



Sheriff's Office Training Bulletin

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ALL SWORN PERSONNEL SHALL UNDERSTAND THE PROVISIONS OF THE POLICY MANUAL PERTAINING TO HANDCUFFING AND RESTRAINTS.

Sworn personnel must have a complete understanding of Sheriff's Office policy regarding handcuffing and restraints. All personnel shall be familiar with the policy and what it contains. Policy 302 establishes the Sheriff's Office policy regarding handcuffing and restraints. The following are excerpts from that policy. *Sworn personnel must be familiar with the entire policy as stated in the Policy Manual.*

USE OF RESTRAINTS

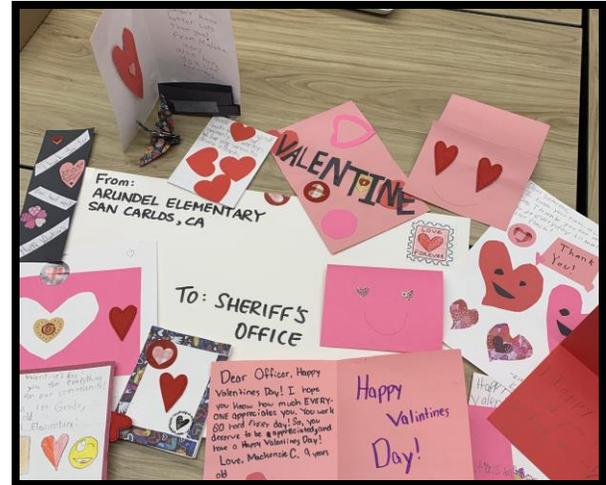
Only members who have successfully completed San Mateo County Sheriff's Office-approved training on the use of restraint devices described in this policy are authorized to use these devices. When deciding whether to use any restraint, deputies should carefully balance officer safety concerns with factors that include but are not limited to:

See "Handcuffs" continued on page 2

INSIDE THIS ISSUE

- p. 1** All sworn personnel shall understand the provisions of the Policy Manual pertaining to handcuffing and restraints.
- p. 3** Evidence of marijuana influence in a gross vehicular manslaughter case was sufficient to support a conviction.

Valentine's Day 2021



FROM THE TRAINING MANAGER:

While the roll-out of the COVID-19 vaccine has been going well, it still appears that COVID precautions will be with us for some time. With that in mind, we're exploring conducting training online.

POST and STC allow for live training provided via Webinar. This allows us to observe the highest levels of COVID precautions, since people don't have to be in the same room to participate. Using the web format, you can participate from anywhere you have a web connection. This has certain advantages and disadvantages.

A huge advantage, as mentioned above, is easy compliance with COVID precautions without affecting class size. This is an advantage for the Office (since we can continue training) and for you (since you can attend from anywhere).

The biggest disadvantage is that some people aren't comfortable with online training or prefer human interaction. If you are not familiar with how to attend and participate in webinars, you can review the Virtual Briefing training on LMS (its pretty much the same thing). If you

See "Training Manager" continued on page 6

- ✓ The circumstances or crime leading to the arrest.
- ✓ The demeanor and behavior of the arrested person.
- ✓ The age and health of the person.
- ✓ Whether the person is known to be pregnant.
- ✓ Whether the person has a hearing or speaking disability. In such cases, consideration should be given, safety permitting, to handcuffing to the front in order to allow the person to sign or write notes.
- ✓ Whether the person has any other obvious disability.

RESTRAINT OF DETAINEES

Situations may arise where it may be reasonable to restrain a person who may, after brief investigation, be released without arrest. Unless arrested, the use of restraints on detainees should continue only for as long as is reasonably necessary to ensure the safety of deputies and others. When deciding whether to remove restraints from a detainee, deputies should continuously weigh the safety interests at hand against the continuing intrusion upon the detainee.

RESTRAINT OF PREGNANT PERSONS

Persons who are known to be pregnant should be restrained in the least restrictive manner

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that is effective for officer safety. Leg irons, waist chains, or handcuffs behind the body should not be used unless the deputy has a reasonable suspicion that the person may resist, attempt escape, injure self or others, or damage property. No person who is in labor, delivery, or recovery after delivery shall be handcuffed or restrained except in extraordinary circumstances and only when a supervisor makes an individualized determination that such restraints are necessary for the safety of the arrestee, deputies, or others (Penal Code § 3407; Penal Code § 6030).

