

# Use of Force Policy

## I. Purpose and Scope

The Imperial County Probation Department recognizes that our community has a strong interest in ensuring that interactions with our Department will be fair, consistent with constitutional and statutory requirements, and guided by public safety. Accordingly, the authority to use force when necessary to accomplish a lawful end is a serious responsibility given to peace officers and must be exercised judiciously to safeguard the life, dignity, and liberty of all persons without prejudice.

This policy recognizes the legislative intent to codify a minimum standard for policies and training and articulates additional guidelines related to the use of lethal and non-lethal force. This policy also recognizes the impact of organizational and individual biases (both implicit and explicit) in the carrying out of duties, however, it is expected that officers carry out their duties, including the use of force, in a manner that is fair and unbiased.

The purpose of this policy is to provide a guideline on the reasonable use and application of lethal and nonlethal force, de-escalation and crisis intervention techniques, and factors for evaluating and reviewing all use of force incidents.

In a use of force situation, Probation Officers shall be guided by the principle of reverence for human life and should use only the amount of force necessary to mitigate an incident, make an arrest, or protect themselves or others from harm.

## II. Definitions

**Force** - The use of physical techniques or tactics, chemical agents, or weapons to another person.

**Deadly Force** – Any use of force that creates a substantial risk of causing death or serious bodily injury. Deadly force includes, but is not limited to, the discharge of a firearm.

**Feasible** – Reasonably capable of being done or carried out under the circumstances to successfully achieve the arrest or lawful objective without increasing risk to the officer or another person

**Implicit bias** – Describes the automatic association people make between groups of people and stereotypes about those groups that occur outside of their conscious awareness and control. Under certain conditions, those automatic associations can influence behavior—making people respond in biased ways even when they are not explicitly prejudiced. Implicit bias can be expressed in relation to non-racial factors, including gender, age, religion, or sexual orientation.

**Explicit bias** – Describes preferences, beliefs, and attitudes of which people are generally consciously aware and can, when willing, identify and communicate to others.

**Imminent Threat of Death** - A threat of death or serious bodily injury is “imminent” 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 peace officer or another person. An imminent harm is not merely a fear of future harm, no matter how great the fear and no matter how great the likelihood of the harm, but is one that, from appearances, must be instantly confronted and addressed.

**Totality of Circumstance** - means all facts known to the peace officer at the time, including the conduct of the officer and the subject leading up to the use of deadly force.

Date Issued:	12/30/2020
Last Revised	12/17/2020
Page	1 of 13

# Use of Force Policy

## III. Use of Force

### A. De-Escalation and Force Alternatives

This policy requires officers to utilize de-escalation techniques, crisis intervention tactics, and other alternatives to force when necessary. The intent of de-escalation techniques and strategies applies, when safe and feasible, throughout the course of any interaction with an individual, even after force is administered.

- a) When feasible, officers should approach a situation with the intent to deescalate and consider the value of establishing time and distance in a confrontation where a use of force may be inherent.
- b) Communication should be the first option, if the situation safely allows the time and distance for communication to occur. Officers should maintain communication throughout any encounter under such circumstances.
- c) Officers should communicate and endeavor to persuade, advise, and provide clear instructions and warnings when safe and feasible to do so.
  - i. Officers should consider the use of non-verbal methods to communicate when verbal directions may not be appropriate. This may include situations involving language barriers, or when people are unable to hear or understand verbal commands.
- d) Officers should consider whether an individual's non-compliance may be due to a medical condition, mental impairment, substance interaction, developmental or physical disabilities, or other considerations that may be beyond the individual's control.
- e) If safe and feasible, officers should use de-escalation techniques, alternative resources (such as calling in additional personnel), and force-mitigation techniques to avoid the use of unnecessary force.
- f) Formulating a plan with responding deputies before entering an unstable situation that does not reasonably appear to require immediate intervention.
- g) Employing other tactics that do not unreasonably increase officer jeopardy.
- h) In addition, when reasonable, deputies should evaluate the totality of circumstances presented at the time in each situation and, when feasible, consider and utilize reasonably available alternative tactics and techniques that may persuade an individual to voluntarily comply or may mitigate the need to use a higher level of force to resolve the situation before applying force (Government Code 7286(b)).

