

OIR Use of Force Review

UOF Review 10-17-22 JH Unit G



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Summary of Facts

On October 17, 2022, at approximately 7:26 a.m., Deputy Juvenile Correctional Officer (DJCO) 1 was supervising a group of youths during breakfast in the day area.¹ Y1 was seated on a bench near the restrooms and Y2 was seated at his desk on the carpet area on the opposite side of the room. Y1 and Y2 began to exchange words and were being disrespectful to each other. DJCO 1 directed the youths to stop, however they continued to exchange words. DJCO 1 attempted to counsel Y1, but he continued to antagonize Y2. DJCO 1 instructed Y1 to go to his room to take a break. After Y1 stood up from the bench, he yelled, “[f]uck trash can bitch!”² DJCO 1 positioned herself in front of Y1 and again directed him to go to his room. Y2 walked quickly from across the room towards Y1. Y1 turned around and ran back into the day area towards Y2. Y1 and Y2 began to exchange closed-fist punches to the head. A Code 2 was called over the radio.³

DJCO 1 directed the youths to “stop” and “get down” but they continued to fight. DJCO 1 then yelled “OC clear” and deployed a one second burst of OC from a distance of three to six feet, targeted at the youths’ foreheads. The youths continued to fight after the deployment.

DJCO 2 responded from an adjoining unit and observed the youths standing and fighting each other, striking each other with punches. DJCO 2 “ran across the unit to where the fight was occurring and broadened his arms and dropped his body, in what appears to be a tackling motion.” DJCO 2 made contact with Y1 and Y2, and all three went to the ground. DJCO 2 was able to separate Y1 and Y2 and immediately restrained Y1 while DJCO 1 immediately went to restrain Y2.

Additional staff responded to assist in securing the youths. Supervising Juvenile Correctional Officer (SJCO) 1 and SJCO 2 arrived on scene and directed staff to escort Y1 and Y2 to the unit showers for decontamination. Y1 was escorted to the Unit G showers and Y2 was escorted to the Unit H showers. Both youths began decontamination within six minutes of the OC deployment. They were provided with clean clothing, and their contaminated clothing was bagged and labeled accordingly.

Lawful Requirements for Use of OC

In determining whether a particular use of force was appropriate, courts analyze the use of force “under the Fourth Amendment’s prohibition against unreasonable seizures using the framework articulated in *Graham v. Connor*.”⁴ The reasonableness of a seizure turns on whether the use of force was “objectively reasonable in light of the facts and circumstances confronting [the user of force], without regard to their underlying intent or motivation.”⁵

Reasonableness is determined by balancing “the nature and quality of the intrusion on the individual’s Fourth Amendment interests against the countervailing governmental interests at stake.”⁶

¹ All information regarding the incident is taken from DJCO reports and video provided to the OIR. All information regarding statements made or commands given were taken from reports because the video contains no audio.

² Y1 admits being part of the Orange County Criminals (OCC) gang. Y2 admits to being from the Anaheim Travelers City (ATC) gang. These are known gang rivals and the word “trash can” is a derogatory term used to insult ATC.

³ A Code 2 indicates that there is a fight in progress.

⁴ *Young v. County of Los Angeles* (9th Cir. 2011) 655 F.3d 1156.

⁵ *Graham v. Connor* (1989) 490 U.S. 386, 397; *Blankenhorn v. City of Orange* (9th Cir. 2007) 485 F.3d 463, 477.

⁶ *Young v. County of Los Angeles* (9th Cir. 2011) 655 F.3d 1156.

There are three steps in conducting the balancing required by *Graham*. The first step is to assess the "the quantum of force used."⁷ The second step is to measure "the governmental interests at stake by evaluating a range of factors."⁸ Finally, the third step is to balance the quantum of force used on the individual against "the government's need for that intrusion to determine whether it was constitutionally reasonable."⁹

Quantum of Force

Assessing the quantum of force used requires analyzing the nature and quality of the intrusion on the individual's Fourth Amendment interests, which, in turn, requires the fact finder to evaluate both the type of force inflicted, and the amount of force used.¹⁰

Type of Force Used

In this incident, the force used was Oleoresin Capsicum (OC), commonly known as pepper spray. OC is an oily organic resin derived from the fruit of plants in the Capsicum genus, such as chili peppers.

