of the effects.</i></p>
<p>Slide # 46 (1)</p>	<p>-Psychological Effects</p> <p>Notes: <i>Each person will shows signs and symptoms of one or more of the effects</i></p>
<p>Slides # 47-58</p>	<p>-Legal Issues</p> <p>Notes: <i>Slide # 50 is for Peace officers only, non-sworn is for defensive purposes only</i></p> <p><i>Slide #52 Private patrol operators is falls under security guards standards.</i></p> <p><i>Slide #54 Keys to stress is 2.5 ounces or less for civilian use and law enforcement is anything more than 2.5 ounces.</i></p> <p><i>Slide # 55 test question most people get wrong , review the slide and use example at 16 you can drive a car why not carry OC?</i></p>
<p>Slide #59</p>	<p>-Use of Force</p> <p>Notes <i>Remember to drive home not a continuum of force which means going down a line or up a line of force. Officers are held to the reasonable officer standard Graham vs. Conner. Which outlines the reasonable officer standard for peace officers in the course of their jobs. Takes away 20-20 hind judgment.</i></p> <p>-Department Policy</p> <p>Notes <i>Depending on the group teaching too, JCO's will be JJC UOF policy 349.0 and Probation Officers refer to Admin policy. However remind all it is their responsibility to ask questions in training and refer to immediate supervisor on more complex issues for clarity if. It is also each officer's responsibility to read and understand UOF policy that the department has in place. Also OC is a tool under the UOF that is deemed used by an officer given the situation where they can articulate a threat or safety issue to a person by the nature of the situation at hand.</i></p>

<p>Slides 60-61</p>	<p>-Officer Safety</p> <p>Note <i>Question will come up why to expose, read the slide and let the trainees know better to be exposed during a training environment that in the real situation. In training no one is trying to harm you, in the real situation could mean life or death if you do not know how to handle the reaction to OC/Pepper Spray and to overcome the effects. Also when you go to court it takes away all argument that can be brought up on exposure and symptoms. Officers can base off training and experience from being exposed.</i></p>
<p>Slides 62-64</p>	<p>-Stances , tactics, techniques</p> <p>Note: <i>Let the trainees know to refer to their policy and procedures in placement of equipment on duty belts.</i></p> <p><i>Target for OC deployment is target specific. You cannot spray someone in the foot and expect an immediate stopping a threat of suspect vs spraying someone in the facial area which is target specific.</i></p> <p>Fire techniques for OC deployment <i>Crisscross-Cross Sweep is a X pattern</i> <i>Serpentine Sweep is a S pattern</i> <i>Vertical Sweep is a up pattern</i> <i>Horizontal Sweep is a side to side pattern</i> <i>Circular Sweep is a circle pattern</i></p>
<p>Slides #65-66</p> <p>-</p>	<p>Verbal Skills</p> <p>Note: <i>Warning must be offered if time allows, if not must justify, example for use of advantage for tactical purposes warning would not be provided. However this would have to be justified in a report on circumstances.</i></p>
<p>Slide #67— Use the video link from labeled OC Human Guinea pigs 3 min video</p>	<p>- Video on OC</p> <p>Note: <i>Video explains OC pepper spray and shows exposure.</i></p>

1030-1040	BREAK
1040-1140 Slide #70-71	-Decontamination Notes: <i>Tell trainees not take a hot shower, that will open pores on body and reactive any OC left and they will have a secondary after effect exposure.</i>
Slides 72-73	-First Aid Notes : Can use a cold rag or fan to speed up process when exposed.
1140-1200 POST TEST	POST TEST Note: <i>Pass out POST tests, once everyone is done have them swap tests, grade out loud. Pass is 30 out of 35 which 85% is. Test passing issues see training manager.</i>
1200-1215	<ul style="list-style-type: none"> - Break Trainees change from uniform to PT gear meet at designated area given by instructor. Note: You will need to insure make up is off, no contacts, do a medical check make sure no one has injuries or recent eye surgery. Insure all inhalers are with an instructor. Instructor must stay with the group and cannot leave for any reason. Water hoses need to be on water running and ready to go.
1215-1230	<i>Note move to outside location of instructors choice</i> <i>Have everyone in an interview stance in one line facing instructor, C clamp grip. Practice yelling the command of "get on the ground or you will be pepper sprayed" Have the trainees deploy inert and step off line with either to left or right side. Each time firing the weapon of inert they should be stepping off line.</i> <i>Review of stances and practical on firing the INERT OC go over</i> <i>Crisscross-Cross Sweep is a X pattern</i> <i>Serpentine Sweep is a S pattern</i> <i>Vertical Sweep is a up pattern</i> <i>Horizontal Sweep is a side to side pattern</i> <i>Circular Sweep is a circle pattern</i>

