



# ***Alachua County, FL Special Meeting***

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## **Meeting Agenda - Final**

**Friday, July 10, 2020**

**10:00 AM**

### **Police Reform Presentation**

**This is a virtual meeting. The public may attend virtually through Cox Channel 12, Facebook, and the County's Video on Demand website. For meeting audio only, call 301-715-8592, and when prompted, use code 670 965 3024. The public may submit comments to the board through email ([bocc@alachuacounty.us](mailto:bocc@alachuacounty.us)) or by calling into the public comment message line when prompted to call during the meeting. Public comment will be taken by telephone for all non-ministerial items on which the Commission votes. Once public comment is opened for an item under discussion, please call 929-205-6099 (enter meeting code 273 174 8038). Callers will be put in a queue, and prompted when it is their turn to speak. **TO AVOID FEEDBACK, SPEAKERS MUST TURN DOWN THEIR MEETING SOUND WHEN ADDRESSING THE COMMISSION.** Callers should state their name and limit comments to two minutes. The Commission will allow up to a total of 30 minutes for citizen comments on each item opened for public comment. In addition, the Commission will open phone lines for one 30 minute public comment session for the public to discuss items not on the Commission agenda. The public is encouraged to submit any written or photographic documents prior to the meeting to [bocc@alachuacounty.us](mailto:bocc@alachuacounty.us).**

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**All persons are advised that, if they decide to contest any decision made at any of these meetings, they will need a record of the proceedings and, for such purpose they may need to ensure that verbatim record of the proceedings is made which record includes the testimony and evidence upon which the appeal is to be based. (Section 286.0105 Florida Statutes)**

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**If you have a disability and need an accommodation in order to participate in this meeting, please contact the Alachua County Equal Opportunity Office at (352)374-5275 at least 2 business days prior to the meeting. TTY users please call 711 (Florida Relay Service).**

## Approval of Agenda

### Items for Discussion

1. [20-0574](#) Alachua County Sheriff's Office Police Reform

*Fiscal Consideration:* N/A

*Recommended Action:* Have a discussion on police reform.

[8CantWaitCompliant.pdf](#)

[ACSO DIR 802.pdf](#)

[ASO Presentation to BoCC July 2020 re All Law Enforcement Police Reform.pdf](#)

[Justice-in-Policing-Act-Summary.pdf](#)

[President's Taskforce on 21st Century Policing Accreditation and Policy Comparison Table.pdf](#)

### Closing Comments

Public Comment

Commission Comment

### Adjourn



## Agenda Item Summary

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Agenda Date: 7/10/2020

Agenda Item No.: 1.

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**Agenda Item Name:**

Alachua County Sheriff's Office Police Reform

**Presenter:**

ACSO Sheriff's Office

**Description:**

N/A

**Recommended Action:**

Have a discussion on police reform.

**Prior Board Motions:**

N/A

**Fiscal Consideration:**

N/A

**Background:**

N/A

The Alachua County Sheriff's Office (ACSO) is committed to increasing dialogue and transparency in order to have a better understanding of racial discrimination within the criminal justice system. The Alachua County Sheriff's Office is proud to be #cantwait compliant. All 8 recommendations have been part of our policy and procedures for years during Sheriff Darnell's tenure and have helped shape the culture of our policing methods. Below are the sections of our policies that specifically address each concern. Full copies of our policy and procedures are available and can be provided with a public records request.

"As Sheriff, I recognize and uphold the great responsibility law enforcement has in keeping the public safe. All of our local law enforcement have been given a special trust by our community. We must do everything we can to continue to earn this trust with every interaction we have," said Sheriff Sadie Darnell.

**1. Ban Chokeholds and Strangleholds:**

DIR 802 – "...Deadly Force Restrictions Lateral Vascular Neck Restraint/Carotid Restraint – The ACSO does not authorize the use of these neck restraints at this time."

**2. Require De-escalation:**

DIR 802 "...When feasible and practical, employees shall attempt to resolve potential use of force situations with non-physical force alternatives, such as the use of advice, persuasion or verbal warning prior to resorting to the use of force."

**3. Require Warning Before Shooting:**

DIR 802 – "...when feasible a verbal warning is given to the fleeing subject prior to the use of deadly force. Unless impractical under the circumstances, employees shall attempt to give a verbal warning prior to the use of deadly force."

**4. Exhaust all Alternatives Before Shooting:**

DIR 802 "...When feasible and practical, employees shall attempt to resolve potential use of force situations with non-physical force alternatives, such as the use of advice, persuasion or verbal warning prior to resorting to the use of force."

**5. Duty to Intervene:**

DIR 353 – "...1. Duty to Report Misconduct – The quickest way for misconduct to continue at the ACSO is for employees to tolerate it among their fellow workers. Misconduct by any employee reflects poorly on all. For this reason, employees will report any violation of directives, policies and procedures to appropriate authority."

Code of Ethics signed by employees states, "I, also ACCEPT responsibility for encouraging others in my profession to abide by this CODE,".

**6. Ban Shooting at Moving Vehicles:**

DIR 802—"...Moving Vehicles – Shooting at or from a moving vehicle is a dangerous and generally ineffective practice with unpredictable results and is prohibited as a general rule, unless done in self-

defense or defense of another person when the suspect represents a clear and present deadly force threat.”

**7. Establish Use of Force Continuum:**

DIR 802—“...The Force Guidelines Model – Similar to the former Response to Resistance Matrix, the new Force Guidelines consist of Subject Resistance Levels and corresponding Officer Response Levels; however, both categories have been streamlined to simplify the process of analyzing potential subject resistance levels and responding with an appropriate and reasonable use of force. ”

**8. Require All Force Be Reported:**

ACSO 802 – “...INCIDENT DOCUMENTATION – Each “use of force” incident as defined by ACSO Directive will be documented by involved employees. This includes the pointing of any firearm, Taser, display of K-9 or other weapon directly at another person(s) as a show of force with the express purpose of establishing control and/or detaining or arresting the subject.”





## ALACHUA COUNTY SHERIFF'S OFFICE

### 802 – Force Guidelines: Non-Deadly and Deadly Force

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PUB: 09/16/19  
STATUS: Current

- I. **EFFECTIVE DATE:** January 03, 2019  
**RESCINDS:** ACSO 802 of September 29, 2015
- II. **SCOPE AND PURPOSE** – This directive applies to all Alachua County Sheriff's Office (ACSO) sworn law enforcement and certified detention employees; to include all Deputies, Detention Deputies, Detention Officers and Reserve Deputies (sometimes referred to herein as Deputies and Detention Officers, or as employees) acting within the scope of their employment and lawful authority, both while on-duty and off-duty; and establishes policy, definitions, and guidelines pertaining to the Use of Force by ACSO employees.
- III. **DISCUSSION** – Our society places a supreme value on human life and individual rights, both of which the law enforcement profession has a solemn obligation to protect. This is an obligation the ACSO takes very seriously and which extends to the citizens we serve, to persons being detained and/or arrested, and to the employees of the Alachua County Sheriff's Office.

Though the Sheriff would prefer that Deputies and Detention Officers never have to resort to the use of force, the Sheriff recognizes, as do the courts and the legislature, that they will be confronted with situations that require them to use force to overcome resistance to arrest or detainment, and/or to defend themselves or someone else. It is also recognized that Deputies and Detention Officers are often forced to make split second "use of force" judgments in circumstances that are tense, uncertain and rapidly evolving and they must do so based on their reasonable perception at the time of a threat or danger. It is from this Court-recognized perspective that the actions of Deputies and Detention Officers will be judged by the ACSO for propriety.

**Deadly Force Discussion** – Deputies and Detention Officers are reminded that the use of *Deadly Force* represents the ultimate action that a government can take against its citizens and is among the most serious decisions an individual Deputy or Detention Officer may have to make in his or her career. The decision by employees to use deadly force must be carefully weighed against other reasonably available alternatives that time and circumstances permit. On the other hand, employees are reminded that fractions of seconds can make the difference between life and death for themselves and/or other innocent persons if they delay in the use of deadly force when it is clearly required.

In other words, Deputies and Detention Officers are tasked with the difficult challenge of balancing the legal and moral obligation to show maximum restraint in the use of deadly force with the equally important tactical necessity to use immediate and decisive deadly force where it is clearly justified and required to protect themselves or others.

#### IV. POLICY

- A. **Use of Force Authorization** – The Sheriff authorizes Deputies, Detention Deputies, Detention Officers and Reserve Deputies to use that amount of force that is reasonable and necessary under the circumstances to protect themselves or others while performing their lawful duties. [CFA 4.01M]
1. When feasible and practical, employees shall attempt to resolve potential use of force situations with non-physical force alternatives, such as the use of advice, persuasion or verbal warning prior to resorting to the use of force.
  2. The use of force by employees shall be in compliance with the guidelines set forth in Florida Statutes and ACSO Directives.
- B. **Use Of Force Reporting Requirement** – Every instance involving the use of force by ACSO employees, as defined by ACSO directives, shall be: [CFA 4.07M A, B & C]
1. Reported to an on-duty supervisor as soon as practical for a documented review;
  2. Documented by Deputies using the Subject Resistance Module with the ACSO Reporting System, and other appropriate agency reports using the guidelines set forth in this directive;
  3. Documented by Detention Officers and Detention Deputies using the Subject Resistance Report, ACSO 02-23, and other appropriate agency reports using the guidelines set forth in this directive;
  4. During the following exceptions, the paper version of the Subject Resistance Report may be used by Deputies:
    - a. Group Tactics
    - b. Category 2 use of force against dangerous animals
    - c. Any other time as specifically approved by the employee's Division Commander

## V. FORMS

[Crime Scene Security Log](#), ACSO 83-02  
[Subject Resistance Report](#), ACSO 02-23  
[Supervisor's Report of Injury/Illness](#), ACSO 93-07  
[UCR: Law Enforcement Officer Killed or Assaulted](#), ACSO 09-24  
[Category 1 Deadly Force Incident Guidelines](#), ACSO 14-04  
[Category 1 Deadly Force Incident Handout: "What to Expect"](#), ACSO 14-05

## VI. DEFINITIONS – NOTE: These definitions also apply to [ACSO 803](#).

- A. **Aerosol Subject Restraint** – An aerosol device which propels a liquid chemical agent such as Oleoresin Capsicum (OC Spray).
- B. **Deadly Force** – Any force which is likely to cause immediate death or serious bodily/physical harm including, but not limited to:
1. The use of any weapon or other force in a manner which is likely to cause death or serious bodily/physical harm.
  2. Discharge of a firearm in the direction of the person to be arrested, even if no intent exists to kill or inflict great bodily harm.
  3. The discharge of a firearm at a vehicle in which the person to be arrested is riding.

