MARIN COUNTY JUVENILE HALL

448 – USE OF FORCE

Situations may occur at Marin County Juvenile Hall where it is determined by staff that a youth is, "out of control," and the, "use of physical force" is necessary to restore order.

DEFINITIONS:

Out of Control is defined as behavior and/or actions so uncontrollable so as to constitute a serious and evident danger to the youth, other youth, staff or visitors; destruction of property; or total refusal to obey a direct staff instruction.

Use of Physical Force is limited to that force needed to move or restrain the youth in order to restore order and control when verbal persuasion has not succeeded. The use of force is not to be used a punishment, discipline or treatment.

POLICY:

- 1. It is the policy of MCJH to use physical or mechanical restraint only as a last resort, then only with the minimum force necessary to regain control.
- 2. If physically possible, all other non-involved minors are to be placed in their rooms prior to restraining the non-compliant youth.
- 3. Only approved weaponless defense techniques may be used. Staff will take 8 hours of weaponless defense before they start working with youth and a minimum of 8 hours once a year thereafter. Physical actions such as slapping, kicking, biting or choking are specifically prohibited unless the staff member or another youth are in imminent danger of loss of life or serious injury.
- 4. **Use of excessive physical force** not within the above policy may result in the taking of disciplinary action by the Probation Department and the possible referral to the District Attorney for criminal complaint filing. Staff witnessing excessive physical force on a youth by another staff owes a duty to take action to stop the inappropriate use of force and to report such action to the Superintendent of Juvenile Hall immediately through the on-duty Supervisor, if available.
- 5. Marin County Juvenile Hall does not condone the use of chemical agents.

PROCEDURE:

When it becomes necessary to control a youth through the use of restraint, Staff have two options. Option I is preferred though not always possible. It is important for Staff to maintain their composure at all times with whatever option is used.

Option I - Physical Restraint: Staff physically hold the youth using weaponless defense techniques until such time as the youth regains self-control and will not attempt to hurt himself/herself or anyone else. This option should initially be used as a method of gaining control or where it appears that control can be gained in a short period of time. The youth is then in a position to be physically placed in her/her room and shoes removed for a period of Temporary Removal from Group (TRG). An Incident Report is written describing the situation before the involved staff have left their posts. The youth shall be referred to mental health staff and the nurse.

Option II - Mechanical Restraint:

- 1. Handcuffs, foot cuffs, security belts and the WRAP are the only types of mechanical restraints authorized to be used by MCJH staff. When control cannot be gained by physical restraint within a short period of time, and in the judgment of staff that there is a sustained need for control, mechanical restraints are to be employed. The on duty Supervisor or Lead Juvenile Corrections Officer must authorize the use of restraints.
- 2. Mechanical Restraints are not to be used any longer than is necessary for the youth to regain control of his/her behavior. Youth in mechanical restraints will be continuously observed by staff. A medical opinion on the safety of placement and retention is secured as soon as possible but no later than two hours from the time of placement. The youth is to be medically cleared for continued retention at least every three hours after the initial medical opinion. "Hog-tying", the affixing of hands and feet together behind the back is prohibited.
- 3. Mechanical restraints are to be removed as soon as the youth is controllable. A staff member shall be physically, continuously present to observe the youth.
- 4. The restraints are to be removed no later than 15 minutes after application. Staff will speak to the youth and attempt to gain a verbal commitment from them that their inappropriate behavior will end. If the youth refuses to contract with staff and remains out of control, restraints will be left on for another 15 minutes. Call the Mental Health Consultant or Crisis Unit for advice if the youth exhibits mental disturbances or remains in a belligerent state.
- 5. If the restraints are placed on a youth's hands and feet, the hand and food restraints are not to be joined.
- 6. When in restraints, the youth is not to be attached to any furniture or fixture in the room or other place.
- 7. An Incident Report is to be submitted, including the name of the type of restraints used and the duration of use. Document in the Incident Report the exact time that the youth was given the opportunity to end their inappropriate behavior and have the restraints taken off. The youth is to be checked for injury and appropriate first aid and/or medical