1230-1400

Practical exercise exposure of OC to trainee.

Notes:

Each officer is exposed to a three second blast of OC to their facial area. Instructors will partner off trainees with a safety partner. Odd number an instructor will have to help be a safety partner to a trainee. Those who have issues or refuse dismiss from class and notify training manager at once via phone call or in person.

Each trainee will stand about 6-8 feet away from instructor, nod head when ready to be exposed and instructor will fire live OC to facial area of the trainee. The trainee will then state their name and department they work for. The safety partner will then take the trainee to a safe location where a water hose is waiting for decontamination. The safety partner is the eyes and ears of the trainee that has been exposed. Safety partners shall report immediately any problems that trainees may occur or report anything that is a safety issue to an instructor at once.

Instructors shall have a department radio on their person at all times in case the need for medical or an emergency arises during training.

Once a trainee is deconed to the satisfaction of an instructor which means all adverse effects of OC are over and trainee's eyes are open, able to walk, breath, and fully function then they can be dismissed to from class. Those who are not must remain on site with an instructor. Remind students not to turn on heater in car in winter crack a window. Also, in summer to crack a window to run AC unit.

Advise all trainees to get their OC from their immediate supervisor in the areas that they are work.

Report all injuries to on duty Watch Commander or PSM.

All paperwork is to be returned to training manager, Instructors should keep a copy of the roster for their records.

CHEMICAL AGENTS CERTIFICATION CLASS



Fresno County Probation

STUDENT INTRODUCTIONS

- **Name**
- **Job Title**
- **Experience**
- **Have you ever been O/C'd**
- **What do you want to get out of this class?**

TRAINING OBJECTIVES

Peace officers must know the terminology, capabilities, exposure, symptoms and decontamination procedures to safely and efficiently handle and deploy chemical agents.

- Articulate what is OC (Chemical Agents) and history of chemical agent's composition.
- Explain the psychological and physiological effects of OC/Chemical Agents.
- Articulate the legal issues and use of force of aspects of OC/Chemical Agents.
- Explain the Department's policy on OC/Chemical Agents.
- Explain officer safety and proper stance, grip, and techniques and verbal skills.
- Describe decontamination process and first aid procedures.

STUDENT SAFETY GUIDELINES

- **Horseplay will NOT be tolerated - you will be told to leave the training.**
- **Students will notify the instructor of preexisting medical issues that would effect participation in the training.**
- **During exposure exercise, students are NOT to be in possession of their cell phones, due to possible water damage if left in pocket and/or to avoid video recording exercise of self or other students.**
- **Safety violations should be immediately brought to the instructor's attention, which will be reported to your respective Supervisors.**
- **Questions or concerns should be directed to the instructor.**

23) If you are an armed officer OC should be carried:

- a) On the non-gun hand side of your duty belt
- b) On the gun hand side of your duty belt
- c) In your sock, but readily accessible
- d) In your hand at all times
- e) In the car

24) If your are not an armed officer OC should be carried:

- a) On your duty belt/strong hand side
- b) On your duty belt/weak hand side
- c) Hanging around your neck
- d) Accessible at the counselors station

25) If you are justified in using a baton, you are justified in using a chemical agent.

