

Use of Force

300.1 PURPOSE AND SCOPE

This policy provides guidelines on the reasonable use of force. While there is no way to specify the exact amount or type of reasonable force to be applied in any situation, every member of this department is expected to use these guidelines to make such decisions in a professional, impartial, and reasonable manner (Government Code § 7286).

In addition to those methods, techniques, and tools set forth below, the guidelines for the reasonable application of force contained in this policy shall apply to all policies addressing the potential use of force, including but not limited to the Control Devices and Techniques, and Taser™ policies.

Retaliation prohibitions for reporting suspected violations are addressed in the Anti-Retaliation Policy.

Adopted 8-20-10 by Chief Thomas E. Schwedhelm.

Revised 2-26-16 and 1-31-17 by Chief Robert L. Schreeder.

Revised 6-16-20, 12-17-20, 8-18-21 and 3-24-22 by Chief Rainer J. Navarro.

300.1.1 DEFINITIONS

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 (Penal Code § 835a).

Feasible - Reasonably capable of being done or carried out under the circumstances to successfully achieve the arrest or lawful objective without increasing risk to the officer or another person (Government Code § 7286(a)).

Force - The application of physical techniques or tactics, chemical agents, or weapons to another person. It is not a use of force when a person allows him/herself to be searched, escorted, handcuffed, or restrained.

Serious bodily injury - A serious impairment of physical condition, including but not limited to the following: loss of consciousness; concussion; bone fracture; protracted loss or impairment of function of any bodily member or organ; a wound requiring extensive suturing; and serious disfigurement (Penal Code § 243(f)(4)).

Totality of the circumstances - All facts known to the officer at the time, including the conduct of the officer and the subject leading up to the use of force (Penal Code § 835a).

300.2 USE OF FORCE COMPLAINTS

The receipt, processing, and investigation of civilian complaints involving use of force incidents should be handled in accordance with the Complaint and Disciplinary policy (Government Code § 7286(b)).

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300.3 POLICY

The use of force by law enforcement personnel is a matter of critical concern, both to the public and to the law enforcement community. Officers are involved on a daily basis in numerous and varied interactions and, when warranted, may use reasonable force in carrying out their duties.

Officers must have an understanding of, and true appreciation for, their authority and limitations. This is especially true with respect to overcoming resistance while engaged in the performance of law enforcement duties.

The department recognizes and respects the value of all human life and dignity without prejudice to anyone. Vesting officers with the authority to use reasonable force and to protect the public welfare requires monitoring, evaluation and a careful balancing of all interests.

300.3.1 FAIR AND UNBIASED USE OF FORCE

Officers are expected to carry out their duties, including the use of force, in a manner that is fair and unbiased (Government Code § 7286(b)). See the Bias-Based Policing policy for additional guidance.

300.3.2 DUTY TO REPORT EXCESSIVE FORCE

Any officer who observes a law enforcement officer or an employee use force that potentially exceeds what the officer reasonably believes to be necessary shall immediately report these observations to a supervisor as soon as feasible (Government Code § 7286(b)).

As used in this subsection, "immediately" means as soon as is safe and feasible to do so.

300.3.3 DUTY TO INTERCEDE

Any officer present and observing another law enforcement officer or an employee using force that is clearly beyond that which is necessary, as determined by an objectively reasonable officer under the circumstances, shall, when in a position to do so, intercede (as defined by Government Code § 7286) to prevent the use of unreasonable force.

When observing force used by a law enforcement officer, each officer should take into account the totality of the circumstances and the possibility that other law enforcement officers may have additional information regarding the threat posed by the subject (Government Code § 7286(b)).

300.3.4 FAILURE TO INTERCEDE

An officer who has received the required training on the duty to intercede and then fails to act to intercede when required by law, may be disciplined in the same manner as the officer who used force beyond that which is necessary (Government Code § 7286(b)).

300.4 USE OF FORCE

Officers shall use only that amount of force that reasonably appears necessary given the facts and totality of the circumstances known to or perceived by the officer at the time of the event to accomplish a legitimate law enforcement purpose (Penal Code § 835a).

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The reasonableness of force will be judged from the perspective of a reasonable officer on the scene at the time of the incident. Any evaluation of reasonableness must allow for the fact that officers are often forced to make split-second decisions about the amount of force that reasonably appears necessary in a particular situation, with limited information and in circumstances that are tense, uncertain, and rapidly evolving.

Given that no policy can realistically predict every possible situation an officer might encounter, officers are entrusted to use well-reasoned discretion in determining the appropriate use of force in each incident. Officers may only use a level of force that they reasonably believe is proportional to the seriousness of the suspected offense or the reasonably perceived level of actual or threatened resistance (Government Code § 7286(b)).

It is also recognized that circumstances may arise in which officers reasonably believe that it would be impractical or ineffective to use any of the approved or authorized tools, weapons, or methods provided by the department. Officers may find it more effective or reasonable to improvise their response to rapidly unfolding conditions they are confronting. In such circumstances, 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.

While the ultimate objective of every law enforcement encounter is to avoid or minimize injury, nothing in this policy requires an officer to retreat or be exposed to possible physical injury before applying reasonable force.

300.4.1 ALTERNATIVE TACTICS - DE-ESCALATION

As time and circumstances reasonably permit, and when community and officer safety would not be compromised, officers should consider actions that may increase officer safety and may decrease the need for using force:

- (a) Summoning additional resources that are able to respond in a reasonably timely manner.
- (b) Formulating a plan with responding officers before entering an unstable situation that does not reasonably appear to require immediate intervention.
- (c) Employing other tactics that do not unreasonably increase officer jeopardy.

In addition, when reasonable, officers should evaluate the totality of circumstances presented at the time in each situation and, when feasible, consider and utilize reasonably available alternative tactics and techniques that may persuade an individual to voluntarily comply or may mitigate the need to use a higher level of force to resolve the situation before applying force (Government Code § 7286(b)). Such alternatives may include but are not limited to:

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

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300.4.2 USE OF FORCE TO EFFECT AN ARREST

Any peace officer may use objectively reasonable force to effect an arrest, to prevent escape, or to overcome resistance. A peace officer who makes or attempts to make an arrest need not retreat or desist from his/her efforts by reason of resistance or threatened resistance on the part of the person being arrested; nor shall an officer be deemed the aggressor or lose his/her right to self-defense by the use of reasonable force to effect the arrest, prevent escape, or to overcome resistance. Retreat does not mean tactical repositioning or other de-escalation techniques (Penal Code § 835a).

300.4.3 FACTORS USED TO DETERMINE THE REASONABLENESS OF FORCE

When determining whether to apply force and evaluating whether an officer has used reasonable force, a number of factors should be taken into consideration, as time and circumstances permit (Government Code § 7286(b)). These factors include but are not limited to:

- (a) The apparent immediacy and severity of the threat to officers or others (Penal Code § 835a).
- (b) The conduct of the individual being confronted, as reasonably perceived by the officer at the time (Penal Code § 835a).
- (c) Officer/subject factors (age, size, relative strength, skill level, injuries sustained, level of exhaustion or fatigue, the number of officers available vs. subjects).
- (d) The conduct of the involved officer leading up to the use of force (Penal Code § 835a).
- (e) The effects of suspected drugs or alcohol.
- (f) The individual's apparent mental state or capacity (Penal Code § 835a).
- (g) The individual's apparent ability to understand and comply with officer commands (Penal Code § 835a).
- (h) Proximity of weapons or dangerous improvised devices.
- (i) The degree to which the subject has been effectively restrained and his/her ability to resist despite being restrained.
- (j) The availability of other reasonable and feasible options and their possible effectiveness (Penal Code § 835a).
- (k) The seriousness of the suspected offense or reason for contact with the individual prior to and at the time force is used.
- (l) Training and experience of the officer.
- (m) Potential for injury to officers, suspects, bystanders, and others.
- (n) Whether the person appears to be resisting, attempting to evade arrest by flight, or is attacking the officer.
- (o) The risk and reasonably foreseeable consequences of escape.
- (p) The apparent need for immediate control of the subject or a prompt resolution of the situation.

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- (q) Whether the conduct of the individual being confronted no longer reasonably appears to pose an imminent threat to the officer or others.
- (r) Prior contacts with the subject or awareness of any propensity for violence.
- (s) Any other exigent circumstances.

300.4.4 PAIN COMPLIANCE TECHNIQUES

Pain compliance techniques may be effective in controlling a physically or actively resisting individual. Officers may only apply those pain compliance techniques for which they have successfully completed department-approved training. Officers utilizing any pain compliance technique should consider:

- (a) The degree to which the application of the technique may be controlled given the level of resistance.
- (b) Whether the person can comply with the direction or orders of the officer.
- (c) Whether the person has been given sufficient opportunity to comply.

The application of any pain compliance technique shall be discontinued once the officer determines that compliance has been achieved.

300.4.5 RESTRICTIONS ON THE USE OF A CHOKE HOLD

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

300.4.6 RESTRICTIONS ON THE USE OF A CAROTID CONTROL HOLD

Officers of this department are not authorized to use a carotid restraint hold. A carotid restraint means a vascular neck restraint or any similar restraint, hold, or other defensive tactic in which pressure is applied to the sides of a person's neck that involves a substantial risk of restricting blood flow and may render the person unconscious in order to subdue or control the person (Government Code § 7286.5).

300.4.7 USE OF FORCE TO SEIZE EVIDENCE

In general, officers may use reasonable force to lawfully seize evidence and to prevent the destruction of evidence. However, officers are discouraged from using force solely to prevent a person from swallowing evidence or contraband. In the instance when force is used, officers should not intentionally use any technique that restricts blood flow to the head, restricts respiration or which creates a reasonable likelihood that blood flow to the head or respiration would be restricted.