The Ninth Circuit has clearly held that pepper spray is a form of "force capable of inflicting significant pain and causing serious injury."¹¹ "Pepper spray 'is *designed* to cause intense pain,' and inflicts 'a burning sensation that causes mucus to come out of the nose, an involuntary closing of the eyes, a gagging reflex, and temporary paralysis of the larynx,' as well as 'disorientation, anxiety, and panic.'"¹² As such, pepper spray is regarded as "intermediate force" that, "while less severe than deadly force, nonetheless present[s] a significant intrusion upon an individual's liberty interests."¹³

Recommendation

Update PMI 3-1-056 to specifically state that OC spray is classified as an intermediate level of force.

Amount of Force Used

The amount of "intermediate force" (OC) used in this case was minimal. There was one deployment of OC, that struck both youths. The deployment was one second in duration and deployed from between three and six feet. The reports and video reflect that the deployment of OC occurred while Y1 and Y2 were mutually assaulting each other with closed fists strikes to the head.

Some courts have also held that the failure to act by not properly decontaminating a person exposed to OC can rise to the level of a constitutional violation.¹⁴ Such is not the case here. Staff ensured that the length of time that the youths felt the effects of the OC was limited. As soon as the youths were secured, they were escorted to the showers to decontaminate. Y1 was escorted to the Unit G showers and Y2 was escorted to the Unit H showers. Both youths began decontamination within six minutes of the OC deployment.

⁷ *Davis v. City of Las Vegas* (9th Cir. 2007) 478 F.3d 1048, 1054.

⁸ *Davis v. City of Las Vegas* (9th Cir. 2007) 478 F.3d 1048, 1054.

⁹ *Young v. County of Los Angeles* (9th Cir. 2011) 655 F.3d 1156.

¹⁰ *Miller v. Clark County* (9th Cir. 2003) 340 F.3d 959, 964.

¹¹ *Young v. County of Los Angeles* (9th Cir. 2011) 655 F.3d 1156.

¹² *Young v. County of Los Angeles* (9th Cir. 2011) 655 F.3d 1156.

¹³ *Young v. County of Los Angeles* (9th Cir. 2011) 655 F.3d 1156.

¹⁴ *Wilson v. Bucato* (E.D.Cal. Dec. 7, 2023, No. 1:23-cv-00023-HBK (PC)) 2023 U.S.Dist.LEXIS 218539.

Governmental Interest

Intermediate force is a “significant level of force that must be justified by the governmental interest involved.”¹⁵ In evaluating the government’s interest in the use of force, courts look to: “(1) the severity of the crime at issue, (2) whether the suspect posed an immediate threat to the safety of the officers or others, and (3) whether the suspect was actively resisting arrest or attempting to evade arrest by flight.”¹⁶

Severity of the Crime at Issue

The crimes at issue in this incident were violent crimes of assault and battery. Under California law, assault and battery are misdemeanor offenses.¹⁷ However, battery involving the infliction of serious bodily injury and assault by means of force likely to produce great bodily injury are both felony offenses.¹⁸ The felony battery charge focuses on the actual injury inflicted, while the felony assault charge focuses on the force used and not whether the force produced great bodily injury. “The crime of assault by means of force likely to produce great bodily injury is completed before any injury is inflicted.”¹⁹ “It is enough that the force used is likely to cause serious bodily injury. No injury is necessary.”²⁰ Courts have said that punching is “capable of inflicting significant pain and causing serious injury.”²¹

Here, the video, and reports show that Y1 and Y2 were exchanging closed-fist punches to each other’s head when DJCO 1 deployed a single one-second burst of OC at their foreheads. Considering that Y1 and Y2 were throwing continuous punches at each other’s heads which could result in serious injury, the assaults by Y1 and Y2 should be considered severe.

Whether the Suspect Posed an Immediate Threat to the Safety of the Officers or Others

Courts have said that the most important element of the *Graham* factors is whether the suspect poses an immediate threat to the safety of the officers or others.²² Here, the reports make clear that Y1 and Y2 posed an immediate threat to each other. At the time that DJCO 1 deployed OC spray, Y1 and Y2 were punching each other continuously on each other’s heads. DJCO 1 directed the youths to “stop” and to “get down” but they disregarded her commands and continued to fight. Therefore, at the time the OC was deployed, the youths clearly posed an immediate threat to each other.

