

	A	B	C
1			Public Records Request - 5/9/2018
2			
3		1(a)(i)	Exhibit 1
4		1(a)(ii)	Exhibit 2
5		1(a)(iii)	Exhibits 2 & 9
6		1(a)(iv)	Exhibit 11
7		1(a)(v)	Exhibit 2
8		1(a)(vi)	Exhibits 3 & 4
9		1(a)(vii)	Exhibits 3 & 5
10		1(a)(viii)	Exhibit 2
11		1(a)(ix)	Exhibit 2
12		1(a)(x)	None
13		1(a)(xi)	Exhibits 2 & 6
14		1(a)(xii)	None
15		1(a)(xiii)	Exhibit 2
16		1(a)(xiv)	Exhibits 7 & 8
17		1(a)(xv)	Exhibit 2
18		2(a)(i)	For items 2(a)(i) through 2(a)(ix) refer to exhibits 13 through 126
19		2(a)(ii)	
20		2(a)(iii)	Exhibits 13-20 contain lists of the 107 Daily Training Bulletins (DTB's)
21		2(a)(iv)	completed by staff since 1/1/2015 that specifically pertain to use of force
22		2(a)(v)	
23		2(a)(vi)	Exhibits 21-126 are the specific Daily Training Bulletins that were completed
24		2(a)(vii)	between 1/1/2015 and present, on the topic of use of force.
25		2(a)(viii)	
26		2(a)(ix)	
27		3(a)(i)	Only use of chemical agent, 1/1/2015 to present, was on 6/5/2015
28		3(a)(ii)	Exhibit 10
29		3(a)(iii)	N/A - no video/audio recordings exist
30		3(a)(iv)	No notifications made
31		3(a)(v)	No complaints/grievances were made re: use of chemical agents
32		3(a)(vi)	Exhibit 10
33		3(a)(vii)	No internal reviews conducted
34		3(a)(viii)	No staff were disciplined in connection with chemical agent use
35		3(a)(ix)	No staff or youth were injured related to chemical agent use
36		3(a)(x)	One (1.5 oz.) container
37		3(a)(xi)	We have not purchased chemical agents since 1/1/2015

	A	B	C
38		3(a)(xii)	We have not destroyed or discarded any chemical agents since 1/1/2015
39		3(a)(xiii)	Exhibit 12
40		3(a)(xiv)	None
41		3(a)(xv)	None
42		3(a)(xvi)	None

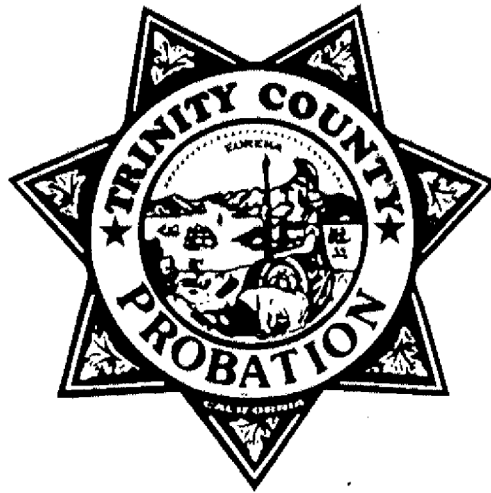
## EXHIBIT 7

### TRINITY COUNTY JUVENILE DETENTION FACILITY YOUTH RULES

1. You must follow ALL verbal or written instructions given by an Officer. You will NOT argue or challenge an Officer at any time.
2. Courtesy and respect will be used at all times to staff and other youth.
3. NO yelling, profanity, or running. NO gang language, gang signs, or gang activity. NO bullying, threatening or intimidation of others, NO physical contact or horseplay will be tolerated.
4. You are not allowed to have contraband in your room. Posted outside of your room is what is acceptable. Contraband is defined as anything you are not allowed to possess in the facility, possession of extra facility issued items, and items that are illegal to possess. You can be criminally prosecuted for certain contraband.
5. You are not allowed to move about the facility without permission from an Officer' when moving about the facility you will have your hands behind your back.
6. You will NOT discuss you crimes/offenses **AT ALL**; drugs, drug activity, or use of alcohol with other youth, except in counseling sessions.
7. DO NOT damage any facility property or you may be charged with vandalism.
8. You will be fully clothed when exiting the showers or your room. Clothing will be worn appropriately. Shirts kept tucked in at all times and pants worn up around the waist. Shoes are to be worn when out of your room.
9. Searches of the facility and/or your person will be conducted at any time without prior notice.
10. Request to talk to your Attorney, Probation Officer, other staff, and Medical/Dental personnel are made by filling out a request form.
11. The intercoms throughout the facility are to be used for emergencies and necessary assistance. DO NOT touch them otherwise, without permission from an Officer.
12. Your room is to be in order before you exit, beds made and room picked up.
13. If you want in your room, you are to stand in front of your door with your hands behind your back and wait for staff to open the door. DO NOT wave or yell to get staffs attention.
14. You are NOT allowed to pass paper, notes, mail or pictures to other youth.
15. The use of phones is a privilege, do not abuse it. Phone use is at staff discretion during your recreation time.
16. NO running up or down the stairs. One step at a time with your hands on the railing
17. Your shoes are not allowed in your room. They are to be placed in the white box outside of your room.
18. You will NOT stand on the bunks or sinks. There will be NO yelling through the vents. You are to remain quiet in your room.
19. The red lines through out the facility are out of bounds to you. Do NOT cross them.
20. You will not have any contact or conversations with the public when in transport, in the yard or out on work detail.
21. You will not cut or tattoo on yourself or another minor.
22. You are not allowed to give or share food with other minors.
23. You will be issued a hygiene box. This box is not allowed to be kept in your room. To replace the toothbrush and comb in your box you must turn over your old item first.
24. We have a zero tolerance policy for sexual harassment and sexual abuse.

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

# TRINITY COUNTY JUVENILE DETENTION FACILITY ORIENTATION MANUAL





You are in the Trinity County Juvenile Detention Facility. We have developed this booklet to inform you about your legal rights, responsibilities, and the rules while you are in custody. We understand that you may not be happy about being here but we hope this handbook helps to make your stay here easier.

If you are here on a new charge or because a Probation Officer has made a decision to detain you, you will remain in custody until you can see the Judge for a detention hearing; The Judge will decide whether to continue to hold you through the court proceedings or to release you. You must see the Judge within two (2) days if you are booked on a misdemeanor, not counting weekends and holidays. If you have been booked on a felony, you must see a Judge within three (3) days not counting weekends and holidays.

Upon being admitted into Juvenile Hall, you will be showered and issued clothing and bedding items.

**You will be issued:**

- One pair of pants
- One sweatshirt
- One T-shirt
- One pair of socks
- Undergarments
- Shoes

**You will also receive:**

- Two blankets
- Two sheets
- One pillow case
- Shower shoes
- Hygiene Kit

You will be issued a hygiene kit containing soap, toothpaste, toothbrush, and a comb.

Your personal clothing will be washed, folded and stored in the property room. If you have anything you don't want washed please let the officer know. Your other personal property will be in a locker until your release.

You may have the opportunity to shave daily. Shaving will be done before showers in your room and under the supervision of staff.

**You have a right** to a minimum of three (3) phone calls within one hour of your admission. One phone call may be made to a parent, guardian, or responsible relative, your second call to an employer and your third phone call to an attorney. If you were unable to reach the person you are trying to contact, it is your responsibility to make sure you remind staff about trying again.

Your parents may come in to visit you for a half hour upon your being booked into the juvenile hall.

Additional phone calls to your attorney will be made by filling out a "Request for Contact" form during regular office hours. All calls not made at the time of admission, are to be made at scheduled and convenient times. If you can't afford an attorney the court will appoint you one.

All juveniles must be given a physical examination within 96 hours of being admitted into the Juvenile Hall. A county medical public health Doctor will provide the basic medical services twice a week. If you feel ill or experience any type of medical problem, notify staff immediately and fill out a "Medical Request" form. Emergency medical situations will be referred to the public health nurse, Trinity County Hospital emergency room, or in some cases, your own physician.

This Juvenile Detention Facility has a zero tolerance for sexual harassment or sexual abuse and you have a right to be free of these situations. If you find yourself a victim of sexual harassment or sexual abuse you need to notify staff or a responsible adult (juvenile hall staff, programming staff, a Probation Officer, a parent or guardian, etc.) as soon as possible. If you suspect someone of being sexually harassed or abused you are urged to inform staff or a responsible adult as soon as possible. You can report any incident of harassment or sexual abuse either verbally or in writing.

You have a right to have a victim advocate (this is someone to help and be there for you through the whole process). We have a sexual assault victim advocate through the Human Response Network (HRN) and they can be contacted at (530) 623-2024.

### **A TYPICAL DAY**

You will begin your day by getting up at 7:00 A.M. You will make your bed and put all your personal items by the side of your bed. After you have eaten breakfast you will clean your rooms. If you have a court order to participate in a certain program, your participation is mandatory.

Room cleaning includes the following:

1. Wiping the bed slab, walls and door.
2. Making your bed, arranging the items neatly in your room.
3. Cleaning the mirror, sink and toilet.
4. Sweep and mop the floor.
5. Do not leave your personal items on the other bunk.
6. Take out any excess paperwork, letters, or pictures.
7. Throw away any garbage that you may have accumulated.

Meals are served three times a day with a snack served before bed time:

Breakfast: Between 8:00 A.M. – 8:20 A.M.

Lunch: Between 12:00 A.M. - 12:20A.M.

Dinner: Between 4:30 A.M. – 4:50 A.M.

Snacks served between 7:30 P.M.-8:00 P.M.

**At meal time, you are expected to observe some basic rules of conduct:**

1. You are to line up in single file,
2. You are to sit facing the table at all times.
3. You are not permitted to pass or exchange food items.
4. You are to ask staff's permission in order to get up from the table.
5. No food is allowed in your room unless you are told to by staff.

6. You are responsible for returning your eating utensils. Eating utensils will be counted by staff.
7. Ask to be excused and turn in your tray to the kitchen. Afterwards you are to sit quietly where staff directs you and wait for further instruction.

The Trinity County Probation Department participates in the California Department of Education's School Nutrition Program and maintains full compliance with 7 CFR Part 210. Public questions, comments and complaints regarding this facility's nutritional policies and practices should be directed to the facility Superintendent.

### **CLOTHING**

You will be issued clean underclothes and a shirt every day, clean pants and sweat shirt three times a week. Clean linens are issued every Sunday. Clean blankets twice a month.

Non sentenced minors wear orange clothing. Sentenced minors wear blue clothing.

If you receive ripped/torn or clothing with writing on it you must immediately notify staff. If you fail to notify staff you may receive disciplinary action for vandalizing juvenile hall clothing.

### **HOUSING ASSIGNMENTS**

Staff will take into consideration: your age, your charges, gang affiliation, etc. before assigning you to a cell or a roommate. If you have a roommate and are having problems then you need to bring it to staff's attention immediately. Our goal is to make sure you are safe.

### **MAIL**

The Juvenile Hall will provide you with postage for two (2) letters per week. You may send and receive as many letters as you want, as long as you pay for them. If you wish to write to your Probation Officer, a Judge, a doctor or an elected official you will be given stamps for these. All of the mail you send and receive will be screened.

Mail will be censored or withheld if there is reasonable cause to believe:

1. It advocates the furtherance of specific criminal activity.
2. It advocates harm or violence to another person(s).
3. It advocates plans for escape.
4. It promotes gang, racial/ethnic hatred, and /or satanic activity.
5. It contains contraband, or talking about smuggling contraband.
6. If it is to or from another correctional facility, except as approved on an individual basis by their Probation Officer.
7. Mail that is not delivered by the Post Office (i.e.: brought in by someone) will not be accepted by the Juvenile Hall
8. If there is a "no contact" order from the court involving another minor or adult.
9. It contains explicit sexual content.

Trinity County Juvenile Hall  
(YOUR FULL NAME)  
P.O. Box 158  
Weaverville, CA 96093

## **VISITING**

Your parents or legal guardians are allowed to make an appointment to visit you for two hours a week. No person under the age of 18 will be allowed to visit without prior approval from the Chief Probation Officer or your Probation Officer.

Regular visiting hours are as follow:

Sunday afternoons – 1:00 P.M. to 3:00 P.M.

To make an appointment call (530) 623-1204 ext 134

Visits are made by appointment in one hour time slots. If a minor's family **lives** more than 60 miles outside of Weaverville they may have, by appointment and if time allows, a phone visit. Phone visits are a courtesy made for out of county minors so they may have contact with their parent/guardian or grandparents. This courtesy can be revoked if the minor or parent/guardian abuses this privilege.

Official visits are those made by a minor's attorney, the Judge, law enforcement, and other legally constituted officials in the pursuit of their official duties. These visits may occur at any time during waking hours. Official visits during sleeping hours will only occur in serious emergency situations and with the review and approval of the senior staff.

Visits can be terminated when such visits are unduly upsetting to the visitor or minor, or when a visitor or minor violates visiting rules and termination is deemed necessary by Juvenile Hall staff.

## **COUNSELING SERVICES**

This facility contracts with Trinity County Behavioral Health, Trinity County AODS, Trinity County Planned Parenthood, and the Human Response Network. You can request to see a counselor/staff from any of these agencies by filling out a request for services. These forms are available to you on the dayroom floor.

## **RELIGIOUS SERVICES**

You have the right to access religious services and/or counseling once a week. Services are held on Sunday evenings per request. Attendance is voluntary. Religious Programs shall provide for:

- a) Opportunity for religious services;
- b) Availability to clergy; and,
- c) Availability to religious diets.

No one shall receive punishment for requesting religious services. Religious services shall not be forced upon anyone, and other activities will be available during this time.

## **PROGRAMS**

If you have a court order to participate in a certain program, your participation is mandatory. The following programs are provided at Juvenile Hall and you are encouraged to participate:

- Substance Abuse
- Life Skills Training
- Religious Counseling and Services
- Mental Health Counseling
- Victim Awareness
- Anger Management Counseling

## **READING MATERIALS**

We have reading materials available. You may select two books to keep in your room. Your family may bring in books or magazines, however anything brought in becomes the property of the Juvenile Hall.

## **SCHOOL**

At this time, youth in the Trinity County Juvenile Hall do not attend school while in custody, however, ample time is provided for youth to work on school-related assignments.

### **EXAMPLES OF COOPERATIVE BEHAVIOR:**

**Under the program, behavior includes but is not limited to the following:**

1. Following staff directions the first time.
2. Volunteering for work crews, willing to help when asked.
3. Making an effort to be friendly and helpful.
4. Helping another inmate deal constructively with a problem.
5. Demonstrates leadership qualities; acts as a positive influence on others.
6. Assisting in maintaining a positive learning environment in school.
7. Asking permission to leave your seat and keeping quiet during class.
8. Sets good example, shows enthusiasm and self-improvement.
9. Completing assignments quickly and to the best of your ability.
10. Accepts responsibility of behavior and attitude.
11. Patient and polite when interacting with others.
12. Avoids participating in gossiping or teasing others.
13. Participation in all juvenile hall programs.

