

CITY OF CHICO
POLICING REVIEW AD HOC COMMITTEE

Meeting Agenda
October 22, 2020, 1:00 p.m. – 2:30 p.m.

Committee Members

Mayor Ann Schwab
Vice Mayor Alex Brown
Councilmember Kasey Reynolds

Margaret Swick
Cory Hunt
Rob Berry

COP Matt Madden
Sgt. Omar Peña
Officer Jim Parrott

PUBLIC PARTICIPATION: *This meeting is being conducted in accordance with Executive Order N-29-20.* Members of the public may virtually attend the meeting using the City's WebEx platform or by sending an email to the following email address.

To provide email comments, please submit an email with the subject line "**PUBLIC COMMENT ITEM**", sent to policepubliccomments@chicoca.gov during the meeting, prior to the close of public comment on an item. The public is encouraged not to send more than one email per item and not to comment on numerous items in one email.

WebEx public participants may use the following information to remotely view and participate in the Policing Review Ad Hoc Committee meeting online:

Event Name: **Policing Review Ad Hoc Committee Meeting 10-22-20 1PM**
Date/Time: Thursday, October 22, 2020 1:00 pm

Event URL: <https://chico.webex.com/chico/onstage/g.php?MTID=ee7a0ecb69fb6527fcdcdc625907f9fd0>

Event #: **146 854 6006**
Password: **PRAHC**

Call-in #: **1-214-459-3653** Call-in Password: **146 854 6006**

CALL TO ORDER

1.1. Roll Call

2. **ITEMS TO BE DISCUSSED** (1:00 p.m. – 1:45 p.m.)

2.1 REVIEW OF USE OF FORCE POLICIES

Members of Policing Review Ad Hoc Committee will continue reviewing specific My Brother's Keeper issues (**e. – h.**, below) and the Chico Police Department Use of Force Policy. Committee members will have the opportunity to ask questions and provide comments. At the conclusion of today's meeting, a recap of the Ad Hoc Committee's meetings and Committee member recommendations will be submitted to City Council. *Comments received at policepubliccomments@chicoca.gov through Sunday October 25, 2020 will be included in the report.*

- e. De-escalation** of situations, where possible, through communication, maintaining distance, slowing things down, and otherwise eliminating the need to use force.
- f. Types of force** and/or weapons that can be used to respond to specific types of resistance and specific characteristics such as age, size, or disability.
- g. Officers' use of all other reasonable means** before resorting to deadly force.
- h. Officers giving a verbal warning**, when possible, before using serious force such as shooting, tasing, or pepper spraying someone.

Attachment: [My Brother's Keeper-Chico Use of Force Policies Table](#)

3. **COMMITTEE MEMBERS COMMENTS AND UPDATES (1:45 p.m. – 2:00 p.m.)**

Members of the committee may offer general comments or pose questions that were raised by the public at a previous meeting.

4. **COMMUNICATIONS AND REPORTS**

These items are provided for the Ad Hoc Committee's information. Although the Committee may discuss the items, no action can be taken at this meeting.

4.1 **USE OF FORCE EVENTS 2015-2019 COMPARISON**

Attachment: Use of Force Events 2015-2019 Comparison

4. **BUSINESS FROM THE FLOOR/PUBLIC COMMENT** - Time Certain 2:00 p.m. – 2:30 p.m.

Members of the public may address the Committee via WebEx or by email at policepubliccomments@chicoca.gov at this time on any matter not already listed on the agenda, with comments being limited to three minutes or as determined by the Chair. The Committee cannot take any action at this meeting on requests made under this section of the agenda.

5. **ADJOURNMENT** - The Policing Review Ad Hoc Committee has concluded its review of Chico Police Department's use of force policies, including hiring, training and implementation.