- attention secured. The youth is to meet with mental health staff and nurse concerning the use of force as soon as possible.
- 8. A mental health consultation shall be secured as soon as possible, but in no case longer than four hours from the time of placement, to assess the need for mental health treatment.
- 9. The Superintendent is to be notified as soon as practical, when on duty, that the use of restraints has been initiated.
- 10. The use of restraints on pregnant youths is limited in accordance with Penal Code Section 6030(f) and Welfare and Institutions Code Section 222. (See Policy 493)
- 11. Long-term behavioral restraints within the meaning of Section 1358 of Title 15 are not used in Marin County Juvenile Hall.
- → All use of force shall be reviewed by management using the cameras.

Option III – WRAP Restraint System

- 1. The WRAP Restraint System is used for controlling and immobilizing detainees who require prolonged restraint.
- 2. In the case of a prolonged restraint, staff shall utilize the WRAP system as described below, and supervise the restraint in the Safety Cell located in the unit if directed to do so by the Supervisor on duty/JCO.
- 3. Staff shall follow all timelines and make record of their interactions in accordance with the use of the Restraint/Safety Room Check form as described in the procedures below. Staff shall constantly assess the level of resistance exhibited by a restrained detainee, and remove them:
 - i. As soon as the detainee's behavior demonstrates that they are under control and no longer a threat to themselves or others.
 - ii. Immediately if deemed medically necessary based on the observations of staff or directions from medical or mental health providers.

4. Training

- Only qualified officers who have successfully completed the department approved WRAP Restraint System training can use the device.
- ii. Officers who have not completed the training or demonstrated proficiency in the use of the WRAP Restraint System shall not participate in applying the WRAP or be charged with providing direct supervision to a WRAP restrained detainee.
- 5. Application of WRAP Restraint System
 - i. The use of the WRAP Restraint System must be authorized by the

- Supervisor on duty/JCO or Director prior to being placed on a detainee.
- ii. Staff shall inspect the WRAP Restraint System prior to its use for signs of wear, damage and to ensure that it is clean.
- iii. Staff shall clear the area of other detainees, if possible, prior to the application of the WRAP Restraint System.
- iv. When applying the WRAP Restraint System, there must be enough officers present to control the detainee being restrained.
 - 1. At no time will less than two staff apply the WRAP Restraint System.

6. Transportation of detainee restrained in the WRAP

- i. Detainees will be carried or allowed to "shuffle" to their destination in a manner consistent with the training.
- ii. If staff are carrying the restrained detainee, enough officers must be used to avoid injury to both the detainee and the officers.
- iii. If transporting a detainee restrained in the WRAP by vehicle, the following precautions shall be followed:
 - 1. A minimum of two (2) officers shall conduct the transport.
 - 2. One officer shall sit in the back of the caged vehicle to ensure that the straps remain tight and the detainee experiences no medical issues.
 - 3. Officers shall ensure that the restrained detainee is placed in the vehicle seat belt during the transport.

7. Special Precautions

- i. The WRAP is only to be used by trained officers.
- ii. The shoulder harness should never be tightened to the point that it interferes with the detainee's ability to breathe.
- iii. The leg bands and shoulder harness must be checked frequently for tightness and re-tightened or loosened as necessary until the WRAP is removed.
- iv. If the restrained detainee complains of, or shows signs of breathing distress (shortness of breath, sudden calmness, a change in facial color, etc.), medical attention should be provided immediately.
- v. A detainee restrained in the WRAP shall never be left alone.
- vi. Detainees should be placed in an upright sitting position or on their side as soon as possible after the WRAP restraint has been applied.
 - 1. The upright sitting position is preferred when a detainee is exhibiting self-harming behavior such as striking their head against the floor.

<u>8.</u> Restrained detainee's shall be removed from the WRAP:

- i. As soon as the detainee's behavior demonstrates that they are under control and no longer a threat to themselves or others.
- ii. Immediately if deemed medically necessary based on the observations of staff or directions from medical or mental health providers.

