






San Francisco Juvenile Probation Department

Juvenile Hall Policy and Procedures Manual

Chapter 10 - Security and Control

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Policy Name:	Use of Force
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Related Policies and Procedures:	8.03 - Discipline and Discipline Process 10.17 - Use of Physical Restraints
Related Forms:	
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## I. POLICY

Pursuant to Title 15, Section 1357, Minimum Standards for Juvenile Facilities, this Use of Force policy defines Juvenile Hall staff responsibilities and limitations concerning the reasonable and necessary use of force. Further, this policy also establishes a process by which instances of reasonable and necessary use of force is reported, recorded, evaluated and, if necessary, referred for discipline in cases of violations of this policy.

Sworn staff shall only use a level of force that is deemed reasonable and necessary to ensure the safety and security of youth, staff, others, and the facility. Sworn staff shall respond based upon the amount and type of reasonable and necessary force that an objective, similarly trained, experienced and competent Juvenile Hall staff member, faced with similar facts and circumstances, would consider reasonable and necessary to ensure the safety and security of youth, staff, others, and the facility.

Sworn staff shall immediately contact a Senior Counselor and/or the Officer of the Day after utilizing any reasonable and necessary physical intervention on a youth known to be pregnant, suffering from a serious medical condition, or youth having a physical, mental, or developmental disability.

Prior to utilizing any physical force, sworn staff shall use de-escalation techniques, crisis intervention tactics, and other less restrictive alternatives when feasible and safe to do so. When reasonable and necessary use of force is required, it must be carried out in a manner that is fair and unbiased. All use of force incidents shall be documented in an incident report.

Situations where a youth is compliant and submits to search or escort is not considered a use of force. Pursuant to 1358.5, the application of mechanical restrains for transport within the facility is not considered a use of force.

Juvenile Hall staff shall never use force against a youth for punishment, discipline, retaliation, coercion, treatment, or therapy.

Juvenile Hall staff shall use only departmental approved techniques and interventions when using reasonable and necessary force. Any time reasonable and necessary force is utilized on a youth, Juvenile Hall staff shall

immediately contact SPY to conduct a medical assessment and refer the youth to behavior health if the youth shows decompensation or mental health concerns, expresses suicidal thoughts, or exhibits self-harming behaviors. The Officer of the Day shall notify the youth's parent/guardian and the assigned Deputy Probation Officer regarding the circumstances leading to the use of reasonable and necessary force as soon as possible.

All use of reasonable and necessary force incidents must be evaluated to determine if the reasonable and necessary force used was appropriate using the "Objectively Reasonable" standard as defined in *Graham vs. Conner*, 490 U. S. 368 (1989).

All use of reasonable and necessary force incidents shall be documented in an incident report and submitted to a Senior Counselor and/or the Officer of the Day prior to the involved Juvenile Hall staff member(s) going off duty. A Senior Counselor and/or the Officer of the Day shall review all incident reports and provide a critique of the use of reasonable and necessary force incident prior to going off duty.

Any Juvenile Hall staff member present during an incident where another Juvenile Hall staff person is clearly using unreasonable or unnecessary force given the circumstances shall immediately intervene to stop the unreasonable or unnecessary use of force. An attempt to stop the use of unreasonable or unnecessary force may be made verbally or by application of reasonable and necessary force, provided that the application of reasonable and necessary force will not create an imminent or substantial threat to the youth or staff. Any Juvenile Hall staff person who observes unreasonable or unnecessary use of force shall immediately report the incident to the Officer of the Day and complete an incident report of their observation prior to going off duty.

The San Francisco Juvenile Probation Department will not tolerate any form of silence as it pertains to reporting unreasonable and unnecessary use of force and will not tolerate any form of reprisal or retaliation against Juvenile Hall staff who report unreasonable and unnecessary use of force. Any Juvenile Hall staff, regardless of rank, sworn or non-sworn, who fails to report unreasonable and unnecessary use of force or who acts in a manner that fosters a code of silence, shall be subject to corrective action and/or disciplinary action, up to and including termination from City and County service.

