



Sonoma County Sheriff's Office

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The following is the Sheriff's Office's response to the guiding principles recommended by the Community Advisory Council relative to the use of force policy. I have also included our current use of force policy that went into effect January 1, 2020.

1. *Policy should be founded on a "Strong Sanctity of Life Statement" affirming the value of all human life and officers' duty to uphold citizens' civil and constitutional rights, with an emphasis not only on the welfare of the public, but also on the physical and emotional well-being of the deputies who serve them.*
 - a. Our use of force policy currently contains a sanctity of life statement.
 - b. We have a very intense focus on the well-being of our deputies. While the use of force policy is not the appropriate place for it to be included, we do address it in our peer support policy.
2. *Clear definition of principles and practices of de-escalation, including the use of time and distance and tone of voice to de-escalate a potentially volatile interaction, and a requirement to use de-escalation techniques whenever feasible.*
 - a. We have included a definition of de-escalation in the new use of force policy that went into effect on January 1, 2020.
 - b. De-Escalation was already included in the following policies:
 - i. Crisis intervention incidents
 - ii. Taser use
 - iii. Civil disputes
3. *Force used must be proportional to the level of resistance and the totality of the circumstances.*
 - a. This is not the standard set by statute, therefore we will not be adopting this recommendation.
4. *Force used should be reasonable and should be the minimal amount necessary, using the more restrictive standard for use of force outlined in the Graham v. Connor (1989) 490 US 386.*
 - a. This is not the standard set by statute, therefore we will not be adopting this recommendation.

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5. *Fair and unbiased policing with regards to the interpretation and application of all policies.*
 - a. This is covered under our bias based policing policy and should not be in the use of force policy.
6. *Deputies shall give a verbal warning whenever feasible before using force.*
 - a. We have included this relative to the use of deadly force in the new use of force policy that was issued on January 1, 2020.
7. *Deputies shall continually re-assess the changing situation to evaluate the necessity of force or continued need for force.*
 - a. This is the current practice and is regularly covered in training. It is also covered in case law with the reasonable officer standard. Any force used must be reasonable, and the constant evaluation of the need for it is ongoing throughout an encounter.
8. *Special considerations must be given in policy and training for vulnerable populations including those suspected of mental health challenges, those under the influence of drugs or alcohol, pregnant women, and the young.*
 - a. This is already covered in several policies addressing the use of force. It is also covered regularly during training.
9. *Emphasis on Crisis Intervention Training and calling for Mental Health support whenever possible.*
 - a. This is already existed in our crisis intervention incidents policy and the homeless persons policy.
10. *Increased reliance on good communication skills minimizing the need for use of force.*
 - a. This is already built in to our training program and is emphasized regularly.
11. *Restrictions should be adopted on firing into moving vehicles unless necessary to prevent imminent death or serious bodily injury. Shooting at fleeing felons unless necessary to prevent imminent death or serious bodily injury should be prohibited.*
 - a. This is already in covered in our current policy and by statute.
12. *Carotid restraints and other dangerous chokeholds and maximum restraints are banned.*
 - a. Dangerous chokeholds are already banned under our current policy and have never been allowed.

- b. In order to truly consider this recommendation, we would need to see data that supports the assumption the carotid restraint and maximum restraint are unreasonably dangerous when applied appropriately.
- c. We would also need to have a list of alternatives to these options to deal with combative individuals. Without them the deputies will be restricted to the use of other, potentially more dangerous, uses of force.

13. Greater restrictions on the use of Tasers on vulnerable populations.

- a. We already address vulnerable populations in our Taser policy.

14. Deputies should be required through policy and training to intervene and to report uses of excessive force.

- a. This already exists in our use of force policy and in the law.

15. Evaluation of use of force incidents should include whether the deputy exhausted all other alternatives before resorting to force.

- a. This is not the standard set by statute, therefore we will not be adopting this recommendation.

16. Review and Improve the Use of Force form to better track such incidents as well as reflect the values of the department. Developing metrics for improved tracking of use of force incidents, including reporting the un-holstering of a firearm as use of force.

- a. Our use of force tracking is very comprehensive and includes all instances where a use of force occurs.
- b. Reporting the un-holstering of a firearm as a use of force is not consistent with current case law.

17. The Sheriff's Office should increase and implement the training necessary to support these principles, including but not limited to: de-escalation training, annual implicit bias training, communications training, and reality based training.

- a. The Sheriff's office already trains well above the standards set by POST. We conduct use of force and firearms training every quarter and advanced deputy training every two years.
- b. The Sheriff's Office already implements and emphasizes de-escalation, communications, and reality based training. We have a very comprehensive training program that includes classroom, technical competency, live situational role playing, and a state of the art use of force simulator.
- c. The Sheriff's Office is already sending all deputies through bias training and has implemented implicit bias training as recommended by POST.

18. *The Sheriff's Office should monitor and analyze use of force incidents and establish an early intervention program to target deputies at risk of using excessive force. The Sheriff's Office should cooperate with its community oversight partner, the IOLERO, in analyzing use of force data, looking for relevant trends in order to decrease incidents of excessive force.*
 - a. The Sheriff's office reviews each and every incident involving the use of force. It is reported by the deputy and reviewed, and evaluated by their supervisor. The supervisor completes a use of force report and forwards that to their watch commander and the Professional Standards Lieutenant to review for reasonableness and/or training opportunities.
 - b. The IOLERO director has access to all of these use of force reviews.

19. *The Sheriff's Office should emphasize Officer health and wellness, increasing psychological support for deputies so that they can better deal with high stress situations.*
 - a. As stated before, we have a very intense focus on the well-being of our deputies. We are currently in the process of evaluating our peer support and psychological support programs for all of our employees. This includes a comprehensive training plan and built in support system. In addition, we also offer a county wide employee assistance program and other resources for employees in crisis.

20. *At the scene of use of force, deputies shall administer first aid as soon as possible, when needed.*
 - a. This is already covered in our current policy.

NOTE: TASERS

Not addressed in the following recommendation, but clearly found to be of major public concern is the use of Tasers by the Sonoma County Sheriff's Office. Community members and members of the Community Advisory Council expressed concern and indeed alarm at the increased presence and use of Tasers in detention and on the street. Many community members support an outright ban on such devices. The CAC hereby recommends a comprehensive public review of said policy as soon as possible.

Much like the recommendation to ban the carotid and max restraint, this recommendation needs supporting data and viable alternatives. Tasers have proven to be an effective alternative to higher levels of force. If we become too restrictive with use of force options, there will be very few choices in situations when dealing with combative individuals. Restricting deputies to only hands on, baton, and firearms can actually create a more dangerous situation for the deputies and the public. Unfortunately, there are individuals who do not comply with verbal commands, do not respond to any de-escalation tactics, and are intent on fighting law enforcement. We have to provide our deputies with reasonable options needed to deal with those people as well.