300.4.8 ADDITIONAL RESTRICTIONS

Terms such as "positional asphyxia," "restraint asphyxia," and "excited delirium" continue to remain the subject of debate among experts and medical professionals, are not universally recognized medical conditions, and frequently involve other collateral or controlling factors such as narcotics or alcohol influence, or pre-existing medical conditions. While it is impractical to restrict an officer's

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use of reasonable control methods when attempting to restrain a combative individual, officers are not authorized to use any restraint or transportation method which might unreasonably impair an individual's breathing or respiratory capacity for a period beyond the point when the individual has been adequately and safely controlled. Once controlled, the individual should be placed into a recovery position (e.g., supine or seated) and monitored for signs of medical distress (Government Code § 7286.5).

300.5 DEADLY FORCE APPLICATIONS

Where feasible, the officer shall, prior to the use of deadly force, make reasonable efforts to identify him/herself 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 (Penal Code 835a).

If an objectively reasonable officer would consider it safe and feasible to do so under the totality of the circumstances, officers shall evaluate and use other reasonably available resources and techniques when determining whether to use deadly force. To the extent that it is reasonably practical, officers should consider their surroundings and any potential risks to bystanders prior to discharging a firearm (Government Code § 7286(b)).

The use of deadly force is only justified when the officer reasonably believes it is necessary in the following circumstances (Penal Code § 835a):

- (a) An officer may use deadly force to protect him/herself or others from what he/she reasonably believes is an imminent threat of death or serious bodily injury to the officer or another person.
- (b) An officer may use deadly force to apprehend a fleeing person for any felony that threatened or resulted in death or serious bodily injury, if the officer reasonably believes the person will cause death or serious bodily injury to another unless immediately apprehended.

Officers shall not use deadly force against a person based on the danger that person poses to him/herself, if an objectively reasonable officer would believe the person does not pose an imminent threat of death or serious bodily injury to the officer or to another person (Penal Code § 835a).

An "imminent" threat of death or serious bodily injury exists 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 officer or another person. An officer's subjective fear of future harm alone is insufficient as an imminent threat. An imminent threat is one that from appearances is reasonably believed to require instant attention (Penal Code § 835a).

300.5.1 SHOOTING AT OR FROM MOVING VEHICLES

Shots fired at or from a moving vehicle are rarely effective and may involve additional considerations and risks. When feasible, officers should take reasonable steps to move out of the path of an approaching vehicle instead of discharging their firearm at the vehicle or any of its occupants. An officer should only discharge a firearm at a moving vehicle or its occupants when the officer reasonably believes there are no other reasonable means available to avert the

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imminent threat of the vehicle, or if deadly force other than the vehicle is directed at the officer or others (Government Code § 7286(b)).

Officers should not shoot at any part of a vehicle in an attempt to disable the vehicle.

300.5.2 DISPLAYING OF FIREARMS

Given that individuals might perceive the display of a firearm as a potential application of force, officers should carefully evaluate each tactical situation and use sound discretion when drawing a firearm in public by considering the following guidelines (Government Code § 7286(b)):

- (a) If the officer does not initially perceive a threat but reasonably believes that the potential for such threat exists, firearms should generally be kept in the low-ready or other position not directed toward an individual.
- (b) If the officer reasonably believes that a threat exists based on the totality of circumstances presented at the time (e.g., high-risk stop, tactical entry, armed encounter), firearms may be directed toward such threat until the officer no longer perceives such threat.
- (c) All incidents where a firearm is directly pointed at a person to gain compliance is a use of force.

Once it is reasonably safe to do so, officers should carefully secure all firearms.

300.6 REPORTING THE USE OF FORCE

Any use of force by an officer 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 he/she believed the use of force was reasonable under the circumstances. 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.

300.6.1 NOTIFICATION TO SUPERVISORS

Any use of force by an officer shall be reported immediately to a supervisor, including but not limited to the following circumstances (Penal Code § 832.13):

- (a) The application caused a visible injury.
- (b) The individual subjected to the force complained of injury or continuing pain.
- (c) The individual indicates intent to pursue litigation.
- (d) Any application of a CED or control device.
- (e) Any application of a restraint device other than handcuffs, shackles, or belly chains.
- (f) The individual subjected to the force was rendered unconscious.
- (g) An individual was struck or kicked.
- (h) An individual alleges unreasonable force was used or that any of the above has occurred.

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- (i) All incidents where a firearm is directly pointed at a person to gain compliance. This does not include the drawing of a firearm and maintaining it at a low ready, or at a safe direction away from the person contacted.

As used in this subsection, "immediately" means as soon as it is safe and feasible to do so.

300.6.2 REPORTING TO CALIFORNIA DEPARTMENT OF JUSTICE

Statistical data regarding all officer-involved shootings and incidents involving use of force resulting in serious bodily injury is to be reported to the California Department of Justice as required by Government Code § 12525.2.

300.7 MEDICAL CONSIDERATION

Once it is reasonably safe to do so, properly trained officers should promptly provide or procure medical assistance for any person injured or claiming to have been injured in a use of force incident (Government Code § 7286(b)).

Prior to booking or release, medical assistance shall be obtained for any person who exhibits signs of physical distress, who has sustained visible injury, expresses a complaint of injury or continuing pain, or who was rendered unconscious. Any individual exhibiting signs of physical distress after an encounter should be continuously monitored until he/she can be medically assessed.

Based upon the officer's initial assessment of the nature and extent of the subject's injuries, medical assistance may consist of examination by fire personnel, paramedics, hospital staff, or medical staff at the jail. If any such individual refuses medical attention, such a refusal shall be fully documented in related reports and, whenever practicable, should be witnessed by another officer and/or medical personnel. If a recording is made of the contact or an interview with the individual, any refusal should be included in the recording, if possible.

The on-scene supervisor or, if the on-scene supervisor is not available, the primary handling officer shall ensure that any person providing medical care or receiving custody of a person following any use of force is informed that the person was subjected to force. This notification shall include a description of the force used and any other circumstances the officer reasonably believes would be potential safety or medical risks to the subject (e.g., prolonged struggle, extreme agitation, impaired respiration).

Persons who exhibit extreme agitation, violent irrational behavior accompanied by profuse sweating, extraordinary strength beyond their physical characteristics and imperviousness to pain (sometimes called "excited delirium"), or who require a protracted physical encounter with multiple officers to be brought under control, may be at an increased risk of sudden death. Calls involving these persons should be considered medical emergencies. Officers who reasonably suspect a medical emergency should request medical assistance as soon as practicable and have medical personnel stage away if appropriate.

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300.8 SUPERVISOR RESPONSIBILITY

A supervisor should respond to any reported use of force, if reasonably available. The responding supervisor is expected to (Government Code § 7286(b)):

- (a) Obtain the basic facts from the involved officers. Absent an allegation of misconduct or excessive force, this will be considered a routine contact in the normal course of duties.
- (b) Ensure that any injured parties are examined and treated.
- (c) When possible, obtain a recorded interview with the subject upon who force was applied. *Miranda* rights shall be given prior to a use of force interview. All statements and body-worn camera footage shall be included in the crime report. If any aspect of the use of force investigation reveals exculpatory information, the supervisor shall complete a supplemental report noting that information.
- (d) Once any initial medical assessment has been completed or first aid has been rendered, ensure that photographs have been taken of any areas involving visible injury or complaint of pain, as well as overall photographs of uninjured areas. These photographs should be retained until all potential for civil litigation has expired.
- (e) Identify any witnesses not already included in related reports.
- (f) Review and approve all related reports.
- (g) Determine if there is any indication that the subject may pursue civil litigation.
 - 1. If there is an indication of potential civil litigation, the supervisor should complete and route a notification of a potential claim through the appropriate channels.
- (h) Evaluate the circumstances surrounding the incident and initiate an administrative investigation if there is a question of policy non-compliance or if for any reason further investigation may be appropriate.

In the event that a supervisor is unable to respond to the scene of an incident involving the reported application of force, the supervisor is still expected to complete as many of the above items as circumstances permit.

300.8.1 WATCH COMMANDER RESPONSIBILITY

The Watch Commander shall review each use of force by any personnel within his/her command to ensure compliance with this policy.

300.9 TRAINING

Officers, investigators, and supervisors will receive periodic training on this policy and demonstrate their knowledge and understanding (Government Code § 7286(b)).

Subject to available resources, the Training Sergeant should ensure that officers receive periodic training on de-escalation tactics, including alternatives to force.

Training should also include (Government Code § 7286(b)):

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- (a) Guidelines regarding vulnerable populations, including but not limited to children, elderly persons, pregnant individuals, and individuals with physical, mental, and developmental disabilities.
- (b) Training courses required by and consistent with POST guidelines set forth in Penal Code § 13519.10.

300.10 TRAINING RESTRICTION

A peace officer, who is the subject of a sustained use of force complaint, is prohibited from training another officer for a period of three years from the date the complaint is sustained.

300.11 POLICY AVAILABILITY

The Chief of Police or the authorized designee should ensure this policy is accessible to the public (Government Code § 7286(c)).

300.12 USE OF FORCE ANALYSIS

At least annually, the Training Sergeant should prepare an analysis report on use of force incidents. The report should be submitted to the Chief of Police. The report should not contain the names of officers, suspects or case numbers, and should include:

- (a) The identification of any trends in the use of force by department employees.
- (b) Training needs recommendations.
- (c) Equipment needs recommendations.
- (d) Policy revision recommendations.