All sworn staff shall intervene during a verbal or physical confrontation or other disturbances within the facility. Sworn staff shall respond based upon the amount and type of reasonable and necessary force that an objective, similarly trained, experienced and competent Juvenile Hall staff member, faced with similar facts and circumstances, would consider reasonable and necessary to ensure the safety and security of youth, staff, others, and the facility.

Juvenile Hall staff are not permitted to post any information regarding the use of reasonable and necessary force incidents on social media or otherwise publish the information by any other means (i.e. blogs, electronic comment sections, news reports, etc.). Additionally, Juvenile Hall staff are not permitted to speak with the media, unauthorized staff, or other outside entities about the use of reasonable and necessary force incidents, with the exception of individuals with whom the Juvenile Hall staff have privileged communications (i.e. private legal counsel including legal counsel provided by a union or licensed medical health providers). Juvenile Hall staff shall refer all inquiries from the media to the office of the Chief Probation Officer or their designee.

The possession and use of chemical agents are prohibited within Juvenile Hall.

This policy was developed in cooperation with the Director of Juvenile Hall and the responsible physician.

## II. PRINCIPLE

The San Francisco Juvenile Probation Department respects and values the sanctity of life as well as human rights and dignity. The powers and authority granted to peace officers by the State of California to use reasonable and necessary force represents a great responsibility and such authority will be exercised with care and professionalism. The Department's preferred method of resolving conflict and maintaining safety and security of youth, staff, others, and the facility is through the application of de-escalation and crisis intervention techniques. However, in circumstances where the use of force is the most reasonable and necessary option, the Department's expectation is that Juvenile Hall staff utilize the least amount of force necessary to resolve the incident. While the type or amount of reasonable and necessary force to be applied in any given situation is dependent on the circumstances, sworn

staff are expected to use the guidelines contained within this policy, as well as Department approved training, to guide their decision in a professional, impartial, and reasonable manner.

#### A. Definitions

**Crisis Intervention Techniques:** Non-verbal or verbal de-escalation techniques designed and employed to provide intervention when a youth is exhibiting negative behavior which reinforces expected behaviors and allows the youth to self-regulate emotions and begin to demonstrate acceptable behaviors.

**Use of Force:** An immediate means of overcoming resistance and controlling the threat of imminent harm to self or others. Use of force includes all restraints, control techniques, and physical interventions available to sworn staff through approved SFJPD training.

Types of Force include:

- **Excessive Force:** The use of force greater than which is reasonable and necessary to overcome resistance.
- **Reasonable and Necessary Force:** Refers to the amount and type of force that an objective, similarly trained, experienced and competent Juvenile Hall staff member, faced with similar facts and circumstances, would consider necessary and reasonable to ensure the safety and security of youth, staff, others, and the facility.

**Least Restrictive Alternative:** The lowest level of reasonable and necessary intervention to maintain or restore safety and security within the facility.

**Levels of Resistance:** The following outlines the types of resistance that may be encountered by sworn staff. Types of resistance include:

- **Cooperative:** No resistance exhibited; the use of physical intervention techniques is prohibited.
- **Non-Compliance:** Verbal and physical actions indicate the engaged person is not responding to verbal commands but may offer no form of physical resistance.
- **Passive Resistance:** Engaged person responds with non-compliance and takes physical actions that prevents sworn staff from exercising control.
- **Active Resistance:** Physically evasive movements to defeat sworn staff's attempts at control including bracing, tensing, or pulling/running away. Active resistance also includes verbal responses that indicate an unwillingness to comply with sworn staff's directives and indicate a threat to the safety and security of the youth, other youths, staff, others, or the facility.
- **Assaultive Resistance (threat):** Physical movement which demonstrates an intent and presents an ability to assault youths, sworn staff or another person. Assaultive resistance is resistance that is an imminent threat to others.
- **Life-Threatening Resistance (threat):** Any action likely to result in serious bodily injury, great bodily injury, or death to youth, staff, or others.

**Mechanical Restraints:** Any device which immobilizes a youth's extremities and/or prevents the youth from being ambulatory.

**Medical Assessment:** An examination performed by SPY or licensed medical personnel to evaluate and treat youth involved in physical

incidents. The assessment and results of the examination by SPY or licensed medical personnel shall be documented in the incident report.

