



SACRAMENTO POLICE DEPARTMENT
Force Investigation Team
Serious Bodily Injury Administrative Review



Report Number:

SPD 23-309060

Division Captain(s):

Acting Captain Brent Kaneyuki #4108

Location:

US 50 EB at 34th St Off-Ramp

Date/Time of Incident:

11/02/23 at 0253 hours

Suspect(s):

Tawn Wang Saephan (X-Reference [REDACTED] DOB: 03/14/1971)

Primary Officer(s):

Officer Michael Phelan #927

Witnessing Officer(s):

Yuba County Sheriff Deputies and California Highway Patrol Only

FIT Investigator:

Detective Trevor Schwertfeger #765

Incident Summary:

On 11/2/23 at approximately 0119 hours, the Yuba County Sheriff's Department was investigating a residential burglary in which the victim stated that her ex-boyfriend, Tawn Saephan, had forcibly made entry into her residence then fled prior to police arrival. While investigating, Yuba County Sheriff Sergeant Trumm located a potentially matching vehicle which fled when he attempted to make an enforcement stop. The vehicle drove past the victim's residence while being pursued and the victim identified the vehicle as that of her ex-boyfriend who had broken into her residence. A Yuba County Deputy was able to successfully deploy spike strips on the vehicle and the pursuit continued towards Sacramento on Interstate 5. Due to the pursuit continuing on the freeway, the California Highway Patrol took over the pursuit with Yuba County Deputies trailing.

At approximately 0231 hours the California Highway Patrol contacted the Sacramento Police Department communications center to request canine assistance in the pursuit. Per Computer Aided Dispatch (CAD) remarks, Lieutenant Will Conner #4110 approved the canine assistance for the California Highway Patrol's Pursuit.

At approximately 0248 hours, Officer Phelan #927 joined CHP's pursuit of the vehicle on southbound Interstate 5 as the pursuit approached the Highway 50 junction. The pursuit continued at low speeds eastbound on Highway 50. The vehicle began to exit at the 34th St exit from Highway 50 but due to its tires being flat the vehicle came to a stop on the off-ramp of eastbound Highway 50 at 34th St. The vehicle was still in drive with its wheels spinning after it came to a stop.

As the vehicle began to stop Officer Phelan gave a canine warning over his vehicle's public address system admonishing the suspect "Police canine do not run or you will get bit".

Shortly after the vehicle came to a stop the driver quickly exited from his door and immediately began fleeing on foot eastbound down the off-ramp. Officer Phelan deployed his canine partner and yelled an admonishment of "police canine get on the ground" to the suspect. Suspect Saephan continued to flee after this admonishment. Officer Phelan detailed the following reasons for deploying his canine partner:

- Suspect Saephan was wanted for 459 PC (burglary), 2800.2 CVC (felony evading), and 148(a)(1) PC (resisting arrest)
- Suspect Saephan was refusing to stop running despite requests to surrender from a marked uniformed patrol officer as well as K9 admonishments, which showed a high level of commitment and resistance to being detained in violation of 148(a)(1) PC
- Suspect Saephan had already shown a high level of resistance by his willingness to flee in a vehicle with no front tires for over 40 miles then continue to run from the vehicle on foot neglecting to even put the Camry in park in an effort to further evade Officers with complete disregard for the safety of pedestrian traffic on the roadway and pedestrian foot traffic in the area
- Suspect Saephan posed a threat to residents in the area if the suspect was not located
- Neither the vehicle nor Suspect Saephan had been searched for weapons and it was unknown if the suspect had gained access to weapons (conventional or unconventional) inside the vehicle or during the burglary
- During the pursuit, District 6 units advised that the vehicle returned to Saephan's address of [REDACTED] 11th Ave, which was just 1.9 miles from the termination point of the pursuit. If Saephan was able to make it back to the above address, that he may barricade himself inside, possibly gain access to weapons, and present a further safety hazard to Officers tasked with his arrest
- The use of K9 in this situation would help enhance the safety of officers tasked with apprehending the suspect on scene

Canine Shep apprehended the fleeing suspect east of the suspect's vehicle. Officer Phelan and California Highway Patrol officers cleared the vehicle for additional suspects and none were located. They then approached Suspect Saephan who was actively fighting Officer Phelan's dog. Suspect Saephan delivered several closed fist punches to Canine Shep while holding an object in his fist which Officer Phelan initially believed was being used to stab Canine Shep. The object was later determined to be a vape pen after Suspect Saephan was detained.

Officer Phelan gave multiple orders to Suspect Saephan to put his hands on the ground but he continued to strike and fight Canine Shep. Suspect Saephan also attempted to punch Officer Phelan in the face but missed the strike. With the assistance to multiple California Highway Patrol officers Suspect

Saephan was detained in handcuffs and Canine Shep was removed from his left thigh. Medical aid was requested immediately for treatment of the dog bite.

Officer Phelan returned Canine Shep to his vehicle and checked him for injuries. He did not observe any. Officer Phelan returned to Suspect Saephan and made multiple attempts to check his leg for injuries or to treat it, however Suspect Saephan was still physically and verbally uncooperative and refused multiple attempts at treatment. While handcuffed and in the presence of several officers, Suspect Saephan spontaneously stood up and attempted to flee but was physically detained shortly after by officers on scene. The Sacramento Fire Department arrived on scene and transported Suspect Saephan to UC Davis Medical Center where he remained in custody with Yuba County Deputies.

On 11/2/2023 at approximately 1005 hours, Officer Stedman #420 received a phone call from Yuba County Sheriff Sergeant Williams #511 advising that Suspect Saephan received 36 stitches as a result of the canine apprehension. On 11/2/23 at approximately 1009 hours, Forensic Investigator Hill #6375 responded to UC Davis Medical Center where she documented Suspect Saephan's injuries in 34 photographs.

I reviewed footage of the incident provided by the Yuba County Sheriff's Department, however the footage did not capture any portion of the use of force.

Suspect Saephan was left in the custody of Yuba County Sheriff's Department Deputies for the offenses of 2800.2 VC and 459 PC. Officer Phelan additionally generated a fresh crime report for the violations of 148(a)(1) PC and 600 PC that occurred in Sacramento.

Injuries:

Lacerations along upper left calf, inside of left knee, and lower left thigh requiring 36 stitches

General Orders:

The following department General Orders were reviewed, as they apply to this incident, and the review was limited to the conduct of employees within the immediate area of the incident and/or directly involved in the incident. Additionally, the General Orders reviewed for this incident were the most up-to-date version of the orders, at the time of the incident.

GO 522.02 Emergency Care for Individuals Under Police Care of Control (Revised 8/9/23)

GO 525.07 Body Worn Camera (Revised 1/16/19)

GO 580.02 Use of Force (Revised 12/16/21)

GO 580.03 Use of Force Reporting (Revised 12/16/21)

GO 580.06 De-Escalation and Planned Response (Revised 12/1/20)

GO 580.14 Use of Canine (Revised 6/7/22)

GO 521.01 Pursuit of Vehicles (Revised 3/20/18)

GO 521.02 Code 3 Driving (Revised 5/22/17)

Use of Force:

Per SPD General Order 580.14 (Use of Canines), the circumstances for the deployment of Canine Shep included but are not limited to the following:

- Suspect Saephan was wanted for burglary (C.2.c.i)
- Suspect Saephan was wanted for felony vehicle evading (C.2.c.iii)
- Suspect Saephan was actively resisting arrest (C.2.e)



SACRAMENTO POLICE DEPARTMENT
Force Investigation Team Response



This is a summary of SPD 23-309060 that occurred on 11/02/23 at approximately 0228 hours at HWY 50 EB/34th St, Sacramento, CA in SPD District 6B. The below information is what is currently known to FIT at the time of this writing and prior to the completion of all associated reports. The below summary has not been vetted and thus should be confirmed for accuracy prior to dissemination.

Call Type

ASSIST

Call Number

SPD 23-309060

Location:

US 50 EB / 34th St, Sacramento, CA 95817

Watch Commander:

Lt. Kristine Morse #4009

District Sergeant:

Sgt. Ryan Davis #3052

Primary Officer(s):

Officer Michael Phelan #927 (K912)

Secondary Officer(s):

None

Injured Subject(s):

Tawn Wang Saephan (X-Reference ██████████, 03/14/1971)

Witness(s):

Unknown CHP/Yuba County SO Witness Officers

No SPD witness Officers

No independent witnesses

Surveillance cameras:

None visible from off ramp

CSI Response:

CSI photographs of vehicle and injuries at hospital

Body Worn Cameras Observed:

Officer Michael Phelan #927 (K912)

In-Car Camera Observed:

N/A – Pending upload

Injuries:

36 Stitches to left lower leg

Hospital subject transported to:

UC Davis Medical Center (UCDMC)

SB 1421 applicable:

Yes

Summary:

On 11/02/23, at approximately 1109 hours, the Force Investigation Team was called out related to an incident that occurred at 0228 hours at HWY 50 EB 34th St Off-ramp, Sacramento, CA in SPD District 6B. FIT responded to the SPD Rooney Station, where Sergeant Justin Hanks #3064 briefed the incident. FIT was provided with the following information.

On 11/02/23 at approximately 0228 hours, SPD Dispatch was advised of CHP taking over a pursuit from Yuba County SO of a burglary suspect heading into Sacramento. CHP requested the assistance of SPD K9 and K9 Officer Phelan responded with the approval of Lieutenant Kristine Morse. At approximately 0250 hours Officer Phelan joined the pursuit in the area of southbound I-5 approaching HWY 50.

At some point during the pursuit outside agencies had successfully deployed spike strips on the vehicle and the vehicle was continuing to flee on rims. Officer Phelan and outside agency officers continued pursuing as the vehicle exited eastbound HWY 50 at the 34th St exit where the vehicle came to a stop. The driver, Tawn Saephan, immediately exited the driver seat of the vehicle and Officer Phelan deployed his canine partner after a canine warning was given.

Officer Phelan's canine apprehended the fleeing suspect and Officer Phelan and outside agency officers cleared the vehicle and approached the suspect beyond the vehicle. The suspect was actively repeatedly striking the canine in the head and Officer Phelan gave multiple admonishments for the suspect to stop. Outside agency officers grabbed the arms of the suspect and Officer Phelan pulled his canine partner from the suspect who was detained without further incident.

Saephan sustained injuries to his left lower leg which required 36 stitches. Saephan was transported by the Sacramento Fire Department to UCDMC. Yuba County took custody of the arrestee. Officer Phelan is generating a crime report for 148 PC as well as 600 PC in addition to the charges from Yuba County.

Sacramento Police Department

Level 1 Use of Force Report

Incident Details

Date Received 11/02/2023
Entered By Police Officer
Trevor
Schwertfeger
Date/Time of Occurrence 11/02/2023 02:53
Date/Time Entered 11/10/2023 08:18
Record ID Number 32683
Report Number 23-309060
IA No UOF2023-062
Sacramento PD Blue Team Assigned [Pending assignment]
Investigator
IAPro Assigned Investigator AA Colleen
Barker #6445

Incident Location

Location of Occurrence 6 - East
US 50 EB / 34th St
Sacramento, CA, 95817
Precinct: 6B

Incident Summary

Review of BWC of Ofc. Phelan #927
Review of ICC of Ofc. Phelan #927
Review of BWC of Yuba County Deputies

Review of SPD Report 23-309060
Review of Yuba County SO report 23-4413

Review of radio traffic audio file

Review of CSI Photographs

Review of the following General Orders:

GO 522.02 Emergency Care
GO 525.07 Body Worn Camera
GO 580.02 Use of Force
GO 580.03 Use of Force Reporting

GO 580.06 De-Escalation and Planned Response

GO 580.14 Use of Canine

GO 521.01 Pursuit of Vehicles

GO 521.02 Code 3 Driving

1/17/24: SB16 hold placed at the request of AO Perez (email attached). CB.

Use of Force Details

More Than 1 Citizen Involved	No	Reason For Using Force	Prevent Escape
Citizen Arrested	Yes	Distance to Citizen	25 feet and beyond
Officer(s) Injured	No	Citizen Injured	Yes
Officer(s) Taken to Hospital	No	Citizen Taken to Hospital	Yes
Service Being Rendered	Outside Agency Asst	Citizen Build	Similar as Officer
Weather Condition	Clear	Citizen Height	5'7" to 5'9"
Light Condition	Outdoor-Dark	Citizen Influence Assessment	Unknown

Crisis Details

Nature of Crisis	None
Crisis Behaviors	Belligerant / uncooperative behavior
Final Disposition	Arrested

Reporting/Involved Citizen

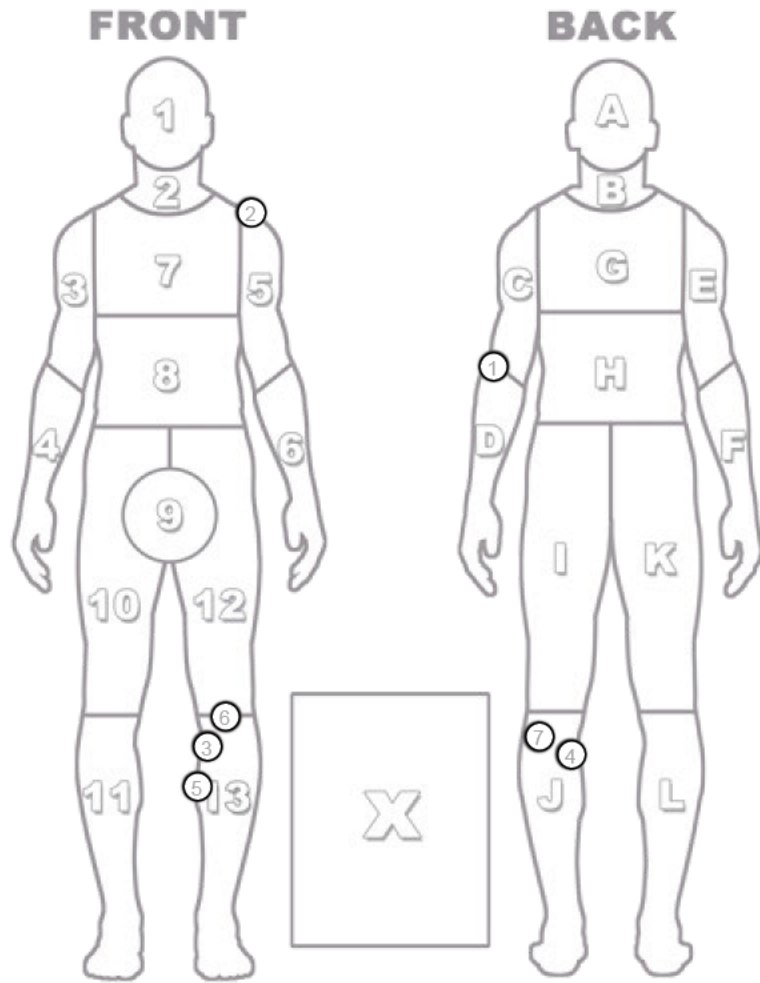
Tawn Wang Saephan

Date of Birth	03/14/1971	Gender	Male
Race	Asian/Hawaiian/Guam/Samoa/Etc (A)	Ethnicity	Asian Other (Race: A)
Role	Arrested/Booked		
Address	[None Entered]	Phone Numbers	[None Entered]
Email			

Additional Snapshot Data	Homeless at time of involvement	No		
	Perceived Limited English	No	Primary Language	English
	Sexual Orientation	DO NOT USE	Gender Expression	DO NOT USE
	Experiencing Mental Crisis (Officer Assessment)	No	Experiencing Mental Crisis (Self Reported)	No
	Armed at Time of Incident	No		
Type of Resistance Citizen Used Against Officer	Fleeing Active Resistance			
Charges Against Citizen	148(a)(1) PC 459 PC 2800 VC-Felony 600(A) PC			

Injuries Sustained By Citizen

- Abrasion — Points: 1
- Abrasion — Points: 2
- Cut/Gash requiring sutures — Points: 3
- Cut/Gash requiring sutures — Points: 4
- Cut/Gash requiring sutures — Points: 5
- Abrasion — Points: 6
- Cut/Gash requiring sutures — Points: 7



Involved Officers

Police Officer Michael Phelan

Assignment at time of incident: Police Officer OSS/METRO/SPEC OPS/K9

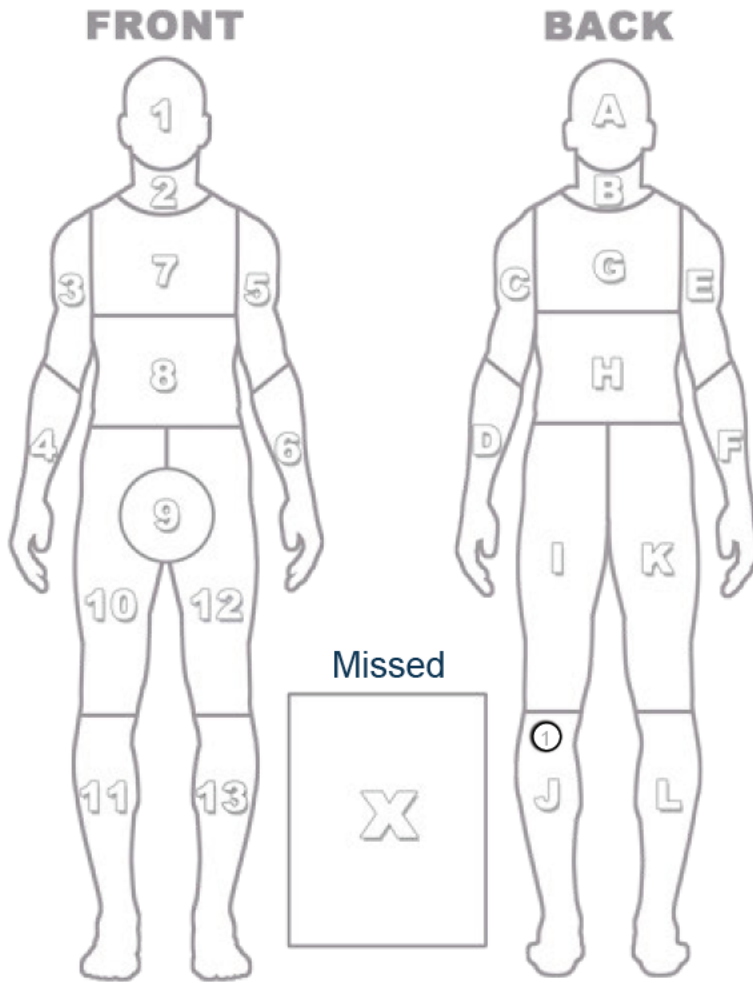
Video Footage: Worn/Activated

Policy Outcome: Within policy

Role: Primary Officer

Force used by this Officer against Citizen

- o K-9 Bite - Force Effective: Yes — Points: 1



Injuries Sustained By Officer

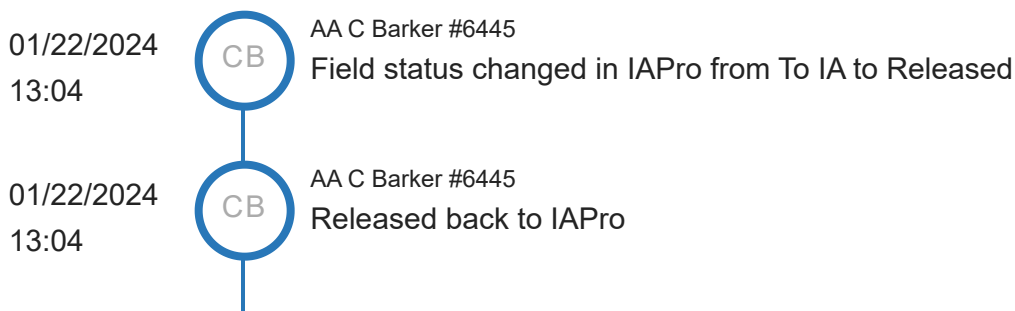
No injuries noted or visible —
Points:

Attachments

Date Attached	Attachment Description	Attachment Type
11/10/2023	Yuba County SO 23-4413	pdf
11/15/2023	GO 580.14 - Use of Canines	pdf
01/09/2024	Hold Requests Pursuant to the Public Records Act and Penal Code § 832.7	msg
11/15/2023	GO 522.02 Emergency Care	pdf
11/10/2023	23-309060 GO 110323	pdf

Date Attached	Attachment Description	Attachment Type
11/15/2023	Saephan Red Border Form Final 02-28-12 - Enabled (1)	pdf
11/15/2023	GO 580.03 Use of Force Reporting	pdf
11/10/2023	Ofc. Phelan BWC	—
01/09/2024	UOFRB Memo December 21, 2023	pdf
11/15/2023	GO 521.01 - Pursuit of Vehicles	pdf
11/15/2023	Yuba County BWC 2	—
11/10/2023	Ofc Phelan ICC	—
11/15/2023	GO 580.06 De-Escalation and Planned Response	pdf
11/15/2023	GO 580.02 Use of Force	pdf
11/15/2023	Yuba County BWC Video 1	—
01/22/2024	Email to Captain Kaneyuki	msg
11/15/2023	GO 521.02 - Code 3 Driving	pdf
11/10/2023	23-309060 CAD	pdf
11/15/2023	GO 525.07 - Body Worn Camera	pdf
11/15/2023	FIT email 23-309060	pdf
11/15/2023	23-2642 - rpt 23-310267 - #1	wav
11/15/2023	23-2642 - rpt 23-309060 - #2 radio	wav

Assignment History



Chain of Command History

11/15/2023
15:43



Police Officer Trevor Schwertfeger » Police Sergeant Nicholas Echeverria
Hello Sir,

Forwarding the initial blue team for your review.

11/17/2023
10:52



-Trevor Schwertfeger #765
Police Sergeant Nicholas Echeverria
[Forwarded by Police Sergeant Nicholas Echeverria]

11/17/2023
10:52



Police Sergeant Nicholas Echeverria » Police Captain Brent Kaneyuki
Ready - K9 bite w/ FIT call out (SBI)

12/23/2023
15:32



Police Captain Brent Kaneyuki
UOF Review Committee found "in policy". Nothing further.

MEMORANDUM

Sacramento Police Department

TO: Adam Green, Deputy Chief
Office of Operations

Dan Monk, Deputy Chief
Office of Specialized Services

Greg Halstead, Deputy Chief
Office of Investigations

Date: 12/21/2023

ATTN: Jeff Shiraishi, Lieutenant
Office of the Chief, Professional Standards Unit

FROM: Clayton Buchanan, Captain
Office of the Chief, Administrative Services

SUBJECT: Use of Force Review Board Meeting December 21, 2023

The Sacramento Police Department Use of Force Review Board met at 1100 hours on Thursday, 12/21/2023. In attendance were members:

1. DC Adam Green, OOO
2. DC Dan Monk, OSS
3. DC Greg Halstead, OOI
4. A/DC Rudy Chan, OOC
5. Capt. Clayton Buchanan, OOC, Administrative Services
6. Capt. Vance Chandler, North Command
7. Capt. Zack Bales, South Command
8. Capt. Stephen Moore, East Command
9. Capt. Marnie Stigerts, Research and Development/Training Division
10. Capt. Brent Kaneyuki, Metro Command
11. Capt. Bryce Heinlein, Central Command
12. Capt. Brian Kinney, OOC Special Services
13. A/Capt. Jennifer Ligon, Personnel Services Division

Also, in attendance were:

1. Ofc. Marcus Masingale, PSU
2. Ofc. Trevor Schwertfeger, PSU
3. A.A. Colleen Barker, PSU

The following UOF incidents were reviewed with the findings and recommendations of the Board as follows:

<u>Captain</u>	<u>Report #</u>	<u>Officer</u>	<u>Force Used</u>	<u>In Policy?</u>	<u>Recommendation</u>
Masingale/FIT	23-275157	Oldes #1039	Takedown	Yes	None
Schwertfeger/FIT	23-309060	Phelan #927	K-9	Yes	None
██████████	██████████	██████████	██████████	██████████	██████████

Captain **Report #** **Officer** **Force Used** **In Policy?** **Recommendation**

[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED] [REDACTED] [REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED] [REDACTED] [REDACTED]	[REDACTED]	[REDACTED]

12/21/23 (cgb)

cc: PSU



CITY OF SACRAMENTO INCIDENT/LOSS REPORT

CLAIM NO.

Risk Mgt. <small>Use Only</small>	Org. Number	Dept./Division
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INSTRUCTIONS FOR FORM COMPLETION --

- SECTION I (Front)** Whenever a third party (public) sustains physical injury while on City property, property damage and/or it appears that the City may be liable, not caused by City-owned vehicle.
- SECTION II (Back)** Whenever damage or loss involves City property (i.e., Fire, theft of inventoried equipment, money or securities vandalism -- facilities, property, and equipment).

SECTION 1

- IMPORTANT!**
1. Call Police 264-5471 advising City involvement.
 2. Keep calm and assist third party.
 3. Do not admit fault.
 4. Get name of injured Party and/or owner of damaged property.
 5. Carefully examine accident.
 6. Do not talk to anyone about accident, except: Your Supervisor, the Police, or City Adjuster.
 7. If applicable, complete this section of Incident/Loss Report and distribute as required (below) within 24 hours.

NOTE! In case there appears to be serious injuries, or extensive property damage, telephone the City's Safety Officer at 264-5278. (After normal work hours, call Police 264-5471.)

Date & Time of Occurrence 11-2-2023 / 02:53	Location of Occurrence 34th St / EB HWY 50	Time Police Notified 02:53	Police Incident Report number 23-309060 <input type="checkbox"/> None
Injuries Person(s)	Name & Address Twan Saephan / [REDACTED] Name & Address		
The Injury	The Nature & Location of Injury: Multiple punctures and two avulsions to Saephan's left calf and left shin.	Was injured person taken to hospital? Yes Name of Hospital UC DAVIS Name of Doctor _____	
Property Damage	Owner & Address List of Property Damaged:	Business Phone Residence Phone	
Witness(s)	Name, Address & Phone number Deputy Trymm, 1077 Civic Center Blvd Yuba City, CA 95993, (530) 822-7307 Name, Address & Phone number Name, Address & Phone number		
Description of Occurrence	Officer Phelan responded to assist CHP Officers who were in a vehicle pursuit of a burglary suspect. Officer Phelan was in the pursuit from southbound I-5 at Richards Blvd to eastbound highway 50 to the 34th St Exit. The suspect (later identified as Twan Saephan) was driving recklessly on broken rims after driving over spike strips near Sutter County. Saephan's vehicle was unable to continue at the termination point of the pursuit. Saephan fled from the driver's seat of the vehicle on foot after receiving a K9 warning. Saephan left the vehicle in drive as he fled. Saephan was apprehended by a Police K9. Saephan suffered multiple punctures and multiple avulsions on his left calf and left shin as a result of the apprehension.		
Report Filled By	Name M. Phelan	Title Police Officer	Date 11-2-2023
	Signature Michael Phelan	Digitally signed by Michael Phelan Date: 2023.11.02 04:48:34 -0700	
	Org No Sac PD	Dept. K9	Division K9
		Phone number	

(If additional space is required use Supplemental sheet of paper and attach hereto.)

DISTRIBUTION

Original and 1 Copy to Risk Mgmt.
1 Copy retained by Dept/Div.

Orgn.No.

Aaron Thompson

Dept./Division

Date: 2023.11.02 08:21:46

11/2/2023

Date

9168088282

Phone No



SECTION II

- IMPORTANT!**
1. Call Police 264-5471 immediately on theft and vandalism losses, advising if loss involves City property.
 2. Call Risk Management 264-5459 immediately on fire, money, and securities losses.
 3. If applicable complete this section of Incident/Loss Report and distribute as required (below) within 24 hours.

Date & Time of Occurrence 11-2-2023 / 02:53		Location of Occurrence 34th St / EB HWY 50		Time Police Notified 02:53	Police Unit No. _____ Shield No. _____ Name _____
Description of Occurrence		<p>Officer Phelan responded to assist CHP Officers who were in a vehicle pursuit of a burglary suspect. Officer Phelan was in the pursuit from southbound I-5 at Richards Blvd to eastbound highway 50 to the 34th St Exit. The suspect (later identified as Twan Seaphan) was driving recklessly on broken rims after driving over spike strips near Sutter County. Saephan's vehicle was unable to continue at the termination point of the pursuit. Saephan fled from the driver's seat of the vehicle on foot after receiving a K9 warning. Saephan left the vehicle in drive as he fled. Saephan was apprehended by a Police K9. Saephan suffered multiple punctures and multiple avulsions on his left calf and left shin as a result of the apprehension.</p>			
Probable Cause					
Proposed Corrective Action					
Witness(s)					
Est. Cost of Replacement					
Inventory Tag number					
Report Filed By	Name		Title	Date	Signature
	Org.No.	Department	Division	Phone	

(If additional space is required use supplemental sheet of paper and attach hereto.)

Original and 1 Copy to Risk Mgmt.
1 Copy retained by Dept/Div.

FORM RM 3 (5/99)
Cat.No.31524

_____	_____	_____	_____
Orgn.No.	Dept./Div.	Signature	Phone No.
_____	_____	_____	_____
	Risk Mgmt. Reviewer	Date	Phone No.



SACRAMENTO POLICE DEPARTMENT GENERAL ORDERS



521.01 PURSUIT OF VEHICLES 03-20-18

PURPOSE

The purpose of this order is to establish procedures for vehicle pursuits.

POLICY

It shall be the policy of the Sacramento Police Department to closely control and monitor pursuits consistent with California law and the safety of all persons.

PROCEDURE

A. DEFINITION

1. PURSUIT – An active attempt by a peace officer, while operating a motor vehicle, to apprehend a suspect who is also operating a motor vehicle and trying to avoid capture by using high-speed driving or other evasive tactics, including, but not limited to, driving off a highway, making a sudden or unexpected movement, driving on the wrong side of the roadway, or driving in a legal manner but failing to yield to the officer's signal to stop.
2. SURVEILLANCE MODE – A response in which an air unit is used as an observation platform for continued surveillance of a motor vehicle after a pursuit has been terminated at the direction of a supervisor. Operating in Surveillance Mode allows officers on the ground to work in conjunction with the air unit to maintain a loose containment of the motor vehicle until the suspect stops and abandons the motor vehicle.
3. BLUE TEAM (BT) – IA Pro Blue Team is Web-based computer software that allows sergeants to enter UOF and pursuit incidents from a Department computer.

B. SAFETY RULES ABOUT PURSUITS

California Vehicle Code Section 21055 states that the driver of an emergency vehicle may disregard Division 11, "Rules of the Road," when in pursuit of an actual or suspected violator or when responding to an emergency. This provision does not relieve the driver of an authorized emergency vehicle from the duty to drive with due regard for the safety of all persons, nor does it protect the driver of an authorized emergency vehicle from the consequences of an arbitrary exercise of the provision.

C. GENERAL

1. Officers in a vehicle pursuit shall immediately
 - a. Activate emergency lights.
 - b. Sound the siren continuously.
2. A Code 3 response is justified in a pursuit by a unit other than the initiating or secondary unit only when authorized by a supervisor.

D. FACTORS TO CONSIDER WHEN INITIATING, CONTINUING, AND TERMINATING PURSUITS

1. When a suspect exhibits the intention of avoiding arrest by using a vehicle to flee, or refuses to stop, officer(s) shall consider public safety and effective law enforcement to determine whether initiation of a vehicle pursuit is reasonable. Factors to be considered include
 - a. The nature of the offense.
 - b. Is the pursuit reasonable with regard to posted and safe speed limits and road, weather, and traffic conditions?
2. The involved officer(s) and supervisor shall continually reassess whether a pursuit should continue. Factors the involved officer(s) and supervisor shall consider in determining whether a pursuit should continue or be terminated include, but shall not be limited to



SACRAMENTO POLICE DEPARTMENT GENERAL ORDERS



- a. The safety of the public in the area of the pursuit.
 - b. The volume of vehicular and pedestrian traffic, roadway and environmental conditions, and the time of day.
 - c. The violation for which the suspect is wanted.
 - d. The speed and driving exhibited by the violator.
 - e. The distance of the pursuit.
 - f. The physical condition of the police vehicle(s) in the pursuit.
 - g. The suspect has been identified to the point that he/she can be apprehended at a later time.
 - h. The quality of radio communications.
 - i. The familiarity with the area of pursuit by the officer and supervisor controlling the pursuit.
 - j. The distance between the pursuing and fleeing vehicle.
3. Officers shall not engage or participate in pursuits while transporting prisoners, victims, and/or citizens, except for ride-alongs who have signed an "Indemnity and Hold Harmless" agreement (SPD 357).
 4. When a supervisor orders a pursuit to be terminated, officers shall not continue to pursue the violator.
 - a. When a supervisor reduces the number of units involved in a pursuit, the unneeded officers shall make themselves "Available" and return to their normally assigned duties.
 - b. Only the supervisor who ordered a pursuit to be terminated, or a higher authority, may authorize the resumption of the pursuit.

E. PURSUIT RESPONSIBILITIES

1. Officers initiating a pursuit shall verbally broadcast
 - a. Their unit identifier(s) and that they are in pursuit.
 - b. The location, direction of travel, and approximate speed.
 - c. Traffic conditions.
 - d. The reason for the pursuit.
 - e. A description of the vehicle and occupants, if possible.
2. The primary unit and two (2) secondary units may pursue a suspect fleeing in a vehicle.
 - a. The district sergeant may authorize additional units if the circumstances dictate (e.g., PIT or felony stop).
 - b. Officers shall not trail the pursuit, but shall remain alert to its progress and location. They should attempt to position themselves to be available as perimeter units and/or to provide traffic breaks at intersections.
 - c. When the pursuit has been terminated, all units involved in the pursuit (including perimeter units) shall
 - (1) Immediately enter a "Miscellaneous" message on the pursuit call, to include actions taken, location, vehicle number, and other pertinent information.
 - (2) Make themselves available for service.
3. Primary Unit
 - a. The officer initiating the pursuit shall be designated the primary unit unless the district sergeant directs otherwise. The first responsibility of the officer initiating the pursuit is the safety of the public and the apprehension of the suspect(s) in view of the factors in sections B, C, and D above.
 - b. Unless relieved by the district sergeant, the senior officer in the primary unit shall control pursuit tactics and ensure the broadcast of the progress, except as noted in paragraph E.4.a. below.
4. Secondary Unit(s)
 - a. Any authorized units shall back up the primary unit and, when in a position to do so, broadcast their unit identifier, their position as secondary unit, the progress of the pursuit,



SACRAMENTO POLICE DEPARTMENT GENERAL ORDERS



and pertinent information at the termination of the pursuit. This procedure allows the officer(s) in the primary unit to apprehend the suspect(s) without first notifying the dispatcher of their movements.

b. The secondary unit shall also follow the guidelines in sections B, C, and D above.

5. Air Units

a. When available, air units shall assist ground units by advising of the pursued vehicle's direction of travel, potential traffic hazards, possible cut off routes, and other logistical information.

b. Air units should not be tasked with broadcasting the progress of a pursuit when ground units are available to do so.

c. Air units may be used as an observation platform for continued surveillance of a motor vehicle during Surveillance Mode.

d. An aircraft is not defined as an authorized emergency vehicle in the California Vehicle Code and should not be described as a pursuit vehicle.

6. When broadcasting the progress of a pursuit, primary or secondary units shall update the location, direction of travel, approximate speed, traffic conditions, pertinent dangerous driving, and/or dangerous conditions (e.g., high speeds, running stop signs and/or red lights, wrong-way driving, pedestrian traffic).

7. Perimeter units shall perform ancillary duties (e.g., evidence collection, intersection control) while obeying rules of the road and with due regard for public safety.

8. Officers in unmarked vehicles or on motorcycles shall broadcast their involvement in a pursuit, specifically identifying their vehicle as unmarked or a motorcycle, and shall discontinue their involvement in the pursuit when marked units are in position to take over as the primary and secondary units.

F. DISPATCHER RESPONSIBILITIES

Dispatchers shall

1. Rebroadcast the initial pursuit information and periodically update pursuit progress to all units on all channels.

2. Activate the Emergency In Progress (EIP) signal and indicate so on the incident history.

3. Utilize the "Z" command to log the pursuit.

4. Confirm the district sergeant and watch commander copy the pursuit.

5. Dispatch secondary units as necessary.

6. Accurately reflect the involved units' status. NOTE: CLX or CLXA commands may ONLY be used if it is known and confirmed that all units in the pursuit are actually with the primary unit.

7. Request air units and/or K9 assistance in the pursuit as appropriate.

8. Include miscellaneous pertinent information on the incident history. Pertinent includes, but is not limited to, permission to use the Pursuit Immobilization Technique (PIT), locations of items thrown from the suspect vehicle, location of any spike strip used, and all CODE 4 information.