### **EXAMPLES OF UNCOOPERATIVE BEHAVIOR**

Excessive rule violation: Breaking several rules within one shift may result in room restriction. You may ask to receive a copy of the rule sheet that you signed upon booking.

1. Passing notes or letters to anyone in the Juvenile Hall.
2. Flashing: Exposing one's body or making vulgar gestures.

3. Dishonesty or lying.
4. Slow to follow directions-refusing to do assignments.
5. Gang writing or signs, hand signals, or gang talk.
6. Any threats or gestures which could lead to physical confrontation.
7. Being in a place not authorized by staff.
8. Physical contact: fighting, assaulting, or lewd contact with the body of another.
9. Any criminal offense.
10. Disrespectful to staff or others: threatening, cussing at staff, or insubordination.
11. Talking about or planning escape from custody.
12. Tagging/Vandalism: This includes the destruction of county or other property.
13. Tattooing: Writing or carving on one's body or someone else's body.
14. Possession of serious contraband: Weapons, drugs, tobacco etc.

### **LEVEL AND POINT SYSTEM**

- Level 1            You must acquire full points daily and for 8 days to advance to level 2. Privileges are:
- Detention Clothing
  - Bed time 19:00
  - No classroom access outside of programming
  - No commissary
- Level 2            As a new arrival you will start here. You must acquire full points daily for 8 days to advance to a level 3. Privileges are:
- Detention Clothing
  - Bed Time 20:30
  - No classroom access outside of programming
  - No commissary
- Level 3            You must acquire full daily points for 12 days to advance to a level 4.
- Detention Clothing
  - Bed Time 21:00
  - Classroom access but no video games
  - Commissary
  - Pillow from home
- Level 4            Must acquire full points weekly.
- Personal Clothing
  - Bed Time 21:30
  - Classroom and Video Game access
  - Commissary
  - Hygiene items from home

You can acquire a total of 4 points on Saturdays and Sundays and 2 points on Fridays and Mondays. You will be given a point for each of these rules:

1. Maintain positive peer interactions at all times
2. Following staff directions at all times
3. Full participation in all organized activities and programming
4. Following all programming rules



If you are sent to your room, you will not acquire any points for the time spent in your room. All points will be totaled at the end of the night and posted the following morning.

2 points a day will incur a loss of a level, 3 points a day will keep you at your level, but will start over your daily 4 point count, and 4 points a day will be added up for level accommodations. If an SIR is required you will lose a level. The loss of a level may result in going to Shasta.

You have signed a sheet with the rules in your booking paperwork. If you would like a copy of these rules just let staff know and you may have a copy in your room. There is a posting on the dayroom floor that lists the main rules.

You have the right to disciplinary due process. You will have the opportunity to present your side of an issue to a staff member that was not party to the incident and request assistance from a staff member in the hearing process, as well as present any evidence. You have the right to disagree with your punishment and have the right to appeal to a supervisor. At the end you will receive a written statement of findings and evidence.

### **MINOR RULE VIOLATIONS**

1. Horseplay
2. Out of assigned area
3. Slow to follow staff direction
4. Possession of non-concealed contraband not constituting a potential safety concern
5. Lying or manipulating others
6. Verbal badgering or intimidation
7. Disrupting programs
8. Gang-related talk, gesturing or graffiti (less than three (3) incidents)
9. Refusal to attend school
10. Verbal altercations with other youth
11. Abusive language, swearing
12. Misbehaving at meal times, recreational activities, work programs, etc.
13. Repeated acts of minor misbehavior

### **MAJOR RULE VIOLATIONS**

1. School suspension
2. Possession of concealed contraband not constitution a potential safety concern
3. Sexual misconduct of any nature with another youth
4. Gang-related talk, gesturing or graffiti (more than (3) incidents)
5. Gross non-compliance with staff directive
6. Refusal to return to room when instructed
7. Fighting or physical altercation with another youth
8. Destruction of property
9. Verbally threatening staff or other youth
10. Possession of serious contraband whether concealed or not that constitutes a potential safety concern (i.e. sharps and shanks, lighter, matches, drugs or alcohol, other potential improvised weapons, etc.)
11. Physical challenges, threat to life, or altercation with staff\*
12. Battery against another youth
13. Fire-setting
14. Escape or attempt escape
15. Riotous behavior

## GRIEVANCE

If you have a complaint or grievance about your treatment at the Juvenile Hall you have the right to approach staff, without fear of reprisal, to discuss and resolve complaints regarding your care or discipline taken against you while in the Juvenile Hall.

If you are unable to resolve it by talking to the staff, you may file a formal grievance. You may also request staff to assist you in filing a formal grievance. Write what your grievance is and try to turn it in within two days, this will aid in getting your grievance handled in a timely manner. Staff will determine what actions need to be taken to resolve your grievance.

You have the right to give your grievance or have your grievance resolved by a staff member not involved in the incident. If your grievance is not resolved satisfactorily, it will go to the Lead Juvenile Officer or Juvenile Hall Supervisor for a hearing. You will be able to present your side of the issue(s) and the staff involved will present theirs. You cannot expect that all complaints will always be resolved to your satisfaction.

## COURT PROCESS

If you are placed in custody of the detention facility, you will go to court within 48 hours of being charged with a misdemeanor or 72 hours if you are charged with a felony.

The first step of the court process is to attend a *Petition Hearing/Detention Hearing*. This process is to tell you what charges are being filed against you, appoint an attorney to you, and set future court dates.

After you have a conference with your attorney you will either contest the charges or admit to them. If you contest your charges your next court appearance will be a *Contested Jurisdictional Hearing* (present evidence and call witnesses). If you admit to your charges your next court appearance will be a *Dispositional Hearing*; at this time it will be decided if you will be a ward of the court, whether you will be placed by in your home or be placed in other care, if you are made a ward of the court your conditions will be given at this time.

If you ever have any questions you can ask juvenile hall staff or request to talk to your Probation Officer.

## EMERGENCIES

In case of an emergency or disaster at the Juvenile Hall, it is important that you know and understand this information. If you have any questions, ask staff. In emergency, ask a staff member for help immediately.

Stay calm and stay where you are. If you are in your room that will usually be a safe place for you to stay. It is important that you listen carefully to staff instructions as they direct you on what to do or where to go. If you are directed by staff to leave, then you must:

- A. Leave quickly when told to go. There may be no time to get dressed, so take your blanket with you. Listen and follow directions.



- B. Line up quickly when told to. Listen and follow directions.
- C. Move in a single file line with the group. Do not panic. Do not run. Do not talk.

The day room has (3) doors, (111) will take you out side to the recreation area. Door (133) will take you out into the hall and to door (126) out the sally port. Door (112) will take you into the class room and out back of the building. These doors are locked at all times and can only is open by staff in the control room. Staff does not have keys to open these doors. Know where the exits are, and ask staff if you do not know. Refer to evacuation route posted on the dayroom floor by door (111).

### **IN CASE OF FIRE**

Tell staff immediately, even if you only smell smoke.

1. Remain calm. If your room is smoky, drop to your hands and knees and crawl to the door. (Air is fresher at floor level.)
2. Stay low to the floor. Tie a wet cloth over nose and mouth for easier breathing.
3. Seal the room from smoke by stuffing wet towels or sheets in cracks around door.
4. Call for help.
5. Listen to staff instructions.
6. Report any injuries as soon as possible.

### **IN CASE OF EARTHQUAKE**

1. Remain calm. If indoors, take cover under a desk, table, or inside walls or doorways. Stay away from windows, cabinets and bookshelves. If outdoors, stay away from the building. If you are in your room that will probably be the safest place to stay.
2. Listen to staff instructions.
3. Report any injuries as soon as possible.

### **USE OF FORCE/RESTRAINTS**

Use of force will be the amount necessary to control you and may include arm/wrist holds or the use of pepper spray. The intent is not to punish you, but to bring you under control so that our hall is again safe.

If you are being transported while in custody, you will be restrained in handcuffs, belly chains, and leg cuffs. Restraints will not be used as punishment. However, if you are out of control, you refuse to move to a given area, are hurting yourself or others, staff may use physical force and/or restraints on you.

### **A FINAL WORD**

Your conduct in the Juvenile Hall Program is reflection on whether you want to succeed or fail. It can give your Probation Officer and the Judge the support they need to make decisions in your case. Use the time that you spend in the Juvenile Hall to gather insight into your behavior and to strengthen your character. Our ultimate goal is to detain you in a safe environment and assist in your rehabilitation.

**YOUTH ACKNOWLEDGEMENT FORM**  
**(To be placed into Youth's File)**

I have read (or have been read to me by another person), and understand, the following information:

**Initial**

\_\_\_\_\_ I have received a copy of the Youth Orientation Manual and have had it explained to me by staff.

\_\_\_\_\_ I have read or received the facility rule violations, and also understand that officers are authorized to use **FORCE**, including **PEPPER SPRAY**, for purpose of **DEFENSE** and **CONTROL**, whenever necessary.

\_\_\_\_\_ I understand that this is a Zero Tolerance facility when it comes to sexual harassment or sexual abuse. I further understand that I can report any incident of harassment or sexual abuse either verbally or in writing, and without fear of retaliation.

\_\_\_\_\_ Staff has explained what my anticipated Length of Stay in this facility might be given my legal circumstances and/or the Court Orders on file.

\_\_\_\_\_ [Non-Discrimination Policy] I understand that all employees of the Trinity County Probation Department shall not discriminate against anyone we come in contact with. All youth in our care will have fair equal access to all of our services, placements, care, treatment, and benefits. No youth shall be subject to discrimination or harassment on the basis of actual or perceived race, ethnicity, national origin, color, religion, gender, sexual orientation, gender identity, gender expression, mental or physical disability, or communicable disease status, including restrictive housing or classification decisions based solely on any of the above mentioned categories.

Youth: \_\_\_\_\_

Date: \_\_\_\_\_

**TRINITY COUNTY JUVENILE HALL  
POLICY MANUAL**

Article 5  
Classification and Separation

---

TOPIC: **Use of Force**

POLICY STATEMENT NO. 5-11

ORIGINATED: January 2001

PAGE 1 OF 9

REVISED: September 2015

---

**I. PURPOSE:**

To establish guidelines when and what types of force may be used by staff.

**II. DEFINITION:**

Force is the exertion of strength, weight, or power to overcome resistance and/or prevent a youth from hurting oneself or others. Force will only be used when lesser means of intervention are inappropriate.

**III. POLICY (Title 15 CCR, Section 1357):**

**PURPOSE AND SCOPE:** The Trinity County Probation Department authorizes staff to use force as a last alternative after all other reasonable efforts to resolve a situation have failed. Staff may use the minimum amount of force necessary to gain control of the situation. Staff is authorized to use of force necessary to gain control of a youth who appears to be dangerous because the youth:

- a. Assaults another individual;
- b. Destroying county property;
- c. Attempting suicide;
- d. Inflicting injury upon self; or
- e. Becomes violent or displays signs of imminent violence.

**IV. POLICY OBJECTIVES**

The expected results of this policy are:

- a. Force will ordinarily be used only when attempts to gain voluntary cooperation have been unsuccessful.

- b. When force is used, it will be only that which is necessary to subdue a youth or preserve or restore institution security and good order.
- c. Confrontation avoidance techniques will be used when feasible to avoid calculated use of force situations.
- d. When a youth must be subdued, the use-of-force team technique will be used when feasible.
- e. OC spray issued by the department will be used as specified.
- f. Staff will be trained in confrontation avoidance, use of force team technique, use of chemical agents, and application of restraints.
- g. Every use of force incident will be appropriately documented, reported, and reviewed.

## V. TYPES OF FORCE

Since youth occasionally become violent or display signs of imminent violence, it is sometimes necessary for staff to use force to prevent them from hurting themselves, staff, or others, and/or from destroying property.

- a. **Immediate Use of Force.** Staff may immediately use force when the behavior constitutes an immediate, serious threat to the youth, staff, others, property, or to institution security and good order. In an immediate use of force situation, staff may respond with or without the presence or direction of a supervisor.
- b. **Calculated Use of Force.** This occurs in situations where a youth is in an area that can be isolated (e.g., a locked cell) and where there is no immediate, direct threat to the youth or others. When there is time for the calculated use of force, staff must first determine if the situation can be resolved without resorting to force.

2. The types of use of force training that are approved by the department:

- a. Legal issues regarding the use of force.
- b. Documentation of use of force.
- c. Control holds
- d. Take downs
- e. Handcuffing and transportation
- f. Passive resister techniques
- g. Wrist holds and arm locks
- h. Choke hold escapes and other upper body escapes (this is to protect you in case a youth is able to grab a hold of you)
- i. Cell extractions

There are some types of Use of Force that **cannot** be used: Choke holds, tasers, batons/Billy clubs, or any other lethal weapons, any force that restricts the youth breathing, or cuts of blood circulation. **No lethal weapons of any kind will be allowed inside the facility.**

## **VI. CIRCUMSTANCES**

Based on experience, calculated rather than immediate use of force is feasible in the majority of incidents correctional officers encounter. Staff must use common sense and good correctional judgment in each situation to determine when there is time for the calculated use of force.

The safety of persons involved is the major concern. Obviously, immediate (and unplanned) use of force by staff is required if a youth is trying to self-inflict life-threatening injuries, is attacking a staff member, or another youth. If those circumstances are not present, staff should ordinarily employ the principles of calculated use of force.

Calculated use of force would be appropriate, for example, if the youth is in a cell or in an area where the door is (or can be) secured, even where a youth is verbalizing threats or brandishing a weapon, provided staff believe there is no immediate danger of the youth hurting self or others. The calculated use of force situation permits the use of other staff (e.g., psychologists, counselors) in attempting to resolve situations in a non-confrontational manner.

## **VII. DOCUMENTATION**

The confrontation avoidance process will be documented in writing for placement in the youth's file, and will be videotaped if possible to include an introduction of all staff participating in the confrontation avoidance group and the actual confrontation avoidance process.

The superintendent shall forward each videotape of each incident where force is used for review by the incident review team.

## **VIII. EXCEPTIONS**

Use of Force incidents shall be documented and reviewed, and if the provisions of this directive are violated, such review shall also determine if a person using sound correctional judgment would reasonably believe the situation required an exceptional response and if the actions taken were reasonable and appropriate.

If inappropriate use of force is used staff will receive a formal write-up in their personnel file, demotion, and/or time off without pay. If staff witnesses inappropriate use of force by another staff member they must bring it to the attention of any supervisor:

The Chief Probation Officer or designee, Superintendent, Deputy Probation Officer and Juvenile Counselor shall comprise the After-Action Review Team reviewing the incident on the next work day after the incident.

