



County of Santa Cruz

Sheriff-Coroner, Administration Bureau
5200 Soquel Avenue, Santa Cruz, CA 95062

In response to the Inspector General's 2024 annual report and the 21 recommendations outlined therein, the Sheriff's Office has taken proactive measures to address the identified issues and recommendations. A dedicated workgroup, composed of staff across relevant fields within the Sheriff's Office was established to facilitate a comprehensive review of the recommendations, develop conclusions and implement changes that will enhance operational effectiveness and accountability within the office.

1. **Recommendation:** The Sheriff's Office should work with the OIG to improve the scope and format of administrative investigative reports to ensure they are consistently detailed and inclusive and thoroughly address all performance issues that emerge.

Sheriff's Office Response: *Following further discussions with the Inspector General (IG), their recommendations for improving the scope and format of Administrative Investigations focused primarily on providing more thorough details within our investigations. This includes offering more detailed descriptions of actions observed on body-worn camera (BWC) footage to ensure greater clarity and comprehensiveness in investigative reports for readers within the organization.*

The Sheriff's Office ensures that all BWC footage pertinent to the findings and outcomes of an investigation is included and documented in Administrative Investigation reports. While all BWC footage from a specific event is physically preserved as evidence and its existence is noted in the report, only footage directly relevant to the complaint, facts, and findings is described in detail.

Given the size of our agency, the lower frequency of Administrative Investigations, and the accessibility of BWC footage for all reviewers, including Executive Management, it is standard practice for reviewers to independently examine pertinent BWC footage. Investigators are required to describe in detail any footage critical to making findings; however, repetitive or non-pertinent footage may be summarized.

This approach serves not only to document the existence of BWC footage but also to guide reviewers toward evidence that is directly relevant to the complaint and findings. By reviewing this pertinent footage, Sheriff's Office decision-makers and Executive Management gain a clearer understanding of the situation, enabling a thorough analysis of the complaint, facts, and findings.

2. **Recommendation:** The Sheriff's Office should revise its Body-Worn Camera policy to require personnel to activate their cameras at the onset of any response to a call for service or investigative or enforcement activity, prior to initiating the actual contact.

Sheriff's Office Response: *The Sheriff's Office is fully committed to transparency and recognizes the significant role that Body-Worn Cameras (BWCs) play in ensuring accountability, promoting public trust, and capturing vital information during calls for service and law enforcement activities. We understand the importance of accurately documenting all interactions with the public and maintaining a clear, unbiased record of events.*

The Sheriff's Office has a comprehensive BWC policy that requires deputies to activate their cameras during enforcement and investigative contacts, traffic stops, self-initiated activity, and adversarial contacts.

In the past, the Sheriff's Office discussed a 30-second playback function prior to activation. However, due to the age of our current cameras and the limitations of their battery life, we have significant concerns with BWC ability to sustain a 10-hour shift or beyond. Furthermore, replacing the current cameras would involve a substantial financial cost, with estimates for upgrades totaling upwards of \$3 million.

In response to the recommendation, the Sheriff's Office will update its BWC policy to require deputies to activate their cameras upon arrival in the area of a call for service. Additionally, this procedure will be incorporated into our scenario-based training, conducted twice a year, to ensure deputies are fully familiar with the updated protocol and the importance of activating their cameras promptly.

The Sheriff's Office continues to conduct regular audits to ensure compliance with the BWC policy, and any violations are addressed promptly. Deputies receive ongoing training and support to reinforce the importance of BWC usage and to ensure our operations are in line with best practices.

3. **Recommendation:** The Sheriff's Office should, to the extent permissible by law, personalize its notification letters to complainants by providing some details of the steps taken during the investigation and a generalized description of the investigation, along with making some effort to recognize the complainant's perspective.

Sheriff's Office Response: Our notification letters moving forward will include details of the investigative steps taken and a generalized description of the investigation. These notifications will not only communicate the outcome but also offer an opportunity to explain the investigation's results, which may encompass changes to policies and procedures, initiatives to enhance customer service and community relations, and context regarding the deputy's actions. By adopting this personalized approach, the Sheriff's Office aims to demonstrate its commitment to strengthen trust and transparency with the community. Extenuating circumstances

4. **Recommendation:** The Sheriff's Office should amend policy to require that all deputies detail in writing the circumstances surrounding their use(s) of force to include any efforts to de-escalate prior to the use of force; and if no de-escalation techniques were deployed, an explanation for why none were deployed.