RESTRAINT OF JUVENILES

A juvenile under 14 years of age should not be restrained unless he/she is suspected of a dangerous felony or when the deputy has a reasonable suspicion that the juvenile may resist, attempt escape, injure self or others, injure the deputy, or damage property.

NOTIFICATIONS

Whenever a deputy transports a person with the use of restraints other than handcuffs, the deputy shall inform the jail staff upon arrival at the jail that restraints were used. This notification should include information regarding any other circumstances the deputy reasonably believes would be potential safety concerns or medical risks to the person (e.g., prolonged struggle, extreme agitation, impaired respiration) that may have occurred prior to, or during, transportation to the jail.

APPLICATION OF HANDCUFFS OR PLASTIC CUFFS

Handcuffs, including temporary nylon or plastic cuffs, may be used only to restrain a person's hands to ensure officer safety. Although recommended for most arrest situations, handcuffing is discretionary and not an absolute requirement of the Office. Deputies should consider handcuffing any person they reasonably believe warrants that degree of

MISSION STATEMENT

The San Mateo County Sheriff's Office is dedicated to protecting lives and property and is committed to providing the highest level of professional law enforcement and correctional services. We pledge to promote public trust through fair and impartial policing and will treat all persons with dignity, compassion and respect.

COMMITMENT

We are committed to protecting life and property and preserving the public peace by acting professionally, with integrity, and without prejudice, even in the most challenging circumstances, when no one is watching, and on and off duty. We hold others accountable to the same standards and challenge any inappropriate behavior.

INTEGRITY

We are committed to ethics, equity and excellence. We understand that making a difference in the quality of life is an opportunity that policing and correctional services provides. We provide excellent service by respecting and upholding the rights and freedoms of all people in all our interactions, free from bias or stereotype, seeking to understand and help others by making a difference.

COMPASSION

We understand that sometimes we interact with the community during their most trying times. We are committed to treating all people with compassion, empathy, and respect; going the extra mile to ensure others feel safe, supported, included, engaged and valued; standing up for those who cannot stand up for themselves; and valuing others' life experiences.

INNOVATION

We promote an environment that encourages continuous improvement and innovation. We strive to be leaders in modern policing, acting on input and feedback from our communities and colleagues; constantly implementing best-practices; and exploring alternative solutions to current issues.

restraint. However, deputies should not conclude that in order to avoid risk every person should be handcuffed, regardless of the circumstances. In most situations, handcuffs should be applied with the hands behind the person's back. When feasible, handcuffs should be double-locked to prevent tightening, which may cause undue discomfort or injury to the hands or wrists. In situations where one pair of handcuffs does not appear sufficient to restrain the person or may cause unreasonable discomfort due to the person's size, deputies should consider alternatives, such as using an additional set of handcuffs or multiple plastic cuffs. Handcuffs should be removed as soon as it is reasonable or after the person has been searched and is safely confined within a detention facility.

APPLICATION OF AUXILIARY RESTRAINT DEVICES

Auxiliary restraint devices include transport belts, waist or belly chains, transportation chains, leg irons, and other similar devices. Auxiliary restraint devices are intended

for use during long-term restraint or transportation. They provide additional security and safety without impeding breathing, while permitting adequate movement, comfort, and mobility. Only office-authorized devices may be used. Any person in auxiliary restraints should be monitored as reasonably appears necessary.

APPLICATION OF LEG RESTRAINT DEVICES

Leg restraints may be used to restrain the legs of a violent or potentially violent person when it is reasonable to do so during the course of detention, arrest, or transportation. Only restraint devices approved by the Office shall be used.

In determining whether to use the leg restraint, deputies should consider:

- ✓ Whether the deputy or others could be exposed to injury due to the assaultive or resistant behavior of a person.