Whether the Suspect was Actively Resisting Arrest or Attempting to Evade Arrest by Flight

While the youths were not attempting to evade the DJCOs, both youths were clearly refusing to comply with her commands and submit to her authority. Although DJCO 1 directed Y1 to go to his room, he turned around and went back into the day area to engage with Y2. When the youths began to fight, DJCO 1 directed both to “stop” and “get down.” Neither youth complied with the directives and instead, continued their mutual assault. Even after the deployment of OC spray the youths continued to fight. Ultimately, to place the youths into custody, the DJCOs had to do more than simply place passive youths

¹⁵ *Bryan v. MacPherson* (9th Cir. 2010) 630 F. 3d 805, 826.

¹⁶ *Graham v. Connor* (1989) 490 U.S. 386 [109 S.Ct. 1865, 104 L.Ed.2d 443].

¹⁷ Pen. Code, §§ 240, 242, 243(a).

¹⁸ Pen. Code, §§ 242, 243(d), 245(a).

¹⁹ *People v. Hopkins* (1978) 78 Cal.App.3d 316 [142 Cal.Rptr. 572].

²⁰ *People v. Hopkins* (1978) 78 Cal.App.3d 316 [142 Cal.Rptr. 572].

²¹ *Reaza v. County of Riverside* (C.D.Cal. Oct. 26, 2022, No. 5:20-cv-01188-MEMF (SPx)) 2022 U.S.Dist.LEXIS 198653.

²² *Chew v. Gates* (9th Cir. 1994) 27 F.3d 1432.

into handcuffs. DJCO 2 had to physically restrain both combative youths so that they could be placed into handcuffs.

Balancing the Force Used Against the Need for Such Force

Finally, in order to determine if force used was excessive, courts “balance the gravity of the intrusion on the individual against the government’s need for that intrusion.”²³ Put another way, does the government’s need for the force used, based on the severity of the crime, the threat to safety, and the resistance of the subject, outweigh the type and amount of force used?

The Ninth Circuit has said that the law is clearly established “that police officers employ excessive force in violation of the Fourth Amendment when they use pepper spray upon an individual who is engaged in the commission of a non-violent misdemeanor and who is disobeying a police officer's order but otherwise poses no threat to the officer or others.”²⁴ That is not the situation that confronted the DJCOs in this incident.

As previously stated, the youths were engaged in, at a minimum, a violent misdemeanor, and potentially a violent felony, and they clearly disobeyed DJCO 1’s order to get down and continued to fight after being sprayed. The most important distinction, however, is the fact that by continuing to fight, the youths clearly posed a threat to each other.

The youths involved in the fight were under the custody and care of the Probation Department. As such, the Probation Department had an obligation to protect them from harm. Prior to the deployment of OC, Y1 and Y2 posed an immediate and ongoing threat to each other. Additionally, the severe harm that could have occurred to either youth from closed fist strikes to the head justified the single deployment of OC, particularly when the youths continued to fight even after being directed to stop and get down. Thus, the one second deployment of OC was justified when considering each of the above factors.

Compliance with Department Procedure

State Law

The State of California has set forth requirements that a facility, which authorizes the use of chemical agents as a force option, must have in their policies and procedures.²⁵ Those requirements include that the policies mandate that chemical agents only be used when there is an imminent threat to the youth's safety or the safety of others and only when de-escalation efforts have been unsuccessful or are not reasonably possible;²⁶ that the policy outline the facility's approved methods and timelines for decontamination from chemical agents including that youth who have been exposed to chemical agents shall not be left unattended until that youth is fully decontaminated or is no longer suffering the effects of the chemical agent;²⁷ that the policy define the role, notification, and follow-up procedures required after a use of force incident involving chemical agents for medical, mental health staff and parents or

²³ *Espinosa v. City & County of San Francisco* (9th Cir. 2010) 598 F.3d 528.

²⁴ *Silva v. Chung* (9th Cir. 2018) 740 F.App'x 883.

²⁵ Cal. Code Regs., tit. 15, § 1357 – Use of Force.

²⁶ Cal. Code Regs., tit. 15, § 1357(b)(2).

²⁷ Cal. Code Regs., tit. 15, § 1357(b)(3).

legal guardians;²⁸ and that the policy provide for the documentation of each incident of use of chemical agents, including the reasons for which it was used, efforts to de-escalate prior to use, youth and staff involved, the date, time and location of use, decontamination procedures applied and identification of any injuries sustained as a result of such use.²⁹

Department Procedure

Imminent Threat and De-escalation

The Probation Department has two procedures that address the use of OC by DJCOs in the course and scope of their duties.³⁰ The OC procedure provides that OC spray may “only be used when there is an imminent threat to the youth’s safety and/or the safety of the officer or others and only when de-escalation efforts have been unsuccessful or are not reasonably possible.”³¹ This verbiage is consistent with state law.