Sheriff's Office Response: We recognize the importance of thoroughly detailing the circumstances surrounding the use of force, including the consideration and application of de-escalation techniques when applicable.

In response to this recommendation, the Sheriff's Office will amend Operation Use of Force and Policy 321.1 and Corrections Policy 509.6: (Report Preparation / Reporting the use of force) to include language that requires deputies and correctional officers to document the circumstances surrounding their use of force and efforts to de-escalate the situation prior to the use of force. In cases where de-escalation techniques were not deployed, deputies and correctional officers will be required to provide an explanation for why such techniques were not utilized.

Additionally, in accordance with Penal Code Section 835(a)(2), which emphasizes that law enforcement should utilize available resources and techniques if reasonably safe and feasible to an objectively reasonable officer, the Sheriff's Office will ensure that this principle is embedded in our policy revisions. The relevant Corrections policies will also be updated to align with these changes.

To support these policy revisions, the Sheriff's Office will implement Use of Force report writing training for both operations and corrections personnel. This training will stress the importance of documenting de-escalation techniques that were employed, as well as require officers to articulate why de-escalation was not used, if applicable.

Furthermore, the training will include a review of SB 230 and Government Code Section 7286, which mandate that officers utilize de-escalation techniques, crisis intervention tactics, and other alternatives to force when feasible. This ensures that all personnel are fully aware of their legal obligations and best practices in de-escalating situations before resorting to force when applicable.

The Sheriff's Office is committed to ensuring that all use of force incidents are appropriately documented and that deputies are well-trained in de-escalation strategies. By amending our policies and reinforcing these practices through training, we aim to continue fostering a culture of safety, professionalism, and accountability.

5. **Recommendation:** The Sheriff's Office force review process should explicitly consider whether de-escalation techniques were attempted prior to moving to force options and if not, determine whether it would have been appropriate to consider them.

Sheriff's Office Response: *In late 2024, we implemented a dedicated review section within our Management level use-of-force evaluation process. This explicitly assesses the application of de-escalation techniques. This process is occurring in both the Operations and Corrections Bureaus. The section focuses on whether de-escalation efforts were attempted, their alignment with policy and training, and their impact on the outcome of the incident. By systematically reviewing these elements, we aim to reinforce the importance of de-escalation, identify opportunities for training enhancement, and ensure accountability in our use-of-force incidents. This addition reflects our commitment to promoting safer, more effective interactions.*

6. **Recommendation:** The Sheriff's Office should require uninvolved supervisors to thoroughly review and evaluate all uses of force and document their actions, findings, and conclusions in a stand-alone use of force report that is separate from the incident report.

Sheriff's Office Response: *The Sheriff's Office implemented Lexipol Policy 331 in August 2024, establishing a comprehensive framework for use-of-force reporting, investigation, and review. This policy explicitly outlines the responsibilities of Sheriff's Office Management staff in evaluating and documenting actions, findings, and conclusions related to use-of-force incidents. Additionally, it mandates the convening of a Use of Force Review Committee, which conducts thorough analysis and reviews of these incidents to ensure accountability, transparency, and adherence to best practices. These meetings occur monthly and the statistics related to their findings are publicly posted in our statistic report. It should be noted that the Sheriff's Office implemented a management use-of-force review committee in 2015 as part of the recommendations made by the President's Task Force on 21st Century Policing.*

7. **Recommendation:** Sergeants' use of force memos should be routed to command staff for review, approval, and any further action.

Sheriff's Office Response: *In early 2024, the Sheriff's Office established a process to ensure that use of force incidents are directly reported to the management team in a timely manner. This is accomplished through a Significant Incident Report (SIG), which provides an overview of the circumstances surrounding the use of force. By implementing this process, the management team is notified within hours of the shift's completion, allowing for prompt review, approval, and any necessary further action. This approach enhances oversight, ensures accountability, and facilitates informed decision-making at the command level.*

8. **Recommendation:** The Sheriff's Office should ensure that supervisors reviewing the use of force interview the person on whom force was used or document the reason for not conducting an interview.