Such alternatives may include but are not limited to:

- a) Attempts to de-escalate a situation.
- b) If reasonably available, the use of crisis intervention techniques by properly trained personnel.

If force is appropriate, only the **minimum** degree of physical force necessary should be used for achieving the law enforcement objective.

Date Issued:	12/30/2020
Last Revised	12/17/2020
Page	2 of 13

# Use of Force Policy

## B. Intervention Requirements

Officers shall intercede when present and observing another officer using force that is clearly beyond that which is necessary, as determined by an objectively reasonable officer under the circumstances, taking into account the possibility that other officers may have additional information regarding the threat posed by a subject.

Officers should recognize and act upon the duty to intercede if they witness another officer applying unnecessary or excessive force. Such force may include any force that violates applicable law and/or agency policy.

Officers who observe force that is clearly beyond that which is necessary as determined by an objectively reasonable officer under the circumstances, should take appropriate action to cause the unnecessary or excessive force to immediately cease. Intercession may be verbal and/or physical.

The duty of an officer to intercede is not relieved by nor should it be deferrable to other officers or supervisors at the scene.

## C. Application of Use of Force

Officers may only use a level of force they reasonably believe is proportional to the seriousness of the suspected offense or the reasonably perceived level of actual or threatened resistance.

### 1. Lawful Objectives

The authority to use force is a serious responsibility that shall be exercised judiciously and with respect for human rights and dignity and for the sanctity of every human life. Use of force must be for a lawful objective. Officers may use force to meet legitimate law enforcement objectives including:

- a) To effect a lawful arrest, detention, or search;
- b) To overcome resistance or to prevent escape;
- c) To prevent the commission of a public offense;
- d) In defense of others or in self-defense;
- e) To gain compliance with a lawful order;
- f) To prevent harm to the officer or another person during intervention in a suicide or other attempt to self-inflict injury.

### 2. Use of Force to Seize Evidence

Officers should use caution when applying force to lawfully seize and/or prevent the destruction of evidence.

### 3. Factors to Determine Reasonable Use of Force

When determining whether to apply force and evaluating whether an officer has used reasonable and/or necessary force, the factors the Department will consider include, but are not limited to:

- a) Whether there is a legal basis for the use of force;
- b) Whether the individual posed an imminent threat to the public, other officers, and themselves;
- c) The nature and severity of the threat;
- d) The nature and severity of the situation;
- e) Whether the individual was attempting to evade arrest by flight;
- f) The level of resistance by the individual;

Date Issued:	12/30/2020
Last Revised	12/17/2020
Page	3 of 13

# Use of Force Policy

- g) The conduct of the individual involved in the confrontation, as perceived by the officer at the time of the incident;
- h) The number of officers on scene;
- i) The conduct of the involved officer(s);
- j) Medical conditions, mental impairment, substance interaction, developmental disabilities, and other physical and mental characteristics;
- k) The risk of harm to the officer, bystanders, and the individual by using force;
- l) If there is a less injurious alternative available to the officer using de-escalation and/or crisis intervention techniques;
- m) Prior knowledge or contact with the individual or awareness of any propensity for violence;
- n) Whether the conduct of the individual being confronted no longer reasonably appears to pose an imminent threat to the officer or others;
- o) The apparent need for immediate control of the individual or prompt resolution of the situation;
- p) The environmental factors and/or other exigent circumstances;
- q) The training and experience of the officer(s).

Officers should continuously assess a situation and consider various options as circumstances change. If a force option proves ineffective, officers should continue to seek the most effective and safest response that is proportional to the threat. This may involve using a force alternative of similar level, de-escalation, or in some cases an escalation of force options, but the level of force used should still be proportional to the threat.

## **D. Approved Methods and Devices for the Application of Force**

Depending on the officer's assessment of the threat, officers are expected to make decisions based on the range of options available to them. Only departmentally issued or approved equipment with which the DPO has successfully completed training and been authorized to use shall be employed. All issued or approved equipment shall be carried and used in a manner consistent with the manufacturer's recommended use and departmental training.