- C. **Defensive Weapon** – Any readily available object or instrument used by a Deputy or Detention Officer in a reasonable manner to defend against a violent attack in order to avoid being seriously injured or killed, and when other conventional weapons or use of force alternatives are not readily available under the exigent circumstances. (Examples would be use of the issued large flashlight, a stick or board as an Impact Weapon, use of a chair to keep someone at bay, etc.)
- D. **Conducted Electrical Weapon (CEW) Taser** – An advanced conducted energy weapon that, through high voltage and low watts, overrides a person's or animal's central nervous system and takes direct control of skeletal muscles via muscular contractions. Conducted Electrical Weapons (CEWs) include hand-held units (Tasers), electronic shields, and electronic security belts.
- E. **Empty Hand Control Measures** – Physical control techniques and maneuvers that involve only the body of the Deputy or Detention Officer, such as use of the hands, fists, elbows, knees, feet, etc., and do not involve the use of any weapons, devices, firearms, etc.
- F. **General Rule** – The concept that the stated procedure or prohibition in place is the normally expected policy to follow in a given situation. However, employees are authorized in limited, exigent circumstances to deviate from the stated procedure or prohibition, if the employee's actions can be reasonably defended.
- NOTE: The burden in such cases will be on the Deputy or Detention Officer to defend his or her actions that went against the "general rule."
- G. **Great Bodily/Physical Harm** – A bodily injury that creates a substantial risk of death, causes serious permanent disfigurement, or results in long-term loss or impairment of the function of any bodily member or organ.
- H. **Imminent Danger** – Danger which is reasonably believed to be based on a present and impending threat to cause death or serious bodily/physical harm to a Deputy, Detention Officer or other person which requires immediate action to avert or neutralize the threat.
- NOTE: A reasonable presumption can generally be made that an **Imminent Danger** exists when a subject: (1) is displaying a deadly force intent, OR is fleeing from a scene where he or she used or threatened to use deadly force, (2) and is reasonably believed by the Deputy or Detention Officer to have a weapon or apparent capability to inflict death or great bodily/physical harm, and (3) has a realistic opportunity to carry out the deadly force intent. (FDLE Force Guidelines; 2008)
- I. **Impact Weapons** – Instruments or devices primarily designed for use by law enforcement to deliver non-lethal striking or leverage control techniques.
- J. **Inmate** – A subject who is in the custody of a state or local correctional system/facility serving time as a result of a conviction.
- K. **Less-Lethal Weapons** (FS 776.06 in part:) – Specialty Impact Munitions/Projectiles used by law enforcement and detention personnel that are designed to stun, temporarily incapacitate, or cause temporary discomfort to a person without penetrating the person's body.
- L. **Non-Deadly Force** – Force that is not likely to cause death or great bodily/physical harm to another. Examples range from escort holds to incapacitation techniques and include the use of Non-Lethal Weapons.



- M. **Non-Lethal Weapons** – Instruments/devices designed for use by law enforcement and detention personnel to overcome subject resistance and which can be used in conjunction with, or in lieu of, empty hand control measures. Examples include: chemical agent sprays (O.C. Spray), Conducted Electrical Weapon (CEW), dart firing stun guns (Tasers), Impact Weapons such as expandable batons and straight batons, etc.
- N. **Non-Physical Force Response** – Those response options available to law enforcement and detention personnel that only involve communication/verbal directions, and/or a soft assisting touch to communicate the Deputy's or Detention Officer's intentions, such as guiding a cooperating subject's hands behind his or her back to be handcuffed. NOTE: As a general rule, a Subject Resistance Report is not required to document these Non-Physical Force Response options.
- O. **Physical Control Force** – The use of empty-hand techniques to achieve compliance or control, such as pain compliance, transporters, restraint devices, takedowns and non-deadly force striking techniques. NOTE: For ACSO purposes the mere touching or grasping of a compliant person's hand or arm to place on handcuffs DOES NOT constitute a use of Physical Control Force requiring the completion of a Subject Resistance Report.
- P. **Powder Ball Projectile** – Plastic spheres filled with a powdered chemical agent such as Oleoresin Capsicum that is propelled by a compressed air-powered launching device that burst on impact releasing the Oleoresin Capsicum.
- Q. **Pre-First Appearance Detainees** – An arrestee confined to a local or municipal correctional facility who is awaiting first appearance.
- R. **Pre-Sentence Detainees** – Subjects detained at the DOJ who are either waiting to go to trial or who are waiting to be sentenced by the courts.
- S. **Proficiency** – Achieving at least a passing score (as determined by ACSO instructors) on a written exam, if one is given, and/or demonstrate to an ACSO certified instructor the ability to perform each technique in a satisfactory manner during practical exercises.
- T. **Reasonable Belief** – A logical conclusion by a Deputy or Detention Officer based on the apparent facts and circumstances of a situation which are known or perceived by the Deputy or Detention Officer at the time of the incident; combined with his or her own experiences and/or training.
- U. **Restraint Chair** – A special use restraint device consisting of a specially designed chair mounted on a frame used to significantly restrict the movements of an inmate or detainee who is deemed to be threat to themselves or others. NOTE: A Subject Resistance Report is required to document the use of the Restraint Chair.
- V. **Specialty Impact Munitions** – Less-Lethal Specialty Munitions fired from a Less Lethal Weapon that is designed to deliver a controlled amount of kinetic energy to specific non-vital areas of the body at specified ranges for the purpose of incapacitating the individual while not penetrating the body or doing any permanent damage.
- W. **Use of Force** – The use of any form of physical force that goes beyond the mere grasping of a subject's arms, hands, or wrists to place handcuffs on the individual. Use of force shall also include the pointing of a firearm, taser, or other use of force

weapon or device at a specific subject in an intimidating fashion for the purpose of taking a person into custody or achieving control.

## **VII. FLORIDA LAW**

### **A. FS 776.05 – Law enforcement officers; use of force in making an arrest** authorizes the use of force in making an arrest and states

*“A law enforcement officer, or any person whom the officer has summoned or directed to assist him or her, need not retreat or desist from efforts to make a lawful arrest because of resistance or threatened resistance to the arrest. The officer is justified in the use of any force:*

*(1) Which he or she reasonably believes to be necessary to defend himself or herself or another from bodily harm while making the arrest;*

*(2) When necessarily committed in retaking felons who have escaped; or*

*(3) When necessarily committed in arresting felons fleeing from justice. However, this subsection shall not constitute a defense in any civil action for damages brought for the wrongful use of deadly force unless the use of deadly force was necessary to prevent the arrest from being defeated by such flight and, when feasible, some warning had been given, and:*

*(a) The officer reasonably believes that the fleeing felon poses a threat of death or serious physical harm to the officer or others; or*

*(b) The officer reasonably believes that the fleeing felon has committed a crime involving the infliction or threatened infliction of serious physical harm to another person.”*

### **B. FS 776.06 – Deadly Force**

*“(1) The term ‘deadly force’ means force that is likely to cause death or great bodily harm and includes but is not limited to:*

*(a) The firing of a firearm in the direction of the person to be arrested, even though no intent exists to kill or inflict great bodily harm; and*

*(b) The firing of a firearm at a vehicle in which the person to be arrested is riding.*

*(2)(a) The term “deadly force” does not include the discharge of a firearm by a law enforcement officer or correctional officer during and within the scope of his or her official duties which is loaded with a less-lethal munition. As used in this subsection, the term “less-lethal munition” means a projectile that is designed to stun, temporarily incapacitate, or cause temporary discomfort to a person without penetrating the person’s body.*

*(b) A law enforcement officer or a correctional officer is not liable in any civil or criminal action arising out of the use of any less-lethal munition in good faith during and within the scope of his or her official duties.”*

## **VIII. AGENCY USE OF FORCE TRAINING**

### **A. Newly-hired Deputies, Detention Deputies, Detention Officers and Reserve Deputies** may be provided with copies of the ACSO Force Guidelines Directive during new-hire training and will have computer access to all ACSO Directives/policies upon employment via the Directive Management System. All newly-hired Deputies and Detention Officers will receive training in applicable “use of force” policy and

procedures prior to being authorized to carry any approved Non-Lethal weapon, Less-Lethal Weapon, or firearm. [CFA 4.02M]

- B. All Deputies and Detention Officers will be required to demonstrate proficiency with each of their issued and approved weapons and firearms prior to carrying same in an official capacity. Refer to [ACSO 602](#) for Firearms, to [ACSO 803](#) for Non-Lethal and Less-Lethal Weapons and [ACSO 614](#) for Vehicle Tactics.
- C. Any Deputy or Officer who fails to demonstrate proficiency with a particular weapon or firearm at time of issue, or during annual re-qualification, will be required to complete remedial training with it prior to assuming or resuming official duties with said weapon or firearm. Refer to ACSO 602 for Remedial Training Requirements for Firearms, ACSO 803 for Remedial Training for all Non-Lethal and Less-Lethal Weapons and ACSO 614 for Vehicle Tactics.
- D. Deputies and Detention Officers will also receive instruction on the agency's "use of force" policy and guidelines annually during in-service training. [CFA 10.10M B]

**IX. INCIDENT DOCUMENTATION** – Each "use of force" incident as defined by ACSO Directive will be documented by involved employees. This includes the pointing of any firearm, Taser, display of K-9 or other weapon directly at another person(s) as a show of force with the express purpose of establishing control and/or detaining or arresting the subject.

- A. A separate Subject Resistance Report is to be completed for each subject that force was specifically used against; such as when overcoming resistance or that is justified to safely detain or arrest an individual.
- B. An ACSO Incident Report OR DOJ Information Incident Report, as applicable, will be completed for every incident that involved the "use of force" by a Deputy and/or Detention Officer. A complete and detailed accounting of the events surrounding the use of force will be provided in the report.
- C. Group Tactic Uses of Force – An alternative method to the above documentation procedures may be utilized for incidents where multiple employees use force as part of a coordinated group tactic, such as pointing firearms and/or Tasers to detain and control one or more subjects, **no resistance is encountered, no one is injured, and no physical force was utilized** as a result of the incident.
  - 1. Examples include, but are not limited to, when
    - a. The SWAT team serves a search or arrest warrant or otherwise enters a building and downs and detains everyone in a building or at the location to establish initial control of the scene.
    - b. A Warrants Bureau Investigative Team has to forcefully enter a residence to serve an arrest warrant and detains the occupants at gunpoint or Taser point in order to identify the wanted subject.
    - c. Field Units conduct a felony stop of vehicle and remove the occupants and detains them at gunpoint to identify them and conduct the investigation.
  - 2. When there is no other official reason to complete a formal Incident Report related to the incident, documentation for "group tactics" uses of force can consist of:
    - a. Completing a single Subject Resistance Report with the phrase "group tactics - several subjects" in the subject line of the report.