- a) True
- b) False

HISTORY OF CHEMICAL AGENTS/OC

3 COMMON CHEMICAL AGENTS

- **CN – Chloracetophenone**
- **CS – Chlorobenzylidene-malononitrile**
- **O/C – Oleoresin Capsicum**
 - ✓ **Fresno County Probation**

- 2300 B.C. -Chinese Armies used stink pots - red pepper burned in hot oil.
- 1912 -Use of tear gas by Law enforcement officers in France.
- 1920's
 - OC developed at Edgewood Arsenal in US, but not used due to being less effective.
- 1959 -CS declassified for use as a riot control agent
- 1965 -Mace introduced as a hand-held chemical agent
- 1969 -CA Tear Gas Act goes into effect addressing sale, transportation, and use of chemical agents
- 1982 -OC first introduced into law enforcement (FBI)
- 1992 - OC legalized by Attorney General for 180-day test period for all law enforcement use only. Date extended for additional 2 yrs.
- 1994 – OC was legally allowed to be sold to Civilians with training required.
- 1996 – OC becomes legal to use by law enforcement in CA. CA deregulates civilian training and allows civilians to purchase and carry OC of 2.5oz or less.
- OC use approved for use by Calif. Peace Officers

WHAT IS OC?

- **OC (oleoresin Capsicum) spray is a inflammatory agent derived from organic chemical compounds found in various forms of potent pepper plants.**

CAPSAICINOIDS

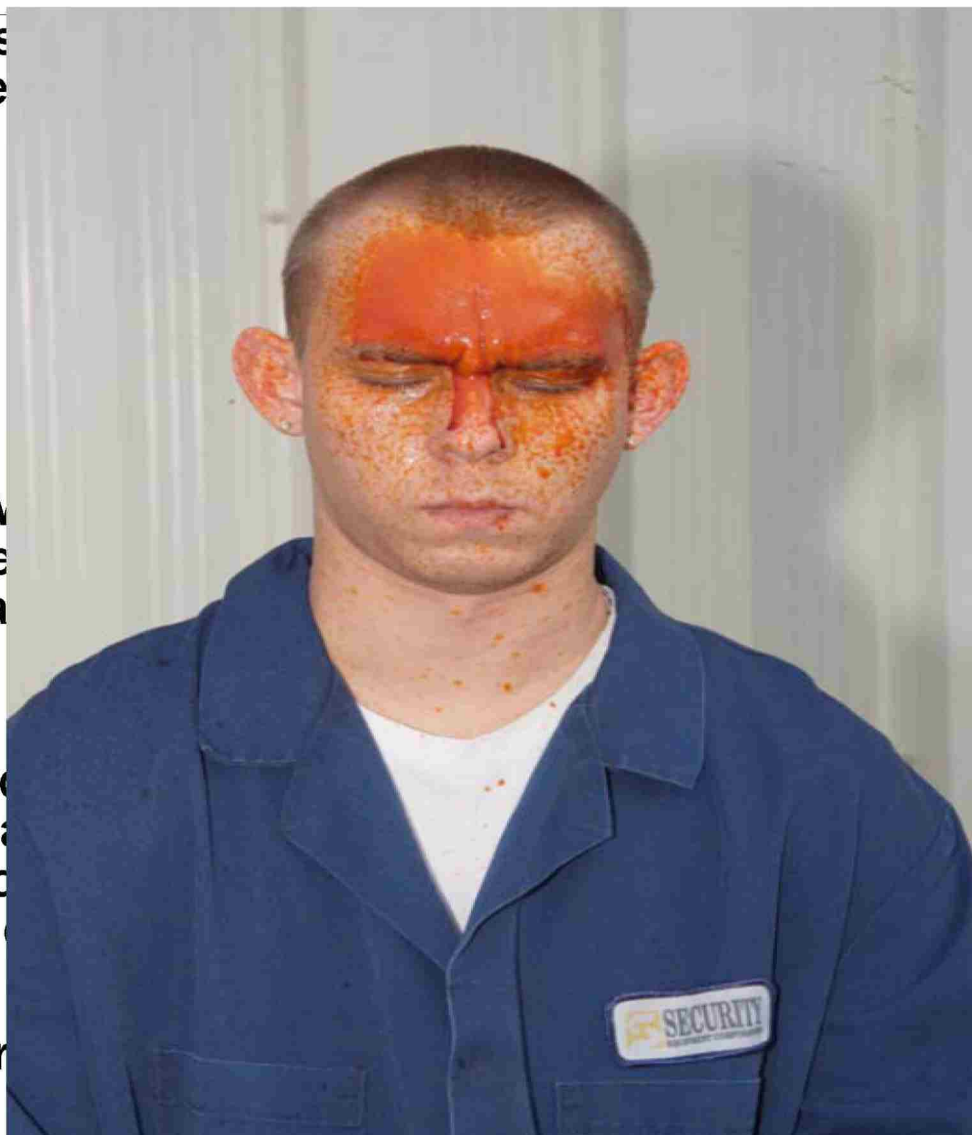
- **Active ingredient in OC spray**
- **Heat bearing and pain producing components**
- **Higher = Stronger**
- **Most accurate measure of OC strength**