### **1. Use of Physical Force**

Physical Force refers to the use of techniques by a trained officer to use bodily force to gain control of an individual. Officers must believe that the use of any technique appears to be necessary to further a legitimate law enforcement purpose. The application of any physical force technique shall be discontinued once the Officer determines that compliance has been achieved.

Officers using physical force should consider the following:

- a) Whether the individual has been given sufficient opportunity to comply.
- b) The possibility of unintended or increased injury to special populations including juveniles, elderly, visibly frail, pregnant or recovering from delivery, and individuals with pre-existing medical conditions.

These techniques include, but are not limited to, the following:

- a) Arrest and control techniques that utilize a DPO's personal body weapons to strike, hold, pull, push, throw, kick, or otherwise exert strength against another person to gain compliance.

Date Issued:	12/30/2020
Last Revised	12/17/2020
Page	4 of 13

# Use of Force Policy

- b) Pain compliance techniques apply to control holds that involve manipulating a person's joints or activating certain pressure points to create sufficient pain to achieve compliance. The application of "pain" in a pain compliance technique should be discontinued once the DPO determines that compliance has been achieved or there is no further need for its application.

## 2. 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.

## 3. Chemical Agent(s)

Chemical Agent refers to the use of a departmentally issued oleoresin capsicum (OC) spray. Please refer to PMI 1-4-106 for specifics on the training, certification, authorization, discharge, and decontamination requirements for the use of OC spray.

## 4. Impact Weapon – Baton

Impact Weapon refers to the use of a departmentally issued expandable baton by an authorized and trained DPO. Baton strikes should be delivered to target areas consisting of hands, arms, feet, legs, shoulder, or center mass regions of the body. Strikes to non-target areas involving the head, neck, throat, spine, heart, sternum/xiphoid process, kidneys, spleen and groin pose an increased risk of causing serious physical injury or death and should be avoided. Refer to PMI 1-4-121 Expandable Baton – Field Service for specifics on the training and authorization to possess and use an expandable baton in the course and scope of employment.

## 5. Restrictions on the Use of Choke Holds

Officers are not authorized to use a choke hold. A choke hold means any defensive tactic or force option in which direct pressure is applied to a person's trachea or windpipe (Government Code § 7286.5).

## 6. Restrictions of the Use of Carotid Control Holds

Officers are not authorized to use a carotid restraint hold.

A carotid restraint means a vascular neck restraint or any similar restraint, hold, or other defensive tactic in which pressure is applied to the sides of a person's neck that involves a substantial risk of restricting blood flow and may render the person unconscious in order to subdue or control the person (Government Code 7286.5).

## IV. Application of Deadly Force

The authority to use physical force, especially deadly force, is a serious responsibility that shall be exercised judiciously and with respect for human rights and dignity for the sanctity of every human life.

Date Issued:	12/30/2020
Last Revised	12/17/2020
Page	5 of 13

# Use of Force Policy

California Penal Code section 835(a) prescribes the circumstances under which deadly force by an officer is deemed justifiable to include when the officer reasonably believes, based on the totality of the circumstances, that deadly force is necessary:

- a. To defend against an imminent threat of death or serious bodily injury to the officer or to another person, or
- b. To apprehend a fleeing person for a 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 the person is immediately apprehended.

Officers must evaluate and use other reasonably available resources and techniques if an objectively reasonable officer would consider it safe and feasible to do so, under the totality of the circumstances, when determining whether to use deadly force. To the extent that it is reasonably practical, officers should consider their surroundings and potential risks to bystanders prior to using deadly force, such as use of a firearm.

In determining whether deadly force is necessary, officers shall evaluate each situation in light of the particular circumstances of each case, and they must use other reasonably available resources and techniques if an objectively reasonable officer would consider it safe and feasible to do so.

Deadly force may not be used against a person based on the danger that person poses to him/herself, including a suicidal individual, 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.