- b. In lieu of completing an Agency Incident Report, either an after-action report/record can suffice, or comments can be entered into the CAD incident record.
    - i. When appropriate, the alternate report/documentation completed may include the names and personal information of subjects involved in the use of force incident.
  - 3. Exception to the Group Tactic Exception – If during the “group tactic” use of force someone is injured, OR someone resists the Deputies and/or Detention Officers AND specific use of force must be directed towards that individual(s), then the normal reporting and documentation procedures otherwise listed in this Directive will apply.
  - 4. If at any time a question arises as to whether the CTS or paper version of the Subject Resistance Form should be used, the employee’s Division Commander should be contacted for clarification.
- D. **UCR: Law Enforcement Officer Killed or Assaulted**, ACSO 09-24, is used any time a Deputy or Officer is the object (target) of deadly force intent by a suspect, with or without injury.
- 1. The Deputy or designee, appointed by the supervisor, should complete the UCR: Law Enforcement Officer Killed or Assaulted form.
  - 2. Once the form is completed, it should be forwarded to their supervisor who will then check it for accuracy.
  - 3. The supervisor will then forward the form to the ACSO Records Bureau.
  - 4. See [ACSO 804](#) – UCR: Law Enforcement Officer Killed or Assaulted Procedures for more specific information on completing the form.

## **X. NON-DEADLY FORCE PROCEDURES**

### **A. Non-Deadly Force Authorization**

- 1. Deputies, Detention Deputies, Detention Officers and Reserve Deputies are authorized to use any law enforcement **Non-Deadly Force** option listed in X.A.2 below which they reasonably believe is necessary to accomplish a lawful objective such as, but not limited to, the following:
  - a. Overcome resistance or threatened resistance to arrest, detainment or lawful commands.
  - b. Defend themselves or someone else against physical assault or endangerment.
  - c. Take a person into protective custody, such as for a Baker Act or Marchman Act.
  - d. Prevent the escape of an arrested person, inmate or prisoner.
  - e. Perform official duties requiring the controlling presence of a Deputy or Detention Officer, such as during a civil unrest incident or during an inmate disturbance.
  - f. Prevent criminal damage to property.

- g. Restrain an inmate, when ordered by a Detention Deputy or Detention Officer, to allow medical treatment at the direction of a physician, or by Court Order.
  - h. Protect an inmate or pre-first appearance detainee from self-inflicted injury or death.
  - i. Defend against animal attacks.
2. Authorized **Non-deadly Force** options include Physical Control Force (empty hand techniques), and/or any agency-approved Non-Lethal Weapons in which the employee is currently trained and certified to use; to include OC Spray, Conducted Electrical Weapons/Tasers, and batons (See [ACSO 803](#)).
  3. **Less-Lethal Force Authorization** – Employees who have been trained and demonstrated proficiency with Less-Lethal Weapons/Munitions are authorized to carry and/or use them to accomplish one or more of the lawful objectives in [X.A.1](#) above in response to subjects who are actively resisting, or threatening to actively resist, or who is otherwise a serious, credible threat to the employee or other person while refusing to obey lawful commands.

## **B. Non-Deadly Force Incident Responsibilities**

1. The primary Deputy(ies) or Detention Officer(s) directly involved in the use of “Non-Deadly Force” will:
  - a. Promptly report the incident by contacting Communications (CCC) or the DOJ Command Center, as applicable, and
    - i. Advise his/her I.D. # and the nature and location of the incident.
    - ii. Request back-up units, as needed.
    - iii. Request Emergency Medical Services, as needed. [CFA 4.08M]
    - iv. Provide a description and direction of travel of any persons still wanted in the incident.
    - v. Request that an immediate supervisor or on-duty supervisor be notified.
  - b. Secure the incident scene.
    - i. Identify and interview witnesses to the incident.
    - ii. Collect and preserve any physical, photographic, video/digital or any other available evidence.
  - c. Document the incident.

### Law Enforcement

- i. Deputy Sheriffs will complete the Subject Resistance Report in CTS and forward to the supervisor with the initial report.
- ii. The supervisor will approve the ENTIRE report in CTS to include the Subject Resistance Report. If any corrections need to be made, it needs to be done at this level. Once approved, the initial approving supervisor will create an email with the case number in the title. The email will then be sent, along with any comments, to the Shift Commander.
- iii. The Shift Commander will review the report in CTS and approve or disapprove, with comments, via email. Disapproved reports will be returned to the supervisor and initiating Deputy for follow-up. Approved

reports will be forwarded via email to the Division Commander or designee.

- iv. The Division Commander or designee will approve or disapprove with comments via email. Disapproved reports will be returned to the Shift Commander. Approved reports will be forwarded to #SubjectResistance email group which consists of:
  - (A) Administrative Specialist;
  - (B) Training Support Specialist; and
  - (C) JST Division Commander.

#### Department of the Jail

- i. Detention Officers or Detention Deputies will complete the Subject Resistance Report in DMS, print it out and attach it to the JMS report.
- ii. The Zone Sergeant will review the report/packet for accuracy and approves or disapprove the report in the supervisor's comment section. Approved reports are forwarded to the Shift Lieutenant.
- iii. The Shift Lieutenant will review the report/packet; and, if approved, write a comment that he/she either concurs or does not concur with the actions of the Detention Deputy/Officer. The Shift Lieutenant also reviews the incident on the Department of the Jail's camera system (if possible) and then adds a statement to the narrative that involves a brief summation of the incident. When completed, the Shift Lieutenant will have the Administrative Sergeant review the report for any discrepancies. If errors are found, the report will be returned to the shift for modifications. Once corrected, the report will be resubmitted through the chain for signatures and then forwarded to the Captain for approval.
- iv. After the Captain approves, the report will be forwarded to the Director for approval and signature. When complete, the packet will be forwarded as follows:
  - (A) Original to Training Bureau
  - (B) Copies to:
    - (1) DOJ Archives for storage
    - (1) OPS
    - (1) HRB Benefits/Risk Coordinator (if OC Spray Related)
    - (1) General Counsel
    - (1) JST Division Commander
- d. A separate Subject Resistance Report is completed **for each subject that force was used against**; such as when overcoming resistance, or is required to properly detain or arrest an individual.
- e. Complete all fields except the supervisor sections of the report.
- f. List all law enforcement and/or DOJ personnel present during the incident on the report, to include those from other agencies.
- g. Complete an ACSO Incident Report OR DOJ Information Incident Report, as applicable, for every incident that involved the "use of force" by a Deputy

and/or Detention Officer. Include a complete and detailed accounting of the events surrounding the use of force.

- h. Submit all Incident Reports to the immediate supervisor prior to the end of shift, unless approved by the supervisor to submit by the next working day.

2. Back-up Deputies and Detention Officers will

- a. Assist the primary Deputy or Detention Officer as requested or required.
- b. Take steps to apprehend any suspects still in the area.
- c. Assist as needed to preserve the incident scene.
- d. Assist identifying and interviewing any witnesses to the incident.
- e. Document their individual actions taken and/or observations on a supplement report.
- f. If the back-up Deputy or Detention Officer used force during the incident, then they will follow the procedures set forth in X.B.1.c above to document their use of force actions.
- g. Submit all completed reports to their immediate supervisor prior to the end of shift, unless approved by a supervisor to submit by the next working day.

3. The immediate supervisor will

- a. Respond to the scene if necessary or appropriate.
- b. Ensure that any physical, photographic, video/digital or any other available evidence is preserved, carefully collected and properly submitted to the Evidence Section using standard evidence collection procedures.
- c. Ensure that the incident is thoroughly documented by involved personnel, to include the taking of statements from any uninvolved witnesses to the incident. If the primary Deputy or Detention Officer is incapacitated or otherwise unable to complete the required Incident Reports, then designate a Deputy or Detention Officer to complete the reports.
- d. Review all submitted Incident Reports for completeness and thoroughness.
- e. Review all collected physical, photographic, video/digital or any other available evidence.
- f. Determine if the employee's actions were proper and within policy, and then sign off on the **supervisor's section** of the Subject Resistance Report and forward as listed in c. above.

C. **Procedures if a Subject/Arrestee Receives Non-life Threatening Injuries** – In addition to the procedures set forth in X.B above:

- 1. Deputies and Detention Officers shall ensure that prompt, appropriate medical attention is provided to and/or summoned for any injured citizen(s)/subject(s)/arrestee(s), who at any time:
  - a. Has a visible or reasonably suspected injury.
  - b. Complains of an injury even when none are visible.
  - c. Was subdued by either
    - i. OC spray.



- ii. Struck with an impact or defensive weapon.
  - iii. Struck with any less-lethal or specialty impact munitions.
  - iv. Apprehended by a K-9 bite.
  - d. Was rendered unconscious for any length of time.
  - e. Displays any signs of a medical stress condition, i.e., a heart condition, diabetes, respiratory difficulty, etc.
  - f. Appears to be under the extreme influence of drugs or alcohol.
  - g. Any other time good judgment indicates the subject should be medically checked out before proceeding with the arrest/booking process.
  - h. **NOTE:** Medical treatment is not normally required for subjects who are subdued by a Taser as the only expected injuries should be the small puncture marks created by the Taser probes. However, if the subject receives any additional injuries or fails to recover from being tased as normally expected, then medical treatment will be promptly provided.
2. The immediate supervisor will
- a. Notify the Shift Commander/Bureau Commander.
  - b. Respond to the scene or medical facility and interview and document the statements of the involved employee(s), witness(es), and subject(s).
  - c. Complete a Supervisor's Report of Injury/Illness.
    - i. All medical follow-up actions taken as the result of a use of force incident will be documented to include the following:
      - (A) Who received the medical attention?
      - (B) Where the medical attention was provided?
      - (C) Who provided the medical attention?
      - (D) Date and time provided.
      - (E) Brief description of injuries.
    - ii. Report Distribution
      - (A) The original and a copy of the Incident Report or Information/Incident Report and the Supervisor's Report of Injury/Illness are forwarded to the Benefits/Risk Coordinator.
      - (B) A copy of the completed Supervisor's Report of Injury/Illness and the Incident Report and/or Information/Incident Report, as applicable, will be forwarded to the Agency General Counsel.
  - d. Ensure injuries are photographed by a Deputy, Field Service Technician or Crime Scene Investigator.
  - e. If the arrestee/subject is to be admitted into the hospital, arrange through a DOJ shift supervisor for a Detention Officer to assume custody of the prisoner in accordance with Arrestee Handling Procedures. See [ACSO 825](#).
- D. DOJ Notifications** – Arresting deputies shall inform the DOJ booking-in staff if force was used to subdue an arrestee, if there were any injuries and what medical attention was provided.

**E. Chain-of-Command Notifications**



1. In cases of no injuries or only minor injuries to a subject/arrestee, the Shift Commander or Bureau Commander can generally notify the affected employee(s) Division Commander or designee via normal report distributions, e-mails or IOC's, unless in the judgment of the Shift Commander/Bureau Commander an immediate notification is prudent.
2. In cases of serious injury to a subject/arrestee and/or he or she is admitted to a hospital, then the Shift Commander or Bureau Commander shall inform the affected employee's Division Commander and Major, or the Director of the jail, as applicable, as soon as practical.
3. In cases where a subject/arrestee has sustained possible life threatening injury the Shift Commander or Bureau Commander shall inform the affected employee's entire chain-of-command up through the Sheriff.