DEPARTMENT ISSUED OC

SABRE RED CROSSFIRE – MK-4

- All Sabre Canis made by Sabre
- Sabre Red is 3 angle.
- Deployment is
- Formulation: W non-flammable compatible. Ea pressure of 14
- TAC (Target Acc missed target identification of shot is required
- Ultraviolet mar exposure; on b



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(Taser)
an operating

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more accurate

to 48 hour post

O/C PHYSIOLOGICAL EFFECTS

Eyes:

- Heavy tearing due to burning sensation
- Severe Twitching
- Involuntary closing of blinking

Skin:

- Burning sensation
- Stinging sensation on exposed areas
- some reddening with lighter skinned people

Nose:

- Irritation and burning sensation
- Runny nose

Mouth:

- Salivation
- Burning sensation

Throat and Lungs:

- Coughing
- Gagging sensation
- Shortness of breath
- Temporary paralysis of the larynx (person unable to speak)

Stomach:

- Nausea (caused by shock, not the OC itself)

O/C PSYCHOLOGICAL EFFECTS

- **Disorientation**
- **Anxiety**
- **Panic**
- **Aggression**

LEGAL ISSUES

LEGAL ISSUES

- **Statutory Law** - tear gas is used as a generic term for all chemical agents.
- **Tear Gas** - means all liquid, gaseous, or solid substances intended to produce temporary discomfort or permanent injury through being vaporized or otherwise dispersed in the air.
- **Tear Gas Weapon** - is any shell, cartridge, or bomb capable of being discharged or exploded which allows the release of tear gas.
- **Statutory law allows the possession and use of chemical agents for certain professions other than Police Officers:**
 - Military and Naval personnel
 - Federal Law Enforcement officers
 - County Custodial Officers
 - Private Investigators
 - Private Patrol Operators

LEGAL ISSUES

- There are a variety of situation when peace officers may use chemical weapons:
 - self defense
 - overcoming the resistance of a non-compliant individual
 - effecting an arrest
 - preventing escape

- PC 12420 states that it is a misdemeanor crime to possess a chemical agent if that person:
 - knowingly possesses, sells or offers for sale or transport any prohibited tear gas or tear gas weapon except when otherwise permitted

LEGAL ISSUES

- **PC 12403.7(a)-(e)(1) makes it lawful for a member of the general public to purchase, possess, or use tear gas weapon if that person:**
 - **uses it solely for self-defense**
 - **has not been convicted of a felony or crime involving assaults**
 - **is not addicted to narcotics**
 - **is not attempting to sell or furnish the tear gas weapon to a minor, and**
 - **the weapon is an aerosol spray containing no more than 2.5 ounces**

LEGAL ISSUES

- **PC 12403.8(a)** states that is lawful for a minor to purchase and possess a chemical weapon only if that minor:
 - has attained the age of 16 years, and
 - is accompanied by a parent or guardian, or
 - has written permission of a parent or guardian
- **PC 12422** states it is a felony to alter the label of a product containing a chemical. Altering includes changing, altering, removing, or obliterating;
 - the manufacturers name;
 - the products serial number, or
 - any identification marks

LEGAL ISSUES

- It is a violation of federal law to carry or place a chemical agent device onto an aircraft. Penalties include:
 - Civil fines up to \$1,000.00
 - Criminal penalties up to 5 years in federal prison and/or fine of \$25,000.00

PENAL CODE

Penal Code sections 835a and 12403 state:

Under statutory law, peace officers may use chemical agents once they have satisfactorily completed instruction in their use.