My Brother's Keeper – Chico Use of Force Policies Table – Updated October 15, 2020

	My Brother's Keeper	Chico Police Department Use of Force Policy
A	Officers' use of maneuvers that cut off oxygen or blood flow , including chokeholds or carotid restraints, which often result in unnecessary death or serious injury.	300.3.4 CAROTID CONTROL HOLD The carotid control hold is not an authorized less lethal technique and should only be utilized during deadly force situations and in accordance with Policy 300.4; DEADLY FORCE APPLICATIONS.
B	Officer intervention and stopping of excessive or unnecessary force used by other officers and report these incidents immediately to a supervisor.	300.2.1 DUTY TO INTERCEDE Any 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. An officer who observes another employee use force that exceeds the degree of force permitted by law should promptly report these observations to a supervisor.
C	Officers reporting each time they use force or threaten to use force (e.g., pointing a gun at a person).	300.5 REPORTING THE USE OF FORCE Any use of force by a member of this department shall be documented promptly, completely and accurately in an appropriate report, depending on the nature of the incident. The officer should articulate the factors perceived and why he/she believed the use of force was reasonable under the circumstances. To collect data for purposes of training, resource allocation, analysis and related purposes, the Department may require the completion of additional report forms, as specified in department policy, procedure or law. 300.5.1 NOTIFICATION TO SUPERVISORS Any member using force shall notify their supervisor as soon as practicable following the application of force in any of the following circumstances: <ul style="list-style-type: none"> (a) The application caused a visible injury. (b) The application would lead a reasonable officer to conclude that the individual may have experienced more than momentary discomfort. (c) The individual subjected to the force complained of injury or continuing pain. (d) The individual indicates intent to pursue litigation. (e) Any application of a TASER device or control device. (f) Any application of a restraint device other than handcuffs, shackles, belly chains, or department issued full body restraint system. (g) The individual subjected to the force was rendered unconscious. (h) An individual was struck or kicked. (i) An individual alleges any of the above has occurred.

		<p>300.5.2 REPORTING TO 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 policy.</p>
D	<p>Officers shooting at moving vehicles, which is regarded as a particularly dangerous and ineffective tactic.</p>	<p>300.4.1 SHOOTING AT OR FROM MOVING VEHICLES Shots fired at or from a moving vehicle are rarely effective. Officers should move out of the path of an approaching vehicle instead of discharging their firearm at the vehicle or any of its occupants. An officer should only discharge a firearm at a moving vehicle or its occupants when the officer reasonably believes there are no other reasonable means available to avert the threat of the vehicle, or if deadly force other than the vehicle is directed at the officer or others. Officers should not shoot at any part of a vehicle in an attempt to disable the vehicle.</p>
E	<p>De-escalation of situations, where possible, through communication, maintaining distance, slowing things down, and otherwise eliminating the need to use force. Types of force and/or weapons that can be used to respond to specific types of resistance and specific characteristics such as age, size, or disability. Officers’ use of all other reasonable means before resorting to deadly force. Officers giving a verbal warning, when possible, before using serious force such as shooting, tasing, or pepper spraying someone.</p>	<p>300.3 USE OF FORCE Officers shall use only that amount of force that reasonably appears necessary given the facts and totality of the circumstances known to or perceived by the officer at the time of the event to accomplish a legitimate law enforcement purpose (Penal Code § 835a). The reasonableness of force will be judged from the perspective of a reasonable 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, 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 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 objectively 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 an officer to retreat or be exposed to possible physical injury before applying reasonable force. 300.3.1 USE OF FORCE TO EFFECT AN ARREST Any peace officer may use objectively reasonable force to effect an arrest, to prevent escape, or to overcome resistance. A peace officer who makes or attempts to make an arrest need not retreat or desist from his/her efforts by reason of resistance or threatened resistance on the part of the person</p>