F. **Life-Threatening Subject/Arrestee Injuries or Death Procedures** – A Category 1 Deadly Force Incident Investigation will be promptly initiated by the immediate supervisor, Shift Commander or Bureau Commander if it appears the subject/arrestee has:

1. Sustained a possible life-threatening injury, or
2. If the medical provider advises that the subject may have permanent disability or disfigurement as result of the use of force incident, or
3. Dies at some point after a non-deadly force incident investigation has begun.
4. NOTE: See Section [XI.C](#) of this Directive and [ACSO 123](#) – Use of Deadly Force Investigative Procedures.

G. **If an employee is injured or killed in the incident** – The applicable procedures set forth in [ACSO 142](#) – Employee Injury and Disability (Non-Job Related), and [ACSO 104](#) – Line of Duty Death/Serious Injury, will be followed. Additionally, the reporting procedures outlined below in this Directive for Category 1 Incidents, and set forth in [ACSO 123](#) – Use of Deadly Force Investigative Procedures, will be followed.

## XI. DEADLY FORCE PROCEDURES

### A. Deadly Force Authorization

1. Deputies, Detention Deputies, Detention Officers and Reserve Deputies are authorized to use **Deadly Force** only when they reasonably believe it is necessary to perform one or more of the following:
  - a. To *prevent imminent death or great bodily/physical harm* to a Deputy, Detention Officer, or other person(s).
  - b. To *prevent the escape* of a person arrested for a violent felony involving the use or threatened use of deadly force, and an imminent danger exists to the Deputy, Detention Officer or other person(s).
  - c. To *prevent the escape of an inmate* from a detention facility or during transport to or from a detention facility when the escapee poses an imminent danger to the Deputy, Detention Officer or other person(s).
  - d. To *apprehend a fleeing felon* who the Deputy or Detention Officer has probable cause to believe has committed a felony which involved the use or threatened use of deadly force, and an imminent danger exists to the Deputy,

Detention Officer, or other person(s); and when feasible a verbal warning is given to the fleeing subject prior to the use of deadly force.

2. Unless impractical under the circumstances, employees shall attempt to give a verbal warning prior to the use of deadly force.
3. Employees should take reasonable measures available under the circumstances to ensure the safety of bystanders when engaging in deadly force.
4. Deadly Force is also authorized to put down a dangerous animal(s) that poses an immediate threat of serious bodily/physical harm to a Deputy, Detention Officer or other person; but only when other reasonable alternatives are unavailable and only when deadly force can be used without jeopardizing bystanders.

NOTE: The putting down of an injured or sick animal by the use of a firearm does not normally constitute a use of force, nor requires a Subject Resistance Report.

- a. The employee should document the destruction with an incident report in the ACSO Reporting System. [CFA 4.07M A]
- b. The employee's supervisor should document the supervisor's review with an IOC to their Division Commander. [CFA 4.07M A]
- c. A copy of the IOC should be sent to the Training Bureau Lieutenant who will review all animal destructions on an annual basis and document the review in an IOC to the Sheriff. [CFA 4.09M]
- d. See [ACSO 705](#) – Animal Call Procedures for further directions related to destroying diseased or injured animals.

**B. Deadly Force Incident Categories** – The following categories have been established for the purpose of classifying and investigating use of deadly force incidents according to the consequences and/or intent of a Deputy's or Detention Officer's actions:

**1. Category 1 Deadly Force Incidents (C1DFI) [CFA 4.07M]**

- a. Death or serious body/physical harm to a person resulting directly from the actions of an employee while acting in the performance of official duty, (excluding by motor vehicle crash); or
- b. Intentional or unintentional injury caused by the discharge of a firearm or other deadly force while acting in the performance of official duty; or
- c. Intentional discharge of a firearm at a human being without injury while acting in the performance of official duty.

**2. Category 2 Deadly Force Incidents [CFA 4.07M]**

- a. Unintentional non-injurious discharge of a firearm, with or without property damage, while acting in the performance of official duty.
- b. Intentional discharge a firearm, with or without injury, towards a dangerous animal that poses an imminent threat of serious bodily/physical harm to an employee or other person(s).

**3. Firearm Uses NOT Considered Deadly Force**

- a. Discharging an issued or approved firearm for training or recreational purposes.

- b. Destroying an animal that is seriously injured, suffering and appears useless, does not constitute a Category 2 incident. Refer to [ACSO 705 – Animal Call Procedures](#), for directions related to destroying sick, diseased or injured animals.

**C. Category 1 Deadly Force Incidents – Responsibilities and Procedures for Investigating and Documenting**

1. The Primary Deputy(s) or Detention Officer(s), directly involved in or the target of deadly force, unless incapacitated, shall
  - a. Ensure that any subject(s) who was subdued or who initiated the C1DFI is adequately secured and searched as soon as it safe to do so.
  - b. Promptly report the incident by contacting CCC or the DOJ Command Center, as applicable, and:
    - i. Advise his/her I.D. # and the nature and location of the incident, and:
    - ii. Request back-up units as necessary.
    - iii. Provide first aid and/or Request Emergency Medical Services as needed. [CFA 4.08M]
    - iv. Provide a description and direction of travel of any persons wanted in the incident.
    - v. Request that an immediate supervisor or on-duty supervisor be notified immediately and dispatched to the scene.
  - c. Secure the incident scene and preserve physical evidence to the extent reasonably possible to include securing any weapon(s) the resisting subject was armed with at the time of the incident.
    - i. For crime scene purposes, it is preferred to not disturb the weapon(s) from its final position.
    - ii. However, if it is impossible to safely secure the weapon by posting another deputy or detention officer over the weapon, then it should be secured by safely recovering and storing it some place in a locked ACSO vehicle. If possible, first photograph the weapon where it was found and take careful note of the location and condition of the weapon at the time it was recovered. NOTE: If recovered in this way, remember to follow standard procedures for rendering firearms safe.
  - d. After the scene has been safely secured, the employee(s) directly involved with a serious injury or death of a subject will limit his/her immediate follow-up actions in the case to the following:
    - i. Arresting any suspects remaining on the scene
    - ii. Administering first aid to injured subjects.
    - iii. Detaining witnesses so they can be interviewed by investigators of the incident.
  - e. Employees directly involved in the use of deadly force will not complete the Offense Incident Report or DOJ Information/Incident Report, and Subject Resistance Reports, as they are considered subjects of the incident.

- f. Consistent with constitutional, state and agency legal restrictions, the deputy(s) or detention officers(s) involved in the incident will cooperate with investigating FDLE personnel/Detective(s) and/or Inspector(s).  
NOTE: Employees who are members of one of the professional associations (such as the FOP, PBA, etc.) are encouraged to have their association's legal representative contacted and summoned to the scene as soon as practical.
2. Back-up Deputies or Detention Officers already on scene, or who respond afterwards, will
    - a. Assist the primary Deputy or Detention Officer as requested or required.
    - b. Take steps to apprehend suspects still in the area.
    - c. Help establish perimeters and secure the incident scene.
    - d. Help preserve all physical, photographic, video/digital or any other available evidence related to the incident.
    - e. Detain witnesses for the FDLE investigators/Detective(s) and/or Inspector(s).
    - f. Assist the FDLE investigators/Detectives(s) and/or Inspector(s) as directed.
    - g. Document their individual actions taken and/or observations on a supplement report.
  3. The immediate supervisor will
    - a. Advise the Shift Commander or Bureau Commander of the incident.
    - b. Respond to the scene without delay and assume command, until relieved by a superior, or a member of the FDLE Critical Incident Team (or a member of the Deadly Force Incident Investigative Team, if the incident occurred at the jail).
    - c. Contact the Jacksonville Regional Operations Center at 1-800-226-6481 to request an FDLE Critical Incident Team pursuant to the MOU between the Sheriff and FDLE. If during working hours, ask for the ASAC or the Duty Special Agent Supervisor. If after hours, the call will be forwarded to the watch desk at the Fusion Center and the Duty SAS will be notified.
    - d. Check on the wellbeing of the employee(s) involved in the C1DFI. The immediate supervisor or designee shall also ensure:
      - i. The C1DFI Guidelines (ACSO 14-04) are followed; and
      - ii. The C1DFI Handout: "What to Expect" (ACSO 14-05) is given to the affected employee(s).
    - e. Take steps to ensure that all potential physical, photographic, video/digital or any other available evidence is preserved, carefully collected and properly submitted to the Evidence Section using standard evidence collection procedures.
    - f. Ensure that a check-in post outside the incident's inner perimeter has been established. A Deputy, Detention Officer or FST will be assigned to the check-in post to maintain a Crime Scene Security Log, ACSO 83-02, and will record:
      - i. All persons who report to the scene and who enters and exits the crime scene.

- ii. All activities conducted at the scene, to include LEO personnel, EMS/Fire Rescue, Medical Examiner's Office, etc.
  - iii. NOTE: Each person reporting to the scene will check in but will not enter the scene's inner perimeter unless assigned a specific task by the FDLE Critical Incident Team.
- g. Assign one of the back-up Deputies or Detention Officers not directly involved in the use of deadly force to:
  - i. Complete the Offense Incident Report or DOJ Information/Incident Report, as applicable.
  - ii. Initiate a Subject Resistance Report **for each subject against whom deadly force was used.** The report will only include
    - (A) Date,
    - (B) Time,
    - (C) Location,
    - (D) Offense report number,
    - (E) Names of all involved parties, and
    - (F) The narrative will reflect "See Criminal Investigations Division report."
  - iii. These reports are to be submitted to the employee's immediate supervisor or an on-duty supervisor by the end of the employee's tour of duty, but no later than by the following day.
  - iv. Once FDLE/the Criminal Investigations Division and OPS have completed their investigations, the Division Commander will ensure the Subject Resistance Report is completed and distributed accordingly.
- h. The investigating supervisor will complete the Supervisor's Report of Injury/Illness for each subject who is injured or killed.
  - i. All medical follow-up actions taken as the result of a use of force incident will be documented to include the following:
    - (A) Who received the medical attention?
    - (B) Where the medical attention was provided.
    - (C) Who provided the medical attention?
    - (D) Date and time provided.
    - (E) Brief description of injuries.
  - ii. Report Distribution
    - (A) The original Supervisor's Report of Injury/Illness and a copy of the Offense Incident Report or DOJ Information/Incident Report are forwarded to the Benefits/Risk Coordinator.
    - (B) A copy of both reports will be forwarded to the Agency General Counsel.
- i. Assist FDLE/Detective(s) and Inspector(s) as directed.
- j. Inspect all incident paperwork for thoroughness and completeness and ensure other applicable reports are completed as much as possible and

submitted by the end of the supervisor's tour of duty and make proper distribution of all reports as required.