Youth may file a grievance if they feel that use of force was unnecessary or applied inadequately. (See Grievance Procedures posted on the dayroom wall)

#### **IX. PRINCIPLES GOVERNING THE USE OF FORCE**

3. Staff ordinarily shall first attempt to gain the youth's voluntary cooperation before using force.
4. Force may not be used to punish a youth.
5. Staff shall use only force necessary to gain control of the youth. Situations when an appropriate amount of force may be warranted include, but are not limited to:
  - a) Defense or protection of self or others;
  - b) Enforcement of institutional regulations; and
  - c) The prevention of a crime or apprehension of one who has committed a crime.

#### **X. CONFRONTATION AVOIDANCE PROCEDURES**

Prior to any calculated use of force, the ranking correctional officer, a designated mental health professional, and others shall confer and gather pertinent information about the youth and the immediate situation. Based on their assessment of that information, they shall identify a staff member(s) to attempt to obtain the youth's voluntary cooperation and, using the knowledge they have gained about the youth and the incident, determine if use of force is necessary.

Ordinarily, in calculated use of force situations, there is time for the Chief Probation Officer or designee, the designated mental health professional, Probation Officer, or Counselor, to confer with each other and to assess the situation and the level of intervention necessary to resolve the incident.

This discussion may be accomplished by telephone or in person, the purpose being to gather relevant information about the youth's medical/mental history, any recent incident reports or situations which may be contributing to the youth's present state of mind (e.g., a pending criminal prosecution or sentencing, the recent death of a loved one). This assessment could include discussions with staff that are familiar with the youth's background or present status. This information may provide insight



into the cause of the youth's immediate agitation, and assist in the identification of staff members who may have some rapport with the youth, or who are more likely to be successful in attempting to reason with the youth.

## **XI USE OF FORCE SAFEGUARDS**

To prevent injury and exposure to communicable disease in calculated use of force situations, the following shall occur. Staff participating in any calculated use of force, shall:

Use of Force Team members shall wear appropriate protective gear. This ordinarily includes: helmet with face shield, coveralls, flack vest, arm and knee pads, and lineman gloves. Occasionally, a plastic shield may be used to prevent staff or youth injury. No other piece of equipment or device is authorized. Equipment not authorized includes: towels, tape, surgical mask, hosiery, etc.

The Officer in charge of the Use of Force Team shall ensure only the force necessary is used, based on the nature of the situation. The Officer in charge must clearly monitor the actions of the youth and the team members. The Officer in charge should not be actively involved in subduing the youth, unless it is determined necessary to prevent staff or youth injury.

The amount of time it takes for team members to restrain the youth should be reviewed. If an excessive amount of time elapses; i.e., more than five minutes, and the youth is not struggling with staff, it may be that team members are not adequately trained.

Team members should not remove protective gear while inside the cell or area. Protective gear must remain on team members during the entire process.

Personnel with a skin disease or skin injury shall not be permitted to participate in a calculated use of force action. If an emergency situation results in a use of force, precautions such as clothing help to decrease the chances of transmission.

Any time staff members are going into a cell or area where there is reason to believe that blood or body fluids would be present, protective devices shall be available and shall be used by those staff entering that area.

Following any use of force incident where there is spillage of blood or other body fluids will be sanitized immediately upon the authorization of the Shift Supervisor. The supervisor must first make the determination as to whether there is a need to preserve evidence.

## **XII. USE OF CHEMICAL AGENTS OR NON-LETHAL WEAPONS**

The on duty Officers may use OC spray as a chemical agent or non-lethal weapons that have been approved by the department, only when the situation is such that the youth:

- a. Is armed and/or barricaded; or,
- b. Cannot be approached without danger to self or others; and,
- c. It is determined that a delay in bringing the situation under control would constitute a serious hazard to the youth or others, or would result in major disturbance or serious property damage.

Qualified health personnel shall be consulted prior to staff using OC spray or non-lethal weapons, unless the circumstances are such that immediate use is necessary. Whenever possible, the youth's medical file should first be reviewed to determine whether the youth has any diseases or condition which would be dangerously affected if the chemical agent, pepper spray, or other types of use of force. This includes, but is not limited to: asthma, emphysema, bronchitis, tuberculosis, obstructive pulmonary disease, angina pectoris, cardiac myopathy, congestive heart failure or a pregnant youth.

If a youth has a medical condition such as a broken or sprained arm that prohibits use of force, you can place the youth in an arm bar or wrist lock using the opposite arm. Staff will try to ensure that the youth is not reinjured.

## **XIII. MEDICAL ATTENTION IN USE OF INCIDENTS**

In calculated use of force situations, the use of force team leader shall seek the guidance of qualified health personnel (based on a review of the youth's medical record) to identify physical or mental problems. When mental health/medical staff or qualified health personnel determine that a youth requires continuing care, and particularly when the youth to be restrained is pregnant, the senior staff shall assume responsibility for the youth's care, to include possible admission to the hospital, or, in the case of a pregnant youth, restraining her in other than face down four-point restraints.

After any use of force, the youth shall be examined by qualified health personnel, and any injuries noted, immediately treated. Notable injuries would include but not limited to: persistent redness, swelling, broken bones, bleeding, etc. If medical personnel are not available in the facility then a phone call to the medical staff is placed. During this call you must give the



medical personnel details of the incident and they will decide if they need to come in. The phone call and results of the phone call will be logged in the log book.

If any staff involved in a use of force reports an injury, qualified health personnel should provide immediate examination and initial emergency treatment.

#### **XV. USE OF FORCE IN SPECIAL CIRCUMSTANCES**

In certain extenuating circumstances, and after confrontation avoidance has failed or has proven to be impractical, staff may be forced to make a decision, such as whether to use force on a pregnant youth or an aggressive youth with open cuts, sores, or lesions. Special cases such as mentally ill, handicapped, or pregnant youth, after consultation with the medical staff, must be carefully assessed to determine whether the situation is grave enough to require the use of physical force.

Aggressive youth with open cuts or wounds who have attempted to harm themselves or others should be carefully approached, with staff wearing prescribed necessary protective gear. A full body shield should also be used in these instances to protect staff, if force is deemed necessary. Aggressive youth should be placed on disciplinary separation and separated from all other youth. Youth of this status ordinarily shall remain on disciplinary separation until cleared to return to the general population by the Chief Probation Officer or designee, mental health, or medical staff.

#### **XVI. PREGNANT YOUTH**

When use of force on a pregnant youth is necessary, all precautions to ensure the fetus is not harmed shall be taken. Qualified health personnel shall prescribe the necessary precautions, including decisions about the manner in which the youth is to be restrained. Before any OC spray is used you must first gain the approval from medical staff.

#### **XVII. DOCUMENTATION OF USE OF FORCE INCIDENTS**

Staff shall appropriately document all incidents involving the use of force, chemical agents, or non-lethal weapons. Staff shall also document, in writing, if a youth becomes violent or displays signs of imminent violence. A copy of the report shall be placed in the youth's file.

#### **XVIII. DECONTAMINATION AFTER A USE OF FORCE INCIDENT**

If possible, staff should wear gloves during a use of force incident. During the cleanup of an incident, staff will be required to wear gloves to protect them from any body fluids or OC spray that may be present.

Any material used to cleanup blood or stool, clothing with blood or stool present will immediately go into the red bio-hazard can unless it is needed for evidence. Any material or clothing with OC spray present will be washed in a separate load from any other clothing.

The department provides a disinfectant spray (Pro Quat Now) or bleach to aid in any clean up. If a mop is used and has come into contact with blood or stool will be removed and placed in the red bio-hazard can.

If OC spray was used and the youth's behavior to the situation has calmed, the youth will then be given a shower and new clothing. If a medical issue arises, medical personnel is to be called immediately and any instructions of the medical staff are to be followed.

## **XIX. REPORT OF INCIDENT**

A Use of Force report is to be prepared when force, chemical agents, or non-lethal weapons are used. The report is to establish the identity of youth, staff, and others involved, and needs to describe the details of the incident. The report (to include mental health/medical reports) must be submitted to the Chief Probation Officer or designee by no later than the end of that shift. A copy of the report is to be placed in the youth's file. Copies are also to be sent within two working days to Mental Health Services and Medical Services.

## **XX. DUTIES OF INCIDENT REVIEW TEAM**

Review Team members should ensure that use of these devices was in accordance with existing policy.

Prior to the team entering the cell, was the youth given the opportunity to voluntarily submit to the placement of restraints? If he or she submits, then team action is ordinarily unnecessary.

Inappropriate conversations or remarks (derogatory, demeaning, taunting, etc.) occurring between staff and the youth or between staff and individuals outside of the cell or area is not permitted.

When this review is completed, an After-Action Review Report shall be completed, as soon as possible, no later than two working days after the use of force incident. This will ensure that staff having relevant information will be available and that any necessary medical follow-up can be immediately provided to ascertain the nature of any injuries involved. The Chief Probation Officer or designee shall then personally attest by his or her signature that the review has taken place and that the use of force was either appropriate or inappropriate.

The reviewers should also decide if the matter requires further investigation, and whether the incident should be referred to the Sheriff's Department or District Attorney's Office. If deemed appropriate, the Chief Probation Officer's rationale for such an assessment shall be included.

The Chief Probation Officer shall maintain all documentation, including the original report, for a minimum of two and one-half (2 ½) years. A separate file shall be established on each use of force incident.

**XXI. TRAINING IN THE CONFRONTATION AVOIDANCE/USE OF FORCE TECHNIQUE.**

In order to control any potential situation involving aggressive youth, all staff must be made aware of their responsibilities through ongoing training. At a minimum, training must cover:

1. Communication techniques,
2. Cultural diversity,
3. Dealing with the mentally ill,
4. Confrontation avoidance procedures, the application of restraints (progressive and hard), and reporting procedures, and
5. Weaponless defense training

A sufficient number of correctional staff should be trained annually in both confrontation avoidance procedures and forced cell move techniques. Each staff member participating in a calculated forced cell move must have documented proof of annual training in these areas. Training should also include specific information pertaining to special situations.

For pregnant youth, the approved vinyl or leather restraint belt will be used instead of a metal waist chain, to prevent injury to the youth or fetus. All use of force and use of restraints training is provided by the Trinity County Sheriff's Department.

## Use of Force - Article 5 Classification and Separation

### 839.1 PURPOSE AND SCOPE

This policy, along with the Policy 300 "Use of Force" contained in this manual, provides 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, every member of this department is expected to use these guidelines to make such decisions in a professional, impartial and reasonable manner.

### 839.2 DEFINITION

Definitions related to this policy include:

Deadly force - Force reasonably anticipated and intended to create a substantial likelihood of causing death or very serious injury.

Force - The application of physical techniques or tactics, chemical agents or weapons to another person. It is not a use of force when a person allows him/herself to be searched, escorted, handcuffed or restrained.

### 839.3 POLICY (TITLE 15 CCR, SECTION 1357)

**PURPOSE AND SCOPE:** The Trinity County Probation Department authorizes staff to use force as a last alternative after all other reasonable efforts to resolve a situation have failed. Staff may use the minimum amount of force necessary to gain control of the situation. Staff is authorized to use of force necessary to gain control of a youth who appears to be dangerous because the youth is:

- (a) Assaulting another individual;
- (b) Destroying county property;
- (c) Attempting suicide;
- (d) Inflicting injury upon self; or
- (e) Becomes violent or displays signs of imminent violence.

### 839.4 POLICY OBJECTIVES

The expected results of this policy are:

- (a) Force will ordinarily be used only when attempts to gain voluntary cooperation have been unsuccessful.
- (b) When force is used, it will be only that which is necessary to subdue a youth or preserve or restore institution security and good order.
- (c) Confrontation avoidance techniques will be used when feasible to avoid calculated use of force situations.

# Trinity County Probation Department

Trinity County Probation Dept Policy Manual

## *Use of Force - Article 5 Classification and Separation*

---

- (d) When a youth must be subdued, the use-of-force team technique will be used when feasible.
- (e) OC spray issued by the department will be used as specified.
- (f) Staff will be trained in confrontation avoidance, use of force team technique, use of chemical agents, and application of restraints.
- (g) Every use of force incident will be appropriately documented, reported, and reviewed.

### **839.5 DUTY TO INTERCEDE**

Any deputy probation officer or juvenile corrections officer present and observing another officer using force that is clearly beyond that which is objectively reasonable under the circumstances shall, when in a position to do so, intercede to prevent the use of unreasonable force. A deputy probation officer or juvenile corrections officer who observes another employee use force that exceeds the degree of force permitted by law should promptly report these observations to a supervisor.

### **839.6 USE OF FORCE**

Deputy Probation Officers and Juvenile Corrections Officers shall use only that amount of force that reasonably appears necessary given the facts and circumstances perceived by the officer at the time of the event to accomplish a legitimate law enforcement purpose. The reasonableness of force will be judged from the perspective of a reasonable deputy probation officer or juvenile corrections officer on the scene at the time of the incident. Any evaluation of reasonableness must allow for the fact that officers are often forced to make split-second decisions about the amount of force that reasonably appears necessary in a particular situation, with limited information and in circumstances that are tense, uncertain and rapidly evolving. Given that no policy can realistically predict every possible situation an officer might encounter, deputy probation officers and juvenile corrections officers are entrusted to use well-reasoned discretion in determining the appropriate use of force in each incident. It is also recognized that circumstances may arise in which deputy probation officers and juvenile corrections officers reasonably believe that it would be impractical or ineffective to use any of the tools, weapons or methods provided by the Department. Officers may find it more effective or reasonable to improvise their response to rapidly unfolding conditions that they are confronting. In such circumstances, the use of any improvised device or method must nonetheless be reasonable and utilized only to the degree that reasonably appears necessary to accomplish a legitimate law enforcement purpose. While the ultimate objective of every law enforcement encounter is to avoid or minimize injury, nothing in this policy requires a deputy probation officer or juvenile corrections officer to retreat or be exposed to possible physical injury before applying reasonable force.

### **839.7 FACTORS USED TO DETERMINE THE REASONABLENESS OF FORCE**

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



# Trinity County Probation Department

Trinity County Probation Dept Policy Manual

## Use of Force - Article 5 Classification and Separation

- (a) Immediacy and severity of the threat to deputy probation officers or others.
- (b) The conduct of the individual being confronted, as reasonably perceived by the deputy probation officer at the time.
- (c) Officer/subject factors (age, size, relative strength, skill level, injuries sustained, level of exhaustion or fatigue, the number of officers available vs. subjects).
- (d) The effects of drugs or alcohol.
- (e) Subject's mental state or capacity.
- (f) Proximity of weapons or dangerous improvised devices.
- (g) The degree to which the subject has been effectively restrained and his/her ability to resist despite being restrained.
- (h) The availability of other options and their possible effectiveness.
- (i) Seriousness of the suspected offense or reason for contact with the individual.
- (j) Training and experience of the officer.
- (k) Potential for injury to officers, suspects and others.
- (l) Whether the person appears to be resisting, attempting to evade arrest by flight or is attacking the officer.
- (m) The risk and reasonably foreseeable consequences of escape.
- (n) The apparent need for immediate control of the subject or a prompt resolution of the situation.
- (o) Whether the conduct of the individual being confronted no longer reasonably appears to pose an imminent threat to the officer or others.
- (p) Prior contacts with the subject or awareness of any propensity for violence.
- (q) Any other exigent circumstances.

