



NEWS FOR IMMEDIATE RELEASE

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OC Sheriff's Department Use of Force Policies and Practices

SANTA ANA, Ca. (June 09, 2020) – The Orange County Sheriff's Department is committed to transparency about law enforcement budgets, policies and practices. The Department guards against bias, diligently governs how we use force, and holds accountable deputies who betray the public trust. Data demonstrates that the Orange County Sheriff's Department has a long-standing commitment to professionalism and integrity in our delivery of public safety services. Law enforcement must be free from racial discrimination and protect the constitutional rights of each person. I am confident the men and women of my department strive to do so each and every day.

OCSD USE OF FORCE POLICIES & PRACTICES

Chokeholds & Strangleholds

The Orange County Sheriff's Department does not use, train or authorize deputies to use a chokehold or stranglehold. Deputies are not trained, nor authorized, to place their knee or bodyweight on a subject's neck.

Carotid Control Hold

Effective immediately, the Department is suspending use of the carotid control hold and evaluating its use and effectiveness as a compliance tool.

De-Escalation

De-escalation is an important component of the Orange County Sheriff's Department's Use of Force Policy. Deputies are trained to de-escalate situations.

From Policy 300.3.2 "Voluntary compliance and de-escalation techniques are the preferred means of achieving resolution to potential use of force encounters. When practicable, Members should ask for and allow reasonable time for compliance." De-escalation is taught in the Academy and as a perishable skill in training every five years.

Warning Before Shooting

The Sheriff's Training Academy trains all Orange County Sheriff's deputies to warn before shooting, when feasible.

This is an important component of the academy and the required perishable skills training that takes place throughout a deputy's career. From Policy 300.4 "Members shall give some warning, if feasible, prior to the use of deadly force."



ORANGE COUNTY SHERIFF'S DEPARTMENT

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SHERIFF-CORONER DON BARNES

Exhaust All Alternatives Before Shooting

OCSD's Use of Force Policy states, "Law enforcement personnel shall use no more force than is objectively reasonable to accomplish lawful objectives."

Training and policy reinforce the ideal that shooting/deadly force will only be employed when required by the circumstances of the moment.

Duty to Intervene

The Law Enforcement Code of Ethics and the oath to uphold constitutional rights requires deputies to intervene and report excessive uses of force. In addition, OCSD Rules of Conduct Policy 1018.54 states, "A Member who observes serious misconduct shall take appropriate action to cause the misconduct to immediately cease.

"The reporting of misconduct and prevention of the escalation of misconduct are areas that demand a Member to exercise courage, integrity, and decisiveness. This policy requires that when a Member, at any level, becomes aware of possible misconduct by another Member of this Department, the Member shall immediately report the incident to a supervisor or directly to the Internal Affairs Bureau. This requirement applies to all Members, including supervisory personnel and managers who learn of possible misconduct through the review of a Member's work...Furthermore, a Member who observes serious misconduct shall take appropriate action to cause the misconduct to immediately cease."

Shooting at Moving Vehicles

Orange County Sheriff's Department policy allows shooting at moving vehicles in very limited circumstances when (Policy 300.4.1)

"The vehicle or suspect poses an imminent threat of death or serious bodily injury to the Member or another person, AND 2. The Member has no reasonable alternative course of action to prevent the death or serious bodily injury."

Use of Force Continuum

Many modern, professional law enforcement agencies and training institutions have moved away from the "force continuum" standard and instead utilize the force options method. A continuum is not required by OCSD policy.

The quick nature of incidents dictate the type of force that must be used. A methodical step-by-step approach is not always reasonable in a life or death situation. With a "continuum" officers are expected to use each method of force before moving on to the next force method. This is unreasonable in certain circumstances. For instance, if officers respond to an active shooter incident at a school, they should not be expected to use control holds or pepper spray on a suspect with a firearm who is actively shooting children.



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Comprehensive Reporting

All uses of forces by an Orange County Sheriff deputy are required to be reported. Once a use of force occurs, it is reviewed by a sergeant, lieutenant and division commander. This multi-layered review process ensures the opportunity to take corrective action or provide additional training in any instance where use of force was not properly applied.

Success of use of force practices at OCSD is demonstrated by results. For 2019, of our 356,598 public interactions only 421 (0.118%) resulted in a use of force. Of those 421, nine were referred to Internal Affairs for possible inappropriate use of force (2% of the uses of force, 0.002% of the total public interactions.)

OCSD REVIEW OF USE OF FORCE POLICY

The Department is currently reviewing its use of force policy. Effective immediately, the Department is suspending use of the carotid control hold and evaluating its use and effectiveness as a compliance tool.

MAY 28, 2020 INTERNAL MEMO FROM SHERIFF DON BARNES

To the men and women of the Orange County Sheriff's Department,

The death of George Floyd was wrong. Clearly what occurred goes beyond the scope of any tactic we are trained to use. Equally troubling was the fact that three officers stood by while their partner acted in a manner that contradicts his sworn commitment to protect and serve.

Each of you know how diligently we train to utilize de-escalation strategies and how strictly we adhere to use of force policies. However, training and policies are only as good as the people entrusted with carrying them out. My expectation of each member of this Department is that you conduct yourself with a high ethical standard and treat each life with value and respect. I have every confidence that each of you have the same expectation for your partners and yourself.

The badge is tarnished when a peace officer acts outside of their training, violates rights or lets bias cloud judgement. Law enforcement depends on the trust of the community. Incidents like this erode the trust of law enforcement across the nation.

In Orange County we will continue our efforts to work with our residents, listen to their concerns, and provide services rooted in a commitment to the safety of all we serve.

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