4. The Shift Commander or Bureau Commander will
  - a. Respond to the scene and provide leadership and direction, as necessary, to ensure that the procedures in this section are carried out.
  - b. Ensure that the involved employee's entire chain-of-command through the Sheriff is promptly notified.
  - c. Contact Communications (CCC) and request that CCC contact the following individuals OR designees IMMEDIATELY respond to the scene:
    - i. Chief Inspector and Inspectors of OPS.
    - ii. Forensics Unit Supervisor.
    - iii. Public Information Bureau representative.
    - iv. Training Bureau Commander and/or a law enforcement or DOJ member of the training staff, as applicable.
  - d. Ensure that the scene remains secured, that any physical, photographic, video/digital or any other available evidence is preserved and/or available for the FDLE Critical Incident Team to manage.
  - e. Help coordinate scene security and provide any assistance during the on-scene investigation of the incident as requested by the FDLE Critical Incident Team.
  - f. Ensure that all law enforcement and citizen witnesses are identified as separated pending initial interview by the FDLE Critical Incident Team.
  - g. In the event of a death, notify the Medical Examiner's Office.
  - h. If feasible, ensure that arrested persons at the scene are detained pending the arrival of the FDLE Critical Incident Team.
  - i. Provide assistance requested by FDLE after the on-scene investigation has been concluded, such as additional collection of evidence from suspects, vehicles, or involved ACSO law enforcement personnel, as well as the securing of other evidence.
5. A representative of the Public Information Office will respond and perform liaison duties between the ACSO and the media.
6. If requested by the affected employee(s), Communications will notify an ACSO Chaplain; and, if available, request that he/she respond to the scene. The employee(s) involved in the use of deadly force incident will be afforded the opportunity to confer with the Chaplain. Any conversation between the Chaplain and an employee(s) will be considered confidential and not available to the Detective(s) conducting an investigation or anyone else.
7. Any employee whose actions result in the death or serious bodily injury to another will be placed on **Administrative Leave** pending the outcome of an Administrative Investigation by the Office of Professional Standards, with a recommendation to, and approval from, the Sheriff. See [ACSO 123](#), VI.A.

#### **D. Category 2 Deadly Force Incidents – Responsibilities and Procedures for Investigating and Documenting**

1. The primary Deputy(ies) or Detention Officer(s) directly involved in the incident, unless incapacitated, will:
  - a. Contact Communications, and
    - i. Advise his/her I.D. # and the nature and location of the incident, and:
    - ii. Request back-up units and Emergency Medical Services as needed.
    - iii. Provide a description and direction of travel of any persons wanted in the incident.
    - iv. Request that an on-duty supervisor be notified immediately and dispatched to the scene.
  - b. Identify and detain witnesses to the incident to be interviewed by the Shift Commander, Bureau Commander or their designee.
  - c. Secure the incident scene and preserve physical, photographic, video/digital or any other available evidence is preserved, carefully collected and properly submitted to the Evidence Section using standard evidence collection procedures.
  - d. Document the incident in detail using the ACSO Incident Report, or the DOJ Information/Incident Report, as applicable.
    - i. A Subject Resistance Report will only be required if deadly force was used against a dangerous animal.
  - e. All law enforcement/detention personnel present during the incident will be identified in the reports, to include personnel from other agencies.
  - f. Submit all reports to the immediate supervisor prior to the end of shift, unless approved by a supervisor to submit by the next working day.
  - g. Consistent with constitutional, state and agency legal restrictions, the Deputies and Detention Officers involved in the incident will cooperate with the incident investigators.
2. Back-up Deputies or Detention Officers already on scene, or who respond afterwards, will
  - a. Assist the primary Deputy or Detention Officer as requested or required.
  - b. Take steps to apprehend any suspects still in the area.
  - c. Help establish perimeters and secure the incident scene.
  - d. Help preserve all physical, photographic, video/digital or any other available evidence related to the incident.
  - e. Detain witnesses for the Shift Commander or Bureau Commander to interview.
  - f. Document their individual actions taken and/or observations on a supplement report.
3. The immediate supervisor will
  - a. Notify the Shift Commander or Bureau Commander.
  - b. Respond to the scene as soon as practical.

- c. Assist with the investigation, as directed by the Shift Commander or Bureau Commander.
  - d. Ensure that any physical, photographic, video/digital or any other available evidence is preserved, carefully collected and properly submitted to the Evidence Section using standard evidence collection procedures.
  - e. Ensure that the incident is thoroughly documented by involved personnel. If the primary Deputy or Detention Officer is incapacitated or otherwise unable to complete the required reports, then designate another Deputy or Detention Officer to complete the reports.
  - f. Review all submitted Incident reports for completeness and thoroughness. Determine if the employee's actions were within policy, sign off on the supervisor's section of the Subject Resistance Report, if one was completed, per section [XI.D.1.d](#) above and forward the incident paperwork to the Shift Commander/Bureau Commander.
4. The Shift Commander/Bureau Commander will:
- a. Notify the affected employee's Division Commander.
  - b. As a general rule, the Shift Commander or Bureau Commander will be responsible for investigating Category 2 Deadly Force Incidents.
    - i. The Shift Commander/Bureau Commander may confer with the Chief Inspector or OPS designee to determine the best course of action for investigating the incident.
    - ii. If, after consulting with the Chief Inspector or designee, it is determined that the incident should be investigated by the Office of Professional Standards, the Chief Inspector or designee will assume investigative responsibility and have the incident investigated by the OPS.
  - c. If conducting the investigation, the Shift Commander/Bureau Commander will:
    - i. Interview all involved ACSO personnel and any witnesses to the incident.
    - ii. Review all physical, photographic, video/digital or any other available evidence.
    - iii. Review all Incident paperwork.
    - iv. Sign off on the employee's Subject Resistance Report, (if applicable) and forward to the affected employee's Division Commander for sign-off and distribution, as follows:
      - (A) The **original** gets forwarded up the chain through the Division Commander for review and sign-off, and then forwarded to the Training Bureau Commander.
      - (B) **Copies** of the signed-off original, along with a copy of the ACSO Incident Report or DOJ Information/Incident Reports and supplements, get forwarded to:
        - (1) The Office of Professional Standards.
        - (2) The General Counsel
        - (3) The JST Division Commander



- d. Prepare a formal report of the incident in an IOC format titled: “Category Two Deadly Force Incident Investigation.” The report should thoroughly detail the facts of the case and conclude whether the employee’s actions were proper and appropriate.
  - i. The report will be submitted, via chain-of-command, to the Sheriff within 72 hours of the incident, unless an extension is granted by the Sheriff.
  - ii. A copy of all Incident paperwork shall be attached to the report.
5. The affected Division Commander or designee will be responsible for notifying the affected employee’s chain-of-command through the Chief Deputy.
6. Aggressive Canines or Animals -- Unless a situation escalates where lethal force is necessary to protect the ACSO handler, when feasible and practical, the handler may try to deter an aggressive canine or animal with intermediate force such as:
  - a. OC Spray
  - b. Taser
  - c. Expandable Baton

#### **E. Deadly Force Restrictions**

1. **Moving Vehicles** – Shooting at or from a moving vehicle is a dangerous and generally ineffective practice with unpredictable results and is prohibited as a general rule, unless done in self-defense or defense of another person when the suspect represents a clear and present deadly force threat.
2. **Warning Shots** – The firing of warning shots is considered an act of deadly force by State Statute, even when no intention is made to injure another person. Firing warning shots is a dangerous practice with unpredictable results and is prohibited. [CFA 4.04M]
3. **Fleeing Felon Prohibition** – Deadly force should not be utilized to attempt the apprehension of a fleeing felon, where otherwise authorized under this directive, when there is a high probability of harming a person other than the fleeing felon. (Example: A felon fleeing into a crowd of people or towards other persons in the direct line of fire of the deputy or detention officer.)
4. **Misdemeanor, Traffic and other Minor Offenses** – Deadly force shall not be used against persons who have only committed minor offenses or non-violent felonies, except when a situation has escalated due to the actions of the offender to the point where the deputy, detention officer or other innocent person is in imminent danger of serious bodily/physical harm.
5. **Lateral Vascular Neck Restraint/Carotid Restraint** – The ACSO does not authorize the use of these neck restraints at this time.

- #### **F. Drawing/Displaying of Firearms**
- Deputies, detention deputies, detention officers and reserve deputies are authorized to arm themselves with an issued or approved firearm during tactical situations when the circumstances indicate the employee should be prepared to immediately defend him/herself in a tactical situation; for example, while conducting a building search, a man-hunt in the woods, during a felony traffic stop, holding a perimeter position, etc.

1. Employees shall not, however, needlessly or recklessly draw or display any firearm in public or in the presence of others when there is no tactical necessity.
2. **NOTE:** The simple act of arming one's self while performing a tactical law enforcement task DOES NOT require in and of itself a Subject Resistance Report be completed. If, however, a firearm is specifically pointed at someone as a SHOW OF FORCE to gain control of a situation, even if not fired, a Subject Resistance Report is required.

**XII. AGENCY REVIEW OF USE OF FORCE INCIDENTS** – All incidents of use of force by ACSO Deputies, Detention Deputies, Detention Officers and Reserve Deputies shall be reviewed by ACSO to ensure that the actions of its employees were proper and within the guidelines of this and other applicable agency policies/directives, state statutes and case law.

- A. First line supervisors of the involved employee(s); or, if unavailable, then an on-duty Patrol Supervisor for law enforcement personnel, or DOJ Supervisor for Jail personnel, has the first supervisory level responsibility for:
  1. Reviewing all use of force incidents to ensure:
    - a. Thoroughness and accuracy of reporting.
    - b. Properness of employee actions.
  2. Completing the "Supervisor's Critique Summary" of the involved employee's Subject Resistance Report.
- B. Each supervisor in the involved employee's chain-of-command through the Division Commander level has the responsibility to:
  1. Review the Subject Resistance Report and other incident reports to determine if he or she agrees with the investigating supervisor's conclusion regarding the properness of the employee's actions.
  2. Sign off on the Subject Resistance Report on the applicable supervisor line and forwarding up the chain to the Division Commander level.
  3. The Division Commander or designee will distribute the paperwork as set forth in section X.B.1.c.iv. above.
- C. Justification for each use of force incident shall be based on the apparent facts and circumstances known, or reasonably perceived by the employee at the time of incident, combined with the experience and training of the involved employee(s) judged against current ACSO Directives.
- D. Excessive Force – Any use of force by an employee which goes beyond the guidelines set forth in this and related Directives may be deemed excessive force, and may subject the deputy or detention officer to disciplinary action.
  1. Allegations of "excessive force" by employees will normally be investigated by the Office of Professional Standards.
  2. Incidents of perceived excessive force that are witnessed by a supervisor may be documented and investigated by the witnessing supervisor.
  3. If, however, there are any concerns about the appropriateness of the witnessing supervisor conducting the investigation, then OPS will conduct the investigation.

- E. The Training Bureau receives a copy of every Subject Resistance Report. Training staff will review each report to:
1. Ensure compliance with use of force expectations as set forth by agency policy and Directives, and by ACSO use of force training procedures.
  2. Identify possible knowledge and/or skill areas related to any kind of use of force, defensive tactics, non-lethal or less-lethal weapons, and/or firearms that need to be addressed by the in-service training program.
- F. The Office of Professional Standards receives a copy of every Subject Resistance Report as an element of the agency's early warning system, as well as to ensure that all use of force actions are within the guidelines of ACSO Directives and Policy.