FROM THE RANGEMASTER

Red Dot Training

Law enforcement is learning how beneficial the red dot on handguns is becoming. The red dot allows the individual to transpose the red dot on the suspect vs. looking at your front sight and blurring out the threat. The firearms community teaches to focus on the front sight because that is the only way to ensure accuracy and proper shot placement. The red dots have been around for 20 years but they were primarily used on race/competition guns. Today's law enforcement firearms are coming from the factory pre-cut for red dots as a department option. This is just my opinion but over the next 5 years you will see almost every firearm pre-cut for a red dot. This is due to the effectiveness of the red dot. With this feature comes the need for training. If you have decided this is the way you would like to go, you need to commit yourself to training with this platform. The learning curve is not that steep and can be overcome with learning how to present the firearm from the holster. You do not need to fire hundreds of rounds to learn how to properly present the firearm for the red dot to be on

See "Range Master" continued on page 6

- ✓ Whether it is reasonably necessary to protect the person from his/her own actions (e.g., hitting his/her head against the interior of the patrol vehicle, running away from the arresting deputy while handcuffed, kicking at objects or deputies).
- ✓ Whether it is reasonably necessary to avoid damage to property (e.g., kicking at windows of the patrol vehicle). ☆

EVIDENCE OF MARIJUANA INFLUENCE IN A GROSS VEHICULAR MANSLAUGHTER CASE WAS SUFFICIENT TO SUPPORT A CONVICTION.

A driver sped through the parking lot of a courthouse. It was a busy afternoon and there was a great deal of vehicular and pedestrian traffic. The speeding driver rammed through a control arm parking gate, ran into and dislodged two concrete-filled bollards, and headed toward a

CODE OF ETHICS

AS A LAW ENFORCEMENT OFFICER, my fundamental duty is to serve mankind; to safeguard lives and property; to protect the innocent against deception, the weak against oppression or intimidation, and the peaceful against violence or disorder; and to respect the Constitutional rights of all men to liberty, equality and justice.

I WILL keep my private life unsullied as an example to all; maintain courageous calm in the face of danger, scorn, or ridicule; develop self-restraint; and be constantly mindful of the welfare of others. Honest in thought and deed in both my personal and official life, I will be exemplary in obeying the laws of the land and the regulations of my department. Whatever I see or hear of a confidential nature or that is confided to me in my official capacity will be kept ever secret unless revelation is necessary in the performance of my duty.

I WILL never act officiously or permit personal feelings, prejudices, animosities or friendships to influence my decisions. With no compromise for crime and with relentless prosecution of criminals, I will enforce the law courteously and appropriately without fear or favor, malice or ill will, never employing unnecessary force or violence and never accepting gratuities.

I RECOGNIZE the badge of my office as a symbol of public faith, and I accept it as a public trust to be held so long as I am true to the ethics of the police service. I will constantly strive to achieve these objectives and ideals, dedicating myself before God to my chosen profession...law enforcement.

carport shelter, which contained several self-pay ticket machines. He struck one of the machines and the vehicle became airborne, heading over a grassy area, a sidewalk, and onto the nearby street. The car eventually came to a stop after crashing into a parked car. Before the crash, the driver struck a pedestrian, whose body hit the windshield and left a “spiderweb” pattern. The pedestrian flew through the air and landed in the street almost 90 feet away from where he had been struck. After the crash, the driver got out of the vehicle and began running away. The pedestrian was killed.

As the driver fled, he was pursued by an eyewitness. Eventually, police officers arrived at the scene and the driver was apprehended. An officer who was a certified drug recognition expert was present and attempted to evaluate the driver. The driver was evasive and averted his eyes from the officer. He pointed his chin down towards his chest. Before he looked away, the officer observed that the suspect had bloodshot and watery eyes and had pupils that were slightly dilated. The officer also observed other symptoms consistent with being under the influence of a drug, including dried debris in the corners of the mouth (resulting from saliva production being inhibited), repeated licking of the lips, grayish lip color and a rapid heart rate.

The driver was arrested and was taken to the police station. At the station, the drug recognition expert had an additional opportunity to observe the driver. He noticed that the driver had rapid eye movement when his eyes were closed, periodic body tremors, and a fluctuating respiration rate. These symptoms were characteristic of a person under the influence of marijuana.