300.13 PUBLIC RECORDS REQUESTS

Requests for public records involving an officer's personnel records shall be processed in accordance with Penal Code § 832.7 and Government Code § 7286(b).

Control Devices and Techniques

308.1 PURPOSE AND SCOPE

This policy provides guidelines for the use and maintenance of control devices.

Adopted 8-20-10 by Chief Thomas E. Schwedhelm.

Revised 6-30-17 by Chief Robert L. Schreeder.

Revised 10-27-20 and 6-17-21 by Chief Rainer J. Navarro.

308.2 POLICY

In order to control subjects who are violent or who demonstrate the intent to be violent, the Santa Rosa Police Department authorizes officers to use control devices in accordance with the guidelines in this policy and the Use of Force Policy.

308.3 ISSUING, CARRYING AND USING CONTROL DEVICES

- (a) Control devices described in this policy may be carried and used by members of this department only if the device has been issued by the department or approved by the Chief of Police or the authorized designee.
- (b) Only officers who have successfully completed department approved training in the use of any control device are authorized to carry and use the device. Training for all control devices will be consistent with department and POST guidelines. All training pertaining to control devices will be documented in the officer's training file. Officers who fail to demonstrate proficiency with the control device or knowledge of the department's Use of Force policy will be provided remedial training. If an officer cannot demonstrate proficiency with a control device or knowledge of the department's Use of Force policy after remedial training, the officer will be restricted from carrying the control device and may be subject to discipline.
- (c) Control devices may be used when a decision has been made to control, restrain or arrest a subject who is violent or who demonstrates the intent to be violent, and the use of the device appears reasonable under the circumstances. When reasonable, a verbal warning and opportunity to comply should precede the use of these devices.
- (d) When using control devices, officers should carefully consider potential impact areas in order to minimize injuries and unintentional targets.

308.4 RESPONSIBILITIES

308.4.1 WATCH COMMANDER RESPONSIBILITIES

The Watch Commander may authorize the use of a control device by selected personnel or members of specialized units who have successfully completed the required training.

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308.4.2 SUPERVISOR RESPONSIBILITIES

A supervisor shall review all reports or documents in which a control device was used to ensure compliance with department policy and existing law. If a supervisor determines the use of a control device was out of compliance, he/she will notify the on-duty Watch Commander. The supervisor shall make notifications and reports as required by the department's Use of Force Policy.

308.4.3 ARMORER RESPONSIBILITIES

The Armorer or authorized designee shall control the inventory and issuance of all control devices and shall ensure all damaged, inoperative, outdated or expended control devices or munitions are properly disposed of, repaired or replaced. Any Armorer or authorized designee responsible for the inventory and issuance of control devices shall be required to have attended a P.O.S.T. approved Chemical Agents Instructor and Less Lethal Weapons Instructor course.

Every control device will be periodically inspected by the Armorer or the designated instructor for a particular control device. The inspection shall be documented.

308.4.4 USER RESPONSIBILITIES

It is the employee's responsibility to inspect control devices assigned to them to make sure they are in proper working order. All normal maintenance, charging or cleaning shall remain the responsibility of personnel using the various devices. Every control device will be inspected by the department Armorer or Rangemaster, or the designated instructor for a particular control device prior to issuance to an employee.

Any damaged, inoperative, outdated or expended control devices or munitions, along with documentation explaining the cause of the damage, shall be returned to the Armorer or authorized designee for disposition. Damage to city property forms shall also be prepared and forwarded through the chain of command, when appropriate, explaining the cause of the damage.

308.5 KINETIC ENERGY PROJECTILES

This department is committed to reducing the potential for violent confrontations. Kinetic energy projectiles, when used properly, are less likely to result in death or serious physical injury and can be used in an attempt to de-escalate a potentially deadly situation.

308.5.1 DEPLOYMENT AND USE

Only department approved kinetic energy munitions shall be carried and deployed. Approved munitions may be used to compel an individual to cease his/her actions when such munitions present a reasonable option.

Officers are not required or compelled to use approved munitions in lieu of other reasonable tactics if the involved officer determines that deployment of these munitions cannot be done safely. The safety of hostages, innocent persons and officers takes priority over the safety of subjects engaged in criminal or suicidal behavior.

Circumstances appropriate for deployment include, but are not limited to, situations in which:

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- (a) The suspect is armed with a weapon and the tactical circumstances allow for the safe application of approved munitions.
- (b) The suspect has made credible threats to harm him/herself or others.
- (c) The suspect is engaged in riotous behavior or is throwing rocks, bottles or other dangerous projectiles at people and/or officers.
- (d) There is probable cause to believe that the suspect has already committed a crime of violence and is refusing to comply with lawful orders.

308.5.2 DEPLOYMENT CONSIDERATIONS

Before discharging projectiles, the officer should consider such factors as:

- (a) Distance and angle to target.
- (b) Type of munitions employed.
- (c) Type and thickness of subject's clothing.
- (d) The subject's proximity to others.
- (e) The location of the subject.
- (f) Whether the subject's actions dictate the need for an immediate response and the use of control devices appears appropriate.

A verbal warning of the intended use of the device should precede its application, unless it would otherwise endanger the safety of officers or when it is not practicable due to the circumstances. The purpose of the warning is to give the individual a reasonable opportunity to voluntarily comply and to warn other officers and individuals that the device is being deployed.

Officers should keep in mind the manufacturer's recommendations and their training regarding effective distances and target areas. However, officers are not restricted solely to use according to manufacturer's recommendations. Each situation must be evaluated on the totality of circumstances at the time of deployment.

The need to immediately incapacitate the subject must be weighed against the risk of causing serious injury or death. The head, neck, throat, spine, heart, kidneys and groin should not be intentionally targeted, except when the officer reasonably believes the suspect poses an imminent threat of serious bodily injury or death to the officer or others.

308.5.3 KINETIC ENERGY SAFETY PROCEDURES

Shotguns specifically designated for use with kinetic energy projectiles (W.I.R.E.) will be specially marked (green) in a manner that makes them readily identifiable as such.

Officers will inspect the kinetic energy projectile shotgun, projectiles, and any other kinetic energy munitions they are carrying or deploying with at the beginning of each shift to ensure they are in proper working order and the projectiles are of the approved type and appear to be free from defects.

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When they are not deployed, the kinetic energy projectile shotgun (W.I.R.E.) and/or 40mm launcher will be unloaded and properly and securely stored in the vehicle. These devices may be secured in the vehicle trunk or locking mechanism device of a supervisor's or officer's vehicle. At the end of an officer's shift, kinetic energy projectiles shall not be left in an unattended vehicle. Officers shall properly store them in the armory.

Absent compelling circumstances, officers who must transition from conventional ammunition to kinetic energy projectiles will employ the two-person rule for loading. The two-person rule is a safety measure in which a second officer watches the unloading and loading process to ensure the weapon is completely emptied of conventional ammunition.

308.6 OLEORESIN CAPSICUM (OC) GUIDELINES

Oleoresin capsicum (OC) spray and pepper projectiles may be considered for use to bring under control an individual or group of individuals who are engaging in, or are about to engage in a violent behavior. They should be used only in situations where such force is objectively reasonable. Pepper projectiles and OC spray should not, however, be used against individuals or groups who merely fail to disperse or do not reasonably appear to present a risk to the safety of officers or the public. Only authorized personnel may possess and maintain department issued oleoresin capsicum spray.

Uniformed personnel carrying OC spray shall carry the device in its holster on the equipment belt. Plainclothes and non-field personnel may carry OC spray as authorized, in accordance with the needs of their assignment or at the direction of their supervisor.

308.6.1 TREATMENT FOR OC SPRAY EXPOSURE

Persons who have been affected by the use of chemical agents should be promptly exposed to fresh air and running water to cleanse the affected areas. Those persons who complain of further effects shall be provided medical attention.

308.7 TEAR GAS GUIDELINES

Tear gas may be used for crowd control, crowd dispersal or against barricaded suspects based on the circumstances. Only the Incident Commander holding a rank of Lieutenant or higher may authorize the delivery and use of tear gas, and only after evaluating all conditions known at the time and determining that such force reasonably appears justified and necessary.

When practicable, Fire personnel should be alerted or summoned to the scene prior to the deployment of tear gas to control any fires and to assist in providing medical aid or gas evacuation if needed.

This section does not preclude individual officers from taking necessary, reasonable, proportional, and targeted action to protect against a specific imminent threat of significant bodily injury to themselves or identifiable others.

The Armorer or authorized designee responsible for the issuance and inventory of control devices shall document on the munitions inventory log all tear gas issued to field personnel. The

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documentation shall include at a minimum the time, type, quantity, and who it was issued to. At the end of an officer's shift, tear gas munitions shall not be left in an unattended vehicle. Officers shall return them to the Armorer or authorized designee. The Armorer or authorized designee shall store them in the designated magazine storage containers, and they shall make sure at a minimum the time, officer returning them, and quantity returned have been documented on the munitions inventory log.

308.8 PEPPER PROJECTILE SYSTEMS

Pepper projectiles are plastic spheres that are filled with a derivative of OC powder. Because the compressed gas launcher delivers the projectiles with enough force to burst the projectiles on impact and release the OC powder, the potential exists for the projectiles to inflict injury if they strike the head, neck, spine or groin. Therefore, personnel using a pepper projectile system should not intentionally target those areas, except when the officer reasonably believes the suspect poses an imminent threat of serious bodily injury or death to the officer or others.