		<p>being arrested; nor shall an officer be deemed the aggressor or lose his/her right to self-defense by the use of reasonable force to effect the arrest, prevent escape, or to overcome resistance. Retreat does not mean tactical repositioning or other de-escalation techniques (Penal Code § 835a).</p> <p>300.3.2 FACTORS USED TO DETERMINE THE REASONABLENESS OF FORCE</p> <p>When determining whether to apply force and evaluating whether an 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:</p> <ul style="list-style-type: none">(a) The apparent immediacy and severity of the threat to officers or others (Penal Code § 835a).(b) The conduct of the individual being confronted, as reasonably perceived by the 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 conduct of the involved officer (Penal Code § 835a).(e) The effects of drugs or alcohol.(f) The individual's apparent mental state or capacity (Penal Code § 835a).(g) The individual's apparent ability to understand and comply with officer commands (Penal Code § 835a).(h) Proximity of weapons or dangerous improvised devices.(i) The degree to which the subject has been effectively restrained and his/her ability to resist despite being restrained.(j) The availability of other reasonable and feasible options and their possible effectiveness (Penal Code § 835a).(k) Seriousness of the suspected offense or reason for contact with the individual.(l) Training and experience of the officer.(m) Potential for injury to officers, suspects, and others.(n) Whether the person appears to be resisting, attempting to evade arrest by flight, or is attacking the officer.(o) The risk and reasonably foreseeable consequences of escape.(p) The apparent need for immediate control of the subject or a prompt resolution of the situation.(q) Whether the conduct of the individual being confronted no longer reasonably appears to pose an imminent threat to the officer or others.(r) Prior contacts with the subject or awareness of any propensity for violence.(s) Any other exigent circumstances.
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300.3.3 PAIN COMPLIANCE TECHNIQUES

Pain compliance techniques may be effective in controlling a physically or actively resisting individual. Officers may only apply those pain compliance techniques for which they have successfully completed department-approved training. Officers utilizing any pain compliance technique should consider:

- (a) The degree to which the application of the technique may be controlled given the level of resistance.
- (b) Whether the person can comply with the direction or orders of the officer.
- (c) Whether the person has been given sufficient opportunity to comply.

The application of any pain compliance technique shall be discontinued once the officer determines that compliance has been achieved.

300.3.5 USE OF FORCE TO SEIZE EVIDENCE In general, officers may use reasonable force to lawfully seize evidence and to prevent the destruction of evidence. However, officers are discouraged from using force solely to prevent a person from swallowing evidence or contraband. In the instance when force is used, officers should not intentionally use any technique that restricts blood flow to the head, restricts respiration or which creates a reasonable likelihood that blood flow to the head or respiration would be restricted. Officers are encouraged to use techniques and methods taught by the Chico Police Department for this specific purpose.

300.4 DEADLY FORCE APPLICATIONS If an objectively reasonable officer would consider it safe and feasible to do so under the totality of the circumstances, officers should evaluate the use of other reasonably available resources and techniques when determining whether to use deadly force. The use of deadly force is only justified in the following circumstances (Penal Code § 835a):

- (a) An officer may use deadly force to protect him/herself or others from what he/she reasonably believes is an imminent threat of death or serious bodily injury to the officer or another person.
- (b) An officer may use deadly force to apprehend a fleeing person for any felony that threatened or resulted in death or serious bodily injury, if the officer reasonably believes that the person will cause death or serious bodily injury to another unless immediately apprehended. Where feasible, the officer shall, prior to the use of force, make reasonable efforts to identify themselves as a peace officer and to warn that deadly force may be used, unless the officer has objectively reasonable grounds to believe the person is aware of those facts.

Officers shall not use deadly force against a person based on the danger that person poses to him/herself, if an objectively reasonable officer would believe the person does not pose an imminent threat of death or serious bodily injury to the officer or to another person (Penal Code § 835a). An “imminent” threat of death or serious bodily injury exists when, based on the totality of the circumstances, a reasonable officer in the same situation would believe that a person has the present ability, opportunity, and apparent intent to immediately cause death or serious bodily injury to the

officer or another person. An officer's subjective fear of future harm alone is insufficient as an imminent threat. An imminent threat is one that from appearances is reasonably believed to require instant attention (Penal Code § 835a).

Control Devices and Techniques

308.1 PURPOSE AND SCOPE

To reduce and minimize altercation-related injuries to officers and suspects, the Department authorizes the use of selected control devices. Certain control devices are provided in order to control violent or potentially violent suspects. It is anticipated that the use of these devices will generally result in fewer altercation-related injuries to officers and suspects. The below procedures are for the use and maintenance of control devices (e.g., baton, oleoresin capsicum (OC) spray and tear gas). Only those control devices that have been approved by the Chief of Police or his/her designee are authorized to be carried by members of this department, and are to be applied only when it appears reasonable under the circumstances.