FORCE OPTIONS

**REVIEW DEPARTMENTS FORCE OPTIONS POLICY:
ADMINISTRATIVE & JJC POLICY**

to the reasonable officer standard (Outlined in the USC decision of *Graham v. Connor*/ *Tennessee v. Garner*) and use sound judgment in making a determination that the use of deadly force is necessary. When feasible, give a warning before the deployment of force.

TRAINING

- A. The Probation Department shall, wherever feasible, provide its own training on use of force.
- B. Use of Force Training—At least annually, members authorized to carry weapons shall receive in-service training on the Department's Force Options policy and demonstrate proficiency with all entrusted weaponry that staff is authorized to use. In addition:
- (a) Proficiency training shall be monitored by a certified weapons and weaponless defense instructor;
 - (b) Training and proficiency shall be documented; and
 - (c) Staff shall annually demonstrate the safe and effective application
- C. Staff members who attend training on any topic covered by this policy (weaponless combat, chemical agent training, baton training, firearms training, etc.) are required to resolve any conflict between that training and this policy, in favor of the provisions of this policy. That is, this policy shall supersede any contradictory information in any non-Departmental training that an employee may attend.

USE OF FORCE REPORTS AND NOTIFICATIONS

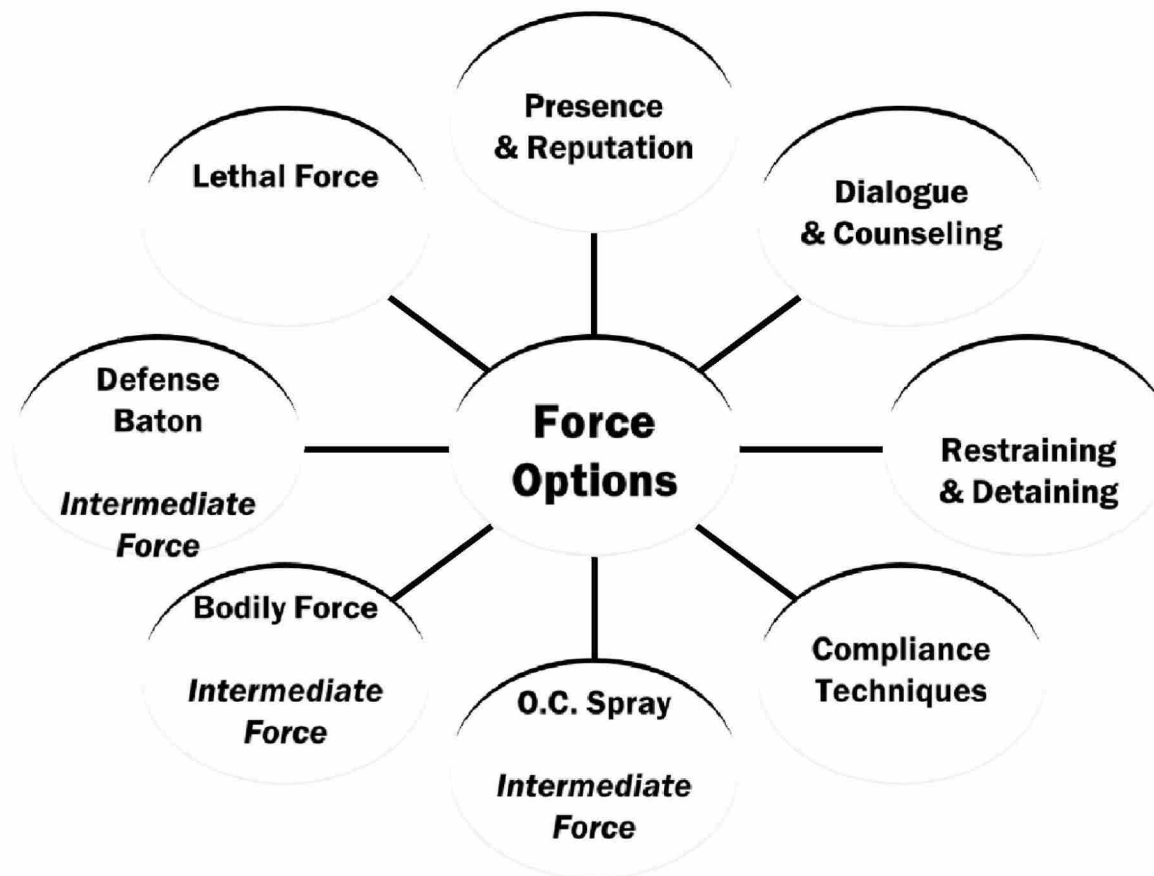
Any use of bodily force, chemical agents, firearms and impact weapons by a member of this Department shall be reported immediately to management and documented promptly, completely, and accurately in accordance with the Critical Incident Review Policy.