9. If the pursuit crosses district boundaries, either move units to the involved channel or patch the channels together if deemed necessary by the district sergeant.

G. USE OF FORCE

1. The use of the Pursuit Immobilization Technique (PIT) and hollow spike strips MAY constitute lethal force if not used as instructed. These methods of stopping a vehicle shall

a. Only be used with supervisor approval.

b. Be considered only where force would be a reasonable police action per G.O. 580.02 (Use of Force), or if the public's safety is at risk.

2. Pursuit Immobilization Technique (PIT)

a. The following factors shall be considered when using the PIT

(1) The officer has successfully completed Department PIT training.



SACRAMENTO POLICE DEPARTMENT GENERAL ORDERS



- (2) There is a third vehicle in the pursuit.
 - (3) The officer and/or supervisor believes that continued movement of the pursued vehicle would place others in danger of great bodily harm.
 - (4) The risk to persons other than the occupants of the pursued vehicle outweighs the risk of making the forcible stop.
 - (5) When other reasonable means of apprehension have been considered and rejected as impractical or unavailable.
 - b. The maximum speed during application of the PIT shall not exceed 35 miles per hour.
 - c. The use of the PIT shall require
 - (1) The completion of a City of Sacramento Vehicle Accident Report (RM2 – blue border form).
 - (2) Photographs of the involved vehicles (damaged or not).
 - (3) Officers and supervisor's narratives of the PIT actions taken within their report.
 3. Hollow Spike Strip Deployment
 - a. Spike strips shall be available within each district.
 - (1) Pursuing units shall notify the deploying unit as far in advance as possible to ensure close coordination between the pursuing units and the officer deploying the strip(s).
 - (2) Deploying officers shall not attempt to overtake and pass a pursuit to position the spike strip.
 - (3) Spike strips shall not be used in locations where geographic configurations increase the risk of injury to the suspect (e.g., roadways with curves or steep embankments).
 - (4) Consider whether a third unit is in the pursuit.
 - b. Other specialized units wishing to deploy spike strips shall coordinate their requirements with the appropriate district sergeant.
 - c. When a spike strip is deployed, the Communications Center shall be notified of the location. The Communication Center shall then rebroadcast the location of the spike strip to all units.
 4. Watch commander approval shall be required for barricading a roadway, intentionally blocking the path of a suspect vehicle outside of instructed techniques, ramming a vehicle, when other extraordinary means of stopping a vehicle (see the factors in section D.1. above) are deemed necessary, or when any of the following type vehicles are involved in the use of force:
 - a. Motorcycles, mopeds, or similar vehicles.
 - b. Any vehicle transporting hazardous materials.
 - c. Any bus transporting passengers.
 - d. Any vehicle that would pose an unusual hazard.
 5. Officers shall not intentionally pin or spear the suspect's vehicle with their patrol vehicles.
- H. DISTRICT SERGEANT RESPONSIBILITY
1. The district sergeant where the pursuit originated shall monitor and control any pursuit from its origin to its conclusion, ensuring
 - a. Available aircraft have been requested to assist as necessary.
 - b. Only the required units are involved, when considering both the number of active and perimeter units, and verbally identifying units authorized in the pursuit.
 - c. Proper radio channels and procedures are being used.
 - d. Affected allied agencies have been notified. Supervisors of assisting allied agencies should be contacted directly.
 2. The district sergeant shall order the pursuit discontinued when the factors set forth in sections D.1. or D.2., or other valid considerations, indicate termination is proper.
 3. In the event the district sergeant is involved in the pursuit, the watch commander shall supervise the pursuit and follow the provisions outlined in sections H.1. and H.2.
 4. District sergeants shall discontinue their involvement in the pursuit when marked units are in



SACRAMENTO POLICE DEPARTMENT GENERAL ORDERS



position to take over as the primary/secondary units and resume responsibility of supervising the pursuit.

5. The district sergeant in whose jurisdiction the pursuit originated shall
 - a. Complete a BT.
 - b. Proceed to the termination point of the pursuit to complete the report or provide assistance.
 - c. If the pursuit results in a fatality, severe injury, or property damage, respond to the scene(s), and ensure
 - (1) All necessary police reports are completed.
 - (2) Crime Scene Investigations takes photographs.
 - (3) Traffic investigators are notified of fatalities or severe injuries.
 - (4) The Professional Standards Unit and the EVOC sergeant are notified of fatalities, severe injuries, or major property damage.
6. The BT shall be routed through the chain of command to the Watch Commander responsible for the pursuit. The WC will assign a secondary Lieutenant to review the BT. The BT shall then be forwarded to the EVOC sergeant along with all comments.

I. EVOC SERGEANT RESPONSIBILITY

The EVOC sergeant shall:

1. Review the BT and route it along with comments to the area Captain responsible for final approval.
2. Forward a copy of the BT to the CHP.
3. Submit quarterly statistical reports to the Deputy Chief, OOO.

J. MULTI-AGENCY PURSUITS

1. The "Sacramento (Regional) County Law Enforcement Inter-Agency Vehicular Pursuit Guidelines" provide that allied agencies are prohibited from joining a pursuit unless specifically requested by the agency whose officers are in pursuit or directly ordered by a patrol supervisor, except when a single unit of the initiating agency requires assistance for officer safety.
2. When an outside agency advises the Communication Division of a pursuit, dispatchers shall relay all available information to the affected district sergeant and watch commander.
3. If assistance is requested by the pursuing agency, officers assigned to assist shall terminate the pursuit at the City limits unless there is either
 - a. A reasonable likelihood the pursuit will reenter the City.
 - b. Extenuating circumstances are present, including, but not limited to
 - (1) Officer or public safety.
 - (2) The outside agency's inability to continue the pursuit.
 - (3) The seriousness of the crime.
4. Requests for outside agency assistance shall be per the Inter-Agency Vehicular Pursuit Guidelines.
 - a. District sergeants shall ensure its provisions are followed.
 - b. If there is a conflict between its provisions and this G.O., this G.O. shall prevail.

K. VEHICLE SAFETY CHECK

1. Department vehicles with visible or audible damage shall be taken to a Public Safety Garage to be checked. Employees shall consider whether their vehicle was subjected to any maneuvers that could have caused damage, including, but not limited to
 - a. Use of force.
 - b. Rapid acceleration.
 - c. High speed.
 - d. Rapid cornering.
 - e. Hard braking.



SACRAMENTO POLICE DEPARTMENT GENERAL ORDERS



2. The involved district sergeant/supervisor shall determine whether
 - a. Officer(s) shall complete their shift and then take the vehicle to the garage.
 - b. Officers shall slowly drive the vehicle to the garage.
 - c. The vehicle shall be towed to the garage.
3. Involved officer(s) shall prepare Fleet Management Equipment Request/Repair Form and give it to the Public Safety Garage supervisor on duty.
 - a. The Equipment Report shall provide the garage personnel with details of the pursuit that could affect the vehicle's safe performance.
 - b. In case of a shortage of vehicles, no one is authorized to release a vehicle that has not been inspected.



SACRAMENTO POLICE DEPARTMENT GENERAL ORDERS



521.02 CODE 3 DRIVING 05-22-17

PURPOSE

The purpose of this order is to establish emergency response codes and procedures for emergency driving.

POLICY

It shall be the policy of the Sacramento Police Department to respond to emergency calls as quickly and safely as circumstances allow, while concurrently protecting the safety of the officer and the public.

PROCEDURE

A. EMERGENCY RESPONSE CODES DEFINED

1. CODE 900 – A dire emergency. A critical situation involving life or death circumstances to an officer (e.g., officer being fired upon or officer down).
2. CODE 3 – A radio code designating an emergency that shall be answered immediately.
 - a. Pursuit – See G.O. 521.01.
 - b. Emergency Response (See Section C.3 below) – While responding, red lights shall be used and the siren shall be used as necessary in accordance with 21055 CVC. NOTE: This provision does not relieve the driver of an authorized emergency vehicle from the duty to drive with due regard for the safety of all persons, nor does it protect the driver of an authorized emergency vehicle from the consequences of an arbitrary exercise of the provision.
3. COVER – An officer's request for immediate assistance. A Code 3 response shall be assumed unless otherwise noted.
4. BACKUP – An urgent call that shall be answered without delay. Red lights and siren shall not be used and all traffic laws shall be observed.

B. OFFICER RESPONSIBILITY

1. The driver of an emergency vehicle, per Section 21056 CVC, is not relieved from the responsibility of
 - a. Driving with due regard for the safety of all persons using the highway.
 - b. Recognizing the consequences of an arbitrary exercise of the privileges granted under Section 21055 CVC.
2. Officers shall record all Code 3 driving on the vehicle's ICC system in accordance with General Order 525.03.

C. CODE 3 DRIVING AUTHORIZED

1. Only sworn police officers are authorized to drive Code 3.
2. Civilian personnel (including Community Service Officers) who are driving a police vehicle are not authorized to drive Code 3.
3. A call may justify a Code 3 response if one of the following elements is present:
 - a. A violent crime in progress.
 - b. The preservation of life.
 - c. The prevention of a crime of violence.
 - d. Assistance to conduct a felony stop.
 - e. A serious public hazard.
 - f. A public safety unit requests Code 3 cover or advises of other dire emergency.



SACRAMENTO POLICE DEPARTMENT GENERAL ORDERS



4. If a Code 3 response is justified, the dispatcher may dispatch the minimum number of units required in the initial response Code 3. Any additional units shall be dispatched as back-up.
 - a. Officers receiving a dispatched Code 3 assignment may elect not to respond Code 3 on the basis of field information. Officers shall inform the dispatcher of the code change and reason at the earliest possible opportunity.
 - b. The final decision for responding Code 3 shall be made by the officer receiving the call. When more than one unit is assigned Code 3 in the general location, Communications shall broadcast that units are responding Code 3 in the area.
 - c. Upon broadcast of a Code 4 by units on the scene or a supervisor, units shall immediately discontinue the Code 3 response. Officers shall not deactivate emergency equipment (red lights and/or siren) until they have resumed compliance with the rules of the road.



SACRAMENTO POLICE DEPARTMENT GENERAL ORDERS



522.02

EMERGENCY CARE FOR INDIVIDUALS UNDER POLICE CARE OR CONTROL

08-09-2023

PURPOSE

The purpose of this order is to establish procedures for medical care for individuals under police care or control.

POLICY

It shall be the policy of the Sacramento Police Department to provide emergency medical treatment to individuals under police care or control, while ensuring their safety and that of others during treatment.

PROCEDURE

A. EMERGENCY MEDICAL TREATMENT

1. Officers having any doubt concerning a person's condition shall request emergency medical assistance.
2. Officers shall provide first aid to injured parties if it can be done safely.
3. Officers shall be aware of behaviors indicative of medical distress such as:
 - a. Bizarre/aggressive behavior.
 - b. Dilated pupils.
 - c. Fear/panic/paranoia.
 - d. High temperature.
 - e. Irrational/incoherent speech.
 - f. Jumping into water.
 - g. Profuse sweating.
 - h. Public disrobing.
 - i. Self-inflicted injuries.
 - j. Shivering.
 - k. Inconsistent breathing patterns.
 - l. Seizure.
 - m. Unexpected physical strength.
 - n. Sudden tranquility.
4. If officers suspect that a subject is suffering from any medical distress they should place the subject into a comfortable position (e.g., seated or supine position, etc.), and attempt to keep the subject calm and still until Emergency Medical Services (EMS) arrive and can treat the subject.
5. Officers will use their training and experience in deciding if a subject is suffering from an overdose of opioids and whether it is appropriate to deploy intra-nasal naloxone (Narcan) as directed in G.O. 522.06 (Administration of Narcan).
6. Communications personnel receiving telephone requests for ambulances shall
 - a. Make every effort to determine the seriousness of the situation.
 - b. Follow established procedure for dispatch of appropriate emergency medical personnel.

B. REFUSAL OF MEDICAL ATTENTION

1. The Department has no authority to force a non-arrested injured or ill person of a sound mental state to be transported to a medical facility.



SACRAMENTO POLICE DEPARTMENT GENERAL ORDERS



2. When officers encounter a situation involving a refusal to accept medical attention, an Incident Report (SPD 107) recording the facts and circumstances shall be completed.
EXCEPTION: See G.O. 522.01 (Handling Mentally Ill Persons).
- C. EMERGENCY MEDICAL AUTHORITY
1. The highest-level paramedic/emergency medical technician (EMT) on scene is in charge and responsible for the examination, treatment, and transportation of medical patients.
 2. Police supervisors and/or officers shall inform paramedics/EMTs when a patient is in lawful custody and request the patient be transported to a facility designated to handle prisoners.
 3. Law enforcement does not have the authority to order anyone to stop performing cardiopulmonary resuscitation (CPR) or to interfere with a paramedic/EMT.
- D. OUT-PATIENT MEDICAL CARE FOR ARRESTEES
1. An arrestee requiring outpatient emergency medical care whose condition allows transportation in a passenger vehicle shall be taken to an emergency room.
 2. Sacramento County's "intent to incarcerate" forms are located inside the Prisoner Watch Kit binder. The kits are stored at the following city emergency rooms: UC Davis Medical Center, Sutter General, Mercy General, Methodist, and Kaiser South.
 3. The "intent to incarcerate" form shall be completed and signed by both the treating physician and the custodial officer.
 4. After treatment is rendered, officers shall transport the subject with the proper documentation to the Sacramento County Jail.
- E. ADMISSION OF AN ARRESTEE TO A MEDICAL FACILITY
1. If an ambulance is required, the patient should be sent to the nearest area hospital.
 2. When the subject is waiting for or receiving medical attention, officers shall
 - a. Remain with the subject at all times.
 - b. Obtain an estimated time for medical clearance release.
 - c. Notify their supervisor of the estimated length of hospitalization to allow the supervisor to initiate arrangements for prisoner watch if needed.
 3. The affected watch commander shall be responsible for staffing extended prisoner watch assignments.
 4. Officers shall complete all booking paperwork and give it to the prisoner watch officer before leaving the hospital, unless other arrangements have been made through the affected watch commander.
 5. In any case in which more than one consecutive officer is required for prisoner watch, all officers involved shall
 - a. Ensure a Prisoner Watch Log (SPD 916) is being kept.
 - b. Document all observations on the SPD 916 as to occurrences on their shift. If there is no SPD 916 available, the officer shall document his/her actions within the C.A.D. call.
 - c. Document prisoner comments and actions (e.g., if they are violent or a flight risk).
 - d. Liaison with hospital police or security staff regarding the prisoner watch.
 - e. Keep all SPD 916 pages with the prisoner's paperwork until the prisoner is released for incarceration. When the prisoner is released for incarceration, the SPD 916 pages shall be turned in as a report supplement by the booking officer.



SACRAMENTO POLICE DEPARTMENT GENERAL ORDERS



525.07 BODY-WORN CAMERA 1-16-19

PURPOSE

This policy is intended to provide officers with instructions on when and how to use body-worn cameras (BWCs) so that they may reliably record their investigations and enforcement activity in accordance with the law and in order to provide accountability and transparency to the public.

POLICY

It shall be the policy of the Sacramento Police Department (SPD) to utilize a BWC in a manner that will assist in criminal investigations and prosecutions as well as civil litigation, by providing a recording of the incident that may supplement an employee's report and help document police conduct, investigations, and enforcement activity.

PROCEDURE

A. DEFINITIONS

1. On Position - Switching the on/off switch of the camera into a standby mode which allows the camera, when activated, to capture the previous 30 seconds of video.
2. Activation - Triggering the Body Worn Camera by touch or any other method, which initiates the audio and video recording functions.
3. De-Activation – Discontinuing audio and video recording and returning the camera to a standby mode in the on position.
4. BLUE TEAM (BT) – IA Pro Blue Team is Web-based computer software that allows sergeants to enter use of force incidents, pursuits, and audits from a Department computer.
5. Muting – A function of the BWC that allows for video recording while audio recording is disabled.
6. Stealth Mode – A function of the BWC where the LED indicator lights, sounds, and vibrations are disabled.

B. GENERAL

1. All employees issued a BWC are required to wear and use their BWCs while working in uniform. A “uniform” is to be considered the standard uniform of the day based on assignment. This would include, but is not limited to, any apparel (e.g., tactical/raid vests, visible badge and firearm) that identifies the wearer as a police officer.
 - a. Exceptions:
 - (1) Uniformed personnel attending a formal event or funeral.
 - (2) Personnel working in an undercover capacity or while conducting plain clothes surveillance where the intent is not to be identified as a police officer and no enforcement action is planned.
 - (3) Personnel working in an administrative assignment. However, they shall always have them readily available to use in accordance with this general order.
 - (4) Personnel with express managerial approval under special circumstances.
2. BWC video recordings help provide context and capture beneficial information during police investigations and enforcement contacts with members of the public. Because BWC recordings provide only a limited perspective of the encounter, all other available evidence, such as witness statements, employee interviews, forensic analysis, and documentary evidence should be considered before any conclusions are reached.
3. BWC should assist in the following:
 - a. Documenting an initial police response.



SACRAMENTO POLICE DEPARTMENT GENERAL ORDERS



- b. Collecting evidence for use in investigations and prosecutions.
 - c. Helping employees with completing reports and testifying in court.
 - d. Deterring criminal activity and uncooperative behavior during police-public interactions.
 - e. Promoting accountability.
 - f. Recording video for use in training SPD employees.
 - g. Documenting the performance and professionalism of SPD employees.
4. BWC video is not meant to replace or to relieve the employee from submitting any documentation as required by policy.
 5. All recordings made using BWCs are the property of SPD and will not be released or disseminated to the public without the express written consent of the Chief of Police (COP) or authorized designee or unless otherwise expressly required by federal or state law.
- C. EMPLOYEE RESPONSIBILITY
1. Employees issued a BWC shall be trained in the proper use of the device prior to deployment.
 2. Employees issued a BWC shall:
 - a. Be responsible for the reasonable care and maintenance of the BWC they are issued.
 - b. Ensure the BWCs are functioning properly.
 - c. Affix their issued BWC to their uniforms above the beltline at the beginning of their shift in accordance with training and the manufacturer's guidelines. The BWC shall be worn for the entire shift.
 - d. Ensure their issued BWC is fully charged and has adequate video storage to complete the shift.
 - e. Only use BWCs that have been approved by the Department.
 - f. Ensure the BWC is placed in the on position after leaving a police facility or a detention facility.
 3. Generally, employees shall begin downloading all media prior to the end of their shift; however, supervisors may approve other download schedules when appropriate.
 4. When a report is generated, employees shall document their use of the BWC or ensure that it is documented by another employee. Employees are required to spell out "body-worn camera" at least once in the associated report prior to referring to the initials "BWC" later in the report.
 5. Employees are authorized to review their own BWC recordings, including prior to giving a statement after being involved in a critical incident, when writing a report, testifying in court or other proceeding, or for any other official use.
 6. Employees may be authorized to review other employees' BWC recording after being involved in a critical incident.
 7. Employees shall not tamper with or modify any part of the BWC system.
- D. EQUIPMENT REPLACEMENT
- In the event an employee's BWC is malfunctioning, damaged, lost, or unavailable for use:
1. The employee shall notify their supervisor as soon as reasonably practical.
 2. The supervisor shall issue a replacement BWC, which are available at each station.
 3. The supervisor shall send an email to Public Safety Information Technology (PSIT) that includes the serial number, Blue Tag number, description of the problem, and to whom the BWC was issued.
 4. Only a watch commander or higher can authorize an employee to go in service without a BWC due to an equipment shortage or malfunction.
- E. REQUIRED ACTIVATION OF THE BODY-WORN CAMERA
1. This policy is not intended to describe every situation in which the BWC should be activated, but rather is designed to provide general guidance. Not all situations will start out as necessitating the activation of the BWC, nor will all events have a clear ending when the BWC is no longer necessary.