## V. Use of Force – Firearms

### A. Use of Firearms

Officers, in carrying out their duties, shall, when feasible, apply de-escalation techniques before resorting to the use of a firearm.

Any drawing and exhibiting of a firearm should conform to the Probation Department's policy on the use of firearms. (Policy D-7)

Officers are authorized to use firearms to stop an animal in circumstances where the animal reasonably appears to pose an imminent threat to human safety, and alternative methods are not reasonably available or would likely be ineffective.

### B. Display/Drawing of Firearms

The pointing of a firearm at an individual is considered a non-deadly use of force. While the drawing and/or pointing of a firearm can discourage resistance and ensure officer and public safety in potentially dangerous circumstances, it can also escalate a situation.

Any intentional pointing of a firearm at an individual by an officer shall be reported.

Unnecessarily or prematurely drawing a firearm could limit an officer's alternatives in controlling a situation, may create unnecessary anxiety on the part of members of the public, and could result in an unwarranted or unintentional discharge of the firearm.

Date Issued:	12/30/2020
Last Revised	12/17/2020
Page	6 of 13

# Use of Force Policy

Officers should carefully evaluate each tactical situation and use sound discretion when drawing a firearm in public, as individuals may perceive the display of a firearm as a potential application of force, by considering the following guidelines:

- a) If the deputy does not initially perceive a threat but reasonably believes that the potential for such threat exists, firearms should generally be kept in the low-ready or other position not directed toward an individual.
- b) If the deputy reasonably believes that a threat exists based on the totality of circumstances presented at the time (e.g., high-risk stop, tactical entry, armed encounter), firearms may be directed toward such threat until the deputy no longer perceives such threat.

## C. Discharging Firearms

Any discharge of a firearm entails significant risk of an unintended outcome and may endanger the lives of bystanders.

Officers **must** consider their surroundings (including location and traffic), and potential risks to bystanders before discharging a firearm, to the extent reasonably practical under the circumstances,

## D. Discharging Firearms at or from Moving Vehicles

Discharging a firearm at or from a moving vehicle entails great potential risk of death or serious bodily injury to vehicle occupants, bystanders, and officers. Safety may be jeopardized by loss of control of the vehicle or unnecessary shootings of occupants or bystanders.

Officers should only discharge a firearm at or from a moving vehicle to counter an imminent threat of death or serious bodily injury to the officer or another individual, by an occupant in the vehicle.

Officers should avoid positioning themselves or intentionally remaining in the path of a moving vehicle and should take reasonable steps to move out of the path of an approaching vehicle before discharging a firearm at the vehicle or occupants.

Officers should only discharge a weapon at a moving vehicle or its occupants under the following conditions:

- a) The vehicle poses an imminent threat of death or serious bodily injury to the officer or any person
- b) The officer has no reasonable alternative course of action to prevent death or serious bodily injury.

This policy regarding discharging a firearm at or from a moving vehicle may not cover every situation that may arise. In all situations, officers are expected to exercise sound judgment based on reverence for human life.

Any deviations from the provisions of this policy should be examined rigorously on a case-by-case basis. The involved officer must be able to clearly articulate the reasons for the use of deadly force. Factors that may be considered include whether the officer's life or the lives of others were in immediate peril and there was no reasonable or apparent means of escape.

Date Issued:	12/30/2020
Last Revised	12/17/2020
Page	7 of 13

# Use of Force Policy

## VI. Providing Medical Aid

The highest priority of officers is safeguarding the life, dignity, and liberty of all persons, without prejudice to anyone. Officers shall promptly provide, if properly trained, or otherwise promptly procure medical assistance for persons injured in a use of force incident, when reasonable and safe to do so.

Whenever a person requires or reasonably requests medical attention after a use of force incident, an officer should request medical aid (such as calling for emergency medical services) and/or if properly trained, provide medical attention (such as first aid and/or transport to an emergency medical facility), as soon as feasible. Medical assistance should be obtained for any person who exhibits signs of:

- a) Physical distress;
- b) Visible injury;
- c) Alleged injury or complaint of continuous pain;
- d) Experienced a lack of consciousness;
- e) Any other reason the officer may deem necessary, based on training and experience.