308.1.1 WHEN DEVICES MAY BE USED

When a decision has been made to restrain or arrest a violent or threatening suspect, an approved control device may only be used when its use appears reasonable under the circumstances.

308.1.2 REVIEW, INSPECTION AND APPROVAL

Every control device will be periodically inspected by the department Armorer or Rangemaster, or the designated instructor for a particular control device.

308.1.3 TRAINING FOR CONTROL DEVICES

- (a) Only officers trained and having shown adequate proficiency in the use of any control device and this agency's Use of Force policy are authorized to carry the device. Proficiency training must be monitored and documented by a certified weapons or tactics instructor.
- (b) Training for all control devices shall be provided by department authorized instructors and will be conducted on an ongoing basis as determined by said instructors.
- (c) All training and proficiency for control devices will be documented in the officer's training file.
- (d) Officers failing to demonstrate proficiency with the weapon or knowledge of this agency's Use of Force policy will be provided remedial training. If, after two additional attempts, an officer still cannot demonstrate proficiency with a weapon or knowledge of this agency's Use of Force policy, the officer may be subject to discipline.

308.2 POLICY

The baton is authorized for use when, based upon the circumstances perceived by the officer, such force reasonably appears justified and necessary to result in the safe control of the suspect.

The need to immediately incapacitate the suspect must be weighed against the risk of causing serious injury. The head, neck, throat, spine, heart, kidneys and groin should not be intentionally targeted except when the officer reasonably believes the suspect may cause serious bodily injury or death to the officer or others.

(a) The baton may be used in the performance of police duty subject to the following guidelines:

1. The baton must be a type authorized for purchase or issued by the department.
2. The member carrying the baton must have completed a formal training course in its use, either at the academy level or in-service.

(b) Uniformed members shall carry the baton on their person in the following circumstances:

1. When at the scene of an incident which has the possibility of leading to physical violence, such as disturbance calls; or in situations which could lead to an arrest, such as a vehicle stop.
2. Whenever assigned to foot patrol or other types of enforcement work.
3. Carrying the baton at other times, such as situations in which no enforcement action is anticipated, shall be at the discretion of each individual officer. However, it is recommended that officers carry the baton on their person at all times when in the field due to its immediate accessibility as a defensive tool.

(c) The following procedures must be followed in all cases after a member strikes a person with a baton:

1. Discontinue use of the baton when additional application is no longer necessary.
2. Handcuff the subject after gaining control.
3. When a person is struck with a baton, that person must be transported to a hospital for examination, treatment, and a medical release by an emergency room physician.
4. Photograph the location of the baton strikes whether or not injuries are apparent.

308.3 ISSUING, CARRYING AND USING CONTROL DEVICES

		<p>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 of Police or the authorized designee.</p> <p>Only officers who have successfully completed department-approved training in the use of any control device are authorized to carry and use the device.</p> <p>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.</p> <p>When using control devices, officers should carefully consider potential impact areas in order to minimize injuries and unintentional targets.</p> <p>308.4 RESPONSIBILITIES</p> <p>Only authorized personnel may possess and maintain department issued oleoresin capsicum spray. Chemical agents are weapons used to minimize the potential for injury to officers, offenders, or other persons. They should be used only in situations where such force reasonably appears justified and necessary. Personnel shall not use chemical agents when taking passively resisting subjects into custody.</p> <p>308.4.1 WATCH COMMANDER RESPONSIBILITIES</p> <p>All personnel authorized to carry oleoresin capsicum spray, shall complete the required course of instruction prior to possessing and using the oleoresin capsicum spray.</p> <p>308.4.2 RANGEMASTER RESPONSIBILITIES</p> <p>Uniformed field personnel carrying the oleoresin capsicum spray shall carry the device in its holster on the equipment belt. Plainclothes and non-field personnel may carry the oleoresin capsicum spray as authorized, consistent with the needs of their assignment or at the direction of their supervisor.</p> <p>Canisters involved in any type of malfunction or damage shall be turned in to the Rangemaster for exchange. Damage to City Property forms shall also be forwarded to the appropriate supervisor and shall explain the cause of damage.</p> <p>308.4.3 PEPPER PROJECTILE USER RESPONSIBILITIES</p> <p>Pepper projectiles are plastic spheres that are filled with a derivative of oleoresin capsicum (OC) powder. A compressed gas launcher delivers the projectiles with enough force to burst the projectiles on impact, releasing the OC powder. The potential exists for the projectiles to inflict serious injury if they strike the head, neck, spine or groin. Therefore, personnel</p>
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deploying a pepper projectile system should not intentionally target those areas, except when the officer reasonably believes the individual may cause serious bodily injury or death to the officer or others. The use of a pepper projectile system is subject to the following requirements:

(a) Officers encountering a situation that requires the use of a pepper projectile system shall notify a supervisor as soon as practicable. A supervisor shall respond to all pepper projectile system deployments where the suspect has been hit. The supervisor shall ensure that all notifications and reports are completed as required by the Use of Force Policy.

(b) Only personnel certified as having completed department-approved training on the use of pepper projectile systems shall be allowed to deploy and use pepper projectile systems.

(c) Accidental discharges shall be promptly reported to a supervisor and documented on the appropriate report form. Only non-incident deployments, such as training and product demonstrations, are exempt from the reporting requirement.

308.4.4 TREATMENT FOR OC SPRAY EXPOSURE

After using a chemical agent on a person, department personnel must follow the following procedures once they gain control of the subject:

- a. Allow the arrested person to rinse the affected area(s) with water in order to flush the chemical agent, or assist in doing so.
- b. If the person has a visible injury or abnormal reaction to the chemical agent, as observed by a department member or by complaint of the arrested party, the person shall be transported to a hospital for examination, treatment, and medical clearance.

308.4.5 REPORT OF USE

All uses of chemical agents shall be documented in the related arrest/crime report.

308.5 KINETIC ENERGY DEVICES

This department is committed to reducing the potential for violent confrontations when suspects are encountered. Kinetic energy projectiles, when used properly, are less likely to result in death or serious physical injury.

Kinetic energy projectiles are approved by the Department and are fired from 12 gauge shotguns or 37/40 mm launchers. Certain munitions can be used in an attempt to de-escalate a potentially deadly situation, with a reduced potential for death or serious physical injury.

308.5.1 DEPLOYMENT

Approved munitions are justified and may be used to compel an individual to cease his/her actions when such munitions present a reasonable option for resolving the situation at hand. Officers are not required or compelled to use approved munitions in lieu of other reasonable tactics if the involved officer(s) determine that deployment of these munitions cannot be done safely. The safety of hostages, innocent persons, and officers takes priority over the safety of subjects engaged in criminal or suicidal behavior.

308.5.2 EXAMPLES OF CIRCUMSTANCES APPROPRIATE FOR DEPLOYMENT

Examples include, but are not limited to, the following types of situations where the subject:

- (a) Is armed with a weapon and the tactical circumstances allow for the safe application of approved munitions
- (b) Has made credible threats to harm her/himself or others
- (c) Is engaged in riotous behavior or is throwing rocks, bottles, or other dangerous projectiles at people and/or officers

308.5.3 DEPLOYMENT CONSIDERATIONS

Before discharging projectiles, the officer should consider the following factors:

- (a) Severity of the crime or incident.
- (b) Subject's capability to pose an imminent threat to the safety of officers or others.
- (c) If the subject is actively resisting arrest or attempting to evade arrest by flight.
- (d) The credibility of the subject's threat as evaluated by the officers present, and the subject's physical capacity/capability.
- (e) The proximity of weapons available to the subject.
- (f) The officer's versus the subject's physical factors (e.g., age, size relative strength, skill level, injury/exhaustion, the number of officer(s) versus subject(s)).
- (g) The availability of other force options and their possible effectiveness.
- (h) Distance and angle to target.
- (i) Type of munitions employed.
- (j) Type and thickness of subject's clothing.
- (k) The subject's actions dictate the need for an immediate response and the use of control devices appears appropriate.

A verbal warning of the intended use of the device should precede its application, unless it would otherwise endanger the safety of officers or when it is not practicable due to the circumstances.