**Non-physical Intervention:** The use of verbal and non-verbal interpersonal skills to affect and influence youths, such as command presence and verbal directives. A non-physical intervention is considered a use of force and may require an incident report as continuum of force escalates.

**Objectively Reasonable:** The standard used to determine whether a Juvenile Hall staff member's actions are reasonable and necessary considering the facts and circumstances confronting them without regard to their underlying intent or motivation.

**Physical Intervention Options:** Physical interventions should be utilized only when it appears less restrictive alternatives would be ineffective in controlling the youth's behavior to ensure the safety and security of youth, staff, others, and the facility. A physical intervention is considered a reasonable and necessary use of force. Whenever a physical intervention is utilized, an incident report and medical assessment are required.

**Positional Asphyxia:** A situation in which an individual's position prevents the person from breathing adequately. Persons who are obese or known to have asthma, respiratory problems, or cardiac problems may be at increased risk for asphyxiation or death when placed in a prone position following the application of a physical intervention.

**Positive Behavior Management Techniques:** Techniques such as regrouping, restructuring, and/or problem solving used to assist in the development of positive staff-youth relationships.

**Serious Bodily Injury:** A serious impairment of physical condition, including but not limited to, the following: loss of consciousness, concussion, bone fracture, protracted loss, or impairment of

function of any bodily member or organ, a wound requiring extensive suturing, and serious disfigurement.

Shackles: Leg irons (larger size handcuffs) which join the youth's ankles together.

Show of Numbers: The assembly of enough department sworn staff to dissuade and contain a youth's disruptive behavior and/or attempt to avoid the use of physical intervention to ensure the safety and security of youth, staff, others, and the facility.

### III. PROCEDURES

The procedures contained within this policy outline what intervention options are available to sworn staff and provide guidelines on when to use these interventions. These procedures also contain information regarding what notifications are required after the use of reasonable and necessary force, how to document a use of reasonable and necessary force incident, and what supervisors, managers and review committees are required to do to ensure oversight and accountability regarding the use of reasonable and necessary force.

#### A. Intervention Options

Intervention options do not have to be utilized in any sequence, but the decision on which intervention(s) to use must be based on the "Objectively Reasonable" standard given the circumstances presented to Juvenile Hall staff. Juvenile Hall staff shall utilize the Least Restrictive Alternative based on the circumstances presented to resolve the situation to ensure the safety and security of youth, staff, others, and the facility. Juvenile Hall staff shall continuously reassess the circumstances and situation to determine if the intervention being utilized is reasonable and necessary or if the intervention needs to be adapted to the level of resistance exhibited by the youth. Upon considering the factors of the situation, sworn staff are authorized to use the following intervention options.



## B. Non-physical Intervention Option

Non-physical intervention options are considered less restrictive than physical intervention options. Non-physical intervention options are best utilized when a youth is exhibiting behavior that is disruptive, non-compliant and threatening, but has not yet risen to the point of being an imminent or substantial threat to ensure the safety and security of themselves, other youths, staff, and the facility. Non-physical intervention options include the following:

- Non-verbal (presence, eye contact, hand gesture)
- Verbal de-escalation, dialogue, and counseling, including:
  - Crises Intervention Techniques, and
  - Positive Behavior Management Techniques
- Notification to a Senior Counselor and/or the Officer of the Day
- Referral to, or a request for assistance from, SPY
- Increase the number of Juvenile Hall staff by requesting assistance (Show of Numbers)

## C. Physical Intervention Options

The Department's preferred method of resolving conflict and maintaining safety and security in the facility is through the application of de-escalation and crisis intervention techniques, it recognizes that situations will arise where a youth presents an imminent or substantial threat to themselves, other youths, or staff. However, in circumstances where the use of force is the most reasonable and necessary option, the Department's expectation is that the use of force is the most reasonable and necessary option based directly upon the level of resistance exhibited by a youth and will be adapted to the level of resistance. While the type or amount of reasonable and necessary force to be applied in any given situation is dependent on the circumstances, sworn staff are expected to use the guidelines contained within this policy, as well as Department approved training, to guide their decision in a professional, impartial, and reasonable manner.