The reports regarding this incident make clear that Y1 and Y2 posed an imminent threat to each other. DJCO 1 attempted to verbally de-escalate the situation by first counseling Y1 and directing him to take a break in his room. As mentioned above, her attempt to separate the youths was unsuccessful, and Y1 returned to the day area to physically engage with Y2. DJCO 1 again attempted to verbally de-escalate by directing the youths to “stop” and to “get down.” Despite these commands, the youths continued their mutual assault. DJCO 1 also warned the youths that she would deploy OC spray by stating “OC Clear!” Y1 and Y2 continued assaulting each other. All DJCO 1’s attempts to de-escalate prior to the deployment of OC spray were unsuccessful.

Decontamination

The Probation Department’s OC Procedure requires that “[f]or youth exposed to OC spray, through a direct spray or over spray, decontamination measures must be undertaken as soon as practical after a youth is subdued and restrained.”³² The OC Procedure further states that youth shall be placed, “fully clothed, into a shower, at a sink, or on the patio with the garden hose, allowing cold water to freely fall onto the youth until the youth no longer feels the effects of the OC spray.”³³

Y1 and Y2 came into direct contact with, and were affected by the OC spray. As soon as the youths were secured, Y1 was escorted to the Unit G showers, and Y2 to the Unit H showers to decontaminate. According to the reports, both youths began decontamination within six minutes of the OC deployment. DJCO 5 and DJCO 6 supervised Y2’s decontamination, which began at 7:32 a.m. and ended at 7:38 a.m. DJCO 2 and DJCO 3 supervised Y1’s decontamination, which began at 7:30 a.m. and ended at 7:50 a.m.

²⁸ Cal. Code Regs., tit. 15, § 1357(b)(4).

²⁹ Cal. Code Regs., tit. 15, § 1357(b)(5).

³⁰ Procedure Manual Item 3-1-056 Oleoresin Capsicum (OC) Spray – Facilities;
Procedure Manual Item 3-1-015 Use of Force – Facilities.

³¹ Procedure Manual Item 3-1-056 I(C) General Information.

³² Procedure Manual Item 3-1-056 II(F)(3) Decontamination/Aftercare Procedures. (The Department’s Use of Force Policy, Procedure Manual Item 3-1-015 VIII(E) Medical and Mental Health Considerations, has been renumbered and amended to include language that decontamination measures must be undertaken as soon as practical after a youth is subdued and restrained.)

³³ Procedure Manual Item 3-1-056 II(F)(4) Decontamination/Aftercare Procedures.

The OC Procedure also states that the youth will then remove contaminated clothing and be issued clean clothing. The contaminated clothing shall be disposed of in a marked plastic bag.³⁴ The main Special Incident Report (SIR) indicated that Y1 “was given clean clothing and his decontamination was placed in a water-soluble bag labeled ‘pepper spray.’” DJCO 3’s narrative also indicated that Y1 “was given clean clothing and his decontaminated clothing was placed in a water-soluble bag labeled ‘pepper spray.’” As it relates to Y2, the main SIR narrative reported that he “was given clean clothing and his decontaminated clothing was placed in a water-soluble bag labeled ‘pepper spray.’” DJCO 5 and DJCO 6’s narratives also indicated that the “youth was given new clothes and old clothes were bagged properly.” Both of DJCO 1’s Use of Force reports for Y1 and Y2 also indicate “yes” to the statements “contaminants placed in a water-soluble bag,” “bag labeled,” and “new clothing/linen issued.”

Staff are also required to be with “the youth throughout the entire decontamination process.”³⁵ None of the reports specifically state that staff remained with the youths during the entire decontamination process. DJCO 1’s main SIR narrative indicates that “DJCO [2] and DJCO [3] supervised the decontamination process for [Y1].” DJCO 3 also indicates in his narrative that “DJCO [2] and I supervised the decontamination process for [Y1].” This verbiage implies, without specifically saying that DJCO 2 and DJCO 3 were with Y1 throughout the entire decontamination process.