Sheriff's Office Response: *Existing Sheriff's Office policy effectively addresses the prompt by requiring supervisors to conduct thorough investigations of use-of-force incidents. Policy 300.5.1 mandates that deputies notify their supervisor for use-of-force situations meeting specified criteria. Following notification, Policy 300.7(Operations) and Policy 509.7 (Corrections) require supervisors to respond to the incident and conduct a comprehensive investigation. This includes examining the factors of the incident, interviewing involved parties—such as the individual upon whom force was used—or documenting the reason an interview was not conducted, collecting evidence, and reviewing body camera footage. These policies ensure a detailed and accountable review process for all qualifying use-of-force incidents.*

To further reinforce these policies and procedures, the Sheriff's Office will conduct additional in-person training specifically focused on these requirements. This training will ensure all personnel understand and consistently apply the investigative and reporting standards outlined in the policies. The training sessions will be documented, and records will be retained by the In-Service Training Team to track participation and compliance. This initiative underscores the department's commitment to professionalism, accountability, and continuous improvement in use-of-force oversight.

9. **Recommendation:** The Sheriff's Office should provide supervisors with additional training on best practices for interviewing subjects upon whom force was used.

Sheriff's Office Response: *The Sheriff's Office has developed a standardized series of questions designed to assist supervisors in their investigation of use-of-force incidents. These questions aim to ensure consistency and thoroughness in the review process by guiding supervisors in obtaining relevant information from subjects upon whom force was used. In addition, we will provide targeted training to supervisors on best practices for conducting interviews in these situations. This training will focus on techniques to facilitate effective communication, build*

rapport, and gather accurate, unbiased information, even under challenging circumstances. By implementing these measures, we aim to enhance the quality of use-of-force reviews while promoting transparency, accountability, and adherence to professional standards.

- 10. Recommendation:** The Sheriff's Office should revise its policy to prohibit supervisors from interviewing subjects for uses of force in the presence of deputies or officers who used force.

Sheriff's Office Response: *The Sheriff's Office has addressed the concern through established policies. Both Sheriff's Office Policy 300.7 and Sheriff's Corrections Policy 509.7 explicitly state that, "where possible," supervisors should separately obtain a recorded interview with all individuals upon whom force was used. These policies are designed to prioritize the integrity of the interview process and ensure that subjects can provide their accounts without undue influence or presence of involved deputies. This approach reflects our commitment to conducting impartial and thorough reviews while adhering to best practices.*

To further reinforce this standard, we will provide additional training on this topic by reviewing the process with our Sergeant group. This training will ensure all supervisors fully understand the importance of conducting interviews separately and the procedural steps required to comply with these policies. By prioritizing consistent training, we aim to enhance the effectiveness of our use of force review process and strengthen accountability throughout the organization.

- 11. Recommendation:** The Sheriff's Office should develop a formal mechanism for documentation of its internal use of force review process at all levels.

Sheriff's Office Response: *Policy 331 establishes a formal framework for documenting and reviewing use of force incidents to ensure accountability, transparency, and continuous improvement. It requires thorough reporting by staff and supervisors, who review reports and body-worn camera footage for accuracy. The Use of Force Review Committee (UFRC) evaluates all incidents within 45 days, applying rigorous standards to assess policy compliance, recommend training, identify operational improvements, and escalate cases as needed.*

The policy categorizes force events for detailed analysis, ensuring trends and gaps are addressed, and emphasizes public transparency through adherence to records laws. By integrating oversight, supervisor accountability, and committee reviews, Policy 331 reflects the Sheriff's Office's commitment to maintaining trust and enhancing practices through structured, documented processes.

12. **Recommendation:** The Sheriff's Office should update its policy to align with case law regarding use of the Taser, limiting the use of the Taser to subjects who are displaying assaultive resistance.

Sheriff's Office Response: *The Sheriff's Office will work with OIR to revise the Operations and Correction Policies to reflect current case law.*

13. **Recommendation:** The Sheriff's Office should update its Operations policy to align with the Corrections policy, and to meet legal standards for use of the device generally and in drive-stun mode.

Sheriff's Office Response: *The Sheriff's Office agrees with this recommendation. The Sheriff's Office will work OIR to review both Operations and Correction Policies and make changes to align them in all aspects possible to include the use of drive-stun, though there are elements unique to the Corrections setting that require specific policy considerations.*

14. **Recommendation:** The Sheriff's Office should reinforce its requirement to provide a warning regarding Taser use and ensure appropriate remediation when officers do not effectively document a reason for not giving a warning.