- 9. Care and Maintenance of the WRAP Restraint System
 - i. The officer assigned to return the WRAP Restraint System to the control unit closet shall do the following:
 - 1. Inspect the WRAP and its components for signs of wear or damage.
 - a. If wear or damage is discovered, the officer shall take the WRAP Restraint System out of service and immediately notify the Supervisor on duty/JCO.
 - b. The Supervisor on duty/JCO shall notify the facility director, who will advise what steps to take to repair or replace the WRAP and/or its components.
 - 2. Ensure that the WRAP and its components are clean.
 - a. If the WRAP or a component is soiled and cannot be cleaned, the officer shall follow the same protocol for signs of wear or damage.
 - 3. Ensure that the WRAP and its components are placed back into the storage bag in a manner consistent with training.
 - 4. Store the cleaned and inspected WRAP Restraint System in its designated spot in the Unit Control area closet.

Revised 7-12-07, 1-26-10, 6-10-15, 11-30-16



VIA EMAIL



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June 22, 2018

American Civil Liberties Union Southern California Attn: Michelle Ochoa Castaneda 1851 E First Street, Ste. 450 Santa Ana, CA 92705 MOchoa@ACLUSOCAL.ORG

RE: Public Records Request dated May 9, 2018 Our Request No. 18-332-77

Dear Ms. Castaneda:

Our office represents the Marin County Probation Department. We are in receipt of your Public Records Act request, dated May 9, 2018 seeking records regarding chemical agents.

Please see the attached documents to this letter. Should you have any questions, please do not hesitate to contact me.

Sincerely,

Amber Kennedy

Administrative Secretary Legal

Instructors: Heather Donoho, Mark Messner, Ulises Ramirez, Jennifer Saldana

Certification #: 0028-04179

Time Allocated: 6.5 hours

Number of students: 12

Classroom Set up: mat room

Facility/room contact: Dining Hall – Frank Neas/Eric Olson

Equipment needed: First Aid Kit, mat room, Force Options binders, Case Law Handouts, handcuffs, duty-belts, inert OC spray, red/blue guns, department issued tactical pants, belts, department issued mat shoes, water, poster paper, markers, projector, laptop computer, hand held bags, heavy bags.

Participants attire: Department issued tactical pants, 511 belts and holders, duty belts, department issued mat shoes, socks, comfortable loose fitting shirts.

Course Goals:

Students will be able to identify the legal framework for a probation officer's use of reasonable force and discuss fundamental Case Law.

Student will be able to identify the categories of force options.

Students will be able to demonstrate course-instructed control hold(s).

Students will be able to demonstrate course-instructed footwork technique(s).

Students will be able to demonstrate course-instructed take-down technique(s).

Students will be able to demonstrate course-instructed prone control technique(s).

Students will be able to demonstrate course-instructed ground control technique(s).

Students will be able to demonstrate course-instructed multiple officer control technique(s).

Students will be able to demonstrate the use of verbal commands.

Students will be able to demonstrate course-instructed personal body weapon(s).

Students will be able to demonstrate how to safely approach a compliant subject in a standing, kneeling, and prone position.

Students will be able to demonstrate how to safely approach a non-compliant subject in a standing, kneeling, and prone position.

Students will be able to demonstrate the proper application of handcuffs on a compliant subject from a standing, kneeling, and prone position.

Students will be able to demonstrate the proper application of handcuffs on a non-compliant subject in a standing, kneeling, and prone position using a course-instructed control hold.