Similarly, DJCO 1’s main SIR narrative indicates that “DJCO [5] and DJCO [6] supervised the decontamination process for [Y2].” DJCO 5 elaborated in his narrative that he “removed [Y2’s] handcuffs and placed him in the shower stall.” DJCO 6’s narrative indicated that, “DJCO [5] and I supervised the decontamination.” The verbiage in all three reports implies, without specifically saying, that DJCO 5 and DJCO 6 were with Y2 throughout the entire decontamination process.

Recommendation

Update the portion of the Use of Force/Restraint SIR form relating to Pepper Spray and Decontamination to add an entry field that requires the report writer to specifically indicate which DJCO(s) stayed with each youth during the entire decontamination process.

Notification and Procedures Required After Use of Force Incidents

The OC Procedure requires that a DJCO who discharges an OC canister notify his or her supervisor as soon as possible.³⁶ The OC Procedure also makes clear that “[t]he staff member who sprayed the individual is responsible for advising medical personnel or others of the decontamination procedures.”³⁷ The responsibility for contacting the youth’s parent or legal guardian is assigned to the SJCO/Duty Officer or designee.³⁸ Lastly, while the OC Procedure requires that the youth must be referred to Mental Health staff immediately following decontamination, it does not specifically identify whose responsibility it is to ensure that this section of the procedure is followed.³⁹

³⁴ Procedure Manual Item 3-1-056 II(F)(7) Decontamination/Aftercare Procedures.

³⁵ Procedure Manual Item 3-1-056 II(F)(10) Decontamination/Aftercare Procedures.

³⁶ Procedure Manual Item 3-1-056 II(E)(1) Notification and Documentation.

³⁷ Procedure Manual Item 3-1-056 II(F)(13) Decontamination/Aftercare Procedures.

³⁸ Procedure Manual Item 3-1-056 II(F)(18) Decontamination/Aftercare Procedures.

³⁹ Procedure Manual Item 3-1-056 II(F)(17) Decontamination/Aftercare Procedures.

The main SIR, as well as several supplemental reports indicate that SJCO 1 and SJCO 2 were on scene and supervised the securing of the youths and escorts for decontamination. The main SIR also indicates that SJCO 2 supervised Y1's decontamination and SJCO 1 supervised Y2's decontamination.

In addition, the main SIR and Use of Force forms indicate that staff notified the guardians of Y1 and Y2.

The main SIR and Use of Force reports indicate that the medical unit was notified of the incident and that both youths were seen by medical staff within 44 minutes of the start of the incident. Y1 was placed on Head Injury Precautions and Restrictive Activities. It is unclear whether the head injury precaution was related to Y2's assault or the physical tackle used to separate the youths from each other by DJCO 2.

Finally, the main SIR indicates that the Clinical Evaluation Guidance Unit (CEGU) was notified of the incident and that both youths were evaluated that same morning.

Documentation

Department procedure related to use of force provides that any DJCO involved in, or a witness to, a use of force, which includes the use of Chemical - Oleoresin capsicum (OC) spray, shall write and submit a Special Incident Report (SIR).⁴⁰ Further, the procedure requires a SIR and Restraint Report must include a clear and factual justification for the use of OC, efforts to de-escalate prior to use or reasons why de-escalation was not reasonably possible, youths and staff involved, the date, time and location of use, a complete description of decontamination procedures applied, and identification of any injuries and medical treatment.⁴¹

DJCO 1 completed the main SIR for this incident and five other DJCOs prepared supplemental incident reports. The main SIR identified the youths involved as well as the actions taken by DJCO 1 to de-escalate prior to the use of force. The report also clearly sets forth the activities that occurred after the uses of force except for specifically stating whether staff members remained with the youths throughout the decontamination process. DJCO 1 also prepared a Use of Force report to document the intentional deployment of OC directed at Y1 and Y2.

During a review of this incident, the OIR had some concerns regarding documentation. DJCO 2 prepared a Use of Force report to document his restraint of Y1 but did not do so for Y2. More concerning is how DJCO 2 described the restraint of Y1 and Y2. In his narrative, DJCO 2 stated that he "quickly ran at their direction with the intent to stop them. When [he] arrived at their location [his] forward momentum bumped them and caused both youth to fall to the ground and stop fighting." DJCO 2's description of his physical interaction with Y1 and Y2 does not accurately paint a picture of how he encountered the two youths. As described by the Use of Force Review Board, and clearly seen in the video, DJCO 2 "broadened his arms and dropped his body, in what appears to be a tackling motion." DJCO 2 then runs straight into Y1 and Y2 driving both youths to the ground and landing on top of them. The Use of Force Board described the encounter best by stating that "[t]he video shows DJCO [2] tackling both youth to the ground..." DJCO 2's report fails to put the reader on notice as to the nature and extent of his "bump" into the two youths.