Sheriff's Office Response: *The Sheriff's Office Training Division has developed mandatory training for all deputies in the use of Taser which heavily re-enforces the use of warnings prior to Taser application. Additionally, the Use of Force Review Board is authorized to use the Training Division to schedule remediation training for deputies who are found to have been lacking in their issuing of warnings prior to justified Taser usage.*

15. **Recommendation:** The Sheriff's Office should develop additional guidelines around planned uses of force to ensure that personnel document all relevant factors before deciding to deploy chemical agents to facilitate removing an individual from a cell for mental health-related reasons.

Sheriff's Office Response: *The Sheriff's Office has adapted the 'team brief' prior to pre-planned use of force to include planning for numerous de-escalation attempts in an effort to gain voluntary compliance. Additionally, team briefs now involve jail medical and mental health staff to incorporate their insights and develop an operational plan with as many safety contingencies as possible. All pre-planned uses of chemical agents also include a detailed decontamination process for any affected subjects.*

16. **Recommendation:** Jail leadership should include its medical and mental health providers in an after-action review of incidents in which officers use chemical agents or other force to assist with administration of medication or facilitate a mental health-related housing move.

Sheriff's Office Response: *It has long been our standard practice to include medical and mental health professionals in the pre-planning of incidents involving the use of chemical agents or other force to assist with medication administration or mental health-related housing moves. To further enhance our response and ensure continuous improvement, we have now expanded this practice to include medical and mental health providers in after-action reviews. This addition allows for a more comprehensive evaluation of incidents, ensuring that both operational and clinical perspectives are considered in refining our approach to these critical situations.*

17. **Recommendation:** The Sheriff's Office should make available appropriate protective gear so that officers who participate in planned uses of force are protected from the effects of chemical agents.

Sheriff's Office Response: *Protective gear has always been available for all staff participating in pre-planned uses of force and chemical agents. Documentation regarding the gear will now be noted on an operational document.*

18. **Recommendation:** The Sheriff's Office should reconsider its use of pepperball launchers for cell extractions, particularly those involving individuals who are passively non-compliant.

Sheriff's Office Response: *Pepperball projectiles can be deployed both for impact force with chemical agent dispersal and for area saturation of the chemical agent. The Sheriff's Office acknowledges that when used as an impact weapon with chemical dispersal, pepperball projectiles should not be deployed against a passively resisting subject unless extenuating circumstances exist. When used for area saturation, the level of force aligns with that of traditional OC spray. In such cases, pepperball remains a viable option wherever OC spray is applicable. Additionally, this procedure will be incorporated into our scenario-based training, to ensure staff are fully familiar with the approved use of pepperball launcher.*

19. **Recommendation:** The Sheriff's Office should prohibit the use of choke holds and carotid control holds, as required by California law, and should generally prohibit all restraints that involve applying pressure to an individual's neck, with an exception for those situations in which deadly force is justified.

Sheriff's Office Response: *The Sheriff's Office prohibits the use of choke holds and carotid control holds, in alignment with California law, and to generally prohibit any restraints that involve applying pressure to an individual's neck, except in situations where deadly force is justified.*

The Sheriff's Office had previously removed the use of the carotid control hold from our policy, and we acknowledge that this is a critical issue in promoting the safety and well-being of both officers and the public. In response to the recommendation,

the Sheriff's Office will amend the Use of Force policy in both Operations and Corrections to specifically prohibit the use of choke holds and carotid control holds, except in instances where deadly force is justified.

We will ensure that all personnel receive the necessary training and guidance to understand and implement these revised policies.

- 20. Recommendation:** The Sheriff's Office should work with the OIG to review its use of force policies, and revise policies to eliminate inconsistencies and align with best practices

Sheriff's Office Response: *The Sheriff's Office welcomes the opportunity to collaborate with the OIG in reviewing and refining our use of force policies. We are committed to ensuring consistency, aligning with best practices, and staying up to date with evolving laws. Our priority is to maintain policies that support transparency, accountability, and the highest standards of public safety.*

- 21. Recommendation:** The Sheriff's Office should provide a fully transparent accounting of the three in-custody deaths and one sexual assault that occurred between 2018 and 2022, following the completion of litigation of each case, including factual details and comprehensive corrective action plan to address the performance or systems deficiencies identified. (21)

Sheriff's Office Response: *After review and consideration, the Sheriff's Office respectfully declines to adopt this recommendation. In any critical incident and/or lawsuit that the Sheriff's Office is involved in, the Sheriff's Office works diligently to identify areas where policies, practices, and/or procedures can be improved and, where necessary, makes such improvements. From a risk liability perspective, however, the Sheriff's Office is not inclined to relitigate these matters in the public forum.*