Physical Intervention options include the following:

**Physical Control:** Juvenile Hall staff will use a Position of Advantage also referred to as an escort position. This technique is used mainly to escort or keep youth in a specific area to keep them safe and secure. This is not a firm grip, but a light grip, to judge the youth's reaction to touch. This technique is used to guide or escort the youth while giving the sworn staff the ability to use a compliance technique or a defensive tactic from this position if the situation escalates.

**Compliance Techniques:** These techniques are to gain compliance from the youth. If the youth is endangering themselves, others and/or property, sworn staff can use force to gain compliance. These techniques can include wristlocks, leg locks, take downs, pressure points, and ground control.

- can be used to break up fights
- control a youth from self-harm or hurting others
- control a youth from destroying property
- control a combative youth who will not follow staff instructions
- control a youth trying to escape

**Defensive Tactics:** These techniques include control holds, escape techniques, distraction strikes, and takedowns (all compliance techniques listed above apply to this technique as well). Sworn staff can use reasonable force to effect the arrest, to prevent escape or to overcome resistance. Defensive Tactics can be used to defend against an imminent threat, bodily injury or death to youths, staff, or others.

The use of force is subjective, and it may differentiate from one tactic compared to another. Sworn staff shall use the least amount of force necessary to gain compliance/control.

Once the behavior or circumstances that prompted the use of reasonable and necessary physical intervention cease and the youth no longer presents an imminent or substantial threat to themselves, other youths, or staff, sworn staff must immediately cease the use of the reasonable and necessary physical intervention or switch to a non-physical intervention option.

#### D. Prohibited Actions

Sworn staff shall never do any of the following:

- Use an intervention option as punishment, discipline, retaliation, coercion, treatment, or therapy.
- Carry or deploy Oleoresin Capsicum (OC) chemical restraint spray.
- Apply shackles (leg irons), waist chains, or mechanical restraints behind the body of a youth known to be pregnant or in recovery after delivery. Sworn staff shall also never restrain a pregnant youth in labor, during delivery or in recovery after delivery by the wrist, ankles or both unless deemed necessary for the safety and security of the youth, staff, public, or facility (Penal Code section 3407).
- Use an alternative restraint device in lieu of mechanical restraints that is not an approved mechanical restraint of the department.
- Choke holds, carotid holds, or any control utilized to temporarily cut off the blood supply to the brain or cause asphyxiation/strangulation rendering the youth being restrained unconscious.
- Hogtie or any procedure whereby mechanically restrained hands and feet are drawn together and secured behind their back.

Any Juvenile Hall staff member who commits a prohibited action identified in this section may be subject to discipline.

#### E. Required Notification

Any time sworn staff use a reasonable and necessary physical intervention options on a youth, Juvenile Hall staff shall immediately notify SPY after the use of force incident has resolved and it is safe to do so. Any youth involved in a use of force incident shall be evaluate by SPY as soon as possible. If a Senior Counselor is not already on scene, Juvenile Hall staff shall immediately notify a Senior Counselor and/or the Officer of the Day regarding the use of reasonable and necessary force. A Senior Counselor and/or the Officer of the Day is responsible for ensuring any youth involved in a use of reasonable and necessary force incident is evaluated by SPY staff for medical and behavioral issues as soon as possible. The Officer of the Day is responsible for notifying the parent/guardian and the assigned Deputy Probation Officer of any youth involved in a use of reasonable and necessary force incident. All notification must occur prior to the Officer of the Day going off-duty and shall be documented in the Incident Report.

i. Department of Public Health: Special Programs for Youth (SPY)

In all instances where a reasonable and necessary physical intervention option has been utilized or a youth is involved in a physical altercation, a medical evaluation shall be provided to the youth as soon as possible and when it is safe to do so. SPY or a licensed health care professional are the only authorized persons to accept a youth's refusal of a medical evaluation after a use of reasonable and necessary force incident.