- C. Signs or symptoms exhibited by a minor under physical restraint, which require immediate mental health response, include:
 - 1. Head banging or other self-destructive behavior.
 - 2. Psychotic behavior (i.e., hallucinations, etc.).
 - 3. Suicidal behavior.
 - 4. Self-Mutilation.

X. TRAINING

- A. All officers will receive formal hands-on training on approved methods of use of force, self-defense and defensive tactics. All newly hired officers shall receive training during New Employee Orientation and Training regarding: Use of Restraints, OC/Chemical Agents, Use of Force Policy Review, and Force Options. Additionally, during the first year of employment, all permanent officers will attend Juvenile Correctional Officer Core and PC § 832 Powers of Arrest training. Extra Help officers will be placed in Juvenile Correctional Officer Core and PC § 832 training based on operational needs.
- B. Additional annual training will be provided as follows:
 - 1. Juvenile Correctional Officers will receive Eight (8) hours of Force Options training.
 - 2. Armed Juvenile Correctional Officers will attend: PC 832 Firearms (prior to their weapon being issued) Certification, Firearms Range Qualification training (quarterly), Force Options, Simunitions, Defensive Baton (prior to their weapon being issued) and any updates.
- C. Use of Force Training - At least annually, officers authorized to carry deadly weapons shall receive in-service training on the Department's Force Options policy and demonstrate proficiency with all approved deadly weapons that officers are authorized to use. In addition, proficiency training shall be monitored by a certified weapons and Force Options instructor. Training and proficiency shall be documented.
- D. Officers attending training on any topic covered by this policy (weaponless combat, chemical agent training, baton training, firearms training, etc.) are required to resolve any conflict between that training and this policy, in favor of the provisions of this policy. That is, this policy shall supersede any contradictory information in any non-Departmental training that an officer may attend.

OC IS PART OF FORCE OPS



OLEORESIN CAPSICUM

**REVIEW DEPARTMENTS OC POLICY:
ADMINISTRATIVE & JJC POLICY**

DOCUMENTATION

The staff member who used O/C Pepper Spray shall make a written report. The written report will include a clear and factual justification for the use of O/C Pepper Spray, its effect, and a complete description of the decontamination procedures used. The written report must be submitted to the staff member's respective supervisor by the end of the shift.

If O/C Pepper Spray is used or deployed during training or while performing a function check, a written report is not necessary.

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3. Coronary distress (i.e., chest pains, etc.).
4. Seizure, vomiting or spitting up blood.
5. Fractures, muscle injury, or circulatory impairment.
6. Fever.
7. Recent chest or abdominal surgery.
8. Females in the last trimester of pregnancy.
9. Any other life threatening or serious event requiring immediate medical attention.

In the above instances, restraints should be removed and immediate medical attention sought. In the case of coronary distress or cessation of breathing, officers shall call 9-911 and begin CPR procedures. A CPR mask is available in each housing pod office.