**XIII. USE OF FORCE INCIDENT ANNUAL AGENCY REVIEW** – The Training Bureau Commander is responsible for completing a Quarterly and an Annual Agency Use of Force Report at the end of each calendar year which reviews every instance of use of force by Deputies and Detention Officers. Use of Force Reports and the OPS Early Warning System Report will be the primary documents used for this analysis report.

- A. The Training Bureau Chief, Training Staff, and Commander of the Judicial Services and Training Division will review the results of the Annual Agency-wide Use of Force Report for the purpose of identifying deficiencies in training and/or making recommendations for policy or procedure changes. Any recommendations will be attached in writing to the Annual Agency Use of Force Report.
- B. The Use of Force Report and attached Training Staff recommendations will be presented to the ACSO Training Advisory Committee and the Sheriff annually. A copy will also be forwarded to the Policy and Accreditation Unit for their annual report to the Accreditation Commission.

**XIV. FDLE 2008 FORCE GUIDELINES (EXCERPTED IN LARGE PART FROM FDLE CMS FL BRT CURRICULUM, 2008)**

- A. **Background** – After extensive analysis and review by a FDLE appointed statewide committee of Defensive Tactics Instructors and Use of Force experts, the former *FDLE Response to Resistance Matrix and Use of Force Guidelines* have been replaced with a new “use of force” model called the **FDLE Force Guidelines**.
1. The *Force Guidelines* represent an easy to understand, and practical working guide for use of force responses by law enforcement and Detention Officers that is based upon current use of force case law; namely *Graham v. Conner* (Non-deadly force) and *Tennessee v. Garner* (Deadly Force).
  2. The current test for judging law enforcement use of force is the *Objective Reasonableness Test* based upon the Fourth Amendment, which basically asks *whether an objectively reasonable officer under similar conditions with similar training and background might have done the same thing*. Each incident is to be judged in light of the *Totality of the Circumstances*, and the facts and circumstances known and/or reasonably perceived by the officer at the time of the incident.
- B. The **Force Guidelines Model** – Similar to the former *Response to Resistance Matrix*, the new **Force Guidelines** consist of Subject Resistance Levels and corresponding Officer Response Levels; however, both categories have been streamlined to simplify the process of analyzing potential subject resistance levels and responding with an appropriate and reasonable use of force. Subject

Resistance now consists of four (4) levels and Officer Response now consists of three (3) levels.

1. Subject Resistance Levels

- a. **Passive Resistance** – A subject's verbal and/or physical refusal to comply with a Deputy's or Detention Officer's lawful direction causing the Deputy/Officer to use physical techniques to establish control. Examples include:
  - i. The subject refuses to move at the Deputy's or Detention Officer's direction.
  - ii. The subject peacefully protests at a political event at a public location.
  - iii. The subject refuses to take his hands out of his pockets or from behind his back.
- b. **Active Resistance** – A subject's use of physically evasive movements directed toward the Deputy or Detention Officer such as bracing, tensing, pushing, or pulling to prevent the Deputy or Detention Officer from establishing control over the subject. Examples include:
  - i. The subject physically anchors himself to a person or object to prevent from being removed.
  - ii. The subject braces or pulls away from the Deputy/Detention Officer when the Deputy/Detention Officer grips the subject's arm.
  - iii. The subject attempts to run when the Deputy/Detention Officer touches or attempts to grab the subject's arm or shoulder.
- c. **Aggressive Resistance** – A subject's attacking movements toward an Officer that may cause injury but are not likely to cause death or great bodily harm to the Deputy, Detention Officer or others. Examples include:
  - i. The subject balls up his fist and approaches the Deputy/Detention Officer.
  - ii. The subject pushes the Deputy or Detention Officer back as the Deputy or Detention Officer tries to take the subject into custody.
  - iii. The subject grabs any part of the Deputy's or Detention Officer's body.
  - iv. The subject takes a swing at the deputy or Detention Officer.
- d. **Deadly Force Resistance** – A subject's hostile, attacking movements, with or without a weapon, that cause a reasonable perception by the Deputy or Detention Officer that the subject intends to cause, and has the capability of causing, death or great bodily harm to the Deputy, Detention Officer or others.

2. Deputy or Detention Officer "Force" Response Options

- a. **Physical Control** – Achieving compliance or custody through the use of empty-hand or leverage-enhanced techniques, such as pain compliance, transporters, restraint devices, takedowns, and striking techniques.
- b. **Non-Lethal Weapons** – Use of weapons that are not fundamentally designed to cause death or great bodily harm. Some examples include Conducted Electrical Weapon (CEW), dart firing stun guns (such as a TASER), expandable batons, flashlights, and chemical agent sprays (such as OC).

- c. **Deadly Force** – Force that is likely to cause death or great bodily harm. Some examples include use of a firearm, eye gouges, empty hand strikes to the throat, and Impact Weapon strikes to the head or side of the neck.
- 3. Situational Factors/Totality of the Circumstances – In addition to assessing a subject's resistance level, the process of determining the threat potential a Deputy or Detention Officer is facing also includes considering the following:
  - a. **Subject Factors**
    - i. Seriousness of the crime committed.
    - ii. Size, age and weight of the subject.
    - iii. Apparent physical ability/skill level of the subject.
    - iv. Number of persons present who are involved or who may become involved.
    - v. Weapons possessed by or readily available to the person.
    - vi. Known history of violence by the subject.
    - vii. Presence of innocent persons or potential victims in the area.
    - viii. Whether the subject can be captured at a later time.
    - ix. Whether evidence is likely to be destroyed.
  - b. **Deputy/Detention Officer Factors**
    - i. Size, physical ability and defensive tactics expertise of the Deputy(ies) or Detention Officer(s).
    - ii. Number of Deputies or Detention Officers present.
    - iii. Immediate reaction in the case of sudden attack.
    - iv. Weapons or restraint devices available to the Deputy/Detention Officer(s).
    - v. Legal Justification.
    - vi. Agency Policies and Procedures.
  - c. **Environmental Factors**
    - i. Physical location.
    - ii. General surroundings and the dynamics and dangers associated.
    - iii. Lighting conditions.
    - iv. Presence of other persons who may become involved as participants or victims.
    - v. Weather.
    - vi. Avenues of escape for the subject as well as for the Deputy/Detention Officer(s).
- 4. Applying the Force Guidelines Decision Making Model – The FDLE Force Guidelines recognizes that Deputies/Detention Officers are required to make use of force decisions based on the totality of the circumstances known or perceived by the Deputy or Detention Officer at the time of the incident.

- a. Since most situations are fluid and dynamic, formulating a reasonable and valid response requires constant threat assessment as the situation unfolds and changes.
- b. The above model does not require matching a subject's level of resistance with an exact level of response but rather gives Deputies and Detention Officers the latitude to pick a use of force response that he or she reasonably believes is appropriate based on an assessment of the totality of the circumstances the Deputy or Detention Officer is facing.

## **XV. REVIEW OF GENERAL USE OF FORCE GUIDELINES**

- A. Establish Control – The primary purpose for the “use of force” by law enforcement and detention personnel is to overcome resistance and/or establish control over the subject(s) who is resisting or creating the threat of physical harm to the Detention Officer or another person.
- B. Escalation – In the process of responding with an appropriate level or type of force to overcome a resisting subject, or detain a subject when force is justified, it is not a requirement to go step-by-step through the levels of response. Deputies and Detention Officers are justified in responding with whatever level or type of force is deemed reasonable and necessary at the time to overcome resistance, defend against assault and/or achieve control.
- C. De-escalation of Force – Once control has been gained in a situation, Deputies and Detention Officers shall de-escalate their use of force as soon as practical to a point no greater than what can be reasonably expected to maintain control over the subject to accomplish lawful objectives.
- D. Decisive and Effective – As mentioned earlier, Deputies and Detention Officers shall attempt, where feasible and practical, to resolve all potential use of force incidents with non-physical measures. However, once it is apparent to a Deputy or Detention Officer that force is going to be required for the Deputy or Detention Officer to safely perform their duties, then the force that is reasonable and necessary **should be delivered in a decisive and effective manner**, followed up by appropriate controlling techniques in order to:
  1. End the confrontation as quickly as possible, thereby:
    - a. Reducing the risk of injury to all parties, and
  2. To prevent the situation from escalating to higher levels of resistance and response.

# ALACHUA COUNTY SHERIFF'S OFFICE



**SHERIFF SADIE DARNELL**

July 10, 2020

Board of County Commission

## Request by the Board: Status Update - Police Reforms

- ▶ #8CantWait Initiative: eight specific recommendations for police reform
- ▶ (National) George Floyd Justice in Policing Act of 2020: comprehensive *proposed* Bill: (3) main topic areas, numerous sections



# Status Update Police Reforms - continued

- ▶ ACSO's standing regarding the recommended reforms
- ▶ Summary of strengths

# Alachua County Sheriff's Office is #8CANTWAIT COMPLIANT

All 8 recommendations have been part of our policy and procedures during my tenure and have helped shape our policing methods

Full copies of our policy and procedures are available and will be provided with a public records request



# #8CANTWAIT

1. Ban Chokeholds and Strangleholds: DIR 802 - "...Deadly Force Restrictions Lateral Vascular Neck Restraint/Carotid Restraint - The ACSO does not authorize the use of these neck restraints at this time."
2. Require De-escalation: DIR 802 "...When feasible and practical, employees shall attempt to resolve potential use of force situations with non-physical force alternatives, such as the use of advice, persuasion or verbal warning prior to resorting to the use of force."
3. Require Warning Before Shooting: DIR 802 - "...when feasible a verbal warning is given to the fleeing subject prior to the use of deadly force. Unless impractical under the circumstances, employees shall attempt to give a verbal warning prior to the use of deadly force."
4. Exhaust all Alternatives Before Shooting: DIR 802 "...When feasible and practical, employees shall attempt to resolve potential use of force situations with non-physical force alternatives, such as the use of advice, persuasion or verbal warning prior to resorting to the use of force."
5. Duty to Intervene: DIR 353 - "...1. Duty to Report Misconduct - The quickest way for misconduct to continue at the ACSO is for employees to tolerate it among their fellow workers. Misconduct by any employee reflects poorly on all. For this reason, employees will report any violation of directives, policies and procedures to appropriate authority."

Code of Ethics signed by employees states, "I, also ACCEPT responsibility for encouraging others in my profession to abide by this CODE,".