Officers encountering a situation that warrants the use of a pepper projectile system shall notify a supervisor as soon as practicable. A supervisor shall respond to all pepper projectile system incidents where the suspect has been hit or exposed to the chemical agent. The supervisor shall ensure that all notifications and reports are completed as required by the Use of Force Policy.

Each deployment of a pepper projectile system shall be documented. This includes situations where the launcher was directed toward the suspect, whether or not the launcher was used. Unintentional discharges shall be promptly reported to a supervisor and documented on the appropriate report form. Only non-incident use of a pepper projectile system, such as training and product demonstrations, is exempt from the reporting requirement.

308.9 POST-APPLICATION NOTICE

Whenever tear gas or OC has been introduced into a residence, building interior, vehicle or other enclosed area, officers should provide the owners or available occupants with notice of the possible presence of residue that could result in irritation or injury if the area is not properly cleaned. Such notice should include advisement that cleanup will be at the owner's expense. Information regarding the method of notice and the individuals notified should be included in related reports.

308.10 BATON GUIDELINES

The need to immediately control a suspect must be weighed against the risk of causing serious injury. The head, neck, throat, spine, heart, kidneys and groin should not be intentionally targeted except when the officer reasonably believes the suspect possess an imminent threat of serious bodily injury or death to the officer or others. When carrying a baton, uniformed personnel shall carry the baton in its authorized holder on the equipment belt. Plainclothes and non-field personnel may carry the baton as authorized and in accordance with the needs of their assignment or at the direction of their supervisor.

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308.11 REPORTING USE OF CONTROL DEVICES AND TECHNIQUES

Any application of a control device or technique listed in this policy shall be documented in the related incident report and reported pursuant to the Use of Force Policy.

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312.1 PURPOSE AND SCOPE

This policy provides guidelines for issuing firearms, the safe and legal carrying of firearms, firearms maintenance and firearms training, and the discharge of firearms.

Firearms Policy 312 adopted 8-20-10 by Chief Thomas E. Schwedhelm, r evised 2-15-11 by Chief Thomas E. Schwedhelm, r evised 5-16-12 by Chief Thomas E. Schwedhelm.

Discharge of Firearms Policy 304 adopted 8-20-10 by Chief Thomas E. Schwedhelm, revised 5-16-12 by Chief Thomas E. Schwedhelm.

Patrol Rifles Policy 432 adopted 8-20-10 by Chief Thomas E. Schwedhelm, revised 5-16-12 by Chief Thomas E. Schedhelm.

Policies combined and adopted 2-26-16 by Chief Robert L. Schreeder.

Revised 5-16-16 by Chief Robert L. Schreeder.

Revised 1-31-17 by Chief Robert L. Schreeder.

312.2 POLICY

The Santa Rosa Police Department will equip its officers with firearms to address the risks posed to the public and department members by violent and sometimes well-armed persons.

The Santa Rosa Police Department will ensure firearms are appropriate, in good working order, and that relevant training is provided.

312.3 AUTHORIZED FIREARMS, AMMUNITION AND OTHER WEAPONS

Officers shall only use firearms that are issued or approved by the Santa Rosa Police Department and have been thoroughly inspected by a Santa Rosa Police Department Armorer. Except in an emergency or as directed by a supervisor, no firearm shall be carried by an officer who has not qualified with that firearm during a Santa Rosa Police Department training.

- (a) All other weapons not provided by the Santa Rosa Police Department, including, but not limited to, edged weapons, chemical or electronic weapons, impact weapons or any weapon prohibited or restricted by law or that is not covered elsewhere by department policy, may not be carried by officers in the performance of their official duties without the authorization of the Chief of Police or his/her designee. This exclusion does not apply to the carrying of a single folding pocketknife that is not otherwise prohibited by law.
- (b) When armed, on or off-duty, officers shall carry their badge and department issued identification with the following exception:
- (c) An undercover officer may, with supervisory approval, carry a weapon without a badge and department issued identification if doing so would compromise an on-going investigation or create an officer safety issue.

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312.3.1 HANDGUNS

The authorized handguns for on-duty use are any model of Glock 9mm semi-automatic pistol. The department issued handgun is the Glock Model 17. The Department may issue the Glock Model 19 with the approval of the Training Sergeant, and the Glock Model 43 to officers working in an undercover capacity.

Subcompact handguns like the Glock 26 and Glock 43 are not authorized for carry in a uniformed assignment or during a tactical operation except as a secondary firearm. Full-sized or compact Glock handguns, like the Model 17, Model 34, and Model 19, are authorized for any on-duty use. Refer to section 312.3.4 for information about the use of personally owned handguns while on-duty.

312.3.2 SHOTGUNS

The authorized shotgun is the Remington Model 870, 12 Gauge. When not deployed, the shotgun shall be properly secured in a locking weapons rack in the patrol vehicle with the magazine loaded, the action closed on an empty chamber, the trigger pulled to release the hammer, and the safety in the safe position.

312.3.3 PATROL RIFLES

(a) Specifications:

1. The authorized patrol rifle is the AR-15 style semi-automatic rifle in .223 caliber (5.56x45 mm).
2. Patrol rifles other than those carried by members of the department's SWAT Team must have a barrel length (including attached muzzle devices) of at least 16 inches.
3. The rifle shall be black in color.

(b) Patrol Rifle Training

1. Officers shall not carry or utilize the patrol rifle unless they have successfully completed departmental training.
2. Training shall consist of an initial 16-hour patrol rifle user's course and qualification score with a certified patrol rifle instructor. Officers shall thereafter be required to successfully complete annual training and qualification conducted by a certified patrol rifle instructor.
3. The rifle shall be inspected by a Santa Rosa Police Department Armorer prior to being carried and thereafter shall be subject to inspection annually.

(c) Deployment of the Patrol Rifle: Officers may deploy the patrol rifle in any circumstance where the officer can articulate a reasonable expectation that the rifle may be needed. Examples of some general guidelines for deploying the patrol rifle may include, but are not limited to:

1. Situations where the officer reasonably anticipates an armed encounter.

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2. When an officer is faced with a situation that may require accurate and effective fire at long range.
3. Situations where an officer reasonably expects the need to meet or exceed a suspect's firepower.
4. When an officer reasonably believes that there may be a need to fire on a barricaded person or a person with a hostage.
5. When an officer reasonably believes that a suspect may be wearing body armor.
6. When authorized or requested by a supervisor.
7. When needed to euthanize an animal.

When not deployed, the patrol rifle shall be properly secured in the vehicle's locking weapons rack or in the trunk with the chamber empty, magazine loaded and inserted into the magazine well, the bolt forward with the dust cover closed, and the selector lever in the safe position.

312.3.4 PERSONALLY OWNED DUTY FIREARMS

Officers desiring to carry an authorized but personally owned duty firearm must receive written approval from the Chief of Police or designee. Once approved, personally owned duty firearms are subject to the following restrictions:

- (a) The firearm shall be in good working order and authorized by the department.
- (b) The firearm shall be inspected by a Department armorer prior to being carried and thereafter subject to inspection whenever it is deemed necessary.
- (c) Prior to carrying the firearm, officers shall qualify under the supervision of SRPD firearms instructors and thereafter shall qualify in accordance with the department qualification schedule. Officers must demonstrate proficiency and safe handling, and that the firearm functions properly.
- (d) Officers shall provide written notice of the make, model, color, serial number, and caliber of the firearm to the Training Sergeant, who will maintain a list of the information.

312.3.5 AUTHORIZED SECONDARY HANDGUN

Officers desiring to carry department or personally owned secondary handguns while on-duty are subject to the following restrictions:

- (a) The handgun shall be in good working order and one of the following calibers: .380, .38/.357, 9mm, .40, 10mm, .45.
- (b) Officers may only carry one secondary handgun at a time.
- (c) The purchase of the handgun and ammunition shall be the responsibility of the officer unless the handgun and ammunition were issued by the Santa Rosa Police Department.
- (d) The handgun shall be carried concealed at all times and in such a manner as to prevent unintentional cocking, discharge or loss of physical control.

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- (e) The handgun shall be inspected by a qualified Armorer prior to being carried and thereafter shall be subject to inspection whenever it is deemed necessary.
- (f) Ammunition shall be the same as department issue. If the caliber of the handgun is other than department issue, the ammunition shall be duty quality and not range ammunition.
- (g) Prior to carrying the secondary handgun, officers shall qualify under the supervision of an SRPD Firearms Instructor and thereafter shall qualify in accordance with the department qualification schedule. Officers must demonstrate proficiency and safe handling, and that the handgun functions properly.
- (h) Officers shall provide written notice of the make, model, color, serial number and caliber of a secondary handgun to the Training Sergeant, who will maintain a list of the information.

312.3.6 AUTHORIZED OFF-DUTY FIREARMS

The carrying of firearms by officers while off-duty is permitted by the Chief of Police but may be rescinded should circumstances dictate (e.g., administrative leave). Officers who choose to carry a firearm while off-duty, based on their authority as peace officers, will be required to meet the following guidelines:

- (a) The officer may use his/her department-issued firearm or may use a personally owned firearm that is carried and inspected in accordance with the requirements in this policy.
 - 1. The purchase of the personally owned firearms and ammunition shall be the responsibility of the officer.
 - 2. Officers shall be responsible for ensuring personally owned firearms are maintained and inspected to the standards set in this policy.
- (b) The firearm shall be carried concealed at all times and in such a manner as to prevent unintentional cocking, discharge or loss of physical control.
- (c) Prior to carrying the off-duty firearm, officers shall qualify under the supervision of an SRPD firearms instructor and thereafter shall qualify in accordance with the department qualification schedule. Officers must demonstrate proficiency and safe handling, and that the handgun functions properly.
- (d) Officers shall successfully qualify with the off-duty firearm annually.
- (e) Officers shall provide written notice of the make, model, color, serial number and caliber of the firearm to the Training Sergeant, who will maintain a list of the information.
- (f) If an officer desires to use more than one firearm while off-duty, he/she may do so, as long as all requirements set forth in this policy for each firearm are met.
- (g) Officers shall carry duty quality ammunition and not range ammunition.
- (h) When armed, officers shall carry their badges and Santa Rosa Police Department identification cards.