		<p>The purpose of the warning is to give the individual a reasonable opportunity to voluntarily comply and to warn other officers and individuals that the device is being deployed. Officers should keep in mind the manufacturer's recommendations and their training regarding deployment distances and target areas. However, officers are not restricted solely to use according to manufacturer recommendations. Each situation must be evaluated on the totality of circumstances at the time of deployment.</p> <p>The need to immediately incapacitate the subject must be weighed against the risk of causing injury or death. The head and neck should not be intentionally targeted, except when the officer reasonably believes the suspect poses an imminent threat of serious bodily injury or death to the officer or others.</p> <p>308.5.4 DEPLOYMENT DISTANCES</p> <p>Officers should keep in mind the manufacturer's recommendations regarding deployment when using control devices, but are not solely restricted to use according to these manufacturer recommendations. Each tactical situation must be evaluated on the totality of circumstances at the time of deployment.</p> <p>308.5.5 SHOT PLACEMENT</p> <p>The need to immediately incapacitate the subject must be weighed against the risk of causing serious injury or death. The head and neck should not be intentionally targeted when deadly force is not reasonably justified.</p> <p>Officers should generally follow the manufacturer's recommendations regarding minimum deployment distances and target areas however any target area or distance may be considered when it reasonably appears necessary to accomplish immediate incapacitation in order to prevent serious injury or death and other reasonable methods have failed or reasonably appear ineffective.</p> <p>308.5.6 APPROVED MUNITIONS</p> <p>Only department approved kinetic energy munitions shall be carried and deployed.</p> <p>308.5.7 USE OF KINETIC ENERGY PROJECTILES BY SUPERVISORS</p> <p>A specially marked shotgun, designated for the use of 12-gauge projectiles, will normally be carried in each supervisor unit.</p> <p>Supervisors will inspect this shotgun at the beginning of each shift to ensure that it is in proper working order and loaded with approved projectiles only.</p> <p>308.5.8 USE OF KINETIC ENERGY PROJECTILES BY SWAT</p> <p>Officers assigned to the SWAT unit and Mobile Field Force Team, who have completed a</p>
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departmental training course may carry and deploy 12-gauge or 37/40 mm projectiles while on duty or while performing Special Weapons and Tactics (SWAT) missions and or Mobile Field Force missions, when approved by the respective unit commander.

308.5.9 TRAINING REQUIRED FOR USE

Personnel who have successfully completed an approved departmental training course shall be authorized to use kinetic energy projectiles. Officers deploying kinetic energy projectiles are required to complete a recertification course as determined by department instructors.

308.6 TEAR GAS GUIDELINES

Tear gas may be used for crowd control, crowd dispersal or against barricaded suspects based on the circumstances. Only the Watch Commander, Incident Commander or Tactical Commander may authorize the delivery and use of tear gas, and only after evaluating all conditions known at the time and determining that such force reasonably appears justified and necessary. When practicable, fire personnel should be alerted or summoned to the scene prior to the deployment of tear gas to control any fires and to assist in providing medical aid or gas evacuation if needed.

308.6.1 WATCH COMMANDER RESPONSIBILITIES

The Watch Commander shall monitor the use of control devices in the same manner as all other use of force incidents.

- (a) The Watch Commander may authorize the use of a control device by selected personnel or members of specialized units provided the person(s) authorized has/have the required training. The request for a control device should be made through the Watch Commander.
- (b) The Watch Commander shall review each use of control devices by any personnel within his or her command.
- (c) The Watch Commander shall ensure training on the use of control devices is provided as needed.

308.6.2 RANGE DIVISION COMMANDER / STAFF'S RESPONSIBILITIES

The Range Division Commander or designated Range Staff, shall control the inventory and shall issue all control devices. All damaged, inoperative and/or expended control devices shall be returned to the appropriate Range Staff for disposition, repair or replacement.

308.6.3 MAINTENANCE RESPONSIBILITY

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

308.7 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.

(a) The oleoresin capsicum (OC) may be used in the performance of police duty subject to the following guidelines:

1. The OC must be a type authorized for purchase or issued by the department.
2. The member carrying OC must have completed a formal training course in its use, either at the academy level or in-service.