In addition, SPY shall also assess each youth involved in the use of reasonable and necessary force incident to determine if follow up medical care and/or counseling is required.

ii. Parent/Guardian

The Officer of the Day is responsible for notifying, via telephone, the parent/guardian of all youth who had a reasonable and necessary physical intervention option applied to them. The Officer of the Day shall make a bona fide attempt to reach each parent/guardian of each youth. If the Officer of the Day is unable to reach a live person, a voice message shall be left. The Officer of the Day shall relay the following information:

- A brief description of the circumstances surrounding the use of reasonable and necessary force incident;
- Any injuries sustained by the youth;
- Medical and mental health services provided to the youth;
- Any verbal counseling or cognitive exercises/interventions provided to the youth; and
- Contact information for the Officer of the Day for any follow up questions.

iii. Deputy Probation Officer

The assigned Deputy Probation Officer of any youth that had reasonable and necessary force applied to them or contributed to the circumstances that resulted in the use of reasonable and necessary force incident shall be notified via email by the Officer of the Day. The email shall include the date, time, and persons involved in the use of reasonable and necessary force incident and a brief description of the circumstances surrounding the use of reasonable and necessary force event. The Supervising Probation Officer of the DPO shall also be copied to the email.

## F. Follow up to a Use of Force Incident

### i. Debriefing

Debriefing after a use of reasonable and necessary force incident can be an effective tool to learn about the well-being of the youth and staff. Debriefing can also be a valuable tool in determining what factors may have caused the event, helping to evaluate the effectiveness of interventions utilized, and proactively mitigating future events. Debriefing is not intended to be a substitute for a normal review or an investigative process. Issues arising from a use of reasonable and necessary force incident that may lead to corrective/disciplinary action must not be discussed at debriefing. Behavior that could lead to corrective/disciplinary action shall be documented in the Officer of the Day Logbook and discussed with the Director of Juvenile Hall or their designee. Debriefing is an integral part of the facilities effort to reduce the need for use of reasonable and necessary force and must be conducted as soon as practical. Debriefing shall occur with both Juvenile Hall staff and the youth for the purposes of training as well as mitigating the effects of any trauma that may have been experienced.

A Staff Debriefing may occur at any location conducive to dialog and, if possible, should occur prior to the involved staff going off duty. Debriefings do not need to be lengthy in duration so long as the involved Juvenile Hall staff have an opportunity to comment on and receive feedback regarding the use of reasonable and necessary force incident. It is the responsibility of the Officer of the Day to lead and organize the debriefings. Any additional questions, comments or concerns stemming from the debriefing would be routed up the chain of command to the Director of Juvenile Hall via an email from the Officer of the Day.

Debriefings should include an interview with the involved youths to get their perspective regarding the following:

- What happened?
- Why did it happen?
- Could staff have done anything to prevent the incident?

The interview must be conducted by the Officer of the Day after the use of reasonable and necessary force event has resolved and when it is safe to do so. If the youth provided information during the interview, the Officer of the Day is responsible for sharing this information during the staff debriefing.

The Officer of the Day has the discretion to involve other youth or staff in the debriefing if their inclusion will assist in the discussion of the incident (i.e., SPY, community-based organization, school department, etc.)

ii. Documentation

Any Juvenile Hall staff who observes or uses reasonable and necessary force on a youth shall immediately report the use of reasonable and necessary force to a Senior Counselor and/or the Officer of the Day and submit an incident report prior to going off duty. Juvenile Hall staff shall write the incident report utilizing their own memory and the accounts of the event. Juvenile Hall staff shall not collaborate with other Juvenile Hall staff in the preparation of incident reports. The incident report shall identify the date, time, and location of the incident, the Juvenile Hall staff and youth involved, and any witnesses to the incident. If the following information is known to the report writer, it shall be

included in the incident report to assist in evaluating the use of reasonable and necessary force incident:

- The circumstances leading to the use of reasonable and necessary force
- De-escalation attempts utilized
- The nature and degree of the reasonable and necessary force used
- Description of the youth's level of resistance
- Injuries sustained during the use of reasonable and necessary force
- Aid rendered to the youth after reasonable and necessary force was used
- Reason for the intervention
- Youth's statements and actions prior to the use of reasonable and necessary force
- What Juvenile Hall staff was thinking and perceiving at the time, what they did, and all verbal instructions, commands, and less restrictive interventions utilized before the use of reasonable and necessary force
- A clear and factual rationale for the use of reasonable and necessary force
- Type and amount of reasonable and necessary force used to overcome resistance
- A description of the use of reasonable and necessary force and the results obtained
- Observable injuries
- Time of Senior Counselor and/or the Officer of the Day notification and to whom
- Time of SPY notification and whom
- Time and persons involved in the debriefing
- Witness statements
- Evidence collected if applicable, including photos



- The Officer of the Day shall contact the youth's parent/guardian and the assigned Probation Officer.

In addition to the Incident Report, a Use of Mechanical Restraints form shall be completed and included in the final incident packet if mechanical restraints were utilized during the incident.

#### G. Department of Justice Reporting

In accordance with Government Code Section 12525.2, the SFJPD must submit use of reasonable and necessary force incident data to the Department of Justice annually. Information may be submitted electronically via a web-based data collection system known as URSUS (the DOJ's Use of Force Data Reporting System). In support of this requirement, the Assistant Chief Probation Officer submits one entry for all Divisions. The Director of Juvenile Hall must submit the following information to the Assistant Chief:

- Any incident in which the use of reasonable and necessary force by sworn staff against a youth results in serious bodily injury or death; and
- Any incident in which the use of reasonable and necessary force by a youth against sworn staff results in serious bodily injury or death.

Given the Department's obligation to report statistics to the DOJ, the documentation provided by Juvenile Hall staff is important to maintain compliance.

#### H. Right to Grieve Use of Force

Any youth subject to a use of force has the right to grieve the incident. The youth may file a grievance for review by a third-party Ombudsman to determine a fair and unbiased outcome for the youth.

#### I. Unnecessary or Excessive Use of Force

Any Juvenile Hall staff member present during an incident where another Juvenile Hall staff person is clearly using unnecessary or excessive force shall immediately intervene to stop the unnecessary use of force. Juvenile Hall staff shall immediately intervene either verbally or by the application of reasonable and necessary force to eliminate the threat to the youth or staff. Any Juvenile Hall staff person who observes unreasonable or unnecessary use of force shall immediately report the incident to the Officer of the Day and complete an incident report of their observation prior to going off duty.

All Juvenile Hall staff members who observe unreasonable and unnecessary use of force incidents shall complete a Suspected Child Abuse Report. Juvenile Hall staff shall document the date, time, and the name of the person notified of the Suspected Child Abuse Report in the incident report.

#### J. Administrative Review

Each individual use of reasonable and necessary force incident shall be evaluated at both the supervisory and management levels to determine if the use of force was both reasonable and necessary under applicable laws, regulations, policies, procedures, and training.

#### K. Factors to Determine the Reasonableness of Force

When determining whether to utilize use of reasonable and necessary force, and in evaluating whether a Juvenile Hall staff member has used reasonable and necessary force, several factors should be taken into consideration. The factors include, but are not limited to:

- Immediacy and severity of the threat to youths, staff, or others

- The conduct of the individual being confronted, as reasonably perceived by the counselor at the time
  - Sworn staff/youth factors (age, size, relative strength, skill level, injuries sustained, level of exhaustion or fatigue, and the number of sworn staff available vs. youth)
  - The effects of drugs or alcohol on the youth
  - Youth's mental state or capacity
  - Proximity of weapons or dangerous improvised devices
  - The degree to which the youth has been effectively restrained and their ability to resist despite being restrained
  - The availability of other less restrictive options and their possible effectiveness
  - Seriousness of the suspected offense or reason for contact with the youth
  - Training and experience for the sworn staff
  - Potential for injury to youth, staff, and others
  - Whether the youth appears to be resisting, or is attacking the sworn staff or non-sworn staff
  - The risk and reasonably foreseeable consequences of escape
  - Whether the conduct of the youth being confronted no longer appears to pose an imminent and substantial threat to themselves, other youths, staff, or others
  - Prior contacts with the subject or awareness of any propensity for violence
  - The apparent need for immediate control of the youth or a prompt resolution of the situation
  - Other exigent circumstances
- L. Senior Counselor's and/or Officer of the Day's review of use of reasonable and necessary force incidents

All use of reasonable and necessary force incidents shall be reviewed by the Senior Counselor and/or Officer of the Day as soon as practical, but prior to the Senior Counselor and/or Officer

of the Day going off duty. The Senior Counselor and/or Officer of the Day shall ensure all Juvenile Hall staff involved in or observing a use of reasonable and necessary force incident submit an incident report.