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312.3.7 AMMUNITION

Officers shall carry only department-approved ammunition in all duty weapons and backup weapons. Officers shall be issued fresh duty ammunition in the specified quantity for all department-issued firearms during the officer's firearms qualification. Officers carrying personally owned firearms of a different caliber than department-issued firearms shall be responsible for obtaining fresh duty ammunition in accordance with the above, at their own expense.

312.4 EQUIPMENT

Firearms carried on or off-duty shall be maintained in a clean, serviceable condition. Maintenance and repair of authorized personally-owned firearms are the responsibility of the individual officer.

312.4.1 REPAIRS AND MODIFICATIONS

Each officer shall be responsible for promptly reporting any damage or malfunction of an assigned firearm to a supervisor or the Training Sergeant. Firearms that are the property of the Santa Rosa Police Department shall be repaired or modified by department Armorsers.

In the event the repair or modification exceeds the capabilities of department Armorsers, the Training Sergeant may authorize a private gunsmith or armorer to be used. Any repairs or modifications to the officer's personally owned firearm shall be done at his/her expense and must be approved by the Training Sergeant.

The Training Sergeant may authorize personally owned patrol rifles to be repaired or modified by a department Armorer.

312.4.2 HOLSTERS

Only department-approved holsters shall be used and worn by officers. Officers shall periodically inspect their holsters to make sure they are serviceable and provide the proper security and level three retention of the handgun.

312.4.3 TACTICAL LIGHTS

Tactical lights may only be installed on a firearm carried on or off-duty after they have been approved by the Training Sergeant. Once the approved tactical lights have been properly installed on any firearm, the officer shall qualify with the firearm to ensure proper functionality and sighting of the firearm prior to carrying it.

312.4.4 OPTICS OR LASER SIGHTS

Optics or laser sights may only be installed on a firearm carried on or off-duty after they have been approved by the Training Sergeant. Any approved sight shall only be installed in strict accordance with manufacturer specifications. Once approved sights have been properly installed on any firearm, the officer shall qualify with the firearm to ensure proper functionality and sighting of the firearm prior to carrying it.

Except in an approved training situation, an officer may only activate a laser sight when the officer would otherwise be justified in pointing a weapon at an individual or other authorized target.

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312.5 SAFE HANDLING, ANNUAL INSPECTION AND STORAGE

The Training Sergeant or his/her designee has the responsibility of making periodic inspection, at least once a year, of all duty weapons carried by officers to verify proper operation. The Training Sergeant has the authority to deem any privately owned weapon unfit for service. Officers will be responsible for all repairs to their personal weapons and they will not be returned to service until inspected by the Training Sergeant or his/her designee.

Officers shall maintain the highest level of safety when handling firearms and shall consider the following:

- (a) Officers shall not unnecessarily display or handle any firearm.
- (b) Officers shall be governed by all rules and regulations pertaining to the use of the range and shall obey all orders issued by the Firearms Instructors.
- (c) Officers shall not clean, repair, load or unload a firearm anywhere in the department, except where clearing barrels are present.
- (d) When a Shotgun or Patrol Rifle is loaded and deployed in response to field activity, it shall be done outside the vehicle and in a manner to maintain the safety of other officers and the general public.
- (e) Officers shall not place or store any firearm or other weapon on department premises except where the place of storage is locked.
- (f) Officers must possess current certification or have supervisory approval to use any automatic firearm, heavy caliber rifle, gas or other type of chemical weapon or firearm from the armory.
- (g) Any firearm issued to an officer by the department that is determined to be malfunctioning or in need of service or repair shall not be carried. It shall be promptly presented to a department Armorer for inspection and repair. Any firearm deemed in need of repair by an Armorer will be immediately removed from service. If needed, an officer may be issued a firearm on a temporary basis until the original firearm can be repaired.

312.5.1 INSPECTION AND STORAGE

Handguns shall be inspected regularly and upon access or possession by another person. Shotguns and rifles shall be inspected at the beginning of the shift. Officers shall ensure that the firearm is carried in the proper condition and loaded with approved ammunition. Inspection of the shotgun and rifle shall be done while standing outside of the patrol vehicle. All firearms shall be pointed in a safe direction or into clearing barrels.

Shotguns and rifles shall be unloaded in a safe manner outside the building. Firearms may be safely stored in the Armory, lockers or another approved location at the end of the shift. Handguns may remain loaded if they are secured in an appropriate holster.

312.5.2 STORAGE AT HOME

Officers shall ensure that all firearms and ammunition are locked and secured while in their homes, vehicles or any other area under their control, and in a manner that will keep them inaccessible

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to children and others who should not have access. Officers shall not permit department-issued firearms to be handled by anyone not authorized by the department to do so. Officers should be aware that negligent storage of a firearm could result in civil and criminal liability (Penal Code § 25100).

312.5.3 STORAGE IN VEHICLES

When leaving a firearm in an unattended vehicle, officers shall ensure that it is locked in the trunk, or in a locked container that is placed out of view, or in a locked container that is permanently affixed to the vehicle's interior and not in plain view (Penal Code § 25140).

312.5.4 ALCOHOL AND DRUGS

Firearms shall not be carried by any officer, either on or off duty, who has consumed an amount of an alcoholic beverage, taken any drugs or medication, or taken any combination thereof that would tend to adversely affect the officer's senses or judgment.

312.6 FIREARMS TRAINING AND QUALIFICATIONS

All officers who carry a firearm while on duty are required to successfully complete training in compliance with California POST requirements and qualify annually with their duty firearms. In addition, officers must qualify with off-duty and secondary firearms annually. Additionally, all officers carrying a firearm should receive practical training designed to simulate field conditions including low-light shooting.

The Training Sergeant shall keep accurate records of range training, repairs, and maintenance. In addition to regular qualification schedules, the Training Sergeant shall be responsible for providing all sworn personnel with annual practical training designed to simulate field situations.

312.6.1 NON-CERTIFICATION OR NON-QUALIFICATION

If any officer fails to meet minimum standards for firearms training or qualification for any reason, including injury, illness, duty status or scheduling conflict, that officer shall submit a memorandum to his/her supervisor prior to the end of the required training or qualification period. The supervisor shall review the officer's memorandum, then forward the document to the Training Sergeant.

Those who fail to meet minimum standards or qualify on their first shooting attempt shall be provided remedial training and will be subject to the following requirements:

- (a) Additional range assignments may be scheduled to assist the officers in demonstrating consistent firearm proficiency.
- (b) Officers shall be given credit for a range training or qualification when obtaining a qualifying score or meeting standards after remedial training.
- (c) Officers who are provided remedial training and remain unable to meet minimum standards may be removed from field assignment.

312.7 WHEN FIREARMS MAY BE DISCHARGED

Firearms may be discharged by sworn personnel, either on or off duty, in the performance of a police duty only under the following circumstances:

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- (a) When training at an approved range.
- (b) To protect the officer or others from what the officer reasonably believes to be an imminent threat of death or serious bodily injury.
- (c) To effect the arrest or prevent the escape of a fleeing felony suspect if the officer has reasonable cause to believe that:
 - 1. The crime for which the arrest is made involved conduct including the use or threatened use of deadly force.
 - 2. There is a substantial risk that the person to be arrested will cause death or serious bodily harm if the apprehension is delayed.
- (d) To kill a seriously injured animal or a dangerous animal that is attacking the officer or another person or persons, or which if allowed to escape, presents a danger to the public.
 - 1. With the approval of a supervisor, an officer may euthanize an animal that is so badly injured that human compassion requires its removal from further suffering and where other dispositions are impractical (Penal Code § 597.1(e)). If circumstances permit, an officer should attempt to contact a possible owner prior to euthanizing the animal.

312.7.1 WHEN FIREARMS SHALL NOT BE DISCHARGED

Warning shots or shots fired for the purpose of summoning aid are discouraged and may not be discharged unless the officer reasonably believes that they appear necessary, effective and reasonably safe.

Firearms shall not be discharged at a moving or fleeing vehicle, unless it is in the necessary defense of a life.

312.7.2 DRAWING, DISPLAYING AND HANDLING OF FIREARMS

- (a) An officer shall not draw or display a firearm except under the following conditions:
 - 1. For general maintenance, storage, or authorized training.
 - 2. When the officer reasonably believes it may be necessary to use a firearm in conformance with other provisions of this policy, such as, but not limited to, when entering a structure, area, or approaching a vehicle or situation in which there exists a possibility of death or serious bodily injury to the officer or other persons.
- (b) Officers shall not handle a firearm in a manner that could result in an accidental discharge. In all instances, firearms shall be handled in accordance with safety standards as taught during department approved firearms training programs.

312.7.3 POSSESSION OF FIREARMS AT CERTAIN FACILITIES

Officers may be called to locations where a request is made to secure firearms before entering. Officers are encouraged to evaluate the circumstances of such requests and utilize their best judgment. No officer is obligated to surrender a firearm unless entering a secured facility.

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Example of such facilities are the county jail, juvenile hall, and any similar facility where access is controlled. Absent such control, the removal of firearms before entry is at the officer's discretion.