In order to obtain a blood sample, officers applied for and were issued a search warrant. A sample of the driver’s blood was drawn. By the time the sample was drawn, approximately three hours had elapsed since the collision. A later analysis of the sample showed the presence of 3.1 nanograms per milliliter of Delta-9 Tetrahydrocannabinol, commonly known as THC. This substance is the psychoactive element of marijuana that causes the “high” resulting from its use.

The driver was charged with gross vehicular manslaughter while intoxicated. At trial, “black box” evidence showed that the driver’s vehicle was traveling 53.4 miles per hour at the time of impact when the airbags deployed. The vehicle had been accelerating and the driver had not used the brake pedal.

At trial, an expert witness for the State testified that approximately 75 percent of Delta-9 THC leaves the blood within two hours of use. The witness further testified that the body eventually metabolizes Delta-9 THC into Carboxy THC and it can stay at detectable levels in the body for weeks after use. The driver’s blood sample showed 42.8 nanograms of Carboxy THC, which indicates frequent marijuana use. The State’s expert provided her opinion that someone with the driver’s test results and symptoms and behavior was under the influence and would have been impaired.

At trial, the driver called an expert witness who testified that there was no consensus in the scientific community regarding what concentration of marijuana will cause impairment. He further testified that the amount of Delta-9 THC in driver’s blood was too low to cause the erratic driving that occurred in the case. The driver also called a witness who was a forensic psychologist. The witness testified that he examined the driver and did not believe that marijuana was the cause of the driver’s behavior.

The driver was convicted of gross vehicular manslaughter while intoxicated. The jury was instructed that “a person is under the influence if, as a result of taking a drug, his mental or physical abilities are so impaired that he is no longer able to drive a vehicle with the caution of a sober person, using ordinary care, under similar circumstances.”

In the case of People v. Kidane, the California Court of Appeal disagreed with the driver that the evidence was insufficient and upheld the driver’s conviction.

In its written decision, the Court looked at the evidence and stated, “There was ample evidence establishing that defendant was under the influence. Defendant drove his car in an erratic

See “Marijuana” continued on page 6

"Marijuana" continued from page 5

and reckless manner through the courthouse parking lot, during a busy time of day, breaking through a parking gate arm and careening into two concrete-filled steel bollards and then into the ticket machine where [the victim] was standing. At the time of his detention by police officers shortly after the accident defendant had bloodshot, watery eyes and his pupils were dilated. [The drug recognition expert] attested to additional facts regarding defendant's appearance and demeanor that were consistent with defendant being under the influence of marijuana, including body tremors, grayish lips and dry mouth. The prosecution's expert toxicologist . . . attested to the level of THC in defendant's system. She explained that 75 percent of Delta-9 THC leaves the blood within two hours of use and defendant's blood draw was almost three hours after the accident. A reasonable inference could be drawn that defendant's THC levels were significantly higher at the time of the accident. [The toxicology expert] also stated her opinion, based on a hypothetical framed from the factual record, that the person exhibiting similar symptoms and behavior would have been impaired. . . ." ☆

"Training Manager" continued from page 1

don't have a device with a camera/microphone for participation, you can attend the training here at Coyote Point in a classroom that is equipped and socially distanced. Unfortunately, human interaction is one thing we can't change.

Also, there are some things that can't be certified for POST credit in the webinar format. Those will have to continue to be presented in small groups with standard COVID precautions in place. A good example of those would be the Perishable Skills Program training set for March and April.

How we train going forward depends on many things, and your input is one of them. Please let us know any suggestions, concerns, or input you may have so we can continue to make things better.

"Range Master" continued from page 4

target. The draw stroke is where you will learn to properly present the firearms, so the red dot is on target every time. Please do this with an unloaded firearm. You can see the illustration below that when focusing on the front sight, the target become blurry. In the other picture you can see that transposing the red dot on the target allows the individual to focus on the target while the red dot is on target. This is a perishable skill as always, so please make it a priority and it costs you no money just a little time.

The below examples show how an RDS allows you to monitor a person's actions and evaluate the possible threat while still maintaining your sights.

Ex. 1



Ex. 2