Officers should pay particular attention to vulnerable populations, including but not limited to, children, elderly persons, pregnant individuals and individuals with physical, mental and developmental disabilities, whose vulnerabilities could exacerbate the impact or risk of injury.

Prior to booking or release, officers should continuously monitor an individual until medical assessment is provided. Medical assessment may consist of examination by fire personnel, emergency medical technicians, paramedics, hospital staff, medical staff at the jail, or juvenile hall.

If an individual refuses medical attention, the refusal should be fully documented in any related reports. When practicable, the refusal should be witnessed by another officer or medical personnel and/or recorded.

Following a use of force incident, the on-scene supervisor, or, if the on-scene supervisor is not available, the primary officer should ensure that any person providing medical assistance or receiving custody of an individual on which force was used, is informed that the person was subjected to force.

Notification should include all relevant information, including the type and level of force used, duration of the force or struggle, visible injuries, respiration impairment, and any other information an objectively reasonable officer would believe relevant to the health and safety of the individual.

An individual who appears extremely agitated or exhibits violent and irrational behavior, accompanied by other physical symptoms (e.g. profuse sweating, imperviousness to pain, extraordinary strength beyond their physical characteristics) or who requires a protracted physical encounter with multiple officers, should be treated with emergency medical attention as soon as feasible.

## VII. Reporting Use of Force Incidents

Any officer who observes, has knowledge of, or engages in use of force that is unnecessary and/or a violation of applicable law or agency policy has a duty to promptly notify the department. The notification should occur to a supervising officer as soon as practicable after the officer became aware of or engaged in the use of force incident.

Date Issued:	12/30/2020
Last Revised	12/17/2020
Page	8 of 13

# Use of Force Policy

Depending on the degree of force and nature of the incident, the use of force should be documented promptly, accurately and completely in a written report, describing the facts and circumstances surrounding the incident and factors that may have led to the officer's decision to use force.

An investigative report and/or supplemental report regarding the incident may be necessary to ensure accurate data collection for purposes of training, resource allocation, analysis and related purposes.

Statistical data regarding all officer-involved shootings and incidents involving use of force resulting in serious bodily injury shall be reported to the Department of Justice as required by Section 12525.2 of the Government Code. The report shall include all instances when an officer is involved in any of the following:

- a) An incident involving the shooting of an individual by an officer;
- b) An incident involving the shooting of an officer by an individual;
- c) An incident in which the use of force by an officer against an individual results in serious bodily injury (as defined by Penal Code section 243(f)(4)) or death;
- d) An incident in which the use of force by an individual against an officer results in serious bodily injury or death.

The information reported to the Department of Justice shall include, but not be limited to, the following:

- a) The gender, race, and age of anyone who was shot, injured, or killed;
- b) Date, time, and location of the incident;
- c) Whether an individual was armed and if so, type of weapon;
- d) The type of force used against the officer, individual, or both, including the type(s) of weapons used;
- e) The number of officers involved in the incident;
- f) The number of individuals involved in the incident;
- g) A brief description regarding the circumstances surrounding the incident, which may include the nature of injuries to officers and individuals and perceptions of behavior or mental disorders

## A. Reporting Use of Excessive Force Incidents

Officers shall report potential excessive force to a superior officer when present and observing another officer using force that the officer believes to be beyond that which is necessary, as determined by an objectively reasonable officer under the circumstances based upon the totality of the information known to the officer at the time of the use of force.

The notification should occur as soon as the reporting officer can feasibly do so after the officer became aware of the possible use of excessive force.

## VIII. Supervisor's Responsibility

When notified of a reportable use of force by an officer under their supervision, supervisors are required to respond to the scene unless a response is impractical or poses a danger.