312.7.4 PROCEDURE WHEN FIREARM IS DISCHARGED

Except during training, recreational use, or at an approved range, any employee who discharges a weapon accidentally or intentionally, on or off duty, shall make a verbal report to his/her supervisor or the supervisor on duty as soon as circumstances permit. If on duty at the time of the incident, the employee shall file a written report with his/her Division Manager prior to the end of shift. If off duty, the employee shall file a written report with his/her Division Manager as directed by the supervisor but no later than the next regularly scheduled shift.

312.8 FIREARMS INSTRUCTOR DUTIES

- (a) The range will be under the exclusive control of the Firearms Instructors. All officers attending training will follow the directions of the Firearms Instructors. The Firearms Instructors will maintain a roster of all officers attending the range and will submit the roster to the Training Sergeant after each range date. Failure of any officer to sign the training roster may result in non-qualification.
- (b) The range shall remain operational and accessible to officers during hours established by the Training Sergeant.
- (c) Firearms Instructors have the responsibility for ensuring each officer meets the minimum requirements during training and qualifies to the standards set by the Training Sergeant or his/her designee.
- (d) In the event an officer fails to qualify with his/her duty weapon:
 - 1. The supervising Firearms Instructor shall make verbal notification to the officer's supervisor or the Training Sergeant prior to the end of the instructor's shift.
 - 2. Additionally, the supervising Firearms Instructor shall complete and submit to the Training Sergeant a memorandum detailing the officer's failure to qualify. The memorandum shall include the remedial training efforts and the number of times the officer failed to meet the scoring standards of the qualification course.

312.9 FLYING WHILE ARMED

The Transportation Security Administration (TSA) has imposed rules governing law enforcement officers flying armed on commercial aircraft. The following requirements apply to officers who intend to be armed while flying on a commercial air carrier or flights where screening is conducted (49 CFR 1544.219):

- (a) Officers wishing to fly while armed must be flying in an official capacity, not for vacation or pleasure, and must have a need to have the firearm accessible, as determined by the department based on the law and published TSA rules.
- (b) Officers must carry their Santa Rosa Police Department identification card, bearing the officer's name, a full-face photograph, identification number, the officer's signature and the signature of the Chief of Police or the official seal of the department and must present this identification to airline officials when requested. The officer should also

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carry the standard photo identification needed for passenger screening by airline and TSA officials (e.g., driver license, passport).

- (c) The Santa Rosa Police Department must submit a National Law Enforcement Telecommunications System (NLETS) message to TSA prior to the officer's travel. If approved, TSA will send the Santa Rosa Police Department an NLETS message containing a unique alphanumeric identifier. The officer must present the message on the day of travel to airport personnel as authorization to travel while armed.
- (d) An official letter signed by the Chief of Police authorizing armed travel may also accompany the officer. The letter should outline the officer's need to fly armed, detail his/her itinerary, and include that the officer has completed the mandatory TSA training for a law enforcement officer flying while armed.
- (e) Officers must have completed the mandated TSA security training covering officers flying while armed. The training shall be given by the department-appointed instructor.
- (f) It is the officer's responsibility to notify the air carrier in advance of the intended armed travel. This notification should be accomplished by early check-in at the carrier's check-in counter.
- (g) Any officer flying while armed should discreetly contact the flight crew prior to take-off and notify them of his/her assigned seat.
- (h) Discretion must be used to avoid alarming passengers or crew by displaying a firearm. The officer must keep the firearm concealed on his/her person at all times. Firearms are not permitted in carry-on luggage and may not be stored in an overhead compartment.
- (i) Officers should try to resolve any problems through the flight captain, ground security manager, TSA representative or other management representative of the air carrier.
- (j) Officers shall not consume alcoholic beverages while aboard an aircraft, or within eight hours prior to boarding an aircraft.

312.10 CARRYING FIREARMS OUT OF STATE

Qualified, active, full-time officers of this department are authorized to carry a concealed firearm in all other states subject to the following conditions (18 USC § 926B):

- (a) The officer shall carry his/her Santa Rosa Police Department identification card whenever carrying such firearm.
- (b) The officer is not the subject of any current disciplinary action.
- (c) The officer may not be under the influence of alcohol or any other intoxicating or hallucinatory drug.
- (d) The officer will remain subject to this and all other department policies (including qualifying and training).
- (e) Officers are cautioned that individual states may enact local regulations that permit private persons or entities to prohibit or restrict the possession of concealed firearms on their property, or that prohibit or restrict the possession of firearms on any state or

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local government property, installation, building, base or park. Federal authority may not shield an officer from arrest and prosecution in such locally restricted areas.

- (f) Active sworn peace officers from other states are subject to all requirements set forth in 18 USC § 926B.

Unmanned Aerial System (UAS) Operations

321.1 PURPOSE AND SCOPE

The purpose of this policy is to establish guidelines for the use of an unmanned aerial system (UAS) and for the storage, retrieval and dissemination of images and data captured by the UAS.

Adopted 8-2-18 by Chief Robert L. Schreeder.

Revised 9-24-18 by Chief Robert L. Schreeder.

Revised December 17, 2018 by Chief Robert L. Schreeder.

321.2 DEFINITION

Unmanned Aerial System (UAS) - An unmanned aircraft of any type that is capable of sustaining directed flight, whether preprogrammed or remotely controlled (commonly referred to as an unmanned aerial vehicle (UAV)), and all of the supporting or attached systems designed for gathering information through imaging, recording or any other means.

321.3 POLICY

Unmanned aerial systems may be utilized to enhance the department's mission of protecting lives and property when other means and resources are not available or are less effective. Any use of a UAS will be in strict accordance with constitutional and privacy rights and Federal Aviation Administration (FAA) regulations.

Department UAVs may be flown under two FAA regulatory authorizations:

- (a) Per the conditions of a Certificate of Authorization (COA); or
- (b) Under Title 14 of the Code of Federal Regulations, Part 107 – commercial regulations.

321.4 PRIVACY

The use of the UAS potentially involves privacy considerations. Absent a warrant or exigent circumstances, operators and observers shall adhere to FAA altitude regulations and shall not intentionally record or transmit images of any location where a person would have a reasonable expectation of privacy (e.g., residence, yard, enclosure). Operators and observers shall take reasonable precautions to avoid inadvertently recording or transmitting images of areas where there is a reasonable expectation of privacy. Reasonable precautions can include, for example, deactivating or turning imaging devices away from such areas or persons during UAS operations.

321.5 PROGRAM COORDINATOR

The Chief of Police will appoint a program coordinator who will be responsible for the management of the UAS program. The program coordinator will ensure policies and procedures conform to current laws, regulations and best practices and will have the following additional responsibilities:

- (a) Coordinating the FAA Certificate of Waiver or Authorization (COA) application process and ensuring the COA is current.

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- (b) Coordinating the training for all department pilots to be certified under Title 14, CFR Part 107.
- (c) Ensuring that all authorized pilots and required observers have completed all required FAA and department-approved training in the operation, applicable laws, policies and procedures regarding use of the UAS.
- (d) Developing a uniform protocol for submission and evaluation of requests to deploy a UAS, including urgent requests made during ongoing or emerging incidents.
- (e) Ensure UAS missions are flown according to department policy, state law, and federal authority.
- (f) Implementing a system for public notification of UAS deployment.
- (g) Developing an operational protocol governing the deployment and operation of a UAS including, but not limited to, safety oversight, use of visual observers, establishment of lost link procedures and secure communication with air traffic control facilities.
- (h) Developing a protocol for fully documenting all missions.
- (i) Developing a UAS inspection, maintenance and record-keeping protocol to ensure continuing airworthiness of a UAS, up to and including its overhaul or life limits.
- (j) Developing protocols to ensure all data intended to be used as evidence are accessed, maintained, stored and retrieved in a manner that ensures its integrity as evidence, including strict adherence to chain of custody requirements. Electronic trails, including encryption, authenticity certificates and date and time stamping, shall be used as appropriate to preserve individual rights and to ensure the authenticity and maintenance of a secure evidentiary chain of custody.
- (k) Developing protocols that ensure retention and purge periods are maintained in accordance with established records retention schedules.
- (l) Facilitating law enforcement access to images and data captured by the UAS.
- (m) Recommending program enhancements, particularly regarding safety and information security.
- (n) Ensuring established protocols are followed by monitoring and providing periodic reports on the program to the Chief of Police.

321.6 USE OF UAS

Only authorized operators who have completed the required training and certifications shall be permitted to operate the UAS.

Use of vision enhancement technology (e.g., thermal and other imaging equipment not generally available to the public) is permissible in viewing areas only where there is no protectable privacy interest or when in compliance with a search warrant or court order. In all other instances, legal counsel should be consulted.

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321.7 PROHIBITED USE

The UAS video surveillance equipment shall not be used:

- (a) To conduct random surveillance activities.
- (b) To target a person based solely on individual characteristics, such as, but not limited to race, ethnicity, national origin, religion, disability, gender or sexual orientation.
- (c) To harass, intimidate or discriminate against any individual or group.
- (d) To conduct personal business of any type.
- (e) The UAS shall not be weaponized.

321.8 RETENTION OF UAS DATA

Data collected by the UAS shall be retained as provided in the established records retention schedule.

First Amendment Assemblies

467.1 PURPOSE AND SCOPE

This policy provides guidance for responding to public assemblies or demonstrations.

Adopted 2-16-21 by Chief Rainer J. Navarro.