### **839.8 TYPES OF FORCE**

Since youth occasionally become violent or display signs of imminent violence, it is sometimes necessary for staff to use force to prevent them from hurting themselves, staff, or others, and/or from destroying property.

- (a) **Immediate Use of Force.** Staff may immediately use force when the behavior constitutes an immediate, serious threat to the youth, staff, others, property, or to institution security and good order. In an immediate use of force situation, staff may respond with or without the presence or direction of a supervisor.
- (b) **Calculated Use of Force.** This occurs in situations where a youth is in an area that can be isolated (e.g., a locked cell) and where there is no immediate, direct threat to

# Trinity County Probation Department

Trinity County Probation Dept Policy Manual

## Use of Force - Article 5 Classification and Separation

the youth or others. When there is time for the calculated use of force, staff must first determine if the situation can be resolved without resorting to force.

1. The types of use of force training that are approved by the department:
  - (a) Legal issues regarding the use of force.
  - (b) Documentation of use of force.
  - (c) Control holds
  - (d) Take downs
  - (e) Handcuffing and transportation
  - (f) Passive resister techniques
  - (g) Wrist holds and arm locks
  - (h) Choke hold escapes and other upper body escapes (this is to protect you in case a youth is able to grab a hold of you)
  - (i) Cell extractions

There are some types of Use of Force that cannot be used: Choke holds, tasers, batons/Billy clubs, or any other lethal weapons, any force that restricts the youth breathing, or cuts of blood circulation. **No lethal weapons of any kind will be allowed inside the facility.**

### **839.9 CIRCUMSTANCES**

Based on experience, calculated rather than immediate use of force is feasible in the majority of incidents correctional officers encounter. Staff must use common sense and good correctional judgment in each situation to determine when there is time for the calculated use of force.

The safety of persons involved is the major concern. Obviously, immediate (and unplanned) use of force by staff is required if a youth is trying to self-inflict life-threatening injuries, is attacking a staff member, or another youth. If those circumstances are not present, staff should ordinarily employ the principles of calculated use of force.

Calculated use of force would be appropriate, for example, if the youth is in a cell or in an area where the door is (or can be) secured, even where a youth is verbalizing threats or brandishing a weapon, provided staff believe there is no immediate danger of the youth hurting self or others. The calculated use of force situation permits the use of other staff (e.g., psychologists, counselors) in attempting to resolve situations in a non-confrontational manner.

### **839.10 DOCUMENTATION**

The confrontation avoidance process will be documented in writing for placement in the youth's file, and will be videotaped if possible to include an introduction of all staff participating in the confrontation avoidance group and the actual confrontation avoidance process.

The superintendent shall forward each videotape of each incident where force is used for review by the incident review team.

# Trinity County Probation Department

Trinity County Probation Dept Policy Manual

## Use of Force - Article 5 Classification and Separation

### **839.11 EXCEPTIONS**

Use of Force incidents shall be documented and reviewed, and if the provisions of this directive are violated, such review shall also determine if a person using sound correctional judgment would reasonably believe the situation required an exceptional response and if the actions taken were reasonable and appropriate.

If inappropriate use of force is used staff will receive a formal write- up in their personnel file, demotion, and/or time off without pay. If staff witnesses inappropriate use of force by another staff member they must bring it to the attention of any supervisor.

The Chief Probation Officer or designee, Superintendent, Deputy Probation Officer and Juvenile Counselor shall comprise the After-Action Review Team reviewing the incident on the next work day after the incident.

Youth may file a grievance if they feel that use of force was unnecessary or applied inadequately. (See Grievance Procedures posted on the dayroom wall).

### **839.12 PRINCIPLES GOVERNING THE USE OF FORCE**

- (a) Staff ordinarily shall first attempt to gain the youth's voluntary cooperation before using force
- (b) Force may not be used to punish a youth.
- (c) Staff shall use only force necessary to gain control of the youth. Situations when an appropriate amount of force may be warranted include, but are not limited to:
  - 1. Defense or protection of self or others;
  - 2. Enforcement of institutional regulations; and
  - 3. The prevention of a crime or apprehension of one who has committed a crime.
- (d) In the event that staff witness inappropriate use of force, they are to immediately take action and report the incident to the facility lead officer or senior officer.

### **839.13 CONFRONTATION AVOIDANCE PROCEDURES**

Prior to any calculated use of force, the ranking correctional officer , a designated mental health professional, and others shall confer and gather pertinent information about the youth and the immediate situation. Based on their assessment of that information, they shall identify a staff member(s) to attempt to obtain the youth's voluntary cooperation and, using the knowledge they have gained about the youth and the incident, determine if use of force is necessary.

Ordinarily, in calculated use of force situations, there is time for the Chief Probation Officer or designee, the designated mental health professional, Probation Officer, or Counselor, to confer with each other and to assess the situation and the level of intervention necessary to resolve the incident.

This discussion may be accomplished by telephone or in person, the purpose being to gather relevant information about the youth's medical/mental history, any recent incident reports or



# Trinity County Probation Department

Trinity County Probation Dept Policy Manual

## Use of Force - Article 5 Classification and Separation

---

situations which may be contributing to the youth's present state of mind (e.g., a pending criminal prosecution or sentencing, the recent death of a loved one). This assessment could include discussions with staff that are familiar with the youth's background or present status. This information may provide insight into the cause of the youth's immediate agitation, and assist in the identification of staff members who may have some rapport with the youth, or who are more likely to be successful in attempting to reason with the youth.

### **839.14 USE OF SAFEGUARDS**

To prevent injury and exposure to communicable disease in calculated use of force situations, the following shall occur. Staff participating in any calculated use of force, shall:

Use of Force Team members shall wear appropriate protective gear. This ordinarily includes: helmet with face shield, coveralls, flack vest, arm and knee pads, and lineman gloves. Occasionally, a plastic shield may be used to prevent staff or youth injury. No other piece of equipment or device is authorized. Equipment not authorized includes: towels, tape, surgical mask, hosiery, etc.

The Officer in charge of the Use of Force Team shall ensure only the force necessary is used, based on the nature of the situation. The Officer in charge must clearly monitor the actions of the youth and the team members. The Officer in charge should not be actively involved in subduing the youth, unless it is determined necessary to prevent staff or youth injury.

The amount of time it takes for team members to restrain the youth should be reviewed. If an excessive amount of time elapses; i.e., more than five minutes, and the youth is not struggling with staff, it may be that team members are not adequately trained.

Team members should not remove protective gear while inside the cell or area. Protective gear must remain on team members during the entire process.

Personnel with a skin disease or skin injury shall not be permitted to participate in a calculated use of force action. If an emergency situation results in a use of force, precautions such as clothing help to decrease the chances of transmission.

Any time staff members are going into a cell or area where there is reason to believe that blood or body fluids would be present, protective devices shall be available and shall be used by those staff entering that area.

Following any use of force incident where there is spillage of blood or other body fluids will be sanitized immediately upon the authorization of the Shift Supervisor. The supervisor must first make the determination as to whether there is a need to preserve evidence.

### **839.15 USE OF PEPPER SPRAY OR OTHER NON-LETHAL WEAPONS**

The on duty Officers may use OC spray or other non-lethal weapons that have been approved by the department, only when the situation is such that the youth:

- (a) Is armed and/or barricaded; or,

# Trinity County Probation Department

Trinity County Probation Dept Policy Manual

## Use of Force - Article 5 Classification and Separation

---

- (b) Cannot be approached without danger to self or others; and,
- (c) It is determined that a delay in bringing the situation under control would constitute a serious hazard to the youth or others, or would result in major disturbance or serious property damage.

Qualified health personnel shall be consulted prior to staff using OC spray or non-lethal weapons, unless the circumstances are such that immediate use is necessary. Whenever possible, the youth's medical file should first be reviewed to determine whether the youth has any diseases or condition which would be dangerously affected if the chemical agent, pepper spray, or other types of use of force. This includes, but is not limited to: asthma, emphysema, bronchitis, tuberculosis, obstructive pulmonary disease, angina pectoris, cardiac myopathy, congestive heart failure or a pregnant youth.

If a youth has a medical condition such as a broken or sprained arm that prohibits use of force, you can place the youth in an arm bar or wrist lock using the opposite arm. Staff will try to ensure that the youth is not reinjured.

### **839.16 MEDICAL ATTENTION IN USE OF INCIDENTS**

In calculated use of force situations, the use of force team leader shall seek the guidance of qualified health personnel (based on a review of the youth's medical record) to identify physical or mental problems. When mental health/medical staff or qualified health personnel determine that a youth requires continuing care, and particularly when the youth to be restrained is pregnant, the senior staff shall assume responsibility for the youth's care, to include possible admission to the hospital, or, in the case of a pregnant youth, restraining her in other than face down four-point restraints.

After any use of force, the youth shall be examined by qualified health personnel, and any injuries noted, immediately treated. Notable injuries would include but not limited to: persistent redness, swelling, broken bones, bleeding, etc. If medical personnel are not available in the facility then a phone call to the medical staff is placed. During this call you must give the medical personnel details of the incident and they will decide if they need to come in. The phone call and results of the phone call will be logged in the log book.

If any staff involved in a use of force reports an injury, qualified health personnel should provide immediate examination and initial emergency treatment.

### **839.17 USE OF FORCE IN SPECIAL CIRCUMSTANCES**

In certain extenuating circumstances, and after confrontation avoidance has failed or has proven to be impractical, staff may be forced to make a decision, such as whether to use force on a pregnant youth or an aggressive youth with open cuts, sores, or lesions. Special cases such as mentally ill, handicapped, or pregnant youth, after consultation with the medical staff, must be carefully assessed to determine whether the situation is grave enough to require the use of physical force.

# Trinity County Probation Department

Trinity County Probation Dept Policy Manual

## Use of Force - Article 5 Classification and Separation

---

Aggressive youth with open cuts or wounds who have attempted to harm themselves or others should be carefully approached, with staff wearing prescribed necessary protective gear. A full body shield should also be used in these instances to protect staff, if force is deemed necessary. Aggressive youth should be placed on disciplinary separation and separated from all other youth. Youth of this status ordinarily shall remain on disciplinary separation until cleared to return to the general population by the Chief Probation Officer or designee, mental health, or medical staff.

### **839.18 PREGNANT YOUTH**

When use of force on a pregnant youth is necessary, all precautions to ensure the fetus is not harmed shall be taken. Qualified health personnel shall prescribe the necessary precautions, including decisions about the manner in which the youth is to be restrained. Before any OC spray is used you must first gain the approval from medical staff.

### **839.19 DOCUMENTATION OF USE OF FORCE INCIDENTS**

Staff shall appropriately document all incidents involving the use of force, chemical agents, or non-lethal weapons. Staff shall also document, in writing, if a youth becomes violent or displays signs of imminent violence. A copy of the report shall be placed in the youth's file.

### **839.20 REPORTING TO THE CALIFORNIA DEPARTMENT OF JUSTICE**

Statistical data regarding all officer-involved shootings and incidents involving use of force resulting in serious bodily injury is to be reported to the California Department of Justice as required by Government Code § 12525.2. See the Records Center policy.

### **839.21 DECONTAMINATION AFTER A USE OF FORCE INCIDENT**

If possible, staff should wear gloves during a use of force incident. During the cleanup of an incident, staff will be required to wear gloves to protect them from any body fluids or OC spray that may be present.

Any material used to cleanup blood or stool, clothing with blood or stool present will immediately go into the red bio-hazard can unless it is needed for evidence. Any material or clothing with OC spray present will be washed in a separate load from any other clothing.

The department provides a disinfectant spray (Pro Quat Now) or bleach to aid in any clean up. If a mop is used and has come into contact with blood or stool will be removed and placed in the red bio-hazard can.

If OC spray was used and the youth's behavior to the situation has calmed, the youth will then be given a shower and new clothing. If a medical issue arises, medical personnel is to be called immediately and any instructions of the medical staff are to be followed.

### **839.22 REPORT OF INCIDENT**

A Use of Force report is to be prepared when force, chemical agents, or non-lethal weapons are used. The report is to establish the identity of youth, staff, and others involved, and needs to

# Trinity County Probation Department

Trinity County Probation Dept Policy Manual

## Use of Force - Article 5 Classification and Separation

---

describe the details of the incident. The report (to include mental health/medical reports) must be submitted to the Chief Probation Officer or designee by no later than the end of that shift. A copy of the report is to be placed in the youth's file. Copies are also to be sent within two working days to Mental Health Services and Medical Services.

### **839.23 DUTIES OF INCIDENT REVIEW TEAM**

Review Team members should ensure that use of these devices was in accordance with existing policy.

Prior to the team entering the cell, was the youth given the opportunity to voluntarily submit to the placement of restraints? If he or she submits, then team action is ordinarily unnecessary.

Inappropriate conversations or remarks (derogatory, demeaning, taunting, etc.) occurring between staff and the youth or between staff and individuals outside of the cell or area is not permitted.

When this review is completed, an After-Action Review Report shall be completed, as soon as possible, no later than two working days after the use of force incident. This will ensure that staff having relevant information will be available and that any necessary medical follow-up can be immediately provided to ascertain the nature of any injuries involved. The Chief Probation Officer or designee shall then personally attest by his or her signature that the review has taken place and that the use of force was either appropriate or inappropriate.

The reviewers should also decide if the matter requires further investigation, and whether the incident should be referred to the Sheriff's Department or District Attorney's Office. If deemed appropriate, the Chief Probation Officer's rationale for such an assessment shall be included.

The Chief Probation Officer shall maintain all documentation, including the original report, for a minimum of two and one-half (2 ½) years. A separate file shall be established on each use of force incident.

### **839.24 TRAINING IN THE CONFRONTATION AVOIDANCE/USE OF FORCE TECHNIQUE.**

In order to control any potential situation involving aggressive youth, all staff must be made aware of their responsibilities through ongoing training. At a minimum, training must cover:

- (a) Communication techniques,
- (b) Cultural diversity,
- (c) Dealing with the mentally ill,
- (d) Confrontation avoidance procedures, the application of restraints (progressive and hard), and reporting procedures, and
- (e) Weaponless defense training

A sufficient number of correctional staff should be trained annually in both confrontation avoidance procedures and forced cell move techniques. Each staff member participating in a calculated forced cell move must have documented proof of annual training in these areas. Training should also include specific information pertaining to special situations.

# Trinity County Probation Department

Trinity County Probation Dept Policy Manual

## Use of Force - Article 5 Classification and Separation

---

For pregnant youth, the approved vinyl or leather restraint belt will be used instead of a metal waist chain, to prevent injury to the youth or fetus. All use of force and use of restraints training is provided by the Trinity County Sheriff's Department.