SACRAMENTO POLICE DEPARTMENT

GENERAL ORDERS



2. If immediate activation of the BWC is not feasible due to risk to the safety of the employee or others, the employee should activate the BWC as soon as it is safe to do so.
3. Employees shall activate their BWC during investigations and enforcement activity, including evidence collection, whether self-initiated or in response to a dispatched call.
4. If the BWC was not activated during an investigation or enforcement activity, or malfunctioned, the reason shall be documented on the CAD call.
5. Employees are not required to give notice they are recording when speaking with private citizens during the course and scope of their official duties, even when the contact occurs in a private residence. If asked, employees shall advise citizens they are being recorded. Moreover, employees should strongly consider advising citizens that they are being recorded as a tool to de-escalate a situation.
6. Generally, employees should not record informal or casual encounters with members of the public. Employees should consider that recording people in some circumstances may inhibit sharing information or developing strong ties between members of the community and employees.
7. Absent a deliberate intent to not comply or repeated pattern of non-compliance, the failure to activate the BWC shall not alone constitute cause for discipline.

F. DEACTIVATION OF THE BODY-WORN CAMERA

1. Once their BWC is activated, employees shall not deactivate their BWCs until the investigative or enforcement activity has concluded. If investigative or enforcement activity resumes, the employee shall re-activate the BWC and continue recording.
2. Lieutenants and above have the discretion to authorize or order officers to deactivate their BWCs when appropriate.
3. After a recorded public safety statement is obtained during an OIS the patrol sergeant will instruct involved officers to turn off their BWC so that they can be collected as evidence.
4. Employees shall audibly record the reason for deactivation in all instances.

G. RESTRICTED USE OF THE BODY-WORN CAMERA AND/OR STORED MEDIA

1. Except those instances involving a criminal investigation of department personnel, a conversation amongst Department employees shall not be intentionally recorded without all parties to the conversation being aware that it is being recorded.
2. No BWC will be intentionally activated to record Department personnel during briefings, meetings, roll calls, or while in private spaces such as locker rooms, restrooms, or any other place where a reasonable expectation of privacy exists.
3. The BWC shall not intentionally be activated to record confidential informants or undercover employees.
4. Prior to conducting a strip search, the employee shall record a 360-degree video of where the strip search will be conducted. During the strip search, the BWC will be activated to capture only audio of the event by positioning the camera away from the individual to be searched.
5. Employees should not normally record patients during medical or psychological evaluation by a clinician or similar professional or during treatment, unless necessitated by investigatory or safety concerns. Employees shall be aware of patients' rights to privacy when in hospital settings. When recording in hospitals and other medical facilities, employees should be careful to avoid recording persons other than those who are the focus of the investigations.
6. Employees shall not play back body-worn footage for citizens or the media without prior approval from the COP or authorized designee unless for investigative purposes.
7. Employees who have made an inadvertent recording may request to have that video deleted. Requests shall be submitted to their division captain.
8. Employees shall not:
 - a. make copies of any recorded event for personal use.



SACRAMENTO POLICE DEPARTMENT GENERAL ORDERS



- b. use a recording device such as a cell phone camera or secondary video camera to record a BWC file or image.
- c. copy, upload, or disseminate any BWC recordings publicly or privately, nor shall employees post recordings on social media for personal use.

H. SUPERVISOR RESPONSIBILITY

Supervisors shall:

1. ensure that employees issued a BWC have completed required training and are familiar with applicable policies and procedures.
2. conduct periodic inspections of employees issued BWC equipment and ensure that the BWCs are properly affixed to the employees' uniforms and fully operable.
3. have the opportunity to view recordings in the field to mitigate and address citizen complaints when necessary.
4. have access to video footage of all users. This will allow instant access when creating or reviewing a pursuit or a use of force report for training or administrative purposes.
5. conduct audits and ensure compliance in accordance with section M of this general order.

I. USE OF VIDEO FOR TRAINING

1. Recordings may be used for training purposes.
2. When a recording contains footage that may embarrass an employee, consideration should be given before the video is used for training.
3. If a video will be used for training purposes, the Department will notify the employee. If an involved employee objects to the use of a recording, the employee may object in writing through their chain of command to the COP or authorized designee to determine if the training value outweighs the employee's objection. In no event shall any recording be used for the purpose of ridiculing or embarrassing any employee.

J. BODY-WORN CAMERA RECORDING DUPLICATION

1. BWC duplications shall not be made without an approved SPD 524 (Video Request Form). The SPD 524 may be approved by:
 - a. a sergeant or higher authority.
 - b. the Internal Affairs Division.
 - c. the Professional Standards Unit.
 - d. the City Attorney's Office.
 - e. a Supervising Police Records Assistant in response to a subpoena.
2. Duplication requests shall be received by the Evidence and Property Section (EPS) at least seven (7) business days prior to the date required.
3. An SPD 524 is NOT required when the BWC recording is downloaded by:
 - a. a sergeant or higher authority.
 - b. the Internal Affairs Division.
 - c. the Professional Standards Unit.
 - d. court liaison personnel.
 - e. authorized PSIT personnel.
 - f. employees for their own incidents for official purposes.
4. When a copy is made, the BWC software will create a traceable audit trail for that particular video that contains the date/time of the copy and employee's name and badge number. A remark in the "Notes" section shall be added to the video giving the reason for the copy and the name of the approving supervisor if required.
5. Recordings created by the BWC system are not to be booked as evidence unless they contain evidentiary information useful in investigations including, but not limited to:
 - a. Homicide investigations.
 - b. Officer-involved shooting investigations.



SACRAMENTO POLICE DEPARTMENT GENERAL ORDERS



- c. In-custody death investigations.
- d. Major officer-involved vehicle collisions.
- e. Upon the direction of a lieutenant or designee.

K. OUTSIDE LAW ENFORCEMENT AGENCY REQUESTS

1. All outside law enforcement agency requests for recordings of BWC footage or footage captured from the Air Unit shall be sent to PSU.
2. The PSU supervisor shall approve these requests. Exception: A watch commander may authorize the immediate copy and release of BWC footage to outside law enforcement agencies when it is essential to an ongoing investigation.
3. Approved requests shall be processed by EPS, except for Air Unit footage. The Air Unit supervisor can make copies of Air Unit footage when requested by PSU or EPS personnel.

L. DATA MANAGEMENT AND FILE RETENTION

1. BWC recordings will be retained for a minimum of two and a half years from the date created in accordance with the City of Sacramento Retention Schedule. Video recordings that become evidence will be kept in accordance with the crime classification listing in the City of Sacramento Retention Schedule SPD-007.
2. Any attempt to erase, alter, or tamper with the BWC or its recordings, except as authorized by law or Department policy, will be considered employee misconduct.
3. PSU shall facilitate an external audit bi-annually.
4. Digital evidence captured by BWC shall be treated as official records and handled pursuant to existing Department policies and procedures.

M. AUDIT/COMPLIANCE PROCEDURES

1. Periodic Review
 - a. PSIT shall generate a BWC audit on a monthly basis and make that information accessible to all employees.
 - b. Supervisors should periodically review the body worn camera audit mentioned in M(1)(a) to help determine if officers are utilizing their BWC in accordance with this policy.
2. Bi-annual Review
 - a. Supervisors are required to complete a compliance review for each employee they supervise prior to the completion of the employee's mid-year and end-of-the-year performance evaluations.
 - b. Supervisors shall:
 - (1) Randomly choose two BWC videos for each employee they supervise which:
 - (i) are at least ten minutes in duration.
 - (ii) have an associated RMS report.
 - (2) Compare the two videos mentioned above, along with ICC video, if captured, and the associated report, to ensure compliance with this policy.
 - (3) Generate a Blue Team entry for each BWC video they review.
3. The mid-year and end-of-the-year performance evaluations will have a BWC compliance check box to be marked upon completion of the audit.



SACRAMENTO POLICE DEPARTMENT GENERAL ORDERS



580.02 USE OF FORCE 12-16-21

PURPOSE

This policy establishes guidelines for the use and application of force, as well as the procedures for after-force medical care.

POLICY

The Sacramento Police Department (SPD) values the sanctity of human life and the freedoms guaranteed by the United States and California constitutions. Use of force (UOF) by peace officers is of important concern to the community. The role of law enforcement is to safeguard life, dignity, and liberty of all persons, without prejudice to anyone. Peace officers shall carry out duties, including UOF, in a manner that is fair and unbiased. This policy will be regularly reviewed and updated by the Professional Standards Division to reflect developing practices and procedures.

It is the policy of the Department that a peace officer is justified in using deadly force upon another person only as a last resort when reasonable alternatives have been exhausted or are not feasible and the officer reasonably believes, based on the totality of the circumstances, that such force is necessary.

This policy is based upon Assembly Bill 392 as codified in Penal Code 835a which states:

(a) The Legislature finds and declares all of the following:

- (1) That the authority to use physical force, conferred on peace officers by this section, 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. The Legislature further finds and declares that every person has a right to be free from excessive use of force by officers acting under color of law.
- (2) As set forth below, it is the intent of the Legislature that peace officers use deadly force only when necessary in defense of human life. In determining whether deadly force is necessary, officers shall evaluate each situation in light of the particular circumstances of each case and shall use other available resources and techniques if reasonably safe and feasible to an objectively reasonable officer.
- (3) That the decision by a peace 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 by peace officers, in order to ensure that officers use force consistent with law and agency policies.
- (4) That the decision by a peace officer to use force 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, and that the totality of the circumstances shall account for occasions when officers may be forced to make quick judgments about using force.
- (5) That individuals with physical, mental health, developmental, or intellectual disabilities are significantly more likely to experience greater levels of physical force during police interactions, as their disability may affect their ability to understand or comply with commands from peace officers. It is estimated that individuals with disabilities are involved in between one-third and one-half of all fatal encounters with law enforcement.



SACRAMENTO POLICE DEPARTMENT

GENERAL ORDERS



- (b) Any peace officer who has reasonable cause to believe that the person to be arrested has committed a public offense may use objectively reasonable force to effect the arrest, to prevent escape, or to overcome resistance.
- (c) (1) Notwithstanding subdivision (b), a peace officer is justified in using deadly force upon another person only when the officer reasonably believes, based on the totality of the circumstances, that such force is necessary for either of the following reasons:
- (A) To defend against an imminent threat of death or serious bodily injury to the officer or to another person.
 - (B) 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, a peace 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.
- (2) A peace officer shall not use deadly force against a person based on the danger that person poses to themselves, if an objectively reasonable officer would believe the person does not pose an imminent threat of death or serious bodily injury to the peace officer or to another person.
- (d) A peace officer who makes or attempts to make an arrest need not retreat or desist from their efforts by reason of the resistance or threatened resistance of the person being arrested. A peace officer shall not be deemed an aggressor or lose the right to self-defense by the use of objectively reasonable force in compliance with subdivisions (b) and (c) to effect the arrest or to prevent escape or to overcome resistance. For the purposes of this subdivision, “retreat” does not mean tactical repositioning or other de-escalation tactics.
- (e) For purposes of this section, the following definitions shall apply:
- (1) “Deadly force” means any use of force that creates a substantial risk of causing death or serious bodily injury, including, but not limited to, the discharge of a firearm.
 - (2) 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.
 - (3) “Totality of the circumstances” 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.

POLICY AND PROCEDURE

A. DEFINITIONS AND CONCEPTS

1. **IMMINENT THREAT OF DEATH OR SERIOUS BODILY INJURY** - 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.
2. **FEASIBLE** - Reasonably capable of being done or carried out under the totality of the circumstances to successfully achieve the lawful objective without increasing risk to the peace officer or another person.



SACRAMENTO POLICE DEPARTMENT

GENERAL ORDERS



3. TOTALITY OF THE CIRCUMSTANCES – All facts known to, or perceived by, the peace officer at the time, including the conduct of the officer and the subject leading up to the UOF.
4. PROPORTIONALITY - The balance of the severity of the offense committed, the threat to public safety and the level of force needed to overcome resistance based on the totality of the circumstances known to, or perceived by, the officer at the time.
5. DE-ESCALATION - Taking action or communicating verbally or nonverbally during a potential force encounter in an attempt to stabilize the situation and reduce the immediacy of the threat so that more time, options, and resources can be called upon to resolve the situation without the UOF or with a reduction of the force necessary. De-escalation tactics include, but are not limited to, warnings, verbal persuasion, and tactical repositioning.
6. CRISIS INTERVENTION TECHNIQUES (CIT) - A collaborative approach to safely and effectively address the needs of people with mental illnesses, link them to appropriate services, and divert them from the criminal justice system if appropriate. The primary goal of CIT is to improve peace officer and mental health consumer safety while reducing injuries to peace officers and consumers during law enforcement contacts. Crisis intervention techniques include using distance, time, verbal tactics, or other tactics to de-escalate a situation.
7. REACTIVE AUTHORITY- Pre-determined set of force directives given during a critical incident, provided by the Incident Commander or designee, regarding the type of force authorized to effect an arrest, overcome resistance, prevent escape, and/or to preserve life. The reactive authority shall be consistent with current policy and law.
8. PERSONAL BODY WEAPON (PBW) - Improvised use of a part of a peace officer's body, including but not limited to the head, hands, arms, legs, and feet, as a weapon.
9. LEVELS OF RESISTANCE
 - a. COMPLIANT - Subject offers no resistance.
 - b. PASSIVE NON-COMPLIANCE – Subject does not respond to verbal commands but also offers no physical form of resistance.
 - c. ACTIVE RESISTANCE – Subject uses evasive movements in an attempt to defeat a peace officer's attempt at control, including bracing, tensing, running away, verbally or physically signaling an intention to avoid or prevent being taken into or retained in custody.
 - d. ASSAULTIVE – The subject is aggressive or combative; attempting to assault the peace officer or another person, verbally or physically displays an intention to assault the peace officer or another person.
 - e. LIFE-THREATENING – The subject is taking action likely to result in serious bodily injury or death of the peace officer or another person.
10. FORCE DEFINITIONS
 - a. REPORTABLE UOF - Any UOF that causes injury as defined below; any UOF whether or not it results in injury, involving the discharge of a firearm, a canine bite, or use of an impact weapon, chemical agent, or CED; and any UOF, whether or not it results in injury, that deviates from the techniques taught and the equipment provided by the department (section G.4. & G.5.).
 - b. LESS LETHAL FORCE- Any force that is not reasonably likely to cause death. Less lethal force options include, but are not limited to, the use of the CED, baton, chemical agents, 40mm projectiles, bean bag shotgun rounds, personal body weapons, and control holds.
 - c. DEADLY FORCE - Any use of force that creates a substantial risk of causing death or serious bodily injury, including, but not limited to, the discharge of a firearm.
11. INJURY DEFINITIONS
 - a. INJURY - Any visible bodily injury or complaint of bodily injury (non-visible injury) reasonably related to the UOF applied. This type of injury does not include the temporary pain associated with the proper application of control holds and/or restraints.



SACRAMENTO POLICE DEPARTMENT GENERAL ORDERS



- b. SERIOUS BODILY INJURY- Bodily injury that involves a substantial risk of death, unconsciousness, protracted and obvious disfigurement, or protracted loss or impairment of the function of a bodily member or organ.
 12. POSTITIONAL ASPHYXIA – Situating a person in a manner that compresses their airway and reduces the ability to sustain adequate breathing. This includes, without limitation, the use of any physical restraint that causes a person’s respiratory airway to be compressed or impairs the person’s breathing or respiratory capacity, including any action in which pressure or body weight is unreasonably applied against a restrained person’s neck, torso, or back, or positioning a restrained person without reasonable monitoring for signs of asphyxia.
 13. RETALIATION – Demotion, failure to promote to a higher position when warranted by merit, denial of access to training and professional development opportunities, denial of access to resources necessary for an officer to properly perform their duties, or intimidation, harassment, or the threat of injury while on duty or off duty.
 14. INTERCEDE- For purposes of this policy, the term “intercede” includes, but is not limited to, physically stopping an excessive use of force, recording the excessive force, if equipped with a body-worn camera, and documenting efforts to intervene, efforts to deescalate the offending officer’s excessive use of force, and confronting the offending officer about the excessive force during the use of force; and if the offending officer continues, reporting to dispatch or the watch commander on duty and stating the offending officer’s name, unit, location, time, and situation, in order to establish a duty for that officer to intervene.
 15. EXCESSIVE FORCE- A level of force that is found to have violated Section 835a of the Penal Code, the requirements on the use of force required by this section, or any other law or statute, including Section 835a of the Penal Code and Section 7286 of the Government Code.
 16. KINETIC ENERGY PROJECTILES- For purposes of this policy, the term “kinetic energy projectiles” means any type of device designed as less lethal, to be launched from any device as a projectile that may cause bodily injury through the transfer of kinetic energy and blunt force trauma. For purposes of this section, the term includes, but is not limited to, items commonly referred to as rubber bullets, plastic bullets, beanbag rounds, and foam tipped plastic rounds.
 17. CHEMICAL AGENTS- For purposes of this policy, the term “chemical agents” means any chemical that can rapidly produce sensory irritation or disabling physical effects in humans, which disappear within a short time following termination of exposure. For purposes of this section, the term includes, but is not limited to, chloroacetophenone tear gas, commonly known as CN tear gas; 2-chlorobenzalmalonitrile gas, commonly known as CS gas; and items commonly referred to as pepper balls, pepper spray, or oleoresin capsicum.
- B. DUTY TO INTERCEDE**
1. If a peace officer observes 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, the peace officer shall intercede, when feasible to do so under the totality of the circumstances. If they do not do so, they shall be subject to discipline to the same severity as if they themselves engaged in the excessive force.
 2. Peace officers shall immediately 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 information actually known to the officer.
 3. Retaliation against a peace officer that reports a suspected violation of a law or regulation of another officer to a supervisor or IA is prohibited.
- C. VERBAL WARNING**



SACRAMENTO POLICE DEPARTMENT GENERAL ORDERS



If feasible, and if doing so would not increase the danger to the peace officer or another person, the peace officer shall make every attempt to identify themselves and to issue a clear and comprehensible verbal warning before using any force that is likely to cause serious bodily injury or death, so that the subject(s) are given the opportunity to submit to the authority of the peace officer.