Revised 3-24-22 by Chief Rainer J. Navarro

467.2 POLICY

The Santa Rosa Police Department respects the rights of people to peaceably assemble. It is the policy of this department not to unreasonably interfere with, harass, intimidate or discriminate against persons engaged in the lawful exercise of their rights, while also preserving the peace, protecting life and preventing the destruction of property.

467.3 GENERAL CONSIDERATIONS

Individuals or groups present on the public way, such as public facilities, streets or walkways, generally have the right to assemble, rally, demonstrate, protest or otherwise express their views and opinions through varying forms of communication, including the distribution of printed matter. These rights may be limited by laws or ordinances regulating such matters as the obstruction of individual or vehicle access or egress, trespass, noise, picketing, distribution of handbills and leafleting, and loitering. However, officers shall not take action or fail to take action based on the opinions being expressed, or based upon their own personal viewpoints or opinions.

Participant behavior during a demonstration or other public assembly can vary. This may include, but is not limited to:

- Lawful, constitutionally protected actions and speech.
- Civil disobedience (typically involving minor criminal acts).
- Rioting.

All of these behaviors may be present during the same event. Therefore, it is imperative that law enforcement actions are measured and appropriate for the behaviors officers may encounter. This is particularly critical if force is being used. Adaptable strategies and tactics are essential. The purpose of a law enforcement presence at the scene of public assemblies and demonstrations should be to preserve the peace, to protect life and prevent the destruction of property.

Officers should not:

- (a) Engage in assembly or demonstration-related discussion with participants.
- (b) Harass or intimidate participants. Confrontation with demonstrators should only occur to preserve peace or restore order.
- (c) Seize the cameras, cell phones or materials of participants or observers unless an officer is placing a person under lawful arrest.

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Supervisors should continually observe department employees under their commands to ensure that employees' interaction with participants and their response to crowd dynamics is appropriate.

467.3.1 PHOTOGRAPHS AND VIDEO RECORDINGS

Photographs and video recording, when appropriate, can serve a number of purposes, including support of criminal prosecutions by documenting criminal acts; assistance in evaluating department performance; serving as training material; recording the use of dispersal orders; and facilitating a response to allegations of improper law enforcement conduct.

Photographs and videos will not be used or retained for the sole purpose of collecting or maintaining information about the political, religious or social views of associations, or the activities of any individual, group, association, organization, corporation, business or partnership, unless such information directly relates to an investigation of criminal activities and there is reasonable suspicion that the subject of the information is involved in criminal conduct.

467.4 UNPLANNED EVENTS

When responding to an unplanned or spontaneous public gathering, the first responding officer should conduct an assessment of conditions, including, but not limited to, the following:

- Location
- Number of participants
- Apparent purpose of the event
- Leadership (whether it is apparent and/or whether it is effective)
- Any initial indicators of unlawful or disruptive activity
- Indicators that lawful use of public facilities, streets or walkways will be impacted
- Ability and/or need to continue monitoring the incident

Initial assessment information should be promptly communicated to the Communications Bureau. A supervisor shall be notified as soon as reasonably practicable. Additional resources should be requested as appropriate. A responding supervisor shall assume command of the incident and notify field units and Communications that they are the Incident Commander until command is expressly assumed by another, and the assumption of command is communicated to the involved employees. A clearly defined command structure that is consistent with the Incident Command System (ICS) should be established when the size and scope of the incident dictates that significant resources will be needed and/or the incident will be extended well beyond the time frame of a normal call for service.

467.5 PLANNED EVENT PREPARATION

For planned events with assigned police personnel, comprehensive, incident-specific operational plans should be developed. The ICS should be utilized for such events.

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467.5.1 INFORMATION GATHERING AND ASSESSMENT

In order to properly assess the potential impact of a public assembly or demonstration on public safety and order, relevant information should be collected and vetted. This may include:

- Information obtained from outreach to group organizers or leaders.
- Information about past and potential unlawful conduct associated with the event or similar events.
- The potential time, duration, scope, and type of planned activities.
- Any other information related to the goal of providing a balanced response to criminal activity and the protection of public safety interests.

Information should be obtained in a transparent manner, and the sources documented. Relevant information should be communicated to the appropriate parties in a timely manner.

Information will be obtained in a lawful manner and will not be based solely on the purpose or content of the assembly or demonstration, or actual or perceived characteristics such as race, ethnicity, national origin, religion, sex, sexual orientation, gender identity or expression, economic status, age, cultural group, or disability of the participants (or any other characteristic that is unrelated to criminal conduct or the identification of a criminal subject).

Information obtained should be pertinent to the event and should be for the purpose of providing and enhancing public safety and protecting the community, event participants, and officers.

467.5.2 OPERATIONAL PLANS

An Incident Management Team (IMT) with responsibility for event planning and management should be established. The IMT should develop an operational plan for the event.

The operational plan will minimally provide for:

- (a) Command assignments, chain of command structure, roles and responsibilities.
- (b) Staffing and resource allocation.
- (c) Management of criminal investigations.
- (d) Designation of uniform of the day and related safety equipment (e.g., helmets, shields).
- (e) Possible deployment of specialized resources which may include a Mobile Field Force (MFF), Hostage Negotiators, SWAT assets, Tactical Support Team members, Mutual Aid partners and resources, and any additional support personnel or assets the event may require.
- (f) Event communications and interoperability in a multi-jurisdictional event.
- (g) Liaison with demonstration leaders and external agencies.
- (h) Liaison with City government and legal staff when appropriate based upon the size and scope of the event and the impacts to the community at large which may cross jurisdictional boundaries, or when events may have broader political or social ramifications.

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- (i) Media relations team and/or a designated Press Information Officer as well as Community Outreach team members.
- (j) Logistics: food, fuel, replacement equipment, duty hours, relief and transportation.
- (k) Traffic management plans.
- (l) First aid and emergency medical service provider availability.
- (m) Prisoner transport, detention, and temporary mobile booking areas.
- (n) Review of policies regarding public assemblies and use of force in crowd control.
- (o) Parameters for declaring an unlawful assembly, and a declaration statement in multiple languages when applicable which is incorporated as a printed document in the IAP.
- (p) Arrest protocols, including management of mass arrests.
- (q) Protocol for recording information flow and decisions.
- (r) Rules of engagement, including rules of conduct, protocols for field force extraction and arrests, and any authorization required for the use of force.
- (s) Protocol for handling complaints during the event.
- (t) Parameters for the use of body-worn cameras and other portable recording devices.

467.5.3 MUTUAL AID AND EXTERNAL RESOURCES

The magnitude and anticipated duration of an event may necessitate interagency cooperation and coordination. The assigned Incident Commander should ensure that any required memorandums of understanding or other agreements are properly executed, and that any anticipated mutual aid is requested and facilitated.

467.6 UNLAWFUL ASSEMBLY DISPERSAL ORDERS

If a public gathering or demonstration remains peaceful and nonviolent, and there is no reasonably imminent threat to persons or property, the Incident Commander should generally authorize continued monitoring of the event.

Should the Incident Commander make a determination that public safety is presently or is about to be jeopardized, he/she or the authorized designee should attempt to verbally persuade event organizers or participants to disperse of their own accord. Warnings and advisements may be communicated through established communications links with leaders and/or participants or to the group.

When initial attempts at verbal persuasion are unsuccessful, and it is determined that the participants meet the requirements of an Unlawful Assembly as defined in Penal Code § 407, the Incident Commander or the authorized designee should make a clear standardized announcement to the gathering that the event is an unlawful assembly, and should order the dispersal of the participants. The announcement should be communicated by whatever methods are reasonably available to ensure that the content of the message is clear and that it has been heard by the

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participants. The announcement should be amplified, made in different languages as appropriate, made from multiple locations in the affected area and documented by audio and video. The announcement should provide information about what law enforcement actions will take place if illegal behavior continues and should identify routes for egress. A reasonable time to disperse should be allowed following a dispersal order. The announcement should generally be scripted and a copy of the announcement order should be included in the operational plan documents.

467.7 USE OF FORCE

Use of force is governed by current department policy and applicable law (see the Use of Force, Handcuffing, Leg Restraint Devices, Control Devices and Techniques, and Taser policies).

Individuals refusing to comply with lawful orders (e.g., nonviolent refusal to disperse) should be given a clear verbal warning and a reasonable opportunity to comply. If an individual refuses to comply with lawful orders, the Incident Commander shall evaluate the type of resistance and adopt a reasonable response in order to accomplish the law enforcement mission (such as dispersal or arrest of those acting in violation of the law). Tactics incorporating the use of force should be considered only when the participants' conduct reasonably appears to present the potential to harm officers, themselves or others, or will result in substantial property loss or damage.

Force or control devices, including oleoresin capsaicin (OC), should be directed toward individuals and not toward groups or crowds, unless specific individuals cannot reasonably be targeted due to extreme circumstances, such as a riotous crowd.

Any use of force by an employee of this department shall be documented promptly, completely and accurately in an appropriate report. The type of report required may depend on the nature of the incident.

467.8 USE OF KINETIC ENERGY PROJECTILES AND CHEMICAL AGENTS FOR CROWD CONTROL

Kinetic energy projectiles and chemical agents for crowd control purposes shall only be deployed by officers who have received POST training for crowd control if the use is objectively reasonable to defend against a threat to life or serious bodily injury to any individual, including an officer, or to bring an objectively dangerous and unlawful situation safely and effectively under control and in compliance with (Penal Code § 13652).

13652. (a) Except as otherwise provided in subdivision (b), kinetic energy projectiles and chemical agents shall not be used by any law enforcement agency to disperse any assembly, protest, or demonstration.