⁴⁰ Procedure Manual Item 3-1-015 VIII(F) DJCO Responsibilities.

⁴¹ Procedure Manual Item 3-1-056 II(E)(2) Notification and Documentation.

Recommendation

Provide additional training reminding DJCOs of the importance of making sure that their reports are accurate and complete.

The OIR also observed some minor inconsistencies between the DJCOs' reports. For example, DJCO 1's main SIR noted that Y1 was "escorted to Unit Golf showers to be decontaminated", but DJCO 1's Use of Force report marks Unit H as the location where Y1 was decontaminated. Another inconsistency in the reports was DJCO 2's supplemental report which indicated that Y1 went to decontaminate at "07:38 and ended his shower by choice at 07:53." However, all other reports and the main SIR indicate that Y1's shower started at 7:30 a.m. and ended at 7:50 a.m. Similarly, DJCO 2's supplemental report notes that Y[1] "was seen at 07:55" by medical, but DJCO 2's Use of Force indicates that Y1 was seen by medical at 08:10 a.m.

Recommendation

Provide additional training reminding supervisors of the importance of making sure that DJCOs' reports are accurate and complete. Supervisors should also be reminded of their role in making sure that inconsistencies in, or between, reports are addressed before reports are approved.

Observations

The use of OC spray proved to be ineffective in this case. The fight ended when DJCO 2 physically tackled the youths. After the deployment of OC, DJCO 1 continued to shout directives. Approximately 4-6 seconds elapsed from when DJCO 1 deployed OC spray to when DJCO 2 arrived and tackled the youths. During the intervening period, the youths continued to fight.

Recommendation

Provide additional training to staff reminding them of the importance of transitioning to the next appropriate force option when OC spray appears to be ineffective.

Use of Force Review Board

On November 1, 2022, the Department's Use of Force Review Board convened and reviewed this use of force incident.

Like the OIR, the Use of Force Review Board noted that DJCO 2 "used force on [Y2], however he did not complete a [Use of Force] (UOF) form." The Board found that the failure to complete a UOF form for Y2 was not in compliance with PMI 3-1-015, Section VIII, subsection G (DJCO Responsibilities), and recommended corrective action.

The Board also took issue with the apparent obfuscation by DJCO 2 in his report in which he characterized his tackling of the youths as having "bumped into the fighters" with "[his] forward momentum."⁴² The Board recommended that staff be reminded to document what they did and articulate why, even if the action is not a listed force option.

The Board also recommended that DJCO 1's main SIR include details, such as names of all staff in the unit and when OC spray was used, the distance which it was used, and where the OC landed. Further,

⁴² In his UOF form, DJCO 2 described the force as "My momentum knocked youth down."

the Board recommended that staff should pay attention to ensure that all information in their report is included in the Use of Force forms.

Finally, DJCO 1 was praised for the main body of her report being organized and easy to follow. The Board also noted positively that all staff who assisted in the incident wrote a narrative.

Conclusion

A review of the SIRs and Use of Force reports established that the use of force (OC spray) by DJCO 1 was within law and policy. The main SIR and video indicate that DJCO 1 attempted to de-escalate the rising tension between Y1 and Y2. When Y1 and Y2 started their mutual assault, DJCO 1 used verbal commands to further attempt to de-escalate the situation. DJCO 1 deployed her OC spray only after attempts to gain compliance failed.

Recommendations

1. Update PMI 3-1-056 to specifically state that OC spray is classified as an intermediate level of force.
2. Update the portion of the Use of Force/Restraint SIR form relating to Pepper Spray and Decontamination to add an entry field that requires the report writer to specifically indicate which DJCO(s) stayed with each youth during the entire decontamination process.
3. Provide additional training reminding DJCOs of the importance of making sure that their reports are accurate and complete.
4. Provide additional training reminding supervisors of the importance of making sure that DJCOs' reports are accurate and complete. Supervisors should also be reminded of their role in making sure that inconsistencies in, or between, reports are addressed before reports are approved.
5. Provide additional training to staff reminding them of the importance of transitioning to the next appropriate force option when OC spray appears to be ineffective.