6. Ban Shooting at Moving Vehicles: DIR 802—"...Moving Vehicles - Shooting at or from a moving vehicle is a dangerous and generally ineffective practice with unpredictable results and is prohibited as a general rule, unless done in self-defense or defense of another person when the suspect represents a clear and present deadly force threat."
7. Establish Use of Force Continuum: DIR 802—"...The Force Guidelines Model - Similar to the former Response to Resistance Matrix, the new Force Guidelines consist of Subject Resistance Levels and corresponding Officer Response Levels; however, both categories have been streamlined to simplify the process of analyzing potential subject resistance levels and responding with an appropriate and reasonable use of force. "
8. Require All Force Be Reported: ACSO 802 - "...INCIDENT DOCUMENTATION - Each "use of force" incident as defined by ACSO Directive will be documented by involved employees. This includes the pointing of any firearm, Taser, display of K-9 or other weapon directly at another person(s) as a show of force with the express purpose of establishing control and/or detaining or arresting the subject."

# #8CANTWAIT - 1. Ban Chokeholds and Strangleholds/ *National - Section 363, page 4*

ACSO Directive 802 Page 20:

Lateral Vascular Neck Restraint / Carotid Restraint - “...*not authorized*...”

## #8CANTWAIT - 2. Require De-escalation/ *National - Section 364, page 4*

### ACSO Directive 802 Page 2:

“When feasible and practical, employees shall attempt to resolve potential use of force situations with non-physical force alternatives, such as the use of advice, persuasion or verbal warning prior to resorting to the use of force.”

### Page 25:

“Once control has been gained...shall de-escalate their use of force...”

## #8CANTWAIT - 3. Require Warning Before Shooting

### ACSO Directive 802 Page 13:

“...when feasible a verbal warning is given to the fleeing subject prior to the use of deadly force. Unless impractical under the circumstances, employees shall attempt to give a verbal warning prior to the use of deadly force.”

## #8CANTWAIT - 4. Exhaust all Alternatives Before Shooting/ *National - Section 364, page 4*

### ACSO Directive 802 Page 2:

“...When feasible and practical, employees shall attempt to resolve potential use of force incidents with non-physical force alternatives, such as the use of advice, persuasion or verbal warning prior to resorting to the use of force.”

# Continued: #8CANTWAIT - 4. Exhaust all Alternatives Before Shooting/ *National - Section 364, page 4*

## ACSO Directive 802 page 13:

“Unless impractical under the circumstances, employees shall attempt to give a verbal warning prior to the use of deadly force.”

## ACSO Directive 801 page 25:

“...where feasible and practical, to resolve all potential use of force incidents with non-physical measures...”



## #8CANTWAIT - 5. Duty to *Intervene*\*

### ACSO Directive 353 Duty to *Report* Misconduct Page 7:

“The quickest way for misconduct to continue at the ACSO is for employees to tolerate it among their fellow workers. Misconduct by any employee reflects poorly on all. For this reason, employees will report any violation of directives, policies and procedures to appropriate authority.”

Code of Ethics signed by employees states, “I, also ACCEPT responsibility for encouraging others in my profession to abide by this CODE”.

\*ACSO Directive being amended to include “intervene”

## #8CANTWAIT - 6. Ban Shooting at Moving Vehicles

ACSO Directive 802 page 25:

“...Moving Vehicles - Shooting at...or from a moving vehicle is *prohibited*”

# #8CANTWAIT- 7. Establish Use of Force Continuum

## ACSO Directive 802 Page 2:

- ▶ “When feasible and practical, employees shall attempt to resolve potential use of force situations with non-physical force alternatives, such as the use of advice, persuasion or verbal warning prior to resorting to the use of force.”

## Directive 802 page 23:

- ▶ Officer Response - three levels
  - ▶ Physical control
  - ▶ Non-lethal weapons
  - ▶ Deadly force

## #8CANTWAIT - 7.Use of Force Continuum - continued

- ▶ Current test for judging law enforcement use of force in Florida is:
- ▶ ***Objective Reasonableness*** “whether an objectively reasonable officer under similar conditions with similar training and background might have done the same thing”
- ▶ Each incident is to be judged in the light of the ***Totality of the Circumstances...***

## #8CANTWAIT - 8. Require All Force Be Reported

### ACSO Directive 802 Page 6:

“Each ‘use of force’ incident...will be documented by involved employees”

## ACSO INCIDENT DOCUMENTATION

- ▶ A separate Subject Resistance Report for each subject
- ▶ An Incident Report (ACSO or DOJ) for every incident
- ▶ If “Group Tactic” i.e., SWAT, Warrants, Felony Stop of Vehicle...consolidated onto one Subject Resistance Report IF: no resistance, no injuries and no physical force used

## ACSO INCIDENT DOCUMENTATION: continued

- ▶ Reports and/or notifications are reviewed/made by the Chain of Command of the involved employee(s) as well as the Training Bureau, Office of Professional Standards, General Counsel and others depending on the level of force, injuries, hospitalization or property damage
- ▶ These steps are done to ensure incidents are documented and reviewed thoroughly regarding any changes needed for training, equipment or policies

# Criminal Justice Standards and Training Commission (CJSTC)

**Florida is ahead of most states in  
the U.S.**



# Criminal Justice Standards and Training Commission (CJSTC)

- ▶ Mission: To ensure...all Florida citizens are served by...officers who are ethical, qualified and well-trained
- ▶ 19 members - the majority of whom are Florida law enforcement or corrections personnel with a minimum of four years experience; and who are appointed by the Governor for a four year term

# Criminal Justice Standards and Training Commission (CJSTC)

- ▶ Establish uniform minimum standards for the employment and training of...officers
- ▶ Review and administer appropriate administrative sanctions...officer...is found in violation of Florida Statutes and Commission standards
  - ▶ sanctions include revoking certification of officers
- ▶ Maintain a central repository of records of all certified officers

## CJST Commission sets the standard for FL

- ▶ “...requires all officers (law enforcement or detention) as a condition of employment or appointment to be certified”
- ▶ Certification requires “commission-approved continuing training or education...at the rate of 40 hours every 4 years”

# FDLE Law Enforcement Training

**FDLE requires the following every four years:**

- ▶ Human Diversity/Professional Traffic Stop
- ▶ Domestic Violence
- ▶ Juvenile Sexual Offender
- ▶ Discretionary Shooting/Scenario
- ▶ Physiological Response to Force
- ▶ Agency Less-Lethal Force Options
- ▶ Agency Policy and Legal Aspects of Use of Force
- ▶ 40 hours of law enforcement based training

**FDLE requires the following training every two years:**

- ▶ Qualification on the FDLE State 40
- ▶ FDLE requires the following training annually
- ▶ TASER Certification - If issued and carrying a TASER

# ASO Law Enforcement Training: 2019

## In-Service Classroom and Practical

- ▶ Agility/Obstacle Course
- ▶ Baton Recertification
- ▶ Below 100
- ▶ Boxing In Recertification
- ▶ CLEAR - LE Investigative Tool
- ▶ CPR/AED Recertification
- ▶ Domestic Violence by Strangulation
- ▶ Evidence and Forensics Update
- ▶ Firearms Qualifications
- ▶ Health and Wellness - Body Scan
- ▶ OC Recertification
- ▶ PIT Recertification

## In-Service Classroom and Practical continued:

- ▶ PIT Recertification
- ▶ Pursuit Driving and Felony Stops Scenarios
- ▶ Quarterly Rifle Training
- ▶ Response to Active Shooter
- ▶ Scenario Training
- ▶ Stop Stick Recertification
- ▶ Tactical Firearms - Handgun and Shotgun Accuracy Skills
- ▶ Tactical Firearms - Discretionary Shooting
- ▶ Tactical Combat Causality Care -Trauma Kit
- ▶ Taser Recertification

## Online DMS Training

- ▶ Baton Recertification Online Training
- ▶ Bloodborne Pathogens
- ▶ Force Guidelines
- ▶ OC Recertification
- ▶ Physiological Use of Force
- ▶ Post-Traumatic Stress Disorder
- ▶ Precision Immobilization Technique (PIT) Recertification
- ▶ Stop Stick Recertification
- ▶ Taser Recertification

# FDLE Form CJSTC 78

**FDLE**Florida Department of  
Law Enforcement**INTERNAL INVESTIGATION REPORT**

Incorporated by Reference in Rule 11B-27.003(2)a., F.A.C.

**CJSTC  
78**

Please type or print in black or blue and use capital and small letters for names, titles, and address

**OFFICER**

1. Social Security Number: \_\_\_\_\_
2. Officer's Name: \_\_\_\_\_  
Last First MI
3. Officer's Last Known Address: \_\_\_\_\_  
Street City State Zip Code
4. Officer's Telephone Number: \_\_\_\_\_

**AGENCY**

5. Agency ORI: FL 00100001 6. Agency Name: Alachua County Sheriff's Office
7. Agency Contact Person: Captain Todd Kelly 8. Agency Contact Person's Telephone Number: (352) 384-3050
9. Agency Fax Number: (352) 384-3037

**VIOLATION - ALLEGATION**

10. Nature of Allegation(s): \_\_\_\_\_

11. Agency Disposition: Sustained – (Violation of Section 943.13(4) or (7) or Rule 11B-27.0011, F.A.C. ☐  
Sustained – (Violation of Agency Policy): ☐ Not Sustained: ☐ Unfounded: ☐ Exonerated: ☐

12. Limitation Period for Disciplinary Action: Date Internal Investigation Initiated: \_\_\_\_\_ Date Internal Investigation Completed: \_\_\_\_\_

Exception to limitation period for disciplinary action: Place a check mark by the exceptions to limitations that apply	Days Told
--	-----------

- |  |       |
|--|-------|
| <input type="checkbox"/> Written waiver of limitation by officer                   | _____ |
| <input type="checkbox"/> Ongoing criminal investigation or criminal prosecution    | _____ |
| <input type="checkbox"/> Officer incapacitated or unavailable                      | _____ |
| <input type="checkbox"/> Multi-jurisdictional investigation                        | _____ |
| <input type="checkbox"/> Emergency or natural disaster as declared by the Governor | _____ |

13. Criminal Charges Filed: \_\_\_\_\_

14. Agency Disciplinary Action: \_\_\_\_\_

15. If the allegation has been sustained and determined to be a violation of Section 943.13(4) or (7), F.S. or Rule 11B-27.0011, F.A.C., attach and forward the following documentation to the Florida Department of Law Enforcement.

- |                               |                          |                               |                          |                              |                          |
|-------------------------------|--------------------------|-------------------------------|--------------------------|------------------------------|--------------------------|
| Summary of the Facts          | <input type="checkbox"/> | Internal Investigation Report | <input type="checkbox"/> | Name and Address of Witness  | <input type="checkbox"/> |
| Witness Statement/Disposition | <input type="checkbox"/> | Certified Court Documents     | <input type="checkbox"/> | Other Supportive Information | <input type="checkbox"/> |

NOTICE: Pursuant to Section 943.1395(5), F.S., an employing agency must conduct an internal investigation when having cause to suspect that an officer it employs is not in compliance with Section 943.13(4) or (7), F.S. or Rule 11B-27.0011, F.A.C. If the investigation is sustained, the employing agency must forward a report to the Commission as specified by Rule 11B-27.003.