(b) Kinetic energy projectiles and chemical agents shall only be deployed by a peace officer that has received training on their proper use by the Commission on Peace Officer Standards and Training for crowd control if the use is objectively reasonable to defend against a threat to life or serious bodily injury to any individual, including any peace officer, or to bring an

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objectively dangerous and unlawful situation safely and effectively under control, and only in accordance with all of the following requirements:

(1) De-escalation techniques or other alternatives to force have been attempted, when objectively reasonable, and have failed.

(2) 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.

(3) Persons are given an objectively reasonable opportunity to disperse and leave the scene.

(4) 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.

(5) 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.

(6) 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.

(7) An objectively reasonable effort has been made to extract individuals in distress.

(8) 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.

(9) Kinetic energy projectiles shall not be aimed at the head, neck, or any other vital organs.

(10) Kinetic energy projectiles or chemical agents shall not be used by any law enforcement agency solely due to any of the following:

(A) A violation of an imposed curfew.

(B) A verbal threat.

(C) Noncompliance with a law enforcement directive.

(11) If the chemical agent to be deployed is tear gas, only a commanding officer at the scene of the assembly, protest, or demonstration may authorize the use of tear gas.

(c) This section does not prevent a law enforcement agency from adopting more stringent policies.

(d) For the purposes of this section, the following terms have the following meanings:

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(1) "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.

(2) "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-chlorobenzalmalononitrile gas, commonly known as CS gas; and items commonly referred to as pepper balls, pepper spray, or oleoresin capsicum.

(e) This section does not apply within any county detention facility or any correctional facility of the Department of Corrections and Rehabilitation.

13652.1. (a) Each law enforcement agency shall, within 60 days of each incident, publish a summary on its internet website of all instances in which a peace officer employed by that agency uses a kinetic energy projectile or chemical agent, as those terms are defined in Section 13652, for crowd control. However, an agency may extend that period for another 30 days if they demonstrate just cause, but in no case longer than 90 days from the time of the incident.

(b) For each incident reported under subdivision (a), the summary shall be limited to that information known to the agency at the time of the report and shall 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 deescalate tensions and avoid the necessity of using the kinetic energy projectile or chemical agent.

(c) The Department of Justice shall post on its internet website a compiled list linking each law enforcement agency's reports posted pursuant to subdivision (a).

467.9 USE SUMMARY

The Field Services Division Commander or the authorized designee shall ensure that a summary of each deployment of kinetic energy projectiles or chemical agents for crowd control purposes

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is prepared and published on the department website within 60 days of each incident. The time frame may be extended for another 30 days where just cause is demonstrated, but no longer than 90 days from the time of the incident. The summary shall be limited to the information known to the department at the time of the report and include the information required in Penal Code § 13652.1.

467.10 ARRESTS

The Santa Rosa Police Department should respond to unlawful behavior in a manner that is consistent with the operational plan. If practicable, warnings or advisements should be communicated prior to arrest.

Mass arrests should be employed only when alternate tactics and strategies have been, or reasonably appear likely to be, unsuccessful. Mass arrests shall only be undertaken upon the order of the Incident Commander or the authorized designee. There must be probable cause for each arrest.

If employed, mass arrest protocols should fully integrate:

- (a) Reasonable measures to address the safety of officers, departmental employees, and arrestees.
- (b) Dedicated arrest, booking and report writing teams.
- (c) Timely access to medical care.
- (d) Timely access to legal resources.
- (e) Timely processing of arrestees.
- (f) Full accountability for arrestees and evidence.
- (g) Coordination and cooperation with the prosecuting authority, jail and courts (see the Cite and Release Policy).

467.11 MEDIA RELATIONS

The Public Information Officer should use all available avenues of communication, including press releases, briefings, press conferences, and social media to maintain open channels of communication with media representatives and the public about the status and progress of the event, taking all opportunities to reassure the public about the professional management of the event. When appropriate, a media area should be designated and communicated to members of the press and media outlets.

467.12 MEDIA ACCESS

If officers close the immediate area surrounding any emergency field command post or any other command post or establish a police line, or rolling closure at a demonstration, march, protest, or rally where individuals are engaged in a protected activity pursuant to the First Amendment, officers shall comply with the requirements of Penal Code § 409.7 relating to media access (i.e., access to closed areas, obtaining information) (Penal Code § 409.7).

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409.7. (a) If peace officers, as defined in Chapter 4.5 (commencing with Section 830) of Title 3 of Part 2, close the immediate area surrounding any emergency field command post or establish any other command post, police line, or rolling closure at a demonstration, march, protest, or rally where individuals are engaged in activity that is protected pursuant to the First Amendment to the United States Constitution or Article I of the California Constitution, the following requirements shall apply:

(1) A duly authorized representative of any news service, online news service, newspaper, or radio or television station or network may enter the closed areas described in this section.

(2) A peace officer or other law enforcement officer shall not intentionally assault, interfere with, or obstruct the duly authorized representative of any news service, online news service, newspaper, or radio or television station or network who is gathering, receiving, or processing information for communication to the public.

(3) A duly authorized representative of any news service, online news service, newspaper, or radio or television station or network that is in a closed area described in this section shall not be cited for the failure to disperse, a violation of a curfew, or a violation of paragraph (1) of subdivision (a) of Section 148. If the duly authorized representative is detained by a peace officer or other law enforcement officer, that representative shall be permitted to contact a supervisory officer immediately for the purpose of challenging the detention unless circumstances make it impossible to do so.

(b) For purposes of this section, a person who appears to be engaged in gathering, receiving, or processing information, who produces a business card, press badge, other similar credentials, or who is carrying professional broadcasting or recording equipment, is a duly authorized representative of a news service, online news service, newspaper, or radio or television station or network.

(c) This section does not prevent a law enforcement officer from enforcing other applicable laws if the person is engaged in activity that is unlawful.

467.13 DEMOBILIZATION

When appropriate, the Incident Commander or the authorized designee should implement a phased and orderly withdrawal of law enforcement resources. All relieved personnel should promptly complete any required reports, including use of force reports, and account for all issued equipment and vehicles to their supervisors prior to returning to normal operational duties. Demobilization of a significant event shall be planned for, developed, and outlined in an operational plan.

467.14 POST EVENT

The Incident Commander should designate an employee to assemble full documentation of the event, to include the following:

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- (a) Operational plan
- (b) Any incident logs
- (c) Any assignment logs
- (d) Vehicle, fuel, equipment and supply records
- (e) Incident, arrest, use of force, injury and property damage reports
- (f) Photographs, audio/video recordings, Communications Bureau records/tapes
- (g) Media accounts (print and broadcast media)
- (h) Any other ICS or event related documents

467.14.1 AFTER-ACTION REPORTING

The Incident Commander should work with the City Attorney's Office, as appropriate, to prepare a comprehensive after-action report of the event, explaining all incidents where force was used including the following:

- (a) Date, time and description of the event
- (b) Actions taken and outcomes (e.g., injuries, property damage, arrests)
- (c) Problems identified
- (d) Significant events
- (e) Recommendations for improvement; opportunities for training should be documented in a generic manner, without identifying individuals or specific incidents, facts or circumstances.
- (f) When appropriate, external expertise should be consulted to assist with the after action report and/or to provide an unbiased review of the incident.

467.15 TRAINING

Department employees should receive periodic training regarding this policy, as well as the dynamics of crowd control and incident management (Penal Code § 13514.5). The department should, when practicable, train with its external and mutual aid partners.

Long Range Acoustical Device (LRAD)

706.1 PURPOSE AND SCOPE

The purpose of this order is to establish guidelines for the deployment and use of the Long Range Acoustical Device (LRAD).

Adopted 10-27-20 by Chief Rainer J. Navarro.

Revised 8-5-21 by Chief Rainer J. Navarro.

706.1.1 DEFINITIONS

Long Range Acoustical Device (LRAD) - A high intensity directional acoustical array for long range, clear hailing and notification. The LRAD is primarily used as a communication device and can transmit live or prerecorded messages.

LRAD 100x - A portable LRAD device that can be carried by one person.

706.2 POLICY

It is the policy of the Santa Rosa Police Department that a Long Range Acoustical Device (LRAD) may be used to communicate with the community during natural disasters, crowd management and control situations, or when other forms of communication are ineffective or inadequate to unequivocally communicate with the public. The LRAD 100X is not designed to be used as a weapon. The LRAD shall only be used by officers trained in its deployment and used in a manner consistent with department policy and training.

706.3 USE OF LRAD FOR COMMUNICATION

Members of the Santa Rosa Police Department may use the LRAD as a communication tool during the following types of situations:

- (a) Dispersal of crowds.
- (b) Natural Disasters.
- (c) Evacuations.
- (d) Communicate to protestors.
- (e) Search and rescue operations.
- (f) Hostage and barricaded subject incidents.
- (g) Suicidal persons where other methods of communication are ineffective or not practical.
- (h) Service of high-risk search or arrest warrants.
- (i) Crowd communication during large scale events such as parades, festivals or concerts.
- (j) Traffic control management.
- (k) Enforce perimeters or establish safety areas during rapidly evolving events.

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Long Range Acoustical Device (LRAD)

A Long Range Acoustical Device may only be deployed with the approval of the Watch Commander or Incident Commander. In a rapidly evolving event where there is the likelihood of serious injury or property damage, trained personnel are permitted to deploy the LRAD for use as a communication tool with supervisor approval. The scene supervisor shall ensure the Watch Commander or Incident Commander is notified as soon as practical.

706.4 WARNING TONE

The LRAD warning tone shall not be used under any circumstances. Additionally, the ability to use the warning tone has been disabled on the Santa Rosa Police Department's LRAD.