### **839.25 POLICY REVIEW**

Date of last review: 03/12/2018

By: Tim Rogers



## Orientation - Article 5 Classification and Separation

### 831.1 PURPOSE

Information on daily routines and safety and security procedures for confined youth, support staff, contract employees, school and medical staff, program providers, and volunteers.

### 831.2 POLICY (TITLE 15 CCR, SECTION 1353)

- (a) Orientation begins immediately upon receiving. A high degree of interaction is maintained throughout the Admission and Orientation process. Should language barriers surface, contact the appropriate interpreter and proceed as usual. The staff is to approach the youth in a non-judgmental manner regardless of the youth's behavior or the nature of the offense(s).
- (b) The staff shall provide complete and concise information regarding the facility's purposes, programs, resources and goals, and assure the youth that he/she is an integral part of the juvenile court process.
- (c) It is the policy of this hall that orientation will be conducted orally. Written material may be used to enhance the process. It is never to be used in place of the interactive process.
- (d) Throughout the Admission and Orientation process staff is to assess the youth's behavior, emotional state, supervision and protection needs, communication capabilities, and any evidence of problems that will require intervention.
- (e) The Human Response Network will provide staff if a youth does not speak English, if they are illiterate, or impaired.

### 831.3 PROCEDURE

- (a) Staff Duties:
  1. Welcome the youth to the Juvenile Hall, and introduce yourself. Attempt to allay the youth's fears, anxieties, hostility, and concerns (both stated and displayed). Assess for crisis and situational counseling needs, and provide for these needs to be met as appropriate.
  2. Instruct the youth about what he/she can expect in the admissions process, including paperwork, screening, personal property, search, shower, and assignment to a room. Begin the admissions process, while continuing to complete the orientation. The youth should be advised of the following:
    - (a) **Facility rules and disciplinary procedures** - There is a variety of disciplinary actions: loss of points, time spent in room, and loss of privileges.
    - (b) **Grievance procedures** - See procedures posted on the dayroom floor wall.

# Trinity County Probation Department

Trinity County Probation Dept Policy Manual

## Orientation - Article 5 Classification and Separation

---

- (c) **Access to legal services** - You may have contact your attorney by filling out a Request for Contact form. The call will be placed by staff.
  - (d) **Access to health care services** - To see medical personnel you have to fill out a Request for Medical Services form.
  - (e) **Access to counseling services** - To see mental/behavioral health you have to fill out a Request for Behavior Health Services form.
  - (f) **Access to religious services** - You have a right to attend the religious services provided or with approval you can have your own religious leader.
  - (g) **Access to educational services** - You have the right to attend school. Our school program is year around.
  - (h) **Information on the court process** - Your Probation Officer will provide you with your court process and will inform you of each court date and what will happen.
  - (i) **Housing assignments** - You have the right to be safe while in the juvenile hall. If you are assigned a roommate then you have the right to let staff know if things are not going well with your roommate.
  - (j) **Availability of personal care items** and opportunity for personal hygiene
  - (k) **Correspondence**, visiting, and telephone use
  - (l) **Access to reading material** - You have access to select reading material during your time.
  - (m) **Availability of reading materials**, programs, and activities
  - (n) **Use of restrains** and chemical agents
  - (o) **Use of force**
  - (p) **Emergency** and evacuation procedures
  - (q) **Non-discrimination policy**
3. If the decision is to admit the youth and he/she has obvious or serious medical problems, refer to Health Care Procedures. Meet all medical needs.
  4. Inform the youth that their case will be reviewed by a Probation Officer (tell him/her who).
  5. Have the youth complete the authorized telephone calls and indicate that they have been completed on the Booking form. Remember, the law requires that the youth be allowed three telephone calls no later than one hour after they have been taken into custody. Should the youth decline their phone calls, have the youth sign that they refused them. During the phone call to parents or guardian of the youth, staff will:
    - (a) Inquire about any special problems that the youth may have (i.e. medical, emotional, etc.). Note these on the Medical Screening form. Complete the parent/guardian section of the Medical Screening. Ask parents to bring in medication, if appropriate and for them to come to the hall to sign the

# Trinity County Probation Department

Trinity County Probation Dept Policy Manual

## Orientation - Article 5 Classification and Separation

---

Medical Release form as soon as possible. Ask parents for documentation of medical insurance, Medi-Cal card, etc, and make a copy of same. (Non Medi-Cal youth should be noted and the information passed on to the juvenile DPO for possible follow-up enrolment assistance).

- (b) Advise the parents of visiting hours and rules.
- 6. Inquire of the youth as to when they have last eaten. If the youth needs to be fed, staff will ensure that they are given enough of a meal to tide them over until the next regularly scheduled meal.
- (b) There is an orientation sheet for all support and volunteer staff to read and sign. This sheet is to be put in the orientation binder located in the control room cabinet.

### **831.4 POLICY REVIEW**

Date of last review: 05/01/2017

By: Tim Rogers



# TRINITY COUNTY JUVENILE DETENTION FACILITY ORIENTATION MANUAL



You are in the Trinity County Juvenile Detention Facility. We have developed this booklet to inform you about your legal rights, responsibilities, and the rules while you are in custody. We understand that you may not be happy about being here but we hope this handbook helps to make your stay here easier.

If you are here on a new charge or because a Probation Officer has made a decision to detain you, you will remain in custody until you can see the Judge for a detention hearing; The Judge will decide whether to continue to hold you through the court proceedings or to release you. You must see the Judge within two (2) days if you are booked on a misdemeanor, not counting weekends and holidays. If you have been booked on a felony, you must see a Judge within three (3) days not counting weekends and holidays.

Upon being admitted into Juvenile Hall, you will be showered and issued clothing and bedding items.

**You will be issued:**

- One pair of pants
- One sweatshirt
- One T-shirt
- One pair of socks
- Undergarments
- Shoes

**You will also receive:**

- Two blankets
- Two sheets
- One pillow case
- Shower shoes
- Hygiene Kit

You will be issued a hygiene kit containing soap, toothpaste, toothbrush, and a comb.

Your personal clothing will be washed, folded and stored in the property room. If you have anything you don't want washed please let the officer know. Your other personal property will be in a locker until your release.

You may have the opportunity to shave daily. Shaving will be done before showers in your room and under the supervision of staff.

**You have a right** to a minimum of three (3) phone calls within one hour of your admission. One phone call may be made to a parent, guardian, or responsible relative, your second call to an employer and your third phone call to an attorney. If you were unable to reach the person you are trying to contact, it is your responsibility to make sure you remind staff about trying again.

Your parents may come in to visit you for a half hour upon your being booked into the juvenile hall.

Additional phone calls to your attorney will be made by filling out a "Request for Contact" form during regular office hours. All calls not made at the time of admission, are to be made at scheduled and convenient times. If you can't afford an attorney the court will appoint you one.

All juveniles must be given a physical examination within 96 hours of being admitted into the Juvenile Hall. A county medical public health Doctor will provide the basic medical services twice a week. If you feel ill or experience any type of medical problem, notify staff immediately and fill out a "Medical Request" form. Emergency medical situations will be referred to the public health nurse, Trinity County Hospital emergency room, or in some cases, your own physician.

This Juvenile Detention Facility has a zero tolerance for sexual harassment or sexual abuse and you have a right to be free of these situations. If you find yourself a victim of sexual harassment or sexual abuse you need to notify staff or a responsible adult (juvenile hall staff, programming staff, a Probation Officer, a parent or guardian, etc.) as soon as possible. If you suspect someone of being sexually harassed or abused you are urged to inform staff or a responsible adult as soon as possible. You can report any incident of harassment or sexual abuse either verbally or in writing.

You have a right to have a victim advocate (this is someone to help and be there for you through the whole process). We have a sexual assault victim advocate through the Human Response Network (HRN) and they can be contacted at (530) 623-2024.

### **A TYPICAL DAY**

You will begin your day by getting up at 7:00 A.M. You will make your bed and put all your personal items by the side of your bed. After you have eaten breakfast you will clean your rooms. If you have a court order to participate in a certain program, your participation is mandatory.

Room cleaning includes the following:

1. Wiping the bed slab, walls and door.
2. Making your bed, arranging the items neatly in your room.
3. Cleaning the mirror, sink and toilet.
4. Sweep and mop the floor.
5. Do not leave your personal items on the other bunk.
6. Take out any excess paperwork, letters, or pictures.
7. Throw away any garbage that you may have accumulated.

Meals are served three times a day with a snack served before bed time:

Breakfast: Between 8:00 A.M. – 8:20 A.M.

Lunch: Between 12:00 A.M. - 12:20A.M.

Dinner: Between 4:30 A.M. – 4:50 A.M.

Snacks served between 7:30 P.M.-8:00 P.M.

**At meal time, you are expected to observe some basic rules of conduct:**

1. You are to line up in single file,
2. You are to sit facing the table at all times.
3. You are not permitted to pass or exchange food items.
4. You are to ask staff's permission in order to get up from the table.
5. No food is allowed in your room unless you are told to by staff.

6. You are responsible for returning your eating utensils. Eating utensils will be counted by staff.
7. Ask to be excused and turn in your tray to the kitchen. Afterwards you are to sit quietly where staff directs you and wait for further instruction.

The Trinity County Probation Department participates in the California Department of Education's School Nutrition Program and maintains full compliance with 7 CFR Part 210. Public questions, comments and complaints regarding this facility's nutritional policies and practices should be directed to the facility Superintendent.

### **CLOTHING**

You will be issued clean underclothes and a shirt every day, clean pants and sweat shirt three times a week. Clean linens are issued every Sunday. Clean blankets twice a month.

Non sentenced minors wear orange clothing. Sentenced minors wear blue clothing.

If you receive ripped/torn or clothing with writing on it you must immediately notify staff. If you fail to notify staff you may receive disciplinary action for vandalizing juvenile hall clothing.

### **HOUSING ASSIGNMENTS**

Staff will take into consideration: your age, your charges, gang affiliation, etc. before assigning you to a cell or a roommate. If you have a roommate and are having problems then you need to bring it to staff's attention immediately. Our goal is to make sure you are safe.

### **MAIL**

The Juvenile Hall will provide you with postage for two (2) letters per week. You may send and receive as many letters as you want, as long as you pay for them. If you wish to write to your Probation Officer, a Judge, a doctor or an elected official you will be given stamps for these. All of the mail you send and receive will be screened.

Mail will be censored or withheld if there is reasonable cause to believe:

1. It advocates the furtherance of specific criminal activity.
2. It advocates harm or violence to another person(s).
3. It advocates plans for escape.
4. It promotes gang, racial/ethnic hatred, and /or satanic activity.
5. It contains contraband, or talking about smuggling contraband.
6. If it is to or from another correctional facility, except as approved on an individual basis by their Probation Officer.
7. Mail that is not delivered by the Post Office (i.e.: brought in by someone) will not be accepted by the Juvenile Hall
8. If there is a "no contact" order from the court involving another minor or adult.
9. It contains explicit sexual content.

Trinity County Juvenile Hall  
(YOUR FULL NAME)  
P.O. Box 158  
Weaverville, CA 96093

## **VISITING**

Your parents or legal guardians are allowed to make an appointment to visit you for two hours a week. No person under the age of 18 will be allowed to visit without prior approval from the Chief Probation Officer or your Probation Officer.

Regular visiting hours are as follow:

Sunday afternoons – 1:00 P.M. to 3:00 P.M.

To make an appointment call (530) 623-1204 ext 134

Visits are made by appointment in one hour time slots. If a minor's family **lives** more than 60 miles outside of Weaverville they may have, by appointment and if time allows, a phone visit. Phone visits are a courtesy made for out of county minors so they may have contact with their parent/guardian or grandparents. This courtesy can be revoked if the minor or parent/guardian abuses this privilege.

Official visits are those made by a minor's attorney, the Judge, law enforcement, and other legally constituted officials in the pursuit of their official duties. These visits may occur at any time during waking hours. Official visits during sleeping hours will only occur in serious emergency situations and with the review and approval of the senior staff.

Visits can be terminated when such visits are unduly upsetting to the visitor or minor, or when a visitor or minor violates visiting rules and termination is deemed necessary by Juvenile Hall staff.

## **COUNSELING SERVICES**

This facility contracts with Trinity County Behavioral Health, Trinity County AODS, Trinity County Planned Parenthood, and the Human Response Network. You can request to see a counselor/staff from any of these agencies by filling out a request for services. These forms are available to you on the dayroom floor.

## **RELIGIOUS SERVICES**

You have the right to access religious services and/or counseling once a week. Services are held on Sunday evenings per request. Attendance is voluntary. Religious Programs shall provide for:

- a) Opportunity for religious services;
- b) Availability to clergy; and,
- c) Availability to religious diets.

No one shall receive punishment for requesting religious services. Religious services shall not be forced upon anyone, and other activities will be available during this time.

## **PROGRAMS**

If you have a court order to participate in a certain program, your participation is mandatory. The following programs are provided at Juvenile Hall and you are encouraged to participate:

- Substance Abuse
- Life Skills Training
- Religious Counseling and Services
- Mental Health Counseling
- Victim Awareness
- Anger Management Counseling

## **READING MATERIALS**

We have reading materials available. You may select two books to keep in your room. Your family may bring in books or magazines, however anything brought in becomes the property of the Juvenile Hall.

## **SCHOOL**

At this time, youth in the Trinity County Juvenile Hall do not attend school while in custody, however, ample time is provided for youth to work on school-related assignments.

### **EXAMPLES OF COOPERATIVE BEHAVIOR:**

**Under the program, behavior includes but is not limited to the following:**

1. Following staff directions the first time.
2. Volunteering for work crews, willing to help when asked.
3. Making an effort to be friendly and helpful.
4. Helping another inmate deal constructively with a problem.
5. Demonstrates leadership qualities; acts as a positive influence on others.
6. Assisting in maintaining a positive learning environment in school.
7. Asking permission to leave your seat and keeping quiet during class.
8. Sets good example, shows enthusiasm and self-improvement.
9. Completing assignments quickly and to the best of your ability.
10. Accepts responsibility of behavior and attitude.
11. Patient and polite when interacting with others.
12. Avoids participating in gossiping or teasing others.
13. Participation in all juvenile hall programs.

### **EXAMPLES OF UNCOOPERATIVE BEHAVIOR**

Excessive rule violation: Breaking several rules within one shift may result in room restriction. You may ask to receive a copy of the rule sheet that you signed upon booking.

1. Passing notes or letters to anyone in the Juvenile Hall.
2. Flashing: Exposing one's body or making vulgar gestures.



3. Dishonesty or lying.
4. Slow to follow directions-refusing to do assignments.
5. Gang writing or signs, hand signals, or gang talk.
6. Any threats or gestures which could lead to physical confrontation.
7. Being in a place not authorized by staff.
8. Physical contact: fighting, assaulting, or lewd contact with the body of another.
9. Any criminal offense.
10. Disrespectful to staff or others: threatening, cussing at staff, or insubordination.
11. Talking about or planning escape from custody.
12. Tagging/Vandalism: This includes the destruction of county or other property.
13. Tattooing: Writing or carving on one's body or someone else's body.
14. Possession of serious contraband: Weapons, drugs, tobacco etc.