(b) Uniformed members shall carry either OC or an Electronic Control Device (ECD), or both, on their person in the following circumstances:

1. When at the scene of an incident which has the possibility of leading to physical violence, such as disturbance calls; or in situations which could lead to an arrest, such as a vehicle stop.
2. Whenever assigned to foot patrol or other types of enforcement work.
3. Carrying OC at other times, such as situations in which no enforcement action is anticipated, shall be at the discretion of each individual officer. However, it is recommended that officers carry OC or an ECD on their person at all times when in the field due to their immediate accessibility as defensive tools.

308.8 REPORTING USE OF CONTROL DEVICES AND TECHNIQUES

Any application of a control device or technique listed in this policy shall be documented in the related incident report and reported pursuant to the Use of Force Policy.



USE OF FORCE EVENTS

2015 - 2019 COMPARISON



USE OF FORCE BY INCIDENT TYPE					
TYPE	2015	2016	2017	2018	2019
Accident			1	2	
Animal Control					1
Burglary				3	
Brandishing Weapon				1	
Disturbance	5	13	16	8	13
Domestic Dispute		1	1	3	1
Fight	4	4	4	1	7
Mentally Ill	1	5	4	3	
Pedestrian Contact	2		3	3	1
Resisting Arrest	24	7			
Shoplift			1	1	1
Suspicious Subject	5	12	18	15	9
Traffic Stop	2		2		6
Trespass		1	1		
Vandalism			1		
Vehicle Pursuit				1	
Violent Subject	8	8	10	11	9
Warrant				2	
TOTAL	51	51	62	54	48

USE OF FORCE STATISTICS BY TYPE OF FORCE USED					
TYPE	2015	2016	2017	2018	2019
Carotid Control Hold			2		
Control Hold	1	19	13	16	18
Elbow Strike			2		3
Firearm	1		2		
Impact Weapon Baton	8	6	10	5	6
Impact Weapon Flashlight	1				
Impact Weapon Shoved		1			
K9			1	2	
Kick	1				
Knee Strike	2	1	3		3
OC/Chemical	6	3	5	3	3
Punch	5	1	11	7	11
Take Down	26	31	39	37	34
Taser	20	11	12	8	3
TOTAL	71	73	100	78	81
<i>The above totals are more than Use of Force by Incident Type due to events where more than one type of force was used in a single incident.</i>					



USE OF FORCE EVENTS

2015 - 2019 COMPARISON



REPORTED INJURIES DUE TO USE OF FORCE EVENTS					
TYPE	2015	2016	2017	2018	2019
Suspect Deaths	1		2		
Suspect Injuries Total	44	45	50	49	36
Suspect Injuries Serious Bodily	5	2	1		
Officer Injuries Total	9	10	8	22	13
Officer Injuries Serious Bodily			2		
Work Comp Claims as Result of UOF	3	3	8	5	7
TOTAL	62	60	71	76	56

Injuries included as Serious Bodily Injury meet the threshold for Serious Bodily Injury under the California Penal Code 243(d). Serious bodily injury is further defined by CALCRIM 925 (Jury Instructions) as: "A serious bodily injury means a serious impairment of physical condition. Such an injury may include, but is not limited to: loss of consciousness, concussion, bone fracture, protracted loss or impairment of function of any bodily member or organ, a wound requiring extensive suturing, or serious disfigurement."

USE OF FORCE DEMOGRAPHICS					
	2015	2016	2017	2018	2019
GENDER					
Female	3	6	13	7	6
Male	48	45	49	47	42
TOTAL	51	51	62	54	48
RACE					
Asian				1	
Black	12	5	5	4	4
Hispanic	6	6	6	6	6
Indian			1	1	
Native American	2				
White	31	40	50	42	37
Other					1
TOTAL	51	51	62	54	48

CALLS FOR SERVICE VS USE OF FORCE EVENTS					
Type	2015	2016	2017	2018	2019
Calls for Services (CFS)	68,180	72,952	77,622	66,010	64,629
Use of Force Incidents	51	51	62	54	48
Percent UOF used @ CFS	0.07%	0.07%	0.08%	0.08%	0.07%
<i>Calls for service include all calls where a police officer is sent to a call and is physically at scene.</i>					