Time	Objective WST/ BST	Trainer's Script	Materials/Notes
08:00	Identify the level from sounds for a result of Wear	Onches Defenseent's Use of Force Policy, Case Law,	Lecture –
to		8 ohhoiuris nal use of Force, and Civilian Self Defense	Handouts-video
08:30	officer's use of reasonable force.	Legalities	presentation
	- Identify the categories of force options.	Overview of techniques and holds to be covered	
08:30-	- Written Test	Participants will take a test on: Principles of WD and WD	"Jeopardy"
9:00		Techniques/Case Law.	handout/written test
9:00- 9:10	- Break	N/A	N/A
9:10- 9:30	- Prevent/reduce injuries sustained from training.	Stretching, Jog, Dynamic Warm Ups	Group Exercise
9:30- 10:00	Students will be able to demonstrate:	For each of the listed techniques, lecture and demonstration will be followed by student practice of the instructed	Demonstration Group Exercise
10.00	Course-instructed footwork technique(s).	techniques.	Practice
	The use of verbal commands.	Movement	
	Demonstrate how to safely approach a	Position of Interview "POI"	
	compliant subject in a standing, kneeling,	Position of Advantage "POA"	
	and prone position.	Combat Stance	
	 Demonstrate how to safely approach a 	Footwork	
	non-compliant subject in a standing,	Shuffle, Normal Pivot, Shuffle Pivot, Shuffle Forward,	
	kneeling, and prone position.	Shuffle Backwards	
	Demonstrate how to safely stand up after	Blocking	
	being knocked to the ground.	Ground Defense Position	
	The use of Personal Body Weapons	Break Falls, Stand up to POI, POI to Ground Defense	
	Demonstrate how to defend self on the	•	
	ground.	Personal Body Weapons Straight punch, hook punch, uppercut, hammer fist,	
	Demonstrate how to safely return to a	straight and angular elbows, straight and angular knees, shin	
	standing position after being taken to the	rake, roundhouse kick, push kick, rear kick.	
	ground.		
	Demonstrate how to safely block		
	incoming strikes from a suspect.		
10:00-	- Students will be able to demonstrate:	For each of the listed techniques, lecture and demonstration	Demonstration
11:00	Course-instructed control hold(s).	will be followed by student practice of the instructed	Group Exercise
	Course-instructed prone control	techniques. Wrist Locks	Practice
	technique(s).	Rear Wrist Lock	
	Course-instructed multiple officer control	Elongated Wrist Lock Side Wrist Lock	
	technique(s).	Escorts Escorts	
	Course instructed escort techniques	Twist Locks	
	Course histracted escort techniques	Two Hand Entry Rear Step Thru Entry, Searches from Twist Lock	
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Weaponless Defense 8 Hours			
Cont 10:00- 11:00	 Students will be able to demonstrate: Course-instructed control hold(s). Course-instructed prone control technique(s). Course-instructed multiple officer control technique(s). Course instructed escort techniques 	Bar Arms Front Entry Rear Entry Supine Entry Prone Control	Demonstration Group Exercise Practice
11:00- 11:10	- Break	N/A	N/A
11:10- 11:20	- Students will be able to demonstrate moving from one control hold technique to another without losing control of the suspect.	Control Hold Transition Drill	Demonstration Group Exercise Practice
11:20- 12:20	 Students will be able to demonstrate: Course-instructed control hold(s). Course-instructed take-down technique(s). Course-instructed prone control technique(s). 	Take Down Techniques Bar Arm Take Downs Reverse Wrist Take Down Twist Lock Take Down Hip Toss from clench Take Down Side Take Down Front Reap Take Down Rear Reap Take Down Hair Pull/Forehead Sweep Take Down	Demonstration Group Exercise Practice
12:20- 12:30	 Students will be able to demonstrate: Course-instructed prone control technique(s). 	Prone Control Techniques Elbow Assist Knee Assist Stir Over	Demonstration Group Exercise Practice
12:30- 1:30	- Lunch	N/A	N/A
1:30- 2:00	 Students will be able to demonstrate: Course-instructed multiple officer control technique(s). 	Ground Control Techniques from Prone Sprawl Hip Switch 360	Demonstration Group Exercise Practice