When a supervisor is able to respond to a reported use of force incident, under Section 7286(b)(13) of the Government Code, the supervisor is expected to:

- a) Obtain the basic facts from officers involved in the incident;
- b) Ensure any injured parties are examined and treated;

Date Issued:	12/30/2020
Last Revised	12/17/2020
Page	9 of 13

## Use of Force Policy

- c) Promptly identify individuals who may have witnessed the use of force occurrence and obtain statements from the witnesses. Supervisors should separate witnesses if feasible to do so;
- d) When possible, obtain a separately recorded interview with the individual upon whom force was applied. If the interview is conducted without voluntary waiver of Miranda rights, the following shall apply:
  - i. The content of the interview should not be summarized or included in any related criminal charges.
  - ii. The fact that a recorded interview was conducted should be documented in a property or other report.
  - iii. The recording of the interview should be distinctly marked for retention until all potential for civil litigation has expired.
- e) Ensure that photographs have been taken of any areas involving visible injury or complaint of pain, as well as overall photographs of uninjured areas. These photographs should be retained until all potential for civil litigation has expired.
- f) Ensure compliance with proper agency reporting procedures and submit reporting through appropriate channels.
- g) Determine if there is any indication that the individual may pursue civil litigation. If there is an indication of potential litigation, the supervisor should provide notification of a potential claim to appropriate agency personnel.

The supervisor should review all reports for accuracy and completeness and ensure all relevant facts of an incident are documented and properly reported.

Any recommendations to modify policy, apply remedial training beyond what can be performed by the supervisor, recommended changes to weapons or equipment, or to apply discipline should be documented in a report and submitted to appropriate agency personnel.

### **IX. Division Manager's Responsibility**

The assigned Division Manager shall review all use of force reports within their division. Division Managers will review all submitted reports and any other relevant information if necessary (e.g. photographs, and/or documents) to ensure compliance with the agency's use of force policy.

A decision for an officer to use force shall be evaluated carefully and thoroughly, in a manner that reflects the gravity of that authority and the serious consequences of the use of force and that the use of force was consistent with law and departmental policies.

The decision shall be evaluated from the perspective of a reasonable officer in the same situation, based on the totality of the circumstances known to or perceived by the officer at the time, rather than with the benefit of hindsight. The "totality of the circumstances" shall account for occasions when officers may be forced to make quick judgments about using force.

All use of force incidents involving the use of a chemical agent, impact weapon, or firearm, will be referred to the Division Manager. The primary function of this is to determine if the force was consistent with training and within departmental policy and procedure.

Date Issued:	12/30/2020
Last Revised	12/17/2020
Page	<b>10 of 13</b>

# Use of Force Policy

In the event there is a concern or complaint alleging the amount of force used was not objectively reasonable or otherwise outside of departmental policy, the matter will be referred to the Chief Probation Officer for further review.

## X. Use of Force Incident Review

The Probation Department will document all uses of force greater than physical contact, involve an allegation of use of force or injury, and/or involve the pointing of a firearm or an electronic control weapon at an individual as a threat of force. Once a use of force incident report has been completed, it will be reviewed according to established agency procedure. The procedure may include the following:

- a) Review the report of the officer involved in the incident;
- b) Review the report(s) of additional responding officers;
- c) Review the supervisor's report for findings;
- d) Review the designated member of command staff's report for findings;
- e) If there are any issue(s) identified with any application of force or documentation, appropriate command staff and reviewing supervisor should be contacted and made aware of the issue(s) and a date should be set as to when the issues must be resolved and/or corrected;
- f) If any criminal or rule violations are identified, the matter should be referred to a Division Manager for further investigation.

When evaluating and reviewing whether an officer has used reasonable force, an agency is encouraged to consider the factors listed under Applications of Use of Force of this document.

The Probation Department may collect and analyze use of force data and annually prepare a summary report on use of force incidents. This summary report may be made available to the public upon request. The report will not contain the names of involved officers, individuals or case numbers. The report will include demographic information about the officers and individuals involved in use of force incidents and the circumstances under which they occurred. It will also discuss efforts to prevent types of bias and discrimination. The summary report will identify patterns or trends that may indicate policy ineffectiveness and/or policy modification needs, training needs and recommendations, or equipment needs and recommendations.

## XI. Policy Availability

The Imperial County Probation Department's Use of Force Policy will be accessible to the public in both English and Spanish.