The Senior Counselor and/or Officer of the Day shall view each incident report for content and accuracy and to ensure the incident report contains enough details related to the use of reasonable and necessary force incident. If additional information or clarification surrounding an incident report is required, the Senior Counselor and/or Officer of the Day shall maintain the original incident report and direct Juvenile Hall staff to complete an addendum incident report to clarify and/or expand upon the information initially provided.

In addition, the Senior Counselor and/or Officer of the Day shall provide a critique of the use of reasonable and necessary force incident. The following information must be documented in the critique:

- Were the Juvenile Hall staff member's actions prior, during, and after the use of reasonable and necessary force in compliance with policy, procedures, and training?
- Were less restrictive alternatives to the use of reasonable and necessary force considered or utilized (i.e. additional Juvenile Hall staff, referral to behavior health clinician, verbal counseling, etc.)?
- Were any crisis prevention and intervention techniques utilized prior to the use of reasonable and necessary force incident?
- Were any injuries reported or sustained by youth, staff, or others and the type of reported or sustained injuries?
- Were any actions or behaviors exhibited by sworn staff present that could lead to corrective/disciplinary action?
- The Senior Counselor shall review all incident reports to ensure the documents are complete prior to approving the documents.

The critiques shall contain a definitive statement regarding the Senior Counselor's and/or Officer of the Day's opinion on whether policy, procedure, and training were followed as well as whether or not the use of force utilized was reasonable and necessary (including an analysis between the amount of force used in comparison to the amount of resistance encountered). A recommendation for additional training, if any, shall be provided.

If a Senior Counselor and/or the Officer of the Day suspects a case of unreasonable and unnecessary use of force may have occurred, the Senior Counselor and/or the Officer of the Day shall indicate so in the critique and immediately notify the Director of Juvenile Hall or their designee via email. The subject line of the email shall read "Use of Force Incident: Urgent." The Senior Counselor's and/or the Officer of the Day's critique shall be completed before going off duty.

- Note: any incident involving a youth sustaining a serious injury, including a serious injury sustained because of the application of the use of reasonable and necessary force, shall be reported to the Director of Juvenile Hall immediately. It should be noted any instance of a youth sustaining a serious injury is considered a Critical Incident.

M. Director of Juvenile Hall and Assistant Chief Probation Officer Review

The Director of Juvenile Hall or designee shall review all incident reports within three (3) business days of submission and conduct a thorough analysis of the use of force incident to determine if the force utilized was reasonable and necessary within the policy, procedures, training, and lawful under applicable laws and regulations. The Director of Juvenile Hall or designee shall verify that all Juvenile Hall staff involved in or observing a use of reasonable and necessary force incident submitted incident reports and that all Senior Counselors and/or the Officer of the Day provided a thorough critique of the incident.

In instances where Juvenile Hall staff violated policy, procedures, and/or training standards, but there are no allegations of unreasonable and unnecessary use of force, the Director of Juvenile Hall or designee shall submit a memorandum to the Assistant Chief Probation Officer with five (5) business days of reviewing the incident reports. The memorandum should include the Juvenile Hall staff member's training record, any known history of counseling and corrective action related to the use of reasonable and necessary force and a recommendation for corrective action, if any, and/or training remediation. The Assistant Chief Probation Officer shall decide whether to follow the recommendation or impose an alternative resolution.

Use of reasonable and necessary force incidents deemed to be within policy, where no further action is required, must be forwarded to the Assistant Chief Probation Officer within five (5) business days.