D. RENDERING MEDICAL AID

Peace officers on scene shall promptly render aid and/or summon medical assistance when reasonable and safe to do so pursuant to GO 522.02 (Emergency Care for Individuals Under Police Care or Control) when any UOF has resulted in any type of injury or death regardless of custody status.

E. USE OF FORCE DURING AN ASSEMBLY, PROTEST, OR DEMONSTRATION

1. Peace officers using kinetic energy projectiles or chemical agents during an assembly, protest, or demonstration shall ensure that such force is used pursuant to RM 532.11 (First Amendment Assembly Manual) and GO 580.12 (Less Lethal Munitions).
2. Peace officers shall only use kinetic energy projectiles or chemical agents during an assembly, protest, or demonstration if the use is objectively reasonable to defend against a threat of life or serious bodily injury to any individual, including a peace officer, or to bring an objectively dangerous and unlawful situation safely and effectively under control, and only in accordance with all of the following requirements:
 - a. De-escalation techniques or other alternatives to force have been attempted, when objectively reasonable, and have failed.
 - b. Repeated, audible announcements are made announcing the intent to use kinetic energy projectiles and chemical agents and the type to be used, when objectively reasonable to do so. The announcements shall be made from various locations, if necessary, and delivered in multiple languages, if appropriate.
 - c. Persons are given an objectively reasonable opportunity to disperse and leave the scene.
 - d. An objectively reasonable effort has been made to identify persons engaged in violent acts and those who are not, and kinetic energy projectiles or chemical agents are targeted toward those individuals engaged in violent acts. Projectiles shall not be aimed indiscriminately into a crowd or group of persons.
 - e. Kinetic energy projectiles and chemical agents are used only with the frequency, intensity, and in a manner that is proportional to the threat and objectively reasonable.
 - f. Officers shall minimize the possible incidental impact of their use of kinetic energy projectiles and chemical agents on bystanders, medical personnel, journalists, or other unintended targets.
 - g. An objectively reasonable effort has been made to extract individuals in distress.
 - h. Medical assistance is promptly provided, if properly trained personnel are present, or procured, for injured persons, when it is reasonable and safe to do so.
 - i. Kinetic energy projectiles shall not be aimed at the head, neck, or any other vital organs.
 - j. Kinetic energy projectiles or chemical agents shall not be used by any law enforcement agency solely due to any of the following:
 - (1) A violation of an imposed curfew.
 - (2) A verbal threat.
 - (3) Noncompliance with a law enforcement directive.
 - k. If the chemical agent to be deployed is tear gas, only a lieutenant or above at the scene of the assembly, protest, or demonstration may authorize the use of tear gas.

F. GENERAL CONSIDERATIONS GOVERNING USE OF FORCE

1. Any peace officer who has reasonable cause to believe that the person to be arrested has committed a public offense may use objectively reasonable force necessary to effect the arrest, to prevent escape, or to overcome resistance.
2. A peace officer who makes or attempts to make an arrest need not retreat or desist from his efforts by reason of the resistance or threatened resistance of the person being arrested. A peace officer shall not be deemed an aggressor or lose his right to self-defense by the use of objectively reasonable force in



SACRAMENTO POLICE DEPARTMENT

GENERAL ORDERS



compliance with subsections E.1 and F.1-2 to effect the arrest or to prevent escape or to overcome resistance. For the purposes of this paragraph, “retreat” does not mean tactical repositioning or other de-escalation tactics.

3. A peace officer shall consider the principles of proportionality in looking at the totality of the circumstances by weighing the severity of the offense, the reasonably perceived level of resistance and the need for apprehension prior to the utilization of force. A peace officer shall continually evaluate tactics when determining the appropriate UOF response.
4. The decision by a peace 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 by peace officers, in order to ensure that officers use force consistent with law and department policies.
5. The decision by a peace officer to use force shall be evaluated from the perspective of a reasonable peace 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 peace officers may be forced to make quick judgments about using force.
 - a. Circumstances of consideration may include, but are not limited to:
 - (1) The immediacy and severity of the perceived threat
 - (2) The conduct of the subject
 - (3) Officer versus subject factors such as age, size, relative strength, skill level, injuries sustained, level of exhaustion and number of peace officers available versus subjects
 - (4) The conduct of the involved peace officer
 - (5) The effects of drugs or alcohol
 - (6) The subject’s apparent mental state or capacity
 - (7) The subject’s apparent ability to understand and comply with officer commands
 - (8) The proximity or access of weapons to the subject
 - (9) The level of threat or resistance presented by the subject
 - (10) The availability of other reasonable and feasible options and their possible effectiveness
 - (11) The degree to which the subject has been effectively restrained and his/her ability to resist despite being restrained
 - (12) The seriousness of the subject offense or reason for contact with the subject
 - (13) The training and experience of the peace officer
 - (14) The potential for injury to peace officers, subjects or another person
 - (15) Whether the person appears to be resisting, attempting to evade arrest by flight, or is attacking the peace officer
 - (16) The risk and reasonably foreseeable consequences of escape or apparent attempt by the subject
 - (17) Prior contacts with the subject or awareness of any propensity for violence
 - (18) Environmental factors and/or other exigent circumstances
 - (19) The availability of other resources

Not all of the above factors may be present or relevant in a particular situation, and there may be additional factors not listed.

6. When using force, a peace officer should only use techniques and equipment that are approved by the department. Circumstances may arise in which a peace officer reasonably believes that it would be impractical or ineffective to use any of the tools, weapons or techniques provided by SPD. A peace officer may find it more effective or reasonable to improvise their response to rapidly unfolding conditions that they are confronting. In such circumstances, the peace officer may resort to using any objectively reasonable means of force. 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.



SACRAMENTO POLICE DEPARTMENT

GENERAL ORDERS



7. When feasible, peace officers shall attempt to de-escalate situations.
8. When a peace officer reasonably believes they are dealing with a mentally ill, developmentally disabled, or an emotionally disturbed subject, the officer shall, if time and circumstances reasonably permit, utilize CIT.

F. CONSIDERATIONS GOVERNING USE OF DEADLY FORCE

1. Notwithstanding subsection E.1, a peace officer is justified in using deadly force upon another person only as a last resort when reasonable alternatives have been exhausted or are not feasible and the officer reasonably believes, based on the totality of the circumstances, that such force is necessary for either of the following reasons:
 - a. To defend against an imminent threat of death or serious bodily injury to the officer or to another person.
 - b. 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, a peace 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.
2. A peace officer shall not use deadly force against a person based on the danger that person poses to themselves, if an objectively reasonable officer would believe the person does not pose an imminent threat of death or serious bodily injury to the peace officer or to another person.
3. A subject gaining control of one or more pieces of a peace officer's equipment, without the subject presenting an imminent threat of serious bodily injury or death, is not enough by itself to justify the use of deadly force.
4. A peace officer may discharge a firearm in the performance of their official duty:
 - a. Pursuant to Section F. 1.-4; or
 - b. At a firing range, pursuant to all safety rules and regulations; or
 - c. In order to stop a potentially aggressive animal, such as a dog, if the animal reasonably appears to pose an imminent threat of serious bodily injury or death to a peace officer or to another person and alternative methods are not feasible or would likely be ineffective.
 - (1) In circumstances where there is sufficient advance notice that a potentially dangerous animal may be encountered, department members should develop reasonable contingency plans for dealing with the animal (e.g., fire extinguisher, Conducted Energy Device, oleoresin capsicum (OC) spray, animal control peace officer). Nothing in this policy shall prohibit any member from shooting a dangerous animal if circumstances reasonably dictate that a contingency plan has failed or becomes impractical.
5. Firearms shall not be discharged as a warning.
6. Peace officers shall consider their surroundings and potential risks to bystanders and other peace officers to the extent reasonable under the circumstances, before discharging a firearm.
7. When a peace officers discharges or attempts to discharge a firearm while on or off duty, intentionally or accidentally, the employee shall immediately notify the on-duty watch commander. This does not include intentional discharges at a range or for recreational purposes (e.g., hunting, private target practice, or other similar activities).

G. PROHIBITED USES OF FORCE

1. Peace officers shall not use force:
 - a. By means of a carotid restraint, choke hold, or any other type of neck restraint.
 - b. Or utilize any transport methods that involve a substantial risk of positional asphyxia.
 - c. Against subjects who are not subject to arrest or detention, except to protect the officer or another person.
 - d. Against subjects who are handcuffed or otherwise restrained, except where the subject is actively resisting, attempting escape, or poses an imminent threat of harm to the peace officer, themselves or another person.



SACRAMENTO POLICE DEPARTMENT

GENERAL ORDERS



- e. For the sole purpose of preventing the exercise of first amendment rights, when a legitimate law enforcement purpose does not exist.
 - f. For the sole purpose punishment or retaliation.
 - g. To stop a subject from swallowing a substance that is already in their mouth.
- H. VERBALIZATION DURING UNLAWFUL ASSEMBLY OR PROTEST
1. When feasible, peace officers should verbalize any use of force that is utilized during a mass protest/unlawful assembly. The following should be verbalized on body worn camera:
 - a. Location of where the use of force occurred
 - b. Type of force that was utilized
 - c. Reason for the use of force
 - d. Description of subject for whom the use of force was intended
- I. FORCE OPTIONS
1. Peace officers have a variety of force options available to them. Peace officers do not need to follow a continuum of force but shall select the UOF they deem appropriate for the circumstances, ensuring their UOF complies with the law, the provisions of this policy and any specific SPD policies or manuals governing the type of force they select to use.
 2. Peace officers shall continue to assess their UOF selection and either transition to a different UOF option or discontinue a UOF based on their assessment, ensuring their UOF option remains reasonable for the circumstances.
 3. Equipment for Sworn Peace Officers
 - a. Issued and required on person
 - (1) Firearm
 - (2) Conductive Energy Devices (CED)
 - (3) Impact weapons (Baton)
 - (4) Handcuffs
 - (5) Radio
 - (6) Oleoresin Capsicum (OC) spray
 - (7) Body Worn Camera (BWC)
 - (8) Flexible Body Armor
 - b. Issued and need to have readily available. This is not a complete list of other issued equipment:
 - (1) Less Lethal Shotgun (readily available in patrol vehicle)
 - (2) Patrol rifle (readily available in patrol vehicle and for qualified sworn personnel)
 - (3) Flashlight
 - (4) Gas Mask
 - (5) Ballistic Helmet
 - (6) Orange reflective vest
 4. Required Equipment Issuance and UOF options for Non-Sworn Uniformed Department Personnel
 - a. Issued and required on duty belt:
 - (1) Oleoresin Capsicum (OC) spray
 - (2) Conductive Energy Devices (CED)
 5. UOF Options for Sworn Peace Officers
 - a. The following is an alphabetical list of UOF options. This is not a complete list of options:
 - (1) Bola Wrap
 - (2) Chemical Agents
 - (3) Conductive Energy Devices (CED)
 - (4) Control Holds
 - (5) Discharge of Firearms and Other Deadly Force
 - (6) Impact Weapons (baton)
 - (7) Less Lethal Weapons Systems
 - (8) Personal Body Weapons



SACRAMENTO POLICE DEPARTMENT

GENERAL ORDERS



- (9) Pointing of a Firearm at a Person
 - (10) Takedowns
 - (11) Use of Canine
 - (12) Verbal Commands/Instructions/Command Presence
6. UOF Options for Authorized, Non-Sworn Uniformed Personnel
- a. Authorized non-sworn uniformed department personnel shall only use the CED or OC in immediate defense of themselves or another member of the department.
 - b. Authorized non-sworn uniformed department personnel who use the CED or OC in defense of themselves or another person shall:
 - (1) Attempt to get away from the situation as soon as possible.
 - (2) Call for code-3 assistance from sworn peace officers as soon as feasible.
7. The following is a list of SPD policies and manuals address specific UOF topics:
- a. GO 522.02 (Emergency Care for Individuals Under Police Care or Control)
 - b. GO 580.03 (Use of Force Reporting, Investigations and Response)
 - c. GO 580.06 (De-escalation and Planned Response)
 - d. GO 580.04 (Firearms)
 - e. GO 580.10 (Use of the Conductive Energy Device (CED))
 - f. GO 580.12 (Less Lethal Weapons Systems)
 - g. GO 580.14 (Use of Canine)
 - h. RM 523.02 (Search and Handcuff Manual)
 - i. RM 532.09 (Arrest of Passive Resisters Manual)
 - j. RM 532.11 (Crowd and Riot Control Manual)
 - k. RM 580.07 (Chemical Agents Manual)
 - l. RM 580.08 (Baton Manual)
- J. USE OF PERSONAL BODY WEAPONS (PBWs)
1. A peace officer may use PBWs to transition to a better position of advantage (i.e., positional change, handcuffing, etc.) to create distance/space, or overcome an assaultive subject.
 2. When PBWs are used, peace officers must continually evaluate the ability to transition to a more advantageous position and/or recognize the signs of submission/compliance by the subject.
 3. PBWs shall not be utilized against subjects solely engaging in passive non-compliance or merely active resistance.
 4. PBWs should not be used on handcuffed persons unless they are exhibiting active aggression and/or to prevent subjects from harming themselves or another person.
- K. USE OF A CONDUCTIVE ENERGY DEVICE (CED)
1. The CED shall be used pursuant to GO 580.10 (Use of the Conducted Energy Device).
 2. A peace officer may deploy and use the CED under the following circumstances:
 - a. To incapacitate a subject whose conduct rises at least to the level of active resistance. This includes threats or pre-indicators leading up to assaultive or resistive behavior.
 - b. To incapacitate a suicidal subject who can't be safely controlled through crisis intervention techniques or other force options.
 3. Peace officers shall avoid using the CED for more than a total of three (3) five-second cycles (15 seconds), unless the totality of the circumstances are such that a reasonable peace officer would conclude that each subsequent application of the CED, analyzed separately, is warranted by the imminent threat to the officer or another person.
 4. CED deployment shall cease when the subject no longer poses an imminent threat of harm to the peace officer or another person.
 5. The use of the CED is considered a serious UOF. Each individual cycle of the CED must be objectively reasonable under the circumstances.
 6. The CED should not be used on handcuffed persons unless they are actively resisting or exhibiting active aggression and/or to prevent subjects from harming themselves or another person.



SACRAMENTO POLICE DEPARTMENT

GENERAL ORDERS



L. POINTING A FIREARM

1. Nothing in this policy shall preclude a peace officer from drawing of a firearm when the officer reasonably believes it necessary for the safety of the officer or another.
2. Detentions involving the pointing of a firearm at a person shall be entered into the Racial Identify Profiling Act database (RIPA) pursuant to GO 210.09.
3. The pointing of a firearm at a person shall be documented in the appropriate report, RIPA and on the Computer Aided Dispatch (CAD) call using the abbreviation "FPAP" (Firearm Pointed At Person).

M. MOVING VEHICLES

1. A peace officer shall make every reasonable effort to move out of the path of an approaching vehicle.
2. A peace officer shall make every reasonable effort to not intentionally place themselves in a position where a vehicle could be perceived as a threat to the officer.
3. Peace officers shall not discharge a firearm at or from a moving vehicle unless one of the following circumstances exists:
 - a. The peace officer reasonably believes that there is an imminent threat of death or serious bodily injury to a peace officer or another person, by means other than the moving vehicle.
 - b. The peace officer reasonably believes that the driver is using or is attempting to use the vehicle as a means to cause imminent threat of death or serious bodily injury to the peace officer or another person.

N. TRAINING

1. At least annually, all sworn personnel shall receive training related to this agency's UOF policy and related legal updates for the following:
 - a. Legal standards for UOF
 - b. Duty to intercede
 - c. The use of objectively reasonable force
 - d. Supervisory responsibilities
 - e. UOF review and analysis
 - f. Guidelines for the use of deadly force
 - g. State required reporting
2. Additional regular and periodic training shall include:
 - a. Training standards and requirements relating to demonstrating knowledge and understanding of the law enforcement agency's UOF policy.
 - b. Training and guidelines regarding vulnerable populations, including, but not limited to, children, elderly persons, people who are pregnant, and people with physical, mental, and developmental disabilities.
 - c. Minimum training and course titles related to the objectives in the UOF policy include but are not limited to, the standards in Peace Officers Standards and Training (POST) Learning Domain 20 (Use of Force), and the following:
 - (1) De-escalation and interpersonal communication training, including tactical methods that use time, distance, cover, and concealment, to avoid escalating situations that lead to violence.
 - (2) Implicit and explicit bias and cultural competency.
 - (3) Skills including de-escalation (crisis intervention) techniques to effectively, safely, and respectfully interact with people with disabilities or behavioral health issues.
 - (4) Alternatives to the use of deadly force and physical force, so that de-escalation tactics and less lethal alternatives are, where feasible, part of the decision-making process leading up to the consideration of deadly force. Enhancing a peace officer's discretion and judgment in using less lethal and deadly force in accordance with this policy.
 - (5) Mental health and policing, including bias and stigma.
 - (6) Using public service, including the rendering of first aid, to provide a positive point of contact between law enforcement peace officers and community members to increase trust and reduce conflicts.
 - (7) UOF scenario training including simulations of low-frequency, high-risk situations and calls for service, shoot-or-don't-shoot situations, and real-time force option decision making.



SACRAMENTO POLICE DEPARTMENT

GENERAL ORDERS



3. All UOF training provided to all sworn personnel shall be documented by the department.
4. Any officer that receives a sustained internal affairs complaint for excessive force will not be allowed to train any officer(s) for a period of three years from the date the complaint is substantiated. This includes:
 - a. Field training
 - b. In-service training
 - c. Academy instruction or evaluation
 - d. Roll Call presentations
5. Officers shall advise any supervisor that tasks him/her with a training assignment that they are not authorized to instruct, teach, or train. Failure to do so will be cause for discipline.
 - a. The officer is not obligated to go into detail about the prior incident or complaint as to why they cannot train other than to advise the supervisor that in accordance with applicable law they are not authorized to train at that time.