### **LEVEL AND POINT SYSTEM**

- Level 1      You must acquire full points daily and for 8 days to advance to level 2. Privileges are:
- Detention Clothing
  - Bed time 19:00
  - No classroom access outside of programming
  - No commissary
- Level 2      As a new arrival you will start here. You must acquire full points daily for 8 days to advance to a level 3. Privileges are:
- Detention Clothing
  - Bed Time 20:30
  - No classroom access outside of programming
  - No commissary
- Level 3      You must acquire full daily points for 12 days to advance to a level 4.
- Detention Clothing
  - Bed Time 21:00
  - Classroom access but no video games
  - Commissary
  - Pillow from home
- Level 4      Must acquire full points weekly.
- Personal Clothing
  - Bed Time 21:30
  - Classroom and Video Game access
  - Commissary
  - Hygiene items from home

You can acquire a total of 4 points on Saturdays and Sundays and 2 points on Fridays and Mondays. You will be given a point for each of these rules:

1. Maintain positive peer interactions at all times
2. Following staff directions at all times
3. Full participation in all organized activities and programming
4. Following all programming rules

If you are sent to your room, you will not acquire any points for the time spent in your room. All points will be totaled at the end of the night and posted the following morning.

2 points a day will incur a loss of a level, 3 points a day will keep you at your level, but will start over your daily 4 point count, and 4 points a day will be added up for level accommodations. If an SIR is required you will lose a level. The loss of a level may result in going to Shasta.

You have signed a sheet with the rules in your booking paperwork. If you would like a copy of these rules just let staff know and you may have a copy in your room. There is a posting on the dayroom floor that lists the main rules.

You have the right to disciplinary due process. You will have the opportunity to present your side of an issue to a staff member that was not party to the incident and request assistance from a staff member in the hearing process, as well as present any evidence. You have the right to disagree with your punishment and have the right to appeal to a supervisor. At the end you will receive a written statement of findings and evidence.

### **MINOR RULE VIOLATIONS**

1. Horseplay
2. Out of assigned area
3. Slow to follow staff direction
4. Possession of non-concealed contraband not constituting a potential safety concern
5. Lying or manipulating others
6. Verbal badgering or intimidation
7. Disrupting programs
8. Gang-related talk, gesturing or graffiti (less than three (3) incidents)
9. Refusal to attend school
10. Verbal altercations with other youth
11. Abusive language, swearing
12. Misbehaving at meal times, recreational activities, work programs, etc.
13. Repeated acts of minor misbehavior

### **MAJOR RULE VIOLATIONS**

1. School suspension
2. Possession of concealed contraband not constitution a potential safety concern
3. Sexual misconduct of any nature with another youth
4. Gang-related talk, gesturing or graffiti (more than (3) incidents)
5. Gross non-compliance with staff directive
6. Refusal to return to room when instructed
7. Fighting or physical altercation with another youth
8. Destruction of property
9. Verbally threatening staff or other youth
10. Possession of serious contraband whether concealed or not that constitutes a potential safety concern (i.e. sharps and shanks, lighter, matches, drugs or alcohol, other potential improvised weapons, etc.)
11. Physical challenges, threat to life, or altercation with staff\*
12. Battery against another youth
13. Fire-setting
14. Escape or attempt escape
15. Riotous behavior

## **GRIEVANCE**

If you have a complaint or grievance about your treatment at the Juvenile Hall you have the right to approach staff, without fear of reprisal, to discuss and resolve complaints regarding your care or discipline taken against you while in the Juvenile Hall.

If you are unable to resolve it by talking to the staff, you may file a formal grievance. You may also request staff to assist you in filing a formal grievance. Write what your grievance is and try to turn it in within two days, this will aid in getting your grievance handled in a timely manner. Staff will determine what actions need to be taken to resolve your grievance.

You have the right to give your grievance or have your grievance resolved by a staff member not involved in the incident. If your grievance is not resolved satisfactorily, it will go to the Lead Juvenile Officer or Juvenile Hall Supervisor for a hearing. You will be able to present your side of the issue(s) and the staff involved will present theirs. You cannot expect that all complaints will always be resolved to your satisfaction.

## **COURT PROCESS**

If you are placed in custody of the detention facility, you will go to court within 48 hours of being charged with a misdemeanor or 72 hours if you are charged with a felony.

The first step of the court process is to attend a *Petition Hearing/Detention Hearing*. This process is to tell you what charges are being filed against you, appoint an attorney to you, and set future court dates.

After you have a conference with your attorney you will either contest the charges or admit to them. If you contest your charges your next court appearance will be a *Contested Jurisdictional Hearing* (present evidence and call witnesses). If you admit to your charges your next court appearance will be a *Dispositional Hearing*; at this time it will be decided if you will be a ward of the court, whether you will be placed by in your home or be placed in other care, if you are made a ward of the court your conditions will be given at this time.

If you ever have any questions you can ask juvenile hall staff or request to talk to your Probation Officer.

## **EMERGENCIES**

In case of an emergency or disaster at the Juvenile Hall, it is important that you know and understand this information. If you have any questions, ask staff. In emergency, ask a staff member for help immediately.

Stay calm and stay where you are. If you are in your room that will usually be a safe place for you to stay. It is important that you listen carefully to staff instructions as they direct you on what to do or where to go. If you are directed by staff to leave, then you must:

- A. Leave quickly when told to go. There may be no time to get dressed, so take your blanket with you. Listen and follow directions.

- B. Line up quickly when told to. Listen and follow directions.
- C. Move in a single file line with the group. Do not panic. Do not run. Do not talk.

The day room has (3) doors, (111) will take you out side to the recreation area. Door (133) will take you out into the hall and to door (126) out the sally port. Door (112) will take you into the class room and out back of the building. These doors are locked at all times and can only is open by staff in the control room. Staff does not have keys to open these doors. Know where the exits are, and ask staff if you do not know. Refer to evacuation route posted on the dayroom floor by door (111).

### **IN CASE OF FIRE**

Tell staff immediately, even if you only smell smoke.

1. Remain calm. If your room is smoky, drop to your hands and knees and crawl to the door. (Air is fresher at floor level.)
2. Stay low to the floor. Tie a wet cloth over nose and mouth for easier breathing.
3. Seal the room from smoke by stuffing wet towels or sheets in cracks around door.
4. Call for help.
5. Listen to staff instructions.
6. Report any injuries as soon as possible.

### **IN CASE OF EARTHQUAKE**

1. Remain calm. If indoors, take cover under a desk, table, or inside walls or doorways. Stay away from windows, cabinets and bookshelves. If outdoors, stay away from the building. If you are in your room that will probably be the safest place to stay.
2. Listen to staff instructions.
3. Report any injuries as soon as possible.

### **USE OF FORCE/RESTRAINTS**

Use of force will be the amount necessary to control you and may include arm/wrist holds or the use of pepper spray. The intent is not to punish you, but to bring you under control so that our hall is again safe.

If you are being transported while in custody, you will be restrained in handcuffs, belly chains, and leg cuffs. Restraints will not be used as punishment. However, if you are out of control, you refuse to move to a given area, are hurting yourself or others, staff may use physical force and/or restraints on you.

### **A FINAL WORD**

Your conduct in the Juvenile Hall Program is reflection on whether you want to succeed or fail. It can give your Probation Officer and the Judge the support they need to make decisions in your case. Use the time that you spend in the Juvenile Hall to gather insight into your behavior and to strengthen your character. Our ultimate goal is to detain you in a safe environment and assist in your rehabilitation.

**YOUTH ACKNOWLEDGEMENT FORM**  
**(To be placed into Youth's File)**

I have read (or have been read to me by another person), and understand, the following information:

**Initial**

\_\_\_\_\_ I have received a copy of the Youth Orientation Manual and have had it explained to me by staff.

\_\_\_\_\_ I have read or received the facility rule violations, and also understand that officers are authorized to use **FORCE**, including **PEPPER SPRAY**, for purpose of **DEFENSE** and **CONTROL**, whenever necessary.

\_\_\_\_\_ I understand that this is a Zero Tolerance facility when it comes to sexual harassment or sexual abuse. I further understand that I can report any incident of harassment or sexual abuse either verbally or in writing, and without fear of retaliation.

\_\_\_\_\_ Staff has explained what my anticipated Length of Stay in this facility might be given my legal circumstances and/or the Court Orders on file.

\_\_\_\_\_ [Non-Discrimination Policy] I understand that all employees of the Trinity County Probation Department shall not discriminate against anyone we come in contact with. All youth in our care will have fair equal access to all of our services, placements, care, treatment, and benefits. No youth shall be subject to discrimination or harassment on the basis of actual or perceived race, ethnicity, national origin, color, religion, gender, sexual orientation, gender identity, gender expression, mental or physical disability, or communicable disease status, including restrictive housing or classification decisions based solely on any of the above mentioned categories.

Youth: \_\_\_\_\_

Date: \_\_\_\_\_



---

## Use of Force - Article 5 Classification and Separation

### 839.1 PURPOSE AND SCOPE

This policy, along with the Policy 300 "Use of Force" contained in this manual, provides 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, every member of this department is expected to use these guidelines to make such decisions in a professional, impartial and reasonable manner.

### 839.2 DEFINITION

Definitions related to this policy include:

Deadly force - Force reasonably anticipated and intended to create a substantial likelihood of causing death or very serious injury.

Force - The application of physical techniques or tactics, chemical agents or weapons to another person. It is not a use of force when a person allows him/herself to be searched, escorted, handcuffed or restrained.

### 839.3 POLICY (TITLE 15 CCR, SECTION 1357)

**PURPOSE AND SCOPE:** The Trinity County Probation Department authorizes staff to use force as a last alternative after all other reasonable efforts to resolve a situation have failed. Staff may use the minimum amount of force necessary to gain control of the situation. Staff is authorized to use of force necessary to gain control of a youth who appears to be dangerous because the youth is:

- (a) Assaulting another individual;
- (b) Destroying county property;
- (c) Attempting suicide;
- (d) Inflicting injury upon self; or
- (e) Becomes violent or displays signs of imminent violence.

### 839.4 POLICY OBJECTIVES

The expected results of this policy are:

- (a) Force will ordinarily be used only when attempts to gain voluntary cooperation have been unsuccessful.
- (b) When force is used, it will be only that which is necessary to subdue a youth or preserve or restore institution security and good order.
- (c) Confrontation avoidance techniques will be used when feasible to avoid calculated use of force situations.



# Trinity County Probation Department

Trinity County Probation Dept Policy Manual

## Use of Force - Article 5 Classification and Separation

---

- (d) When a youth must be subdued, the use-of-force team technique will be used when feasible.
- (e) OC spray issued by the department will be used as specified.
- (f) Staff will be trained in confrontation avoidance, use of force team technique, use of chemical agents, and application of restraints.
- (g) Every use of force incident will be appropriately documented, reported, and reviewed.

### **839.5 DUTY TO INTERCEDE**

Any deputy probation officer or juvenile corrections officer present and observing another officer using force that is clearly beyond that which is objectively reasonable under the circumstances shall, when in a position to do so, intercede to prevent the use of unreasonable force. A deputy probation officer or juvenile corrections officer who observes another employee use force that exceeds the degree of force permitted by law should promptly report these observations to a supervisor.

### **839.6 USE OF FORCE**

Deputy Probation Officers and Juvenile Corrections Officers shall use only that amount of force that reasonably appears necessary given the facts and circumstances perceived by the officer at the time of the event to accomplish a legitimate law enforcement purpose. The reasonableness of force will be judged from the perspective of a reasonable deputy probation officer or juvenile corrections officer on the scene at the time of the incident. Any evaluation of reasonableness must allow for the fact that officers are often forced to make split-second decisions about the amount of force that reasonably appears necessary in a particular situation, with limited information and in circumstances that are tense, uncertain and rapidly evolving. Given that no policy can realistically predict every possible situation an officer might encounter, deputy probation officers and juvenile corrections officers are entrusted to use well-reasoned discretion in determining the appropriate use of force in each incident. It is also recognized that circumstances may arise in which deputy probation officers and juvenile corrections officers reasonably believe that it would be impractical or ineffective to use any of the tools, weapons or methods provided by the Department. Officers may find it more effective or reasonable to improvise their response to rapidly unfolding conditions that they are confronting. In such circumstances, the use of any improvised device or method must nonetheless be reasonable and utilized only to the degree that reasonably appears necessary to accomplish a legitimate law enforcement purpose. While the ultimate objective of every law enforcement encounter is to avoid or minimize injury, nothing in this policy requires a deputy probation officer or juvenile corrections officer to retreat or be exposed to possible physical injury before applying reasonable force.

### **839.7 FACTORS USED TO DETERMINE THE REASONABLENESS OF FORCE**

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

# Trinity County Probation Department

Trinity County Probation Dept Policy Manual

## Use of Force - Article 5 Classification and Separation

---

- (a) Immediacy and severity of the threat to deputy probation officers or others.
- (b) The conduct of the individual being confronted, as reasonably perceived by the deputy probation officer at the time.
- (c) Officer/subject factors (age, size, relative strength, skill level, injuries sustained, level of exhaustion or fatigue, the number of officers available vs. subjects).
- (d) The effects of drugs or alcohol.
- (e) Subject's mental state or capacity.
- (f) Proximity of weapons or dangerous improvised devices.
- (g) The degree to which the subject has been effectively restrained and his/her ability to resist despite being restrained.
- (h) The availability of other options and their possible effectiveness.
- (i) Seriousness of the suspected offense or reason for contact with the individual.
- (j) Training and experience of the officer.
- (k) Potential for injury to officers, suspects and others.
- (l) Whether the person appears to be resisting, attempting to evade arrest by flight or is attacking the officer.
- (m) The risk and reasonably foreseeable consequences of escape.
- (n) The apparent need for immediate control of the subject or a prompt resolution of the situation.
- (o) Whether the conduct of the individual being confronted no longer reasonably appears to pose an imminent threat to the officer or others.
- (p) Prior contacts with the subject or awareness of any propensity for violence.
- (q) Any other exigent circumstances.

### **839.8 TYPES OF FORCE**

Since youth occasionally become violent or display signs of imminent violence, it is sometimes necessary for staff to use force to prevent them from hurting themselves, staff, or others, and/or from destroying property.

- (a) **Immediate Use of Force.** Staff may immediately use force when the behavior constitutes an immediate, serious threat to the youth, staff, others, property, or to institution security and good order. In an immediate use of force situation, staff may respond with or without the presence or direction of a supervisor.
- (b) **Calculated Use of Force.** This occurs in situations where a youth is in an area that can be isolated (e.g., a locked cell) and where there is no immediate, direct threat to



# Trinity County Probation Department

Trinity County Probation Dept Policy Manual

## Use of Force - Article 5 Classification and Separation

---

the youth or others. When there is time for the calculated use of force, staff must first determine if the situation can be resolved without resorting to force.