This policy will be published and available on the Department's online website: <https://probation.imperialcounty.org/resources/> under the Department Policies section.

Members of the public may also request a copy of this policy at the Probation Department's Administration Building located at:

324 Applestill Road  
El Centro, CA 92243

Date Issued:	12/30/2020
Last Revised	12/17/2020
Page	11 of 13

# Use of Force Policy

## XII. Policy Review

The Probation Department shall regularly review and update its use of force policy to reflect developing practices, procedures, and legal standards. Reviews will occur based on:

- a) Identification of individual and organizational trends in the use of force;
- b) Training needs recommendations;
- c) Equipment needs recommendations;
- d) Policy review recommendations.

## XIII. Citizen Complaints

To comply with the law and to be responsive to the community and other agencies, all complaints regarding an officer's use of force will receive prompt attention and response according to departmental procedures.

The Citizen Complaint Form will be published and available on the Department's online website: <https://probation.imperialcounty.org/resources/> under the Citizen Complaint Form section.

Citizens may request a printed Citizen Complaint Form from the front desk at the Probation Department's Administration Building located at:

324 Applestill Road  
El Centro, CA 92243

Citizen Complain Forms regarding the use of force by officers can be submitted in person, through mail, or through e-mail and should be addressed to the current Assistant Chief Probation Officer. Information to contact is below:

Elizabeth V. Sais  
[elizabethsais@co.imperial.ca.us](mailto:elizabethsais@co.imperial.ca.us)  
324 Applestill Road, El Centro, CA 92243

The Probation Department will investigate and respond to these complaints within 30 days.

## XIV. Disclosure of Public Records Related to Use of Force

Requests for public records involving a Probation Officer's personnel records shall be processed in accordance with Penal Code 832.7 and the Personnel Records and Records Maintenance and Release policies (Government Code 7286(b)).

Records relating to officer use of force will be available for public disclosure if there is a report, investigation, or finding of any of the following:

- a) An incident involving the discharge of a firearm at a person by a peace officer or custodial officer.
- b) An incident in which the use of force by a peace officer or custodial officer against a person resulted in death, or in serious bodily injury.

Date Issued:	12/30/2020
Last Revised	12/17/2020
Page	12 of 13

# Use of Force Policy

## XV. Training

All appropriate personnel, including officers, investigators, supervisors, and managers shall be properly trained on the agency's use of force policy.

Training will be ongoing and consistent with the standards set forth in Section 13519.10 of the Penal Code, to include developing practices, procedures and evolving legal standards.

The Probation Department will follow all legislatively mandated training requirements.

### A. Training Course List

- a) Expandable Baton Training
- b) Firearms Policy & Range Safety Refresher Course (*If approved by CPO to use firearms*)
- c) Officer Safety Awareness
- d) First Aid / CPR/AED
- e) Defensive Tactics
- f) Defensive Tactics Refresher Training
- g) Low Light Handgun Training (*If approved by CPO to use firearms*)
- h) SIG-Sauer Pistol P229 Range Course (*If approved by CPO to use firearms*)
- i) SIG-Sauer Pistol P229 Familiarization Course (*If approved by CPO to use firearms*)

## XVI. References

<https://trustandjustice.org/resources/intervention/implicit-bias>

<https://doi.org/10.1016/j.jesp.2019.04.010>

### California Penal and Government Code References

- a) Penal Code 832.7
- b) Penal Code 835
- c) Penal Code 243
- d) Government Code 7286

### Department Policy References

- a. Policy C-14 (Compliments of Complaints Regarding Staff Performance)
- b. Policy D-1 (Threats, Harm, Danger to Employees and others)
- c. Policy D-2 (Physical Restraints)
- d. Policy D-4 (Arrests)
- e. Policy D-7 (Firearms)
- f. Policy D-8, D-9 (Chemical Agents)

Policy Approved By: \_\_\_\_\_

**Dan Prince, Chief Probation Officer**

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

Date Issued:	12/30/2020
Last Revised	12/17/2020
Page	<b>13 of 13</b>