O. REPORTING

1. Supervisors Responsibilities. Upon notification of a reportable UOF, the peace officer's field supervisor shall:
 - a. Respond to the location of the arrest to ensure that a thorough investigation takes place. A thorough investigation into a UOF by a peace officer should include, but is not limited to, an area canvass (for witnesses, evidence and surveillance video), witness statements (which should be obtained by a supervisor or peace officers not involved in the UOF), subject statements, and photographs of the scene and any injuries. If the supervisor is unable to respond to the location of the arrest, the supervisor shall note the reasons why on the call.
 - b. Review the incident with the arresting peace officer and/or other officers.
 - c. Review all recordings (both audio and video) of the event, including In-Car Camera, Body Worn Camera video, and any available surveillance video).
 - d. Assess the appropriateness of the UOF and any charge(s) against the subject.
 - e. Consider arranging for other peace officers to transport and book the subject in the event the subject continues to display hostile, confrontational, or oppositional behavior toward the arresting officer(s).
 - f. A peace officer's field supervisor shall advise the watch commander of any incident involving UOF and initiate a management level review by making a tracking software entry whenever the following reportable UOF events occur:
 - (1) Any reportable UOF that results in the subject requiring a medical clearance (Fit for Incarceration report) prior to booking or, if the subject is not booked into jail or juvenile hall, any injury that would likely require a Fit for Incarceration report.
 - (2) Any reportable UOF, involving the discharge of a firearm, a canine bite, or the use of an impact weapon, chemical agent, or CED.
 - (3) Any reportable UOF that deviates from the techniques taught or the equipment provided by the department.
 - (4) Any UOF the supervisor or Watch Commander determines should be subject to a management level review.
 - g. The field supervisor shall enter the following information into the tracking software:
 - (1) peace officer(s) involved
 - (2) type of force used
 - (3) extent of injuries (if any) to the peace officer and/or subject
 - (4) supervisor's response or reason for no response
 - (5) any administrative actions taken by a supervisor or other managerial personnel
 - (6) all pertinent documents related to the incident (i.e. Red Border, Blue Border, Taser download, etc.)
 - h. Tracking software entries should be completed within 30 days of the incident date and routed in accordance to department procedure.



SACRAMENTO POLICE DEPARTMENT GENERAL ORDERS



(1) In cases where a firearm has been discharged or the UOF results in serious bodily injury or death, the tracking software entry shall be completed by FIT personnel.

(2) All uses of force shall be categorized using the level of force definitions. (See Appendix #1.)

P. DISCLOSURE OF PUBLIC RECORDS

The department will disclose public records pursuant to applicable law, including Penal Code Section 832.7.

Q. REPORTING TO THE CALIFORNIA DEPARTMENT OF JUSTICE

PSU shall submit statistical data regarding all qualifying officer-involved shootings and incidents involving UOF resulting in serious bodily injury is to be reported to the California Department of Justice (URSUS) as required by Government Code Section 12525.2.

R. COMPLIANCE

Any member of the public can submit a complaint to any member of the Department and in any form (i.e. in person, telephone, email, etc.). Once the complaint is received, it should be routed to the Internal Affairs Division in accordance with General Order 220.01 (Personnel Complaints).

S. LEGAL REFERENCES

1. California Penal Code Sections 196, 835a, 13652 and 13652.1.
2. California Government Code Sections 7286 and 12525.2.
3. *GRAHAM V. CONNOR* 490 U.S. 386 (1989) sets the legal standard for reasonable force. The court's decision "requires careful attention to the facts and circumstances of each particular case, including the severity of the crime at issue, whether the suspect poses an imminent threat to the safety of the officer or others, and whether he is actively resisting arrest or attempting to evade arrest by flight." In addition, "the 'reasonableness' of a particular use of force must be judged from the perspective of a reasonable officer on scene, rather than with 20/20 vision of hindsight... the question is whether the officers' actions are 'objectively reasonable' in light of the facts and circumstances confronting them."
4. *TENNESSEE V. GARNER* 471 U.S. 1 (1985) is a civil case in which the Supreme Court of the United States held that, under the Fourth Amendment, when a law enforcement officer is pursuing a fleeing suspect, the officer may not use deadly force to prevent escape unless "the officer has probable cause to believe that the suspect poses a significant threat of death or serious physical injury to the officer or others." It was found that use of deadly force to prevent escape is an unreasonable seizure under the Fourth Amendment, in the absence of probable cause that the fleeing suspect posed a physical danger.



SACRAMENTO POLICE DEPARTMENT GENERAL ORDERS



LEVEL 1	LEVEL 2	LEVEL 3
<ul style="list-style-type: none">• UOF resulting in death• UOF resulting in Serious Bodily Injury (SBI)• Officer involved shooting resulting in injury or death• Officer involved shooting-subject missed• Use of vehicle as weapon resulting in SBI• In-custody death• Use of non-issued equipment resulting in SBI or death	<ul style="list-style-type: none">• Officer involved shooting of an animal• Canine bite• CED deployment-probe• Use of chemical agents• Use of baton• Use of CED drive stun• Use of personal body weapons• Use of less lethal weapons systems• Use of BolaWrap®	<ul style="list-style-type: none">• Any UOF used to overcome a combative, physically aggressive, or fleeing subject who has delayed, obstructed, or fought with an officer• Any UOF that results in a visible injury or complaint of pain by the subject to whom force was applied to. Example: visible scratch, abrasion, complaint of pain however not minor discomfort by application of certain control holds or handcuffs



SACRAMENTO POLICE DEPARTMENT GENERAL ORDERS



REPORTING REQUIREMENTS FOR LEVEL 1	REPORTING REQUIREMENTS FOR LEVEL 2	REPORTING REQUIREMENTS FOR LEVEL 3
<ul style="list-style-type: none">• Sergeant notification• Homicide call out• CSI request• IAD call out• PSU call out• PIO call out• District Attorney response team• OPSA• Crime or casualty report• Red border form (RM 3)• Tracking software entry <p>All call outs are based on the needs of the incident.</p>	<ul style="list-style-type: none">• Sergeant notification• Crime or casualty report• CSI request• Red border form (RM 3)• Tracking software entry• Watch commander investigation (shooting of an animal)	<ul style="list-style-type: none">• Sergeant notification• Incident/crime report• CSI request• Red border form (RM 3) if there is visible injury• No tracking software entry



SACRAMENTO POLICE DEPARTMENT GENERAL ORDERS



580.03 USE OF FORCE REPORTING, INVESTIGATIONS AND RESPONSE 12-16-21

PURPOSE

This policy establishes guidelines for the reporting, investigation and review of incidents after an application of force.

POLICY

It shall be the policy of the Sacramento Police Department (SPD) to promptly report and objectively evaluate peace officer or authorized non-sworn uniformed Department personnel use of force incidents to ensure that force is used lawfully, appropriately and is consistent with training and policy. 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 they believed the use of force was reasonable under the circumstance. 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.

PROCEDURE

A. DEFINITIONS

1. Force Investigation Team (FIT) – Ancillary position within the Professional Standards Unit (PSU), which conducts use of force investigations and reviews. Members are the lead administrative investigators for officer involved shootings, in custody deaths and uses of force resulting in serious bodily injury.
2. Serious Bodily Injury – Bodily injury that involves a substantial risk of death, unconsciousness, protracted and obvious disfigurement, or protracted loss or impairment of the function of a bodily member or organ.

B. RESPONSE

1. Employees' Responsibilities

- a. Employees shall notify the field district supervisor or watch commander as soon as practical anytime any employee uses force in compliance with General Order 580.02.
- b. A reportable use of force (UOF) is one in which any of the following apply:

(1) The UOF involves:

- a) The discharge of a firearm.
- b) A canine bite.
- c) The use of an impact weapon.
- d) The use of a chemical agent.
- e) The application caused a visible injury.
- f) The subject subjected to the force complained of injury or continuing pain.
- g) Any application of a Conducted Energy Device (CED).
- h) The subject of the UOF was rendered unconscious.
- i) The use of personal body weapons.
- j) Any UOF as outlined in Appendix #1 with the corresponding reporting requirements in Appendix #2 (refer to Appendix #1 and #2 at end of policy).
- k) A subject alleges any of the above has occurred.

(2) The UOF deviates from the techniques taught or the equipment provided by the Department (see in section G.4. & G.5.).

(3) The UOF causes injury.

- a) For the purpose of determining if a UOF is reportable, an injury is defined as any visible bodily injury or complaint of bodily injury (non-visible injury). The injury must be reasonably related



SACRAMENTO POLICE DEPARTMENT

GENERAL ORDERS



to the UOF applied. The temporary pain associated with the proper application of control holds and/or restraints is not an injury for purposes of determining if a UOF is reportable.

- c. If an employee is in doubt as to whether a UOF is reportable, the employee shall notify their district supervisor or watch commander, who will be responsible for making the determination.
- d. Whether or not a UOF is reportable under Department policy, any UOF used to overcome a combative, physically aggressive, or fleeing subject who has delayed, obstructed, or fought with a peace officer shall be documented in a crime, casualty, or incident report. The peace officer's district supervisor or watch commander shall be notified. Brief resistance to the application of departmentally approved control holds does not require a report.
- e. A peace officer booking an arrested subject shall notify the appropriate jail medical staff employee of the injury and type of force used.

2. Supervisors' Responsibilities

- a. Upon notification of a reportable UOF, the district supervisor shall:
 - (1) Respond to the location of the incident to ensure that a thorough investigation takes place. A thorough investigation into a UOF by an employee should include, but is not limited to, an area canvass (for witnesses, evidence and surveillance video), witness statements (which should be obtained by a supervisor or peace officers not involved in the UOF), subject statements, and photographs of the scene and any injuries. If the supervisor is unable to respond to the location of the arrest, the supervisor shall notify the Watch Commander.
 - (2) Review the incident with the employee who used force and any witnessing employees if present.
 - (3) Review all recordings (both audio and video) of the event, including In-Car Camera, Body Worn Camera video, and any available surveillance video.
 - (4) Assess the appropriateness of the UOF and any charge(s) against the subject.
 - (5) Consider arranging for other peace officers to transport and book the subject in the event the subject continues to display hostile, confrontational, or oppositional behavior toward the arresting officer(s).
 - (6) Immediately notify the Watch Commander.

3. Command Responsibilities

- a. The Watch Commander shall review with the field supervisor any uses of force. If, after the review, the Watch Commander determines that the UOF was inconsistent with Department policy, the Watch Commander shall contact the employee(s) captain and review the incident. If necessary, the captain will refer the incident to Internal Affairs.
- b. UOF applied by supervisors
 - (1) In the event a sergeant uses force or gives a peace officer a direct order to deploy force that triggers the reporting requirements set forth in this order, the Watch Commander will be responsible for identifying a different supervisor responsible for complying with investigatory and reporting obligations.
 - (2) In the event a lieutenant or above uses force or gives a peace officer a direct order to deploy force that triggers the reporting requirements set forth in this order, the manager shall notify the Force Investigations Team.
 - (3) The authorization of force or issuance of reactive authority does not qualify for the reporting and investigative requirements of this section.

4. Force Investigations Team Responsibilities

- a. FIT will respond to the following:
 - (1) Any use of force resulting in serious bodily injury
 - (2) Any use of force by a lieutenant or above
 - (3) Any officer involved shooting
 - (4) Any in custody death
 - (5) Any force incident as requested by the Watch Commander
- b. For UOF incidents defined in this section, FIT Members shall:



SACRAMENTO POLICE DEPARTMENT GENERAL ORDERS



- (1) respond and confirm investigative steps and coordinate any follow-up.
- (2) add a use of force entry into the proper software and attach any relevant policies.
- (3) conduct a thorough use of force investigation and policy review.
- (4) review any less lethal force used pursuant to GO 580.12(Less Lethal Weapons Systems) during an incident.
- (5) prepare a memorandum and present the fact pattern to the Use of Force Review Board no later than 30 days after the incident or as directed by management.
- (6) identify any related policies that may need to be reviewed and/or revised.

C. USE OF FORCE REPORTING

1. Employee responsibilities:

- a. The employee shall complete the applicable report(s) (crime, casualty, and/or incident). The report shall include a complete detailed description of how and why force was used, as well as a description of injuries that the subject received or claims to have received.
- b. All employees on scene shall write supplemental observations whether or not they used force.
- c. The employee shall forward through the chain of command to PSU a completed red border form (RM 3).

2. Supervisor responsibilities:

- a. The peace officer's field supervisor shall initiate a management level review by making a tracking software entry whenever the following reportable UOF events occur:
 - (1) Any reportable UOF that results in the subject requiring a medical clearance (Fit for Incarceration report) prior to booking or, if the subject is not booked into jail or juvenile hall, any injury that would likely require a Fit for Incarceration report.
 - (2) Any reportable UOF, involving the discharge of a firearm, a canine bite, or the use of an impact weapon, chemical agent, or CED.
 - (3) Any reportable UOF that deviates from the techniques taught or the equipment provided by the Department.
 - (4) Any UOF the supervisor or Watch Commander determines should be subject to a management level review.
- b. The field supervisor shall enter the following information into the tracking software:
 - (1) peace officer(s) involved
 - (2) type of force used
 - (3) extent of injuries (if any) to the peace officer and/or subject
 - (4) supervisor's response or reason for no response
 - (5) any administrative actions taken by a supervisor or management personnel
 - (6) all pertinent documents related to the incident (i.e. Red Border, Blue Border, Taser download, etc.)
- c. Tracking software entries should be completed within 30 days of the incident date and routed in accordance to Department procedure.
 - (1) In cases where a firearm has been discharged or the UOF results in serious bodily injury or death, the tracking software entry shall be completed by FIT personnel.
 - (2) All uses of force shall be categorized using the level of force definitions. (See Appendix #1.)

3. Kinetic Energy Projectiles and Chemical Agents deployed for crowd control

- a. In the event that kinetic energy projectiles or chemical agents are deployed for crowd control, a captain from the Office of the Chief shall publish a summary of such use on the internet website within 60 days of each reportable incident. That period of time may be extended for an additional 30 days (total not to exceed 90 days) for demonstrable good cause.
- b. The watch commander or incident commander shall prepare a summary of the use of kinetic energy projectiles and chemical agents and provide that summary to the Deputy Chief (Office of Operations) and the Public Information Officer (PIO) for publication on the Department's website.



SACRAMENTO POLICE DEPARTMENT GENERAL ORDERS



- c. The summary shall include only the information known at the time of the report and include only the following:
 - (1) A description of the assembly, protest, demonstration, or incident, including the approximate crowd size and the number of officers involved.
 - (2) The type of kinetic energy projectile or chemical agent deployed.
 - (3) The number of rounds or quantity of chemical agent dispersed, as applicable.
 - (4) The number of documented injuries as a result of the kinetic energy projectile or chemical agent deployment.
 - (5) The justification for using the kinetic energy projectile or chemical agent, including any de-escalation tactics or protocols and other measures that were taken at the time of the event to de-escalate tensions and avoid the necessity of using the kinetic energy projectile or chemical agent.

B. OFFICER INVOLVED SHOOTING RESPONSE AND INVESTIGATION

1. Officer Involved Shooting/Deadly Force Investigation

- a. Care should be taken to preserve the integrity of any physical evidence present on the involved peace officer(s) and the officer(s)' equipment and/or clothing (e.g. blood, fingerprints, etc.) until investigators or Forensic Investigators (FI) can properly retrieve it.
- b. Peace officers shall ensure that a crime scene barrier is placed to preserve the scene and shield the public's view of a deceased subject after they have been declared deceased.
- c. Evidence collection shall consist of, but is not limited to, the following:
 - (1) Retrieving and booking any expended cartridges, bullets, along with all live ammunition pertinent to the incident.
 - (2) Diagramming of the crime scene, including positions of persons and objects and the trajectories of expended shots.
 - (3) Producing adequate pictorial sketches and photographs, including the use of a video camera if necessary, of damaged property.
 - (4) Obtaining a recording of all radio transmissions within ten (10) days or as soon as they are available.
 - (5) Obtaining copies of the peace officer(s)' firearm training records.
 - (6) Determining factors of probable cause, if present, that contributed to the peace officer(s)' decision in discharging a weapon.
 - (7) Ensuring all items of evidence related to the shooting are collected and booked.
 - (8) Noting the condition of city equipment that may be associated with the weapon discharge. Removing from service for later inspection all such equipment that could remotely be attributed to or may have been damaged, For example:
 - (a) If a weapon discharged due to being caught on the peace officer's gun belt or clothing, book all such articles.
 - (b) If the discharge was the result of a vehicle door closing on a peace officer with the weapon drawn, remove the vehicle from service.
 - (9) Obtaining statements from all person's present.
 - (10) Having the area canvassed for witnesses and obtain statements.
 - (11) Involving peace officers shall not review any video at the scene without supervisor approval except for exigent public safety reasons (e.g., providing subject description, subject's direction of travel, vehicle description, weapon type etc.).

2. Duties of the Initial Supervisor

In any peace officer-involved shooting, the supervisor and/or district sergeant shall:

- a. Respond immediately, take charge, and ensure the Watch Commander has been notified of the incident.
- b. Stabilize the situation and establish protection of the crime scene. All personnel desiring to gain access to the scene shall be referred to the crime scene recorder.
- c. Obtain a brief overview of the situation.