1. The types of use of force training that are approved by the department:
  - (a) Legal issues regarding the use of force.
  - (b) Documentation of use of force.
  - (c) Control holds
  - (d) Take downs
  - (e) Handcuffing and transportation
  - (f) Passive resister techniques
  - (g) Wrist holds and arm locks
  - (h) Choke hold escapes and other upper body escapes (this is to protect you in case a youth is able to grab a hold of you)
  - (i) Cell extractions

There are some types of Use of Force that cannot be used: Choke holds, tasers, batons/Billy clubs, or any other lethal weapons, any force that restricts the youth breathing, or cuts of blood circulation. **No lethal weapons of any kind will be allowed inside the facility.**

### **839.9 CIRCUMSTANCES**

Based on experience, calculated rather than immediate use of force is feasible in the majority of incidents correctional officers encounter. Staff must use common sense and good correctional judgment in each situation to determine when there is time for the calculated use of force.

The safety of persons involved is the major concern. Obviously, immediate (and unplanned) use of force by staff is required if a youth is trying to self-inflict life-threatening injuries, is attacking a staff member, or another youth. If those circumstances are not present, staff should ordinarily employ the principles of calculated use of force.

Calculated use of force would be appropriate, for example, if the youth is in a cell or in an area where the door is (or can be) secured, even where a youth is verbalizing threats or brandishing a weapon, provided staff believe there is no immediate danger of the youth hurting self or others. The calculated use of force situation permits the use of other staff (e.g., psychologists, counselors) in attempting to resolve situations in a non-confrontational manner.

### **839.10 DOCUMENTATION**

The confrontation avoidance process will be documented in writing for placement in the youth's file, and will be videotaped if possible to include an introduction of all staff participating in the confrontation avoidance group and the actual confrontation avoidance process.

The superintendent shall forward each videotape of each incident where force is used for review by the incident review team.

# Trinity County Probation Department

Trinity County Probation Dept Policy Manual

## Use of Force - Article 5 Classification and Separation

---

### **839.11 EXCEPTIONS**

Use of Force incidents shall be documented and reviewed, and if the provisions of this directive are violated, such review shall also determine if a person using sound correctional judgment would reasonably believe the situation required an exceptional response and if the actions taken were reasonable and appropriate.

If inappropriate use of force is used staff will receive a formal write- up in their personnel file, demotion, and/or time off without pay. If staff witnesses inappropriate use of force by another staff member they must bring it to the attention of any supervisor.

The Chief Probation Officer or designee, Superintendent, Deputy Probation Officer and Juvenile Counselor shall comprise the After-Action Review Team reviewing the incident on the next work day after the incident.

Youth may file a grievance if they feel that use of force was unnecessary or applied inadequately. (See Grievance Procedures posted on the dayroom wall).

### **839.12 PRINCIPLES GOVERNING THE USE OF FORCE**

- (a) Staff ordinarily shall first attempt to gain the youth's voluntary cooperation before using force
- (b) Force may not be used to punish a youth.
- (c) Staff shall use only force necessary to gain control of the youth. Situations when an appropriate amount of force may be warranted include, but are not limited to:
  - 1. Defense or protection of self or others;
  - 2. Enforcement of institutional regulations; and
  - 3. The prevention of a crime or apprehension of one who has committed a crime.
- (d) In the event that staff witness inappropriate use of force, they are to immediately take action and report the incident to the facility lead officer or senior officer.

### **839.13 CONFRONTATION AVOIDANCE PROCEDURES**

Prior to any calculated use of force, the ranking correctional officer , a designated mental health professional, and others shall confer and gather pertinent information about the youth and the immediate situation. Based on their assessment of that information, they shall identify a staff member(s) to attempt to obtain the youth's voluntary cooperation and, using the knowledge they have gained about the youth and the incident, determine if use of force is necessary.

Ordinarily, in calculated use of force situations, there is time for the Chief Probation Officer or designee, the designated mental health professional, Probation Officer, or Counselor, to confer with each other and to assess the situation and the level of intervention necessary to resolve the incident.

This discussion may be accomplished by telephone or in person, the purpose being to gather relevant information about the youth's medical/mental history, any recent incident reports or



# Trinity County Probation Department

Trinity County Probation Dept Policy Manual

## Use of Force - Article 5 Classification and Separation

---

situations which may be contributing to the youth's present state of mind (e.g., a pending criminal prosecution or sentencing, the recent death of a loved one). This assessment could include discussions with staff that are familiar with the youth's background or present status. This information may provide insight into the cause of the youth's immediate agitation, and assist in the identification of staff members who may have some rapport with the youth, or who are more likely to be successful in attempting to reason with the youth.

### **839.14 USE OF SAFEGUARDS**

To prevent injury and exposure to communicable disease in calculated use of force situations, the following shall occur. Staff participating in any calculated use of force, shall:

Use of Force Team members shall wear appropriate protective gear. This ordinarily includes: helmet with face shield, coveralls, flack vest, arm and knee pads, and lineman gloves. Occasionally, a plastic shield may be used to prevent staff or youth injury. No other piece of equipment or device is authorized. Equipment not authorized includes: towels, tape, surgical mask, hosiery, etc.

The Officer in charge of the Use of Force Team shall ensure only the force necessary is used, based on the nature of the situation. The Officer in charge must clearly monitor the actions of the youth and the team members. The Officer in charge should not be actively involved in subduing the youth, unless it is determined necessary to prevent staff or youth injury.

The amount of time it takes for team members to restrain the youth should be reviewed. If an excessive amount of time elapses; i.e., more than five minutes, and the youth is not struggling with staff, it may be that team members are not adequately trained.

Team members should not remove protective gear while inside the cell or area. Protective gear must remain on team members during the entire process.

Personnel with a skin disease or skin injury shall not be permitted to participate in a calculated use of force action. If an emergency situation results in a use of force, precautions such as clothing help to decrease the chances of transmission.

Any time staff members are going into a cell or area where there is reason to believe that blood or body fluids would be present, protective devices shall be available and shall be used by those staff entering that area.

Following any use of force incident where there is spillage of blood or other body fluids will be sanitized immediately upon the authorization of the Shift Supervisor. The supervisor must first make the determination as to whether there is a need to preserve evidence.

### **839.15 USE OF PEPPER SPRAY OR OTHER NON-LETHAL WEAPONS**

The on duty Officers may use OC spray or other non-lethal weapons that have been approved by the department, only when the situation is such that the youth:

- (a) Is armed and/or barricaded; or,

# Trinity County Probation Department

Trinity County Probation Dept Policy Manual

## Use of Force - Article 5 Classification and Separation

---

- (b) Cannot be approached without danger to self or others; and,
- (c) It is determined that a delay in bringing the situation under control would constitute a serious hazard to the youth or others, or would result in major disturbance or serious property damage.

Qualified health personnel shall be consulted prior to staff using OC spray or non-lethal weapons, unless the circumstances are such that immediate use is necessary. Whenever possible, the youth's medical file should first be reviewed to determine whether the youth has any diseases or condition which would be dangerously affected if the chemical agent, pepper spray, or other types of use of force. This includes, but is not limited to: asthma, emphysema, bronchitis, tuberculosis, obstructive pulmonary disease, angina pectoris, cardiac myopathy, congestive heart failure or a pregnant youth.

If a youth has a medical condition such as a broken or sprained arm that prohibits use of force, you can place the youth in an arm bar or wrist lock using the opposite arm. Staff will try to ensure that the youth is not reinjured.

### **839.16 MEDICAL ATTENTION IN USE OF INCIDENTS**

In calculated use of force situations, the use of force team leader shall seek the guidance of qualified health personnel (based on a review of the youth's medical record) to identify physical or mental problems. When mental health/medical staff or qualified health personnel determine that a youth requires continuing care, and particularly when the youth to be restrained is pregnant, the senior staff shall assume responsibility for the youth's care, to include possible admission to the hospital, or, in the case of a pregnant youth, restraining her in other than face down four-point restraints.

After any use of force, the youth shall be examined by qualified health personnel, and any injuries noted, immediately treated. Notable injuries would include but not limited to: persistent redness, swelling, broken bones, bleeding, etc. If medical personnel are not available in the facility then a phone call to the medical staff is placed. During this call you must give the medical personnel details of the incident and they will decide if they need to come in. The phone call and results of the phone call will be logged in the log book.

If any staff involved in a use of force reports an injury, qualified health personnel should provide immediate examination and initial emergency treatment.

### **839.17 USE OF FORCE IN SPECIAL CIRCUMSTANCES**

In certain extenuating circumstances, and after confrontation avoidance has failed or has proven to be impractical, staff may be forced to make a decision, such as whether to use force on a pregnant youth or an aggressive youth with open cuts, sores, or lesions. Special cases such as mentally ill, handicapped, or pregnant youth, after consultation with the medical staff, must be carefully assessed to determine whether the situation is grave enough to require the use of physical force.



# Trinity County Probation Department

Trinity County Probation Dept Policy Manual

## Use of Force - Article 5 Classification and Separation

---

Aggressive youth with open cuts or wounds who have attempted to harm themselves or others should be carefully approached, with staff wearing prescribed necessary protective gear. A full body shield should also be used in these instances to protect staff, if force is deemed necessary. Aggressive youth should be placed on disciplinary separation and separated from all other youth. Youth of this status ordinarily shall remain on disciplinary separation until cleared to return to the general population by the Chief Probation Officer or designee, mental health, or medical staff.

### **839.18 PREGNANT YOUTH**

When use of force on a pregnant youth is necessary, all precautions to ensure the fetus is not harmed shall be taken. Qualified health personnel shall prescribe the necessary precautions, including decisions about the manner in which the youth is to be restrained. Before any OC spray is used you must first gain the approval from medical staff.

### **839.19 DOCUMENTATION OF USE OF FORCE INCIDENTS**

Staff shall appropriately document all incidents involving the use of force, chemical agents, or non-lethal weapons. Staff shall also document, in writing, if a youth becomes violent or displays signs of imminent violence. A copy of the report shall be placed in the youth's file.

### **839.20 REPORTING TO THE CALIFORNIA DEPARTMENT OF JUSTICE**

Statistical data regarding all officer-involved shootings and incidents involving use of force resulting in serious bodily injury is to be reported to the California Department of Justice as required by Government Code § 12525.2. See the Records Center policy.

### **839.21 DECONTAMINATION AFTER A USE OF FORCE INCIDENT**

If possible, staff should wear gloves during a use of force incident. During the cleanup of an incident, staff will be required to wear gloves to protect them from any body fluids or OC spray that may be present.

Any material used to cleanup blood or stool, clothing with blood or stool present will immediately go into the red bio-hazard can unless it is needed for evidence. Any material or clothing with OC spray present will be washed in a separate load from any other clothing.

The department provides a disinfectant spray (Pro Quat Now) or bleach to aid in any clean up. If a mop is used and has come into contact with blood or stool will be removed and placed in the red bio-hazard can.

If OC spray was used and the youth's behavior to the situation has calmed, the youth will then be given a shower and new clothing. If a medical issue arises, medical personnel is to be called immediately and any instructions of the medical staff are to be followed.

### **839.22 REPORT OF INCIDENT**

A Use of Force report is to be prepared when force, chemical agents, or non-lethal weapons are used. The report is to establish the identity of youth, staff, and others involved, and needs to

# Trinity County Probation Department

Trinity County Probation Dept Policy Manual

## Use of Force - Article 5 Classification and Separation

---

describe the details of the incident. The report (to include mental health/medical reports) must be submitted to the Chief Probation Officer or designee by no later than the end of that shift. A copy of the report is to be placed in the youth's file. Copies are also to be sent within two working days to Mental Health Services and Medical Services.

### **839.23 DUTIES OF INCIDENT REVIEW TEAM**

Review Team members should ensure that use of these devices was in accordance with existing policy.

Prior to the team entering the cell, was the youth given the opportunity to voluntarily submit to the placement of restraints? If he or she submits, then team action is ordinarily unnecessary.

Inappropriate conversations or remarks (derogatory, demeaning, taunting, etc.) occurring between staff and the youth or between staff and individuals outside of the cell or area is not permitted.

When this review is completed, an After-Action Review Report shall be completed, as soon as possible, no later than two working days after the use of force incident. This will ensure that staff having relevant information will be available and that any necessary medical follow-up can be immediately provided to ascertain the nature of any injuries involved. The Chief Probation Officer or designee shall then personally attest by his or her signature that the review has taken place and that the use of force was either appropriate or inappropriate.

The reviewers should also decide if the matter requires further investigation, and whether the incident should be referred to the Sheriff's Department or District Attorney's Office. If deemed appropriate, the Chief Probation Officer's rationale for such an assessment shall be included.

The Chief Probation Officer shall maintain all documentation, including the original report, for a minimum of two and one-half (2 ½) years. A separate file shall be established on each use of force incident.

### **839.24 TRAINING IN THE CONFRONTATION AVOIDANCE/USE OF FORCE TECHNIQUE.**

In order to control any potential situation involving aggressive youth, all staff must be made aware of their responsibilities through ongoing training. At a minimum, training must cover:

- (a) Communication techniques,
- (b) Cultural diversity,
- (c) Dealing with the mentally ill,
- (d) Confrontation avoidance procedures, the application of restraints (progressive and hard), and reporting procedures, and
- (e) Weaponless defense training

A sufficient number of correctional staff should be trained annually in both confrontation avoidance procedures and forced cell move techniques. Each staff member participating in a calculated forced cell move must have documented proof of annual training in these areas. Training should also include specific information pertaining to special situations.

# Trinity County Probation Department

Trinity County Probation Dept Policy Manual

## *Use of Force - Article 5 Classification and Separation*

---

For pregnant youth, the approved vinyl or leather restraint belt will be used instead of a metal waist chain, to prevent injury to the youth or fetus. All use of force and use of restraints training is provided by the Trinity County Sheriff's Department.

### **839.25 POLICY REVIEW**

Date of last review: 03/12/2018

By: Tim Rogers



---

## Storage, Issue, and Use of Defensive Weapons

### 962.1 PURPOSE

The purpose of this policy to establish guidelines for the allowance, storage, access, and use of various defensive tools possessed or used by law enforcement and juvenile hall staff within the juvenile hall facility.

### 962.2 POLICY

- (a) Staff are prohibited from bringing into the facility any unauthorized items whose purpose could be construed as being defensive in nature. Examples would include but is not limited to any type of firearm, electrical device, chemical agent, stick, club, or sharpened- edge device or item.
- (b) Staff shall ensure that arresting officers have secured their weapons in one of the locked boxes outside of the facility, or otherwise in their vehicles, prior to entering with a youth.
- (c) Juvenile Hall staff, upon being trained and certified, are authorized to carry department approved and issued food grade pepper spray for the purpose of self-defense and in the defense of others.
- (d) Pepper spray is to remain secured to the duty belt at all times by means of a snug carrier (holster), and officers should only remove their duty belt in a secure area where youth do not have access.
- (e) When not on shift, staff are to leave their duty belt and other gear in the control room for accountability purposes.
- (f) The use of pepper spray by staff shall be in full compliance with Policy 5-11 – Use of Force, and Policy 3-16 – Institutional Control.