Time	Objective WST/ BST	Trainer's Script	Materials/Notes
	Wear	onless Defense	
	vveap	8 Hours	
2:00 2:30	 Students will be able to demonstrate: Course instructed ground control techniques techniques to control a suspect on the ground and obtain prone control. 	Ground Control Techniques from the Supine Position Kimora "Paint the Ground" technique Figure 4 Holds	Demonstration Group Exercise Practice
2:30- 3:00	 Students will be able to demonstrate: Course instructed ground control techniques to overcome resistant subjects on the ground. Course instructed ground control techniques to achieve prone control. 	Ground Control Techniques/Two Officer Control Figure 4 Leg Lock Ankle Lock	Demonstration Group Exercise Practice
3:00- 3:10	Break	N/A	N/A
3:10- 4:10	Students will be able to demonstrate the proper application of handcuffs on a noncompliant and compliant subject from a standing, kneeling ,and prone position using s course instructed control hold.	Handcuffing Quick Cuff Prone Control Rear Mount Standing Modified Twist Lock	Demonstration Group Exercise Practice Timed Drill
4:10- 5:00	Students will be able to approach a non- compliant subject and utilizing any of the above course instructed techniques, subdue the subject and safely take the subject into custody and affect the arrest. Students will use course	Physical Skills Test/Practical Application	Red/Black Man Suit Individual or Paired Physical Testing Exercise

Instructors: Heather Donoho, Mark Messner, Ulises Ramirez, Jennifer Saldana

Certification #: 0028-04179

Time Allocated: 8 hours

Number of students: 12

Classroom Set up: mat room

Facility/room contact: Dining Hall – Frank Neas/Eric Olson

Equipment needed: First Aid Kit, mat room, Force Options binders, Case Law Handouts, handcuffs, duty-belts, inert OC spray, red/blue guns, department issued tactical pants, belts, department issued mat shoes, water, poster paper, markers, projector, laptop computer, hand held bags, heavy bags.

Participants attire: Department issued tactical pants, 511 belts and holders, duty belts, department issued mat shoes, socks, comfortable loose fitting shirts.

Course Goals:

Students will be able to identify the legal framework for a probation officer's use of reasonable force and discuss fundamental Case Law.

Student will be able to identify the categories of force options.

Students will be able to demonstrate course-instructed control hold(s).

Students will be able to demonstrate course-instructed footwork technique(s).

Students will be able to demonstrate course-instructed take-down technique(s).

Students will be able to demonstrate course-instructed prone control technique(s).

Students will be able to demonstrate course-instructed ground control technique(s).

Students will be able to demonstrate course-instructed multiple officer control technique(s).

Students will be able to demonstrate the use of verbal commands.

Students will be able to demonstrate course-instructed personal body weapon(s).

Students will be able to demonstrate how to safely approach a compliant subject in a standing, kneeling, and prone position.

Students will be able to demonstrate how to safely approach a non-compliant subject in a standing, kneeling, and prone position.

Students will be able to demonstrate the proper application of handcuffs on a compliant subject from a standing, kneeling, and prone position.

Students will be able to demonstrate the proper application of handcuffs on a non-compliant subject in a standing, kneeling, and prone position using a course-instructed control hold.

Students will respond to hypothetical juvenile hall scenarios with role players and demonstrate the above skills/techniques. Students will debrief each scenario with the role players/instructor.

Time	Objective WST/ BST	Trainer's Script	Materials/Notes
08:00 to 08:30	 Identify the legal framework for a probation officer's use of reasonable force. Identify the categories of force options. 	i lee Hell & Ceparioent's Use of Force Policy, Case Law, Sopholiums nal use of Force, and Civilian Self Defense Legalities Overview of techniques and holds to be covered	Lecture – Handouts-video presentation
08:30- 9:00	- Written Test	Participants will take a test on: Principles of WD and WD Techniques/Case Law.	"Jeopardy" handout/written test
9:00- 9:10	- Break	N/A	N/A
9:10- 9:30	- Prevent/reduce injuries sustained from training.	Stretching, Jog, Dynamic Warm Ups	Group Exercise
9:30- 10:00	 Students will be able to demonstrate: Course-instructed footwork technique(s). The use of verbal commands. Demonstrate how to safely approach a compliant subject in a standing, kneeling, and prone position. Demonstrate how to safely approach a non-compliant subject in a standing, kneeling, and prone position. Demonstrate how to safely stand up after being knocked to the ground. The use of Personal Body Weapons Demonstrate how to defend self on the ground. Demonstrate how to safely return to a standing position after being taken to the ground. Demonstrate how to safely block 	For each of the listed techniques, lecture and demonstration will be followed by student practice of the instructed techniques. Movement Position of Interview "POI" Position of Advantage "POA" Combat Stance Footwork Shuffle, Normal Pivot, Shuffle Pivot, Shuffle Forward, Shuffle Backwards Blocking Ground Defense Position Break Falls, Stand up to POI, POI to Ground Defense Personal Body Weapons Straight punch, hook punch, uppercut, hammer fist, straight and angular elbows, straight and angular knees, shin rake, roundhouse kick, push kick, rear kick.	Demonstration Group Exercise Practice
10:00- 11:00	 incoming strikes from a suspect. Students will be able to demonstrate: Course-instructed control hold(s). Course-instructed prone control technique(s). Course-instructed multiple officer control technique(s). Course instructed escort techniques 	For each of the listed techniques, lecture and demonstration will be followed by student practice of the instructed techniques. Wrist Locks Rear Wrist Lock Elongated Wrist Lock Side Wrist Lock Escorts Twist Locks Two Hand Entry Rear Step Thru Entry, Searches from Twist Lock	Demonstration Group Exercise Practice