SACRAMENTO POLICE DEPARTMENT

GENERAL ORDERS



- (1) The supervisor shall obtain a public safety statement from at least one shooting officer. The on-scene supervisor shall ensure shooting peace officers are only contacted once and that additional supervisors do not repeat the request for a public safety statement.
 - (2) Public safety statements shall be conducted using SPD 136 and, if practical, should be recorded on body worn or in car camera video. The supervisor will ask the preliminary questions contained on SPD 136. The SPD 136 questions are:
 - a) What was your approximate location(s) when you discharged your firearm?
 - b) What was the approximate number of rounds you fired and in what direction?
 - c) Do you know if any other peace officers fired any rounds?
 - d) Is it possible the suspect(s) fired rounds at you? If so, from what direction?
 - e) Are you aware of any victims/witnesses/injured people? Location?
 - f) Are there any outstanding suspect(s)? If so, what is their description, direction and mode of travel? Are there weapons involved?
 - g) Are there any weapons/evidence that need to be secured? If so, what is their location?
 - (3) If a peace officer declines to give a public safety statement, the supervisor may administratively order any SPD officer to immediately provide limited public safety information necessary to secure the scene, locate witnesses/evidence, request additional resources and pursue outstanding suspect(s). If the shooting involves peace officers from an outside agency involved within city limits, the supervisor will have to coordinate obtaining the above information with a supervisor from that outside agency.
- d. After obtaining a public safety statement, administratively order each involved peace officer not to discuss the incident with other peace officers until they receive further direction from a supervisor and to turn off their body-worn cameras.
 - e. Shall physically collect the body-worn cameras from all involved peace officers and place them into separate manila envelopes to start the chain of custody. This camera(s) will later be turned over to investigators for downloading of their contents.
 - f. Separate involved officer(s), assign a Peer Support member to each officer, and coordinate with the Watch Commander to move the officer(s) to an off-site staging area.
 - g. After turning the scene over to the Homicide Sergeant, the supervisor shall prepare a supplemental report, memorializing the Public Safety Statement(s) and other actions taken at the scene for the general offense report (GO).
 - h. Give consideration toward GO 570.03 (Post-Trauma Response) and offer the employee(s) peer support pursuant to GO 570.04 (Peer Support Program).
3. Surrender/Inspection of Weapons Following an Officer Involved Shooting
- a. A peace officer shall be allowed to retain a handgun while at the scene. Firearms other than the involved officer(s)' handgun (e.g., rifles, etc.) that have been discharged shall be secured by the watch commander after the situation has been stabilized. A peace officer may be required to surrender their handguns at the scene if a replacement weapon is immediately available. If this occurs, it shall be accomplished in a private area outside the view of the public or the media.
 - b. The peace officer(s)' weapon(s) shall be inspected by an investigator who is familiar with the weapon system used, and documented as follows:
 - (1) The magazine shall be removed.
 - (2) The chamber shall be checked and cleared, and its condition noted.
 - (3) All live rounds shall be counted, or the cylinder be opened, and the number and location of spent and live rounds described and diagrammed (if necessary).
 - (4) The serial number shall be recorded.
 - (5) The weapon shall then be reloaded and returned to the peace officer or booked at the discretion of the investigator.
 - c. On an accidental discharge, the weapon shall be booked and referred to the armorer for inspection.



SACRAMENTO POLICE DEPARTMENT

GENERAL ORDERS



- d. The peace officer's supervisor shall ensure that a replacement weapon is issued in a timely manner. Replacement weapons shall minimally be kept available at all substations and in the Detective Division.
 - e. Any other weapon at the scene may be inspected by the investigating peace officers at their discretion.
4. Death Notifications:
- a. The Office of Investigations Captain or designee shall contact the Coroner's Office as soon as practical in an attempt to identify the next of kin of any subject who dies in police custody or as result of a UOF incident.
 - b. The Coroner's Office shall make the death notification to the next of kin.
 - c. The Office of Investigations Captain or designee shall identify an investigative sergeant to serve as an information liaison between the deceased subject's next of kin and the Department. Investigative updates shall be provided to the next of kin as needed or requested.
5. Watch Level Investigation Following an Officer Involved Shooting
- a. The following shooting incidents shall be investigated by a watch commander or designee:
 - (1) Shooting of an animal.
 - (2) Accidental discharge without injury.
 - (3) Unsuccessful attempted discharge (e.g., weapon malfunction).
 - b. The on-duty Watch Commander shall:
 - (1) Initiate an administrative investigation involving the discharge of firearms, except accidental discharges at the range. The investigation shall be documented in a memorandum and sent through the chain of command to the appropriate office chief. The report shall then be forwarded to the Professional Standards Unit (PSU), where the report shall be kept on file.
 - (2) Designate a sergeant as the principal investigating supervisor.
6. Homicide Unit Responsibilities Following an Officer Involved Shooting
- a. The Homicide Unit shall investigate the following shooting incidents:
 - (1) Discharge at a person.
 - (2) Discharge resulting in serious bodily injury or death to a person.
 - b. After the scene has been stabilized, imminent threats of hostility neutralized and a preliminary briefing has been given to the Homicide Unit, command of the scene shall be relinquished to the Homicide Unit supervisor.
 - c. Homicide detectives shall be aware that any shooting may have a traumatic effect upon involved and uninvolved peace officers. Detectives shall conduct their investigation in a professional manner that shall not add unnecessary trauma to the situation.
 - d. District Attorney's (DA) Office Notification
 - (1) The DA or their designees shall be notified to respond to all officer-involved shootings that result in injury to another person.
 - (2) The DA shall be permitted access to the incident scene to the extent possible without contaminating evidence or otherwise disturbing the scene. Their presence is to merely observe and familiarize themselves with the situation.
 - (3) The DA shall conduct an independent assessment of the circumstances and will issue written findings.
7. Transportation from the Scene
- a. As soon as is practical, the involved peace officer(s) shall be transported from the scene to an offsite staging area, usually the nearest Department facility. The peace officer(s) shall be kept secure from public or other external confrontations pursuant to (GO 570.04) Peer Support Program.
 - b. Peer Support members shall not remove the involved peace officer(s) from the scene without approval of the Incident Commander (IC).



SACRAMENTO POLICE DEPARTMENT

GENERAL ORDERS



- c. A peace officer being transported to a police facility in a marked unit shall not be placed in the rear seat unless under arrest. A peace officer may be transported from the scene by their Sacramento Police Officer Association representative and/or their attorney when appropriate.
- 8. Incident Documentation
 - a. Every peace officer shall prepare a written report of their activity and observations as soon as reasonably practical unless an oral statement is taken from detectives. Peace officers who complete oral interviews are not required to prepare a written report.
 - b. A peace officer may be directed to prepare reports at the Detective Division at the discretion of the investigating supervisor or higher authority.
 - c. Injured peace officers are exempt from preparing a report until physically capable.
 - d. Reports shall be submitted and approved prior to end of watch unless circumstances make the completion of a report unreasonable as determined by an appropriate supervisor.
 - e. Outside agency personnel may use their own report forms. Copies of the reports may serve as Department supplements.
 - f. A peace officer shall be advised of their Miranda rights when:
 - (1) Under arrest.
 - (2) Information available to the investigator(s) causes them to believe the peace officer is criminally responsible.
 - (3) The peace officer makes incriminating statements during an oral interview.
 - g. While a peace officer(s) is providing a voluntary oral interview for statement under Miranda, the following personnel may view the process:
 - (1) Assigned detectives, supervisors, Internal Affairs Division (IAD) investigator, FIT representative, DA investigator, OPSA representative, and/or the peace officer's legal representative.
 - (2) Except with the expressed authorization of the ranking detective or supervisor, no others shall be allowed to view the interview.
 - h. When an oral interview is conducted, it shall be audio recorded. The peace officer(s) shall be informed that the interview is being recorded.
 - i. No more than two (2) detectives shall be in the interview room with a peace officer. A peace officer may have representation present during any interview. The representative shall not obstruct or otherwise interfere with the investigative process. However, the representative may invoke Miranda to protect the peace officer from self-incrimination.
 - j. Involved peace officer(s) and their representatives will have access to their In-Car Camera and Body-Worn Camera recordings and/or other reasonably available recordings of the incident that depicts the involved peace officer or the perspective of the involved peace officer at the time of the incident. However, if such a recording also contains significant content outside these parameters, the Chief of Police, or designee, may redact or withhold the portions of the video containing the content. The peace officer and their representative shall be notified of any redactions or withholdings. A peace officer shall be encouraged to recall the circumstances and provide a chronological outline of the incident. The peace officer(s) shall have the opportunity to talk to an SPOA representative or attorney prior to giving an oral or written statement.
 - k. The interviewing detective shall be sensitive to the physical needs and emotional well-being of the peace officer. When appropriate, food and drink shall be provided. The detective shall:
 - (1) Ensure that the peace officer is able to move about the office without confronting subjects, witnesses, or the media.
 - (2) Ask the peace officer(s) if they wish to talk with the police chaplain and/or a Peer Support member pursuant to (GO 570.04) Peer Support Program.
 - l. A peace officer who is an eyewitness to a shooting shall:
 - (1) Respond to the Detective Division to complete a written report or oral interview.
 - (2) Be directed to an available desk away from other peace officers or distractions.
 - (3) Proceed with the preparation of a written report or make notes for the oral interview.



SACRAMENTO POLICE DEPARTMENT GENERAL ORDERS



- m. If applicable, the investigating supervisor shall complete or shall ensure the completion of:
 - (1) An After-Action Report (SPD 005) pursuant to GO 532.13 (After Action/Debriefing Reports).
 - (2) A red border form (RM3).

9. Shooting by SPD Peace Officers Outside City Jurisdiction

- a. Whenever a peace officer, by discharge of a firearm, causes a death or injury outside the city jurisdiction, the peace officer shall notify the agency having jurisdiction and their Watch Commander, who shall ensure IAD and FIT is notified and assigned to assist the agency conducting the investigation for purposes of coordination and keeping informed of the investigation.
- b. If the agency having jurisdiction does not have the resources available to conduct the investigation and requests the SPD conduct the investigation, the Watch Commander shall be notified. The Watch Commander shall assess whether SPD will conduct the investigation.

10. Shooting by Peace Officers of Another Law Enforcement Agency Within City Jurisdiction

- a. If death or injury is the result of a shooting by another law enforcement agency, the Homicide Unit shall be notified to handle the investigation. The other agency shall be notified immediately so they may monitor the investigation pursuant to GO 560.01 (Arrest and Investigation by Allied Agencies).

11. Refresher Training

Any peace officer involved in an on-duty discharge of a firearm, other than during training or qualifying, shall undergo firearms refresher training prior to returning to full duty. Refresher training:

- a. Shall be in accordance with the module prepared by the Training Section.
- b. May include topics such as officer safety tactics, policy, and the law.
- c. Shall be conducted by an authorized range master who shall direct a memorandum to the Captain, Personnel Service Division (PSD), or designee, indicating that the peace officer has received firearm refresher training.
- d. Shall be documented and submitted to the PSD to be placed in the peace officer's personnel file and a copy forwarded to PSU to be placed in the Department's incident folder and tracking software system.

12. Return to Duty

Return to duty for each employee involved in a fatal or injury shooting shall only occur after:

- a. Consideration has been given to GO 570.03 (Post Trauma Response).
- b. The COP, or designee, has notified the City Manager.

C. REVIEW PROCEDURES

5. Internal Affairs Division

- a. The IAD captain shall direct IAD investigators to respond as needed.
- b. If an involved peace officer has elected to not provide criminal investigators with a voluntary statement, the assigned IAD investigator shall conduct an administrative interview to determine all relevant information.
- c. IAD may be directed to be the lead administrative investigators by the COP or designee.

6. Force Investigations Team

- a. Notify Office of Public Safety Accountability (OPSA) and Inspector General or designee of any officer involved shooting or any UOF that caused serious bodily injury or death.
 - (1) OPSA and the Inspector General shall be permitted access to the incident scene to the extent possible without contaminating evidence or otherwise disturbing the scene. Their presence is to merely observe and familiarize themselves with the situation.
- b. Actively monitor the Office of Operations Investigation and participate in the public safety walk-through alongside the assigned Internal Affairs Division (IAD) investigator.
- c. Monitor voluntary statements given by involved officers.
- d. Prepare a summary of basic information of the incident and forward it to the designated redaction personnel.
- e. Add a use of force incident into the tracking software and attach any related policies to the administrative review.



SACRAMENTO POLICE DEPARTMENT

GENERAL ORDERS



- f. Review any less lethal force used pursuant to GO 580.12 (Less Lethal Weapons Systems) during an OIS/ICD incident.
- g. Will complete for documentation a 60-day preliminary administrative presentation for executive command staff covering:
 - (1) Policy overview.
 - (2) Serious policy concerns.
 - (3) Suggested changes to policy, training, and or equipment.
- 7. Professional Standards Unit
 - a. Have access to all reports and investigative materials regarding any officer shooting incident with the exception of IAD investigative files.
 - b. Keep and maintain reports and related material indefinitely.
 - c. Contact the City of Sacramento Risk Manager by the next business day to discuss any potential civil liability issues.
 - d. Schedule and facilitate a preliminary review and final review.
 - e. Collect data and report statistics on UOF incidents.
 - f. Maintain the Early Intervention Program (EIP).
- 8. Administrative Review
 - a. Officer involved shootings, other uses of force resulting in death, in custody deaths and other significant events at the discretion of the Chief of Police shall be reviewed via the following two-step process:
 - (1) Preliminary Review
 - a) This review shall take place within the first 30 days following the incident. Extensions beyond the 30-day deadline must be approved by the Chief of Police.
 - b) The Preliminary Review is intended to be a high-level analysis of the incident, with a focus on organizational performance. This review should be facilitated by the Area Captain.
 - c) If the incident involved a UOF, the policy issues related to the specific application of force during the event shall not be addressed.
 - d) Areas covered should include an overview of facts, initial response, training, equipment, policy considerations other than the specific application of force and internal and external communication.
 - e) The Captain of the Office of the Chief shall prepare and submit a memo documenting the findings of the preliminary review to PSU.
 - (2) Force Investigation Team Administrative Investigation
 - a) FIT shall investigate the incident for policy compliance.
 - b) Any policy violations identified during the investigation will be reported to the Office of the Chief Administrative Services Captain and the Internal Affairs Captain by the FIT Sergeant. At the direction of the COP or designee IAD may be assigned as the lead administrative investigators. In these instances, FIT would cease their investigation and IAD would complete the remaining FIT responsibilities.
 - c) The investigation into the UOF application will not conclude until all criminal investigations have been completed.
 - d) Once the FIT or IAD investigation of the UOF application has been completed, the final policy review will be scheduled.
 - (3) Final Policy Review
 - a) An administrative review to determine if the force used during the incident complied with Department policy. Prior to the final review debrief all presentations and documents shall be sent to the FIT Lieutenant or designee for review and approval.
 - b) Shall be chaired by the Deputy Chief, Office of Investigations, and minimally consist of:
 - i. Captain(s) of the involved employee(s)
 - ii. Lieutenant, Training Division



SACRAMENTO POLICE DEPARTMENT GENERAL ORDERS



- iii. Watch Commander
- iv. Department Range Master
- v. PSU
- vi. Risk Management
- vii. Office of Public Safety Accountability Director
- viii. Office of the Inspector General
- ix. SPOA President

- a) Lieutenants and above managers attending the Final Policy Review shall recommend to the COP whether the specific UOF was within Department policy.
- b) FIT shall be prepared to fully explain the investigation during the final policy review.
- c) The Homicide Sergeant shall ensure that a copy of the District Attorney's review letter is forwarded to PSU for proper filing and distribution to the involved employee(s).
- d) Once FIT has completed the administrative investigation, it will be forwarded to the COP through the employee's chain of command.
- e) FIT shall complete a final policy disposition letter to be signed by the COP. The letter shall address the following:
 - i. If the incident was within policy
 - ii. Any policy or equipment changes
 - iii. Any directed retraining for involved employeesNOTE: If the incident is investigated by IAD, the final disposition may be documented through the complaint process on an SPD 330 and SPD 332.

D. UOF REVIEW BOARD

All Level 1 and Level 2 UOF incidents will be reviewed on a monthly basis pursuant to GO 580.01 (UOF Review Board).

E. DISCLOSURE OF PUBLIC RECORDS

The Department will disclose public records pursuant to state and federal law.

F. REPORTING TO THE CALIFORNIA DEPARTMENT OF JUSTICE

PSU shall submit statistical data regarding all qualifying officer-involved shootings and incidents involving UOF resulting in serious bodily injury is to be reported to the California Department of Justice (URSUS) as required by Government Code 12525.2.

G. UOF ANALYSIS AND POLICY REVIEW

- 5. At least annually, PSU shall prepare an analysis report on UOF incidents. The report should be submitted to the Chief of Police. The report should not contain the names of peace officers, subjects or case number but should include:
 - a. The identification of any trends in the UOF by members.
 - b. Training needs recommendations.
 - c. Equipment needs recommendations.
 - d. Policy review and revision recommendations.



SACRAMENTO POLICE DEPARTMENT GENERAL ORDERS



LEVEL 1	LEVEL 2	LEVEL 3
<ul style="list-style-type: none">• UOF resulting in death• UOF resulting in Serious Bodily Injury (SBI)• Officer involved shooting resulting in injury or death• Officer involved shooting-subject missed• Use of vehicle as weapon resulting in SBI• In-custody death• Use of non-issued equipment resulting in SBI or death	<ul style="list-style-type: none">• Officer involved shooting of an animal• Canine bite• CED deployment-probe• Use of chemical agents• Use of baton• Use of CED drive stun• Use of personal body weapons• Use of less lethal weapons systems• Use of BolaWrap®	<ul style="list-style-type: none">• Any UOF used to overcome a combative, physically aggressive, or fleeing subject who has delayed, obstructed, or fought with an officer• Any UOF that results in a visible injury or complaint of pain by the subject to whom force was applied to. Example: visible scratch, abrasion, complaint of pain however not minor discomfort by application of certain control holds or handcuffs



SACRAMENTO POLICE DEPARTMENT GENERAL ORDERS



REPORTING REQUIREMENTS FOR LEVEL 1	REPORTING REQUIREMENTS FOR LEVEL 2	REPORTING REQUIREMENTS FOR LEVEL 3
<ul style="list-style-type: none">• Sergeant notification• Homicide call out• CSI request• IAD call out• PSU call out• PIO call out• District Attorney response team• OPSA• Crime or casualty report• Red border form (RM 3)• Tracking software entry <p>All call outs are based on the needs of the incident.</p>	<ul style="list-style-type: none">• Sergeant notification• Crime or casualty report• CSI request• Red border form (RM 3)• Tracking software entry• Watch Commander investigation (shooting of an animal)	<ul style="list-style-type: none">• Sergeant notification• Incident/crime report• CSI request• Red border form (RM 3) if there is visible injury• No tracking software entry



SACRAMENTO POLICE DEPARTMENT GENERAL ORDERS



580.06

De-Escalation and Planned Response

12-1-20

PURPOSE

The purpose of this order is to provide guidelines for interacting with those individuals who may be experiencing emotional or mental health crises.