### 962.3 POLICY REVIEW

Date of last review: 05/01/2017

By: Tim Rogers

## Control Devices and Techniques

### 303.1 PURPOSE AND SCOPE

This policy provides guidelines for the use and maintenance of control devices that are described in this policy.

### 303.2 POLICY

In order to control subjects who are violent or who demonstrate the intent to be violent, the Trinity County Probation Department authorizes deputy probation officers to use control devices in accordance with the guidelines in this policy and the Use of Force Policy.

### 303.3 ISSUING, CARRYING AND USING CONTROL DEVICES

Control devices described in this policy may be carried and used by members of this department only if the device has been issued by the Department or approved by the Chief Probation Officer or the authorized designee.

Only deputy probation officers who have successfully completed department-approved training in the use of any control device are authorized to carry and use the device.

Control devices may be used when a decision has been made to control, restrain or arrest a subject who is violent or who demonstrates the intent to be violent, and the use of the device appears reasonable under the circumstances. When reasonable, a verbal warning and opportunity to comply should precede the use of these devices.

When using control devices, deputy probation officers should carefully consider potential impact areas in order to minimize injuries and unintentional targets.

### 303.4 RESPONSIBILITIES

#### 303.4.1 SUPERVISOR RESPONSIBILITIES

The Supervisor may authorize the use of a control device by selected personnel or members of specialized units who have successfully completed the required training.

#### 303.4.2 RANGEMASTER RESPONSIBILITIES

The Rangemaster shall control the inventory and issuance of all control devices and shall ensure that all damaged, inoperative, outdated or expended control devices or munitions are properly disposed of, repaired or replaced.

Every control device will be periodically inspected by the Rangemaster or the designated instructor for a particular control device. The inspection shall be documented.

#### 303.4.3 USER RESPONSIBILITIES

All normal maintenance, charging or cleaning shall remain the responsibility of personnel using the various devices.

# Trinity County Probation Department

Trinity County Probation Dept Policy Manual

## *Control Devices and Techniques*

---

Any damaged, inoperative, outdated or expended control devices or munitions, along with documentation explaining the cause of the damage, shall be returned to the Rangemaster for disposition. Damage to County property forms shall also be prepared and forwarded through the chain of command, when appropriate, explaining the cause of damage.

### **303.5 OLEORESIN CAPSICUM (OC) GUIDELINES**

As with other control devices, oleoresin capsicum (OC) spray and pepper projectiles may be considered for use to bring under control an individual or groups of individuals who are engaging in, or are about to engage in violent behavior. Pepper projectiles and OC spray should not, however, be used against individuals or groups who merely fail to disperse or do not reasonably appear to present a risk to the safety of officers or the public.

#### **303.5.1 OC SPRAY**

Personnel carrying OC spray shall carry the device in its holster on the equipment belt. Plainclothes and non-field personnel may carry OC spray as authorized, in accordance with the needs of their assignment or at the direction of their supervisor.

#### **303.5.2 TREATMENT FOR OC SPRAY EXPOSURE**

Persons who have been sprayed with or otherwise affected by the use of OC should be promptly provided with clean water to cleanse the affected areas. Those persons who complain of further severe effects shall be examined by appropriate medical personnel.

### **303.7 TRAINING FOR CONTROL DEVICES**

The Training Officer shall ensure that all personnel who are authorized to carry a control device have been properly trained and certified to carry the specific control device and are retrained or recertified as necessary.

- (a) Proficiency training shall be monitored and documented by a certified, control-device weapons or tactics instructor.
- (b) All training and proficiency for control devices will be documented in the deputy probation officer's training file.
- (c) Deputy Probation Officers who fail to demonstrate proficiency with the control device or knowledge of this agency's Use of Force Policy will be provided remedial training. If a deputy probation officer cannot demonstrate proficiency with a control device or knowledge of this agency's Use of Force Policy after remedial training, the deputy probation officer will be restricted from carrying the control device and may be subject to discipline.

### **303.8**



# Trinity County Probation Department

---

## Control Devices - Treatment of Oleoresin Capsicum (OC)

**Topic:** Use of Force

**DTB Date:**

**SCENARIO:**

You have appropriately used oleoresin capsicum (OC) spray in the course of arresting Jim Tate, and are able to take him into custody. He has been rinsing his face with clean water the entire time you've been preparing the booking documents. Each time you look in on him, Mr. Tate is busy rinsing his face and complaining of the pain. After you tell him it's time to take him to the county jail, Mr. Tate complains that the pain is not diminishing and, in fact, it's getting harder for him to breathe.

**ISSUE: What should you do?**

---

**REFER:**

303.5.2 TREATMENT FOR OC SPRAY EXPOSURE

Persons who have been sprayed with or otherwise affected by the use of OC should be promptly provided with clean water to cleanse the affected areas. Those persons who complain of further severe effects shall be examined by appropriate medical personnel.

**RULE:**

Persons who have been sprayed with or otherwise affected by the use of OC should be promptly provided with clean water to cleanse the affected areas. Those persons who complain of further severe effects shall be examined by appropriate medical personnel.

---

**ANALYSIS:**

Mr. Tate was sprayed with OC. He was provided with clean water and was able to cleanse the area. Now, several minutes after the OC exposure, Mr. Tate is complaining that he is having difficulty breathing. An inability to breathe is a severe effect.

**CONCLUSION:**

You should request emergency medical services to respond and evaluate Mr. Tate.

**QUESTION:**

Fill in the missing language from the Trinity County Probation Department's Control Devices Policy:

*Those who complain of further severe effects of OC spray \_\_\_\_\_ be examined by appropriate medical personnel.*

**ANSWERS:**

# Trinity County Probation Department

---

- (a) a) Can
- (b) b) Should
- (c) c) Shall
- (d) d) May

**CORRECT ANSWER:**

c) Shall

## Tear Gas Guidelines

**Topic:** Use of Force

**DTB Date:**

**SCENARIO:**

**\*\*\*This DTB is based upon Lexipol master policy content that does not currently exist in our manual, but it presents information that may be valuable to our personnel.\*\*\***

Following a day of political rallies downtown, the mood turned sour when a group of anti-government activists arrived to stir the crowd. They were effective in raising the level of emotion and anger. Although many of the peaceful attendees left, the activists and their detractors remained in the area, arguing points and shouting at one another.

The Incident Commander, Lieutenant Yvonne Alvarez, has been closely monitoring the rally throughout the day and is keenly aware of the ways the crowd, the emotion and the energy of the event have ramped up as the sun has begun to set. Lieutenant Alvarez gathers the sergeants working the event together for a quick strategy meeting. "We may have to shut this down if it turns violent," she begins. "I'm concerned that we might start taking rocks and bottles once the sun goes down."

"I agree," Sergeant Owen Harmon replies. "We need to be prepared if this goes bad. Have you considered having more deputy probation officers on standby? And should we consider having tear gas available?"

Lieutenant Alvarez respects Sergeant Harmon as a long-time N/A supervisor. "I held over the day shift deputy probation officers, but I hadn't considered tear gas yet. What are your thoughts?"

**ISSUE: Should we have tear gas available under these circumstances?**

---

---

**ANALYSIS:**

This incident involves a crowd of people who are exhibiting hostility toward one another. Additionally, the attendees have been urged on by a late-coming group of agitators into arguments, shouting and heightened emotions. As the sun sets, it may become more difficult to see the crowd activity and to identify those who break the law.

Lieutenant Alvarez has announced to the supervisors working at the event that she believes she may have to call for crowd dispersal measures if the event becomes violent. She has expressed her concern that the crowd could turn against the law enforcement presence, based on the tone of the event.

As the Incident Commander, Lieutenant Alvarez has the authority to order the delivery and use of tear gas for crowd control or dispersal if she believes it would be reasonably necessary under

# Trinity County Probation Department

---

the circumstances. At this point, she is not considering using tear gas, but only having it available in the event the incident warrants its use.

**CONCLUSION:**

Under these circumstances, it would be appropriate to have tear gas available.

**QUESTION:**

Tear gas may be used for crowd dispersal or crowd control based on the circumstances, conditions known at the time and following a determination that its use reasonably appears justified and necessary.

**ANSWERS:**

- (a) True
- (b) False

**CORRECT ANSWER:**

True

## OC Guidelines - Post-Application Notice

**Topic:** Use of Force

**DTB Date:**

**SCENARIO:**

**\*\*\*This DTB contains policy language from a recent Lexipol policy update which is currently being considered for adoption\*\*\***

You and Deputy Probation Officer Johnny Briggs arrest Lucille Greer on a felony warrant at her mother's home. She is resigned and cooperative, but her adult stepson, Arnold Owen, physically interferes, and you appropriately use OC spray on him. You take him into custody, as well. No one else is home, but Ms. Greer tells you that her mother, Brianna James, will be home later in the day. Our department produces a standard written notice for owners or occupants of locations where OC has been used.

**ISSUE: Who should receive the notice regarding OC use within this residence?**

---

---

**ANALYSIS:**

You sprayed OC within the home of Ms. Greer, her son and Ms. James. Although you can easily pass along OC post-application information to Ms. Greer and Mr. Owen because they are in custody, you cannot as easily ensure that Ms. James receives the information before she returns home. When Ms. James arrives, she could suffer irritation or injury due to the OC residue in her home. She will need to know that OC was sprayed inside, how to clean up the residue, and that the cleanup will be at the owner's expense. You should consider posting the written notice in a conspicuous location near the entry door, and you should give both arrestees a copy as well.

**CONCLUSION:**

You should provide both of the arrestees and Ms. James with the required notice.

**QUESTION:**

Only a person who is sprayed with OC should be provided with our department's OC cleanup notice.

**ANSWERS:**

- (a) True
- (b) False

**CORRECT ANSWER:**

False



# Trinity County Probation Department

---

## Oleoresin Capsicum Post Application Notice

**Topic:** Use of Force

**DTB Date:**

**SCENARIO:**

**\*\*\*This DTB is based upon Lexipol master policy content that does not currently exist in our manual, but it presents information that may be valuable to our personnel.\*\*\***

You are part of a team assigned to arrest Janet Potter. When you knock at the door of her mobile home, her adult son, James Potter, and Ms. Potter's boyfriend, Andy Glenn, attempt to keep you and other deputy probation officers from taking Ms. Potter into custody. A scuffle ensues, and you appropriately spray Mr. Glenn with your oleoresin capsicum (OC) spray inside the residence.

Once all three subjects are arrested and placed in cars for transport, you head back to the station to start writing the report. This is the final day of your work week, so you are anxious to complete the paperwork before the end of your shift. You write your report describing the facts of the incident, focusing on clearly articulating the use of force. When you submit your report to Sergeant Nick Campbell he reviews it on the spot. He returns it to you and says, "It looks good, but you did miss one thing."

**ISSUE: What concerns might Sergeant Campbell have?**

---

---

**ANALYSIS:**

You applied OC spray inside a home during an arrest. Ms. Potter or available occupants should be given notice that the presence of OC spray residue could cause irritation or injury if the area is not properly cleaned. Although you likely provided this information before leaving the scene, you focused on the use of force in your report and may have failed to document the advisement in your report.

**CONCLUSION:**

Sergeant Campbell is likely concerned that you failed to include the fact that you advised the residents that the presence of OC spray residue inside the residence could result in irritation or injury if the area is not properly cleaned and that the cleanup will be at the owner's expense.

**QUESTION:**

One of the components of our notice to an owner or occupant of a building that OC spray has been introduced is:

**ANSWERS:**

- (a) An advisement that cleanup will be at the owner's expense

# Trinity County Probation Department

---

- (b) An advisement that OC residue could damage cabinetry
- (c) An advisement that OC residue could kill tropical fish
- (d) An advisement that OC residue will be cleaned up by our department

**CORRECT ANSWER:**

An advisement that cleanup will be at the owner's expense

## Control Devices - Treatment for OC Exposure

**Topic:** Use of Force

**DTB Date:**

**SCENARIO:**

You and Deputy Probation Officer James Stinson are at the home of Mark Craig to lawfully arrest him on a felony warrant. During handcuffing, Mr. Craig pulls away and squares off in a boxing stance, balling up his fists. Deputy Probation Officer Stinson says "OC spray," to alert you, and immediately sprays a short burst of OC spray into Mr. Craig's face. Mr. Craig drops to his knees and yells, "It burns. I can't see!" You both approach Mr. Craig and get him into handcuffs.

Mr. Craig's family and a few friends become irate, and you determine that the scene is no longer safe. Immediately, you walk Mr. Craig to your patrol vehicle. Intending to allow him to rinse his face soon, you make the short drive to the department for the booking process. As you prepare to bring Mr. Craig out of the patrol car, you are approached by Deputy Probation Officer Peter Rhodes, who says, "Hey, you were going to tell me about your fly-fishing trip. I've got a few minutes; tell me about it!"

**ISSUE: Should you delay providing Mr. Craig with access to water so that you can talk to Deputy Probation Officer Rhodes?**

---

**REFER:**

303.5.2 TREATMENT FOR OC SPRAY EXPOSURE

Persons who have been sprayed with or otherwise affected by the use of OC should be promptly provided with clean water to cleanse the affected areas. Those persons who complain of further severe effects shall be examined by appropriate medical personnel.

---

**ANALYSIS:**

OC spray can be a valuable tool in controlling violent or potentially violent people. However, the initial discomfort and burning sensation may continue even after the person has been placed into handcuffs. Allowing a person who has been exposed to OC spray to rinse the affected areas with clean water may help diminish the effects of OC spray and provide some relief.

Our policy indicates that a person exposed to OC spray should be promptly provided with clean water to rinse the affected areas. While the word "promptly" is not clearly defined, we should make an effort to provide clean water without an unreasonable delay. Because it was unsafe to remain at the residence due to the hostile family members, it was not unreasonable to leave and make the short drive to the department. However, it may be unreasonable to further delay providing clean

# Trinity County Probation Department

---

water for Mr. Craig to rinse his face as you tell Deputy Probation Officer Rhodes about your recent fishing trip. It may be best to get back to Deputy Probation Officer Rhodes about the trip later, so that right now you can take Mr. Craig to a source of clean water.

**CONCLUSION:**

You should not further delay allowing Mr. Craig access to clean water by stopping to tell Deputy Probation Officer Rhodes about your fishing trip.

**QUESTION:**

Our policy requires that we provide clean water to people who have been exposed to OC:

**ANSWERS:**

- (a) Promptly
- (b) When convenient
- (c) At the jail
- (d) After the booking process

**CORRECT ANSWER:**

Promptly