N. Director of Juvenile Hall's and Assistant Chief Probation Officer's Responsibilities: Unreasonable and Unnecessary Use of Force

In any case where a Senior Counselor and/or the Officer of the Day contacted the Director of Juvenile Hall or designee with an allegation of unreasonable and unnecessary use of force, the Director of Juvenile Hall or designee shall review the incident reports within one (1) business day, utilizing all available information. If the Director of Juvenile Hall or designee finds an allegation to be unreasonable and unnecessary, they shall notify the Assistant Chief Probation Officer for immediate review. Regardless of how the Director of Juvenile Hall became aware of the allegation (reported or independent determination), the Director of Juvenile Hall is responsible for gathering information and making a recommendation regarding whether an internal affairs investigation is warranted.

The Director of Juvenile Hall shall, within two (2) business days of becoming aware of any allegation of unreasonable and unnecessary use of force, notify Human Resources, the Assistant

Chief Probation Officer, and the Chief Probation Officer. This notification shall be through a memorandum and include the completed incident reports, a summary of what occurred during the use of unreasonable and unnecessary force incident, any steps taken to immediately address the situation (i.e. medical care provided to the youth, reported to law enforcement, etc.), the Juvenile Hall staff member's training record, any known past history of corrective or disciplinary action related to use of unreasonable and unnecessary force and a recommendation regarding whether or not an Internal Affairs investigation should be opened.

The Chief Probation Officer is responsible for determining whether an Internal Affairs investigation should be opened to investigate the allegation. Allegations of unreasonable and unnecessary use of force may be referred to the San Francisco Police Department for investigation and/or to the District Attorney's Office for prosecution.

Any sustained allegation of retaliation, the willful abuse of a youth and/or the deprivation of their rights by any sworn staff under the color of law or color of authority shall be subject to disciplinary action, up to and including, termination and possible prosecution based on the severity of the act.

#### O. Maintenance of Records

All use of reasonable and necessary force incident reports shall be maintained for record keeping purposes. Said records shall be maintained pursuant to government standards for the retention of records. In addition, for each use of reasonable and necessary force incident the following information should be inputted into a database or record management system:

- Incident type (assault, battery, group altercation, disturbance, mutual combat, etc.)
- Type of reasonable and necessary force used (technique)

- Whether mechanical restraints were used
- Whether room confinement was utilized because of the use of reasonable and necessary force incident
- Location of incident
- Date and time of incident
- Youth involved
- Whether the youth had a Mental Health designation or identified disability
- Staff who applied reasonable and necessary force
- All related critiques pertaining to the use of reasonable and necessary force incident
- All findings and related information to determine if the use of force was reasonable and necessary under applicable laws, regulations, policy, procedures, and training

NOTE: The Director of Juvenile Hall is responsible for ensuring the use of reasonable and necessary force information is accurate and consistently maintained.

#### P. Training

Sworn staff shall be trained with Department approved use of force techniques that restrict mobility or movement and disengage the youth from harmful physical contact. In addition, all sworn staff should be trained in de-escalation techniques. Training should include, but is not limited to, the following topics:

- Known medical and behavioral health conditions that would contraindicate certain types of reasonable and necessary force;
- Signs of symptoms that should result in an immediate referral to medical or behavioral health;
- Instruction on the Constitutional Limitations of the Use of Force;
- Physical training force options that may require the use of perishable skills; and
- Timelines the facility uses to define regular training.



All sworn staff must participate in initial training upon assignment and regular update training thereafter. Initial training must consist of 8-hours and cover the topics identified above. Regular update training must consist of 8-hours, occur annually, and cover the topics identified above.

The possession and use of chemical agents are prohibited within Juvenile Hall.

**Q. Citizen Complaints**

Citizens may submit complaints to the Department in accordance with the Citizen Complaint Process. They may access complaint forms at the SFJPD website or directly from the office of the Chief Probation Officer.

**R. Disclosure of Public Record**

If the incident involved the use of reasonable and necessary force resulting in death or great bodily injury, personnel records if requested, may be disclosed as a public record in accordance with Penal Code Section 832.7 and the California Public Records Act.

**S. Review of Policy**

This policy must be reviewed on a regular basis and updated to reflect any developing procedures regarding the use of reasonable and necessary force.