TS”

DEPLOYMENT OF OC

RULES OF ENGAGEMENT

STANCE & TACTICS

- If tactically possible, the proper stance would be “the interview stance.”
- O/C should be carried on the right side of your belt if you are a support officer (not an Armed officer) and on the support side if you are a PO's & JJC Transport Officers).
- O/C should be carried on the left side of your belt if you are a support officer (not an Armed officer) and on the support side if you are a PO's & JJC Transport Officers).
- Methods of deployment include: Horizontal, and Vertical, and Serpentine, Vertical, and Horizontal.
- If OC (Sabre Red) is used, it may use the NIOSH 95 Mask. If you are using the NIOSH 95 Mask, you must use the NIOSH 95 Mask on each pod and/or on the Watch Commander.
- Certain environmental conditions may effect the deployment of OC, such as:
 - Temperature
 - Distance
 - Rain & Wind
 - Proximity of others



VERBAL WARNINGS

- When considering the use of O/C one should attempt to verbally warn the subjects that O/C will be used. (unless circumstances prevent otherwise, example tactical deployment, etc.).
- The following statement is an example of a verbal command:
“You are ordered to comply with my instructions or you will be Pepper Sprayed.”
- FYI - Never use the word Mace as we do not carry it nor are we authorized to use it.

OC EXPOSURE VIDEO-1 & 2

Play DVD

OFFICER SAFETY

- **Never give any of your officer safety equipment to anyone, other than a Peace Officer.**

- **If YOU get sprayed:**
 - ✓ Create safe separation
 - ✓ Slow rhythmic breathing (controlled)
 - ✓ Stay Calm, (Positive mindset)
 - ✓ Ensure back up is on the way
 - ✓ Notify supervisor
 - ✓ Decontaminate as soon as possible

OC DECONTAMINATION PROCEDURES

- Decontamination procedures can take an 45min. or longer if exposed to OC (Sabre Red).
- Plenty of fresh cold water, air and time are the key.
- If you have access to a fan it can be used to speed up the decontamination process.
- Fresh clothing and bedding- if appropriate.
- Cell or area to be ventilated fully and bed, walls, floor and general area to be decontaminated.
- If subjects condition does not begin to clear up within 45 minutes to a hour, and exposed area continues to burn, seek medical assistance.

EXPOSURE EXERCISE

SAFETY PROTOCOL & OC FIRST AID

SAFETY PROTOCOL FOR EXPOSURE

- **We will meet outside designated by the Instructor.**
- **No tank tops, contacts lens or make-up.**
- **If you have an inhaler you must have it with you.**
- **Follow all instructor's directives.**
- **Following the exposure it will take anywhere from 45-60 minutes to fully recover.**
- **No one will leave the designated O/C exposure area without instructor's approval.**
- **Students will not leave the chemical agents class unless fully able to function and/or drive their vehicle.**
- **Instructor will individually inspect each student prior to dismissal to ensure no apparent adverse effects from the contamination**

OC FIRST AID

- If an injury occurs and there is an open cut you should flush immediately with water and seek medical assistance.
- Never apply soap, or cream as it will trap the OC particles and cause the burning to linger longer.
- Water is the best tool to treat a burn caused by an OC contamination.
- Long enough exposure to OC can cause a chemical blister or burn.
- All injuries must be documented and reported to your supervisor.

OC EXPOSURE

- Medical conditions preventing exposure should be brought to instructors attention.
- Make-up and contact lenses should not be worn.
- Follow all instructor instructions.
- Exposure will be applied to the facial area.
- Everyone will have a chance to ensure proper safety during exposure.
- Take this training seriously. It might save your life someday. Remember the motto:



“Train Like You Fight; Fight Like You Train”

Che

22) Normal and complete recovery time for an OC exposure take:

- a) 1-3 minutes
- b) 10-15 minutes
- c) 45-60 minutes
- d) Entire day

23) If you are an armed officer OC should be carried:

- a) On the non-gun hand side of your duty belt
- b) On the gun hand side of your duty belt
- c) In your sock, but readily accessible
- d) In your hand at all times
- e) In the car

24) If you are not an armed officer OC should be carried:

- a) On your duty belt/strong hand side
- b) On your duty belt/weak hand side
- c) Hanging around your neck
- d) Accessible at the counselors station

25) If you are justified in using a baton, you are justified in using a chemical agent.

- a) True
- b) False

Test

STC ROSTER/EVALUATION

- **Partner up and await instructions**
- **Sign STC Roster**
- **Complete STC Evaluation to include filling in bubbles**
- **STC certification # is: 0007-076137**

Drive Home Safely after granted permission to leave from your OC Instructor(s).