POLICY

The Sacramento Police Department is committed to providing a consistently high level of service to all members of the community and recognizing that persons in crisis may benefit from intervention. It shall be the intent of the involved peace officer(s) to resolve an incident as safely as possible to protect the public and persons involved by reducing the danger through use of tactics, techniques, and force options. This is to ensure equitable and safe treatment of all involved. A peace officer shall employ de-escalation and crisis intervention techniques when feasible and when doing so does not increase the risk of harm to peace officers or another person. When making use of force decisions, a peace officer should be mindful that subjects may be physically or mentally incapable of responding to police commands due to a variety of circumstances including, but not limited to, alcohol or drugs, mental impairment, medical conditions, or language and cultural barriers. The Sacramento Police Department (SPD) values the sanctity of human life and the freedoms guaranteed by the United States and California Constitutions. Use of force (UOF) by peace officers is of important concern to the community. The role of law enforcement is to safeguard life, dignity, liberty of all persons, without prejudice to anyone. Peace officers shall carry out duties, including UOF, in a manner that is fair and unbiased.

PROCEDURE

A. DEFINITIONS

1. DE-ESCALATION - Taking action or communicating verbally or nonverbally during a potential force encounter in an attempt to stabilize the situation, to decrease the likelihood of the need to use force, decrease the severity of any force required, reduce the immediacy of the threat so that more time, options, and resources can be called upon to resolve the situation with voluntary compliance. De-escalation techniques include, but are not limited to, gathering information, assessing risks, warnings, verbal and non-verbal persuasion, crisis intervention techniques, utilizing available resources (such as personnel and equipment), and tactical repositioning.
2. CRISIS INTERVENTION TECHNIQUES (CIT) - A collaborative approach to safely and effectively addressing the needs of people with mental illnesses, linking them to appropriate services, and diverting them from the criminal justice system, if appropriate. The primary goal of CIT is to improve peace officer and mental health consumer safety while reducing injuries to peace officers and consumers during law enforcement contacts. Crisis intervention techniques include using distance, time, verbal tactics, or other tactics to de-escalate a situation.

B. GENERAL

1. PLANNING – Peace officers should attempt to arrive at the scene with a coordinated approach based upon initial information and any pre-existing knowledge of the subject(s) or the involved parties. As additional information or factors become known to the peace officer, responding peace officers need to remain flexible and adapt to changing circumstances. Peace officers should attempt to isolate and contain subjects who are experiencing a crisis situation.



SACRAMENTO POLICE DEPARTMENT GENERAL ORDERS



2. TIME – Peace officers need to recognize that time is an essential element for de-escalation as it allows a peace officer the opportunity to communicate with the suspect, refine tactical plans and, if necessary, call for additional resources. Time can also provide an opportunity for the suspect to reconsider his/her actions and decisions, and aid in voluntary compliance.
3. ASSESSMENT- Peace officers should continually assess the situation as circumstances change and additional information is received. In the event of non-compliance demonstrated by the subject, peace officers should attempt to determine whether the lack of compliance is a deliberate attempt to resist or escape, or an inability to comprehend due to environmental, physical, cognitive, or other conditions. If the subject is unable to comprehend the situation, additional resources or tactical options may be needed to safely resolve the situation (i.e. in-field mental health counselor or county clinician).
4. COMMUNICATE – Peace officers should recognize that every situation is fluid and unique, therefore ongoing communication and coordination between peace officers is critically important for effective response. Communication between peace officers can improve decision making under tense circumstances and increase effectiveness of coordinated actions. Peace officers should consider using the following tactics:
 - a. Verbal warnings
 - b. Persuasion
 - c. Re-directing
 - d. Asking open-ended questions
 - e. Giving clear and direct orders that can be received and understood
 - f. Building rapport
 - g. Perspective taking (understanding the why)
 - h. Finding the meaning behind the words
 - i. Showing empathy



SACRAMENTO POLICE DEPARTMENT GENERAL ORDERS



580.14 USE OF CANINES 6-27-22

PURPOSE

This policy establishes guidelines for the use of department canines to augment police services in the community including, but not limited to, locating suspects, contraband and apprehending criminal offenders.

POLICY

The Sacramento Police Department values the sanctity of human life and the freedoms guaranteed by the United States and California Constitutions. It is the policy of the Sacramento Police Department that canine handlers meet and maintain the appropriate proficiency to effectively and reasonably carry out legitimate law enforcement objectives pursuant to GO 580.02 Use of Force policy and GO 522.02 Emergency Care for Individuals in Police Care or Control policy.

PHILOSOPHY

The Sacramento Police Department's primary use of canines is to safely locate suspect(s) in areas that are difficult or dangerous to search, while preserving the handler's option to use minimal force or avoid force altogether, to apprehend and place the suspect into custody. Canines will be deployed based on the criteria listed in this policy. Nothing in this policy supersedes the Sacramento Police Department's Use of Force Policy to include de-escalation, proportionality, and or crisis intervention techniques.

The Sacramento Police Department primarily deploys canines utilizing voice commands from the handler as a method of control. Repeated notice on the presence of a canine and request to surrender are given during a deployment when possible. The canines are deployed for suspects wanted for violent felonies, specific felonies listed in this policy, other crimes where a suspect is fleeing and officers believe the suspect is armed with a weapon, or when a suspect is actively resisting arrest. The canine is used to search and locate a suspect(s). Should the suspect(s) surrender the canine will be called back by the handler. Should the suspect resist or continue to evade officers, the canine will engage the suspect and be called off as soon as safely possible by the handler.

PROCEDURE

A. DEFINITIONS

1. Canine handler - Sworn members who have been POST trained and have attended the canine training school to be certified and qualified to perform all responsibilities of a canine handler.
2. Handler control methodology - The training methodology employed by the department for both the canine and handler in which the handler demonstrates that they are able to maintain physical or verbal control over the actions of their canines.

B. GENERAL

1. Approval shall be obtained from a field supervisor prior to using a canine to search for, or apprehend, a suspect. Exception: A rapidly evolving situation that is within the deployment guidelines, but in which it is impractical to obtain supervisory approval.



SACRAMENTO POLICE DEPARTMENT GENERAL ORDERS



NOTE: It is recognized that situations may arise that do not fall within the provisions set forth in this policy; in such a case, **a watch commander can use a standard of reasonableness to review the decision** to deploy a canine in view of the totality of circumstances.

2. Watch commanders shall notify the Metro Special Operations Section Lieutenant of any performance issues regarding handlers or canines.

3. [REDACTED]

C. DEPLOYMENT GUIDELINES

The deployment of a canine shall be continuously re-evaluated during an incident to determine appropriateness of its use. During deployments when practical and safe to do so, the handler shall try to maintain visual sight, verbal control and/or have physical control of the canine.

1. Canines shall not be deployed for subjects in the following circumstances:

- a. Infractions
- b. Misdemeanor crimes not involving a weapon likely to cause serious bodily injury (such as simple assault, petty theft, vandalism, city code violations)
- c. Mere flight from an officer unless one of the factors in C. 2. are present
- d. Petty thefts that escalate to the level of a robbery due to the suspect's resistance towards the victim's efforts to stop the theft (absent actions resulting in great bodily injury (GBI) or a weapon being involved).
- e. Stolen vehicles involving a named suspect or civil in nature such as a rental car non-return
- f. Protest or crowd control situations

2. Canines can be deployed for suspects in the following circumstances:

- a. Wanted for violent felonies (such as homicide, robberies, kidnapping, serious assaults, drive by shootings, sexual assaults)
- b. Reasonable belief the person may be in possession of a weapon likely to cause serious bodily injury
- c. Specific felony property crimes:
 - i. Burglaries
 - ii. Stolen vehicles (when factors in section C.1.e don't exist)
 - iii. Felony vehicle evading
- d. Warrant service where any of the following are met:
 - i. Wanted for violent felony
 - ii. Has a violent criminal history
 - iii. Has a criminal history with firearms
 - iv. Has a criminal history of felony evasion or being physically assaultive towards law enforcement
- e. Suspect is actively resisting arrest

3. When a canine has engaged a suspect, the handler shall direct the canine to release its hold as quickly as possible when the totality of the circumstances indicates the suspect is surrendering or when adequate resources are available to take the suspect safely into custody. Factors in assessing when a suspect is surrendering include, but are not limited to:

- a. Suspect verbally surrenders
- b. Suspect's hands can be seen and are not in possession of a weapon
- c. Suspect physically complies (i.e., hands in the air, follows verbal commands or body language indicative of surrendering)



SACRAMENTO POLICE DEPARTMENT GENERAL ORDERS



D. CONSIDERATIONS PRIOR TO DEPLOYMENT

Prior to the use of a department canine to search for or apprehend a suspect, the canine handler and/or supervisor at the scene shall consider all pertinent information reasonably available at the time.

The information shall include, but is not limited to:

1. The suspect's age or an estimate thereof.
2. The nature of the suspected offense.
3. Any potential danger to the public and/or other officers at the scene if the canine is utilized.
4. The degree of resistance, if any, the suspect has shown.
5. The potential for escape or flight if the canine is not utilized.
6. The potential for injury to officers or the public caused by the suspect if the canine is not used.
7. Ability of suspect to understand and comprehend canine warnings to include mental health, language and other disabilities.
8. Having other less lethal force options available to aid the canine during a deployment.

E. BUILDING AND AREA SEARCHES

Whenever practical, a perimeter should be established before the canine is used for a building/area search. Canine officers shall:

1. If necessary, make search recommendations to the field supervisor.
2. Provide verbal warnings in a loud voice, or by use of amplified sound prior to releasing the canine:
 - a. Announce the presence of the canine unit.
 - b. Order the suspect out of hiding.
 - c. Warn the suspect that he or she may be bitten.
 - d. After allowing for a reasonable period of compliance, repeat the warning. If no response is received after again waiting for a reasonable period of compliance, the search may begin.
 - e. With the approval of the watch commander, the canine handler may omit or forgo canine warnings when exigent circumstances exist.
3. Repeat additional warnings when appropriate and safe to do so or when encountering structures where initial canine warnings may not have been heard. Supervisors and canine handlers should consider foregoing additional canine warnings when either of the following are present:
 - a. when there is increased risk to officer safety due to the reasonable belief the suspect (s) is armed with a weapon likely to cause great bodily injury
 - b. where the suspect (s) continues to elude officers during an area search based on the proximity of the canine
4. [REDACTED]
5. Officer should attempt to contact residents prior to utilizing a canine for yard searches. If a resident or responsible is unable to be contacted, then an additional canine warning shall be made by the handler prior to deploying the canine to search the backyard.
6. Advise Communications after initial warnings are given, and when possible, record on In Car Camera (ICC) and/or Body Worn Camera (BWC).
 - a. When feasible for area searches, verify the announcement could be heard by another officer on the perimeter opposite of the warning.
7. Notify communications and perimeter officers that the search has begun.
8. Maintain verbal control and frequent visual contact of the canine during the search.



SACRAMENTO POLICE DEPARTMENT GENERAL ORDERS



F. CANINE OFFICERS

1. Canine officers shall:
 - a. Take a pro-active approach in dealing with priority calls, game plans, and attempt pickups where the use of a police canine would benefit the safety of the public and the officers involved.
 - b. When applicable, notify the field supervisor if there is a possibility of a potential canine deployment within that supervisor's area of responsibility.
2. Canine officers should not:
 - a. Be assigned to handle routine report calls.
 - b. Be dispatched to misdemeanor calls; i.e., 415s, 5150s, 901s, or traffic control.

G. CANINE SERGEANT

1. Intentional Apprehensions
 - a. The canine Sergeant shall be notified as soon as practical regarding the apprehension and the circumstances of the call.
 - b. The canine Sergeant shall review all pertinent reports, in-car camera video and body worn camera video related to the canine apprehension.
 - c. Based on the review, the canine Sergeant may go over the incident with the handlers but will not determine any policy findings pending outcome from the Use of Force committee.
2. Unintentional Bite
 - a. The canine Sergeant shall:
 - i. be notified as soon as possible of any unintentional apprehension.
 - ii. respond to the scene when possible.
 - iii. notify the Metro Special Operations Section Lieutenant.
 - iv. review all pertinent in-car camera video and body worn camera video related to the apprehension.
 - v. coordinate with the Professional Standards Unit and the Metro Command to determine if a field settlement agreement is appropriate based on the totality of the incident.
 - vi. identify any training lessons learned from the incident and address with the handler and canine unit for educational and training purposes after concurrence by the Metro Captain that no policy violations need to be addressed.
 - vii. ensure a report and a red border form (RM3) is completed.
 - viii. document findings in a memorandum to the Deputy Chief of Office of Specialized Services.

H. CARE OF CANINE AND EQUIPMENT

1. Canine officers shall:
 - a. Be responsible for the health and welfare of the canine, ensuring that the canine receives the proper nutrition, grooming, training, medical care, and living conditions.
 - b. Not expose the canine to any foreseeable and unreasonable risk of harm, unless required by a particular application.
 - c. Maintain department canine equipment under their control in a clean and serviceable condition.
 - d. Permit the canine unit sergeant to conduct on-site inspections of affected areas of the residence to verify that conditions and equipment conform to this policy. The canine unit sergeant shall minimally provide 24-hour notice prior to the inspection.



SACRAMENTO POLICE DEPARTMENT GENERAL ORDERS



- e. Report to the canine unit sergeant any changes in living status that may affect the lodging or environment of the canine.
- f. Report any injury or illness of the canine to the canine unit sergeant.
- g. Advise the canine unit sergeant prior to taking their canine to the veterinarian for a routine examination or for minor medical problems.
- h. Take the canine to the nearest available veterinarian if the canine is seriously injured or requires immediate medical attention. The canine unit sergeant shall be notified as soon as time permits.

I. TRAINING

1. Prior to assignment in the field, each canine team shall:
 - a. Be trained and certified to meet POST standards.
 - b. Receive training as defined in the current contract with the department canine training provider.
 - c. Conduct all canine training while on duty unless otherwise approved by the canine sergeant.
 - d. Demonstrate an understanding and ability to use the handler control methodology, including the ability to control the canine both physically and with verbal commands.

J. CROSS TRAINED CANINES

1. Canines trained in more than one discipline shall assist with investigations as directed by the Metro Special Operations Section Lieutenant.
2. Cross trained canine teams shall meet POST certifications.
3. Narcotics and firearm detection canines shall:
 - a. Assist in the search for narcotics or firearms during a search warrant service.
 - b. Search vehicles, buildings, and any other articles deemed necessary.
 - c. Not be used to search a person.
4. Explosives detection canines shall:
 - a. Assist in the search of a location where a bomb threat has been established. NOTE: Prior to responding, credibility of the threat shall be assessed.
 - b. Conduct preventive searches at locations such as special events, dignitary visits and restricted areas.
 - c. Not be used to clear a suspicious package.
 - d. Not be used to search a person.
 - e. Narcotics, article and explosive searches do not require verbal warnings prior to deployment.
5. SWAT deployment canines:
 - a. Shall be used in SWAT operations. NOTE: Only canine teams that have received specialized training and the approval from the Metro Special Operations Section Lieutenant will be utilized in this capacity.
 - b. Shall participate in bi-annual training with the SWAT team.

K. OUTSIDE AGENCY ASSISTANCE

Upon request from an outside agency for the assistance of a department canine, the following conditions shall be met:

1. The Communications Division shall:
 - a. Obtain all necessary information including location, type of incident, suspect description, contact person, etc.
 - b. Notify the watch commander.



SACRAMENTO POLICE DEPARTMENT GENERAL ORDERS



2. The watch commander will respond to the request, taking into consideration personnel availability, the availability of the requesting agency's canine, and whether the need for the canine is consistent with department policy.
3. Prior to deployment, the canine officer will ensure that the use of the canine is within department policy.
4. Following a reportable injury caused by canine use of force, the nearest district sergeant or assigned field supervisor shall follow the supervisor's reporting procedures and responsibilities pursuant to GO 580.02 (Use of Force), including the completion of a tracking software entry.

L. REPORTING REQUIREMENTS FOR INJURIES INFLICTED BY A CANINE UPON AN INTENDED SUSPECT AT THE DIRECTION OF THE HANDLER

Canine officers shall:

1. Ensure first aid is rendered pursuant to (GO 522.02 Emergency Care for Individuals under Police Care or Control).
2. Notify the district sergeant, who shall follow the supervisor's reporting procedures and responsibilities pursuant to GO 580.02 (Use of Force), including the completion of a tracking software entry.
3. Obtain a statement from the intended suspect or witnesses relevant to the use of the canine when possible.
4. Notify CSI for photos of suspect's injury(ies). If CSI is unavailable, notify the district sergeant for photographs.
5. Complete appropriate reports detailing the incident including documentation of warnings issued prior to the deployment of the canine when applicable.
6. Complete a red border form (RM 3).

M. REPORTING REQUIREMENTS FOR INJURIES INFLICTED BY A CANINE UPON AN UNINTENDED INDIVIDUAL

Canine officers shall:

1. Ensure first aid is rendered pursuant to (GO 522.02 Emergency Care for Individuals under Police Care or Control).
2. Notify the watch commander and canine sergeant.
3. Ensure an attempt was made to obtain a statement from the individual who was unintentionally injured by the canine or witness(es) relevant to the use of the canine when possible.
4. Notify CSI for photos of victim's injury(ies). If CSI is unavailable, notify the district sergeant and request they respond for photographs.
5. The canine sergeant will coordinate with the Professional Standards Unit and the Metro Command to determine if a field settlement agreement is appropriate based on the totality of the incident.
6. Complete appropriate reports or department memorandum detailing the incident, including circumstances that led or contributed to the unintended bite.
7. Complete a City of Sacramento Workers' Compensation form WC001 (first report of injury form) if a City employee is the unintended individual.
8. Complete a red border form (RM 3).

N. ADMINISTRATIVE REVIEW

1. The canine unit sergeant shall:
 - a. Review all incidents in which a department canine injures any person. This does not replace or circumvent the Use of Force committee.



SACRAMENTO POLICE DEPARTMENT GENERAL ORDERS



- b. Notify the Metro Special Operations Section Lieutenant of any deployment or training issues.
 - c. When applicable, implement corrective and/or preventative action for any training, equipment, or canine issues that have been discovered as a result of the review. Any corrective actions should be approved by the Metro Captain so there is no conflict based on the Use of Force committees recommendations.
 - d. Maintain a record, cross referenced by officer, on all injuries involving department canines for a period of five (5) years from the date of injury.
2. The Metro Captain and the Metro Special Operations Section Lieutenant shall:
- a. Review all incidents in which a department canine injures any person.
 - b. Review the Blue Team entry, making a determination as to the appropriateness of the use of the canine.
 - c. The deployment is then brought before the Use of Force Committee to determine whether the incident is within policy.