Juvenile Hall Scenario 8 Hours			
Cont 10:00- 11:00	 Students will be able to demonstrate: Course-instructed control hold(s). Course-instructed prone control technique(s). Course-instructed multiple officer control technique(s). Course instructed escort techniques 	Bar Arms Front Entry Rear Entry Supine Entry Prone Control	Demonstration Group Exercise Practice
11:00- 11:10	- Break	N/A	N/A
11:10- 11:20	- Students will be able to demonstrate moving from one control hold technique to another without losing control of the suspect.	Control Hold Transition Drill	Demonstration Group Exercise Practice
11:20- 12:20	 Students will be able to demonstrate: Course-instructed control hold(s). Course-instructed take-down technique(s). Course-instructed prone control technique(s). 	Take Down Techniques Bar Arm Take Downs Reverse Wrist Take Down Twist Lock Take Down Hip Toss from clench Take Down Side Take Down Front Reap Take Down Rear Reap Take Down Hair Pull/Forehead Sweep Take Down	Demonstration Group Exercise Practice
12:20- 12:30	 Students will be able to demonstrate: Course-instructed prone control technique(s). 	Prone Control Techniques Elbow Assist Knee Assist Stir Over	Demonstration Group Exercise Practice
12:30- 1:30	- Lunch	N/A	N/A
1:30- 2:00	 Students will be able to demonstrate: Course-instructed multiple officer control technique(s). 	Ground Control Techniques from Prone Sprawl Hip Switch 360	Demonstration Group Exercise Practice

Time	Objective WST/ BST	Trainer's Script	Materials/Notes	
	Juvenile Hall Scenario 8 Hours			
2:00 2:30	 Students will be able to demonstrate: Course instructed ground control techniques techniques to control a suspect on the ground and obtain prone control. 	Ground Control Techniques from the Supine Position Kimora "Paint the Ground" technique Figure 4 Holds	Demonstration Group Exercise Practice	
2:30- 3:00	 Students will be able to demonstrate: Course instructed ground control techniques to overcome resistant subjects on the ground. Course instructed ground control techniques to achieve prone control. 	Ground Control Techniques/Two Officer Control Figure 4 Leg Lock Ankle Lock	Demonstration Group Exercise Practice	
3:00- 3:10	Break	N/A	N/A	
3:10- 4:10	Students will be able to demonstrate the proper application of handcuffs on a noncompliant and compliant subject from a standing, kneeling ,and prone position using s course instructed control hold.	Handcuffing Quick Cuff Prone Control Rear Mount Standing Modified Twist Lock	Demonstration Group Exercise Practice Timed Drill	
4:10- 5:00	Students will be able to approach a non- compliant subject and utilizing any of the above course instructed techniques, subdue the subject and safely take the subject into custody and affect the arrest. Students will use course	Physical Skills Test/Practical Application	Red/Black Man Suit Individual or Paired Physical Testing Exercise	