16. Agency administrator's signature \_\_\_\_\_

17. Date signed \_\_\_\_\_

Sadie Darnell, Alachua County Sheriff

18. Agency administrator's name and title

# National Use-of-Force Data Collection

Florida Sheriffs Association supports and encourages reporting

# National Use-of-Force Data Collection funded and built by the FBI

The Florida Sheriffs Association (FSA) encourages all sheriffs to participate

- ▶ By reporting the following two categories:
  1. discharge of a firearm by a LEO at or in the direction of a person
  2. force that results in death or serious bodily injury of a person



# George Floyd - Justice in Policing Act of 2020 (Proposed only)

# George Floyd - Justice in Policing Act of 2020 - recommendations & purview

- ▶ Revises Federal Criminal Police Misconduct Statute - **Federal**
- ▶ Qualified Immunity Reform - **Federal**
- ▶ Pattern and Practice Investigations - **Federal**
- ▶ Independent Investigations - **Federal and State Attorney Generals**
- ▶ Law Enforcement Trust and Integrity Act - President Obama's Taskforce on 21<sup>st</sup> Century Policing (**separate slide**)
- ▶ Establish a National Police Misconduct Registry - **Federal**
- ▶ Police Reporting Information Data and Evidence Act - **State to Dept. of Justice**
- ▶ End Racial and Religious Profiling Act - **Federal, State and Local**
- ▶ Training on Racial Bias and Duty to Intervene - **Federal/Condition funding**  
(**separate slide**)

# Proposed recommendations continued

- ▶ Ban No-Knock Warrants in Drug Cases - **Federal/condition funding State/Local**
- ▶ Ban on Chokehold and Carotid Holds - **Condition State/Local Funding**
- ▶ Police Exercising Absolute Care with Everyone Act - **Federal/Condition funding**
- ▶ Stop Militarizing Law Enforcement Act - **Limit transfer to State and Local**
- ▶ Federal Police Camera and Accountability Act - **Federal**
- ▶ Police Camera Act - **State and Local**
- ▶ Justice for Victims of Lynching Act - **Federal**

# Law Enforcement Trust and Integrity Act

Section 105, page 2

The bill would:

Require the Attorney General to create *law enforcement accreditation standards* based upon President Obama's Taskforce on 21<sup>st</sup> Century Policing

PRESIDENT'S TASKFORCE ON 21 <sup>ST</sup> CENTURY POLICING COMPARISON TABLE	
<b>Action Step 1: Review and update policies, training, and data collection on use of force. Emphasize de-escalation and alternatives to arrest or summons in situations where appropriate. Policies and training should include shoot/don't shoot scenarios and the use of less than lethal technologies.</b>	
ACCREDITATION STANDARDS	ACSO POLICY AND TRAINING
CFA 2.02 – Policy must include alternatives to arrest.	<a href="#">ACSO 004</a> allows for use of discretion including warnings, NTA's and sworn complaints.
CFA 4.01M – Use of Force policy must follow Florida Law. Deputies may only use the amount of force necessary to achieve lawful objectives.	We require employees to attempt to use non-physical force alternatives prior to resorting to the use of force if possible. Deputies are CIT Trained in these alternative methods. – <a href="#">ACSO 802 IV.A</a>
CFA 4.02M – Employees must receive instruction on the agency's use of force policy before they are authorized to carry any lethal/less-lethal weapon.	Deputies receive and sign for the policy in DMS and it's taught in the new hire mini-academy. This includes discretionary shooting scenarios. – <a href="#">ACSO 802</a>
CFA 4.04M – Agency must have a policy on the firing of warning shots.	We are restrictive and do not allow warning shots. – <a href="#">ACSO 802.XI.E.2</a>
CFA 4.05M – Firearms usage, training, inspections and maintenance	Deputies receive far more than the required biennial mandatory qualification regarding firearms training. <a href="#">ACSO 602</a>
CFA 4.06M – Less-Lethal weapons usage, training and inspection	Deputies receive far more than the required minimum mandatory training for less-lethal weapons. <a href="#">ACSO 803</a>
CFA 4.07M – Written report and documented review must occur anytime force is used (firearm, less-lethal weapons, physical force.)	We require more reporting than standard use of force incidents because we also require use of force reporting for <u>displays</u> of force. Use of force reports are reviewed through the chain of command at many levels. <a href="#">ACSO 802.XII</a>
CFA 4.08M – Policy requires procedures for ensuring medical aid be provided after a use of force.	We require medical aid for use of force incidents where a subject either has a visible injury or complains of an injury, even if it isn't apparent. <a href="#">ACSO 802.X.B.1.a.iii</a>
CFA 4.09M – Annual administrative review and analysis is required for all use of force incidents	In addition to the multi-level use of force review for each incident, use of force reports are reviewed collectively to capture trends for which training may be required, helpful etc. OPS has an early warning system in place to require additional review monthly, quarterly and yearly. – <a href="#">OPS Manual page 25</a> .

**Action Step 2: Increase transparency by collecting and making data, policies, and procedures publicly available in multiple languages relevant to the local community through official website(s) and municipal open data portals. To accelerate this work, join the growing community of agencies participating in the Police Data Initiative to learn best practices around open data on policing, and to share challenges and successes along the way.**

ACCREDITATION STANDARDS	ACSO POLICY AND TRAINING
Limited accreditation policies currently exist in this area. CFA 2.06 requires community education and awareness efforts. Most agencies, including ours post this on their websites.	<p>The ACSO website was updated to provide additional assistance to those with disabilities and is also able to be translated into multiple languages.</p> <p>Policy and Accreditation has the most commonly used forms available to the public from English into Spanish including:</p> <ul style="list-style-type: none"> <li>• The Inmate Handbook</li> <li>• Waiver of Rights (Miranda)</li> <li>• Complaint Intake Form</li> <li>• Voluntary Consent to Search</li> <li>• Citizen Survey (online version)</li> </ul>

**Action Step 3: Call on the state Peace Officer Standards and Training (POST) Commission to implement training at all levels to ensure fair and impartial policing. This is CJSTC for Florida.**

ACCREDITATION STANDARDS	ACSO POLICY AND TRAINING
N/A	N/A

**Action Step 4: Examine hiring practices to better involve the community in recruiting and screening of recruits**

ACCREDITATION STANDARDS	ACSO POLICY AND TRAINING
CFA 8.01M – Recruitment Team must be training in Equal Employment Opportunity.	Review of the recruitment plan occurs yearly and is required by all recruitment team members. <a href="#">ACSO 304</a>
CFA 8.02M – The agency's recruitment plan must contain elements to develop racial, ethnic and gender diversity.	Our recruitment plan contains what is required per accreditation standards including, goals, objectives, evaluation of progress and updates as needed. <a href="#">ACSO 304</a>
CFA 8.03 – All recruitment literature must advertise the agency is an equal opportunity employer.	Our literature meets this standard. We also advertise this on our website and agency applications as well as printed documents. <a href="#">ACSO 304</a>
CFA Chapter 9 – Selection – Contains 7 accreditation standards that speak to the following elements of the selection process for all LEO's including reserves:	<p>Selection Process (CFA Chapter 9)</p> <p>We choose not to prove the first bullet (uniform, fair, job-related and non-discriminatory).</p> <p>We require a psychological fitness exam.</p>

<ul style="list-style-type: none"> <li>• Uniform, fair, job-related and non-discriminatory.</li> <li>• Psychological fitness</li> <li>• Physical fitness</li> <li>• Background check to include: warrants, fingerprints, local records check, prior employment and criminal history</li> </ul>	<p>We require a physical fitness test even though it's not required. <a href="#">ACSO 343</a></p> <p>We satisfy the background check elements according to the accreditation standards. <a href="#">HRB 008</a></p>
<b>Action Step 5: Ensure that officers have access to the tools that will keep them safe, such as bulletproof vests and tactical first aid kits and training. Policies should reinforce the use of seat belts and other protective practices.</b>	
ACCREDITATION STANDARDS	ACSO POLICY AND TRAINING
CFA 14.10M – Body armor must be issued, current (not expired) and required for pre-planned, high risk situations, and be readily available when the LEO is on-duty.	We supply soft body armor, rifle plated armor and off duty suitcase armor, and require deputies to wear it for high-risk situations, in training and for normal Patrol Operations and DOJ Transport activities. <a href="#">ACSO 345</a>
CFA 14.08M – Each patrol vehicle must be equipped with medical equipment with current supplies (as defined by the agency)	We supply first aid kits, car and personal trauma kits, and AED's, CPR masks. We also provide training that accompanies the products we supply and use. <a href="#">POD 200</a>
CFA 14.09M – Agency must have a policy in the use of safety belts.	We require safety belts be worn when driving agency vehicles and post flyer and have signage reminding the employees of this practice. <a href="#">ACSO 223</a>

# Policy and Accreditation Unit

- ▶ *Accreditation aids a law enforcement agency's pursuit of professional excellence by strengthening agency accountability, both internally and within the community.*
- ▶ *Accreditation builds community and governmental support, as well as employee confidence in the direction and future of the agency.*





## **COMMISSION FOR FLORIDA LAW ENFORCEMENT ACCREDITATION (CFA)**

ASO received its initial CFA accreditation in 1997 and was reaccredited for the sixth consecutive time in 2015, achieving its second “Excelsior Agency status. The last reaccreditation was held in December 2017, with the third Excelsior award received in February 2018.



## **FLORIDA CORRECTIONS ACCREDITATION COMMISSION (FCAC)**

All aspects of correctional operations are addressed through FCAC standards, including: Admission, Classification, Housing, Sanitation, Food Services, Personnel Issues, Fiscal Activities, Security, Training, and Medical Services. The ASO Department of the Jail received its initial FCAC Accreditation in 1999 and was reaccredited for the fifth consecutive time in October 2014, achieving “Excelsior Agency” status. The last reaccreditation was held in August 2017, with the second Excelsior award received in February 2018.



## **PUBLIC SAFETY COMMUNICATIONS ACCREDITATION PROGRAM (PSCAP) THROUGH COMMISSION ON ACCREDITATION FOR LAW ENFORCEMENT AGENCIES (CALEA)**

The ASO Combined Communications Center (CCC) received its initial CALEA PSCAP Accreditation in 2002 and was reaccredited for the third consecutive time in March 2011. In 1998 and 2011 the CCC received the distinguished “Flagship Award” from CALEA, awarded only to the most successful CALEA-accredited agencies in recognition of their achievements and expertise. In 2014, CCC received its first Gold Standard Award. The Gold Standard Assessment focuses on processes and outcomes through interviews and observations. The agency received its second Gold Standard Award in March of 2017.

Orange CSO	October 2010, October 2013, October 2016
St. Johns CSO	June 2011, June 2014, June 2017
St. Lucie CSO	June 2011, June 2014, June 2017
Manatee CSO	September 2011, October 2014, November 2017
Sarasota CSO	September 2011, October 2014, November 2017
Seminole CSO	September 2011, October 2014, November 2017
Alachua CSO	February 2012, February 2015, February 2018
Boca Raton Public Safety Department	February 2012, February 2015, February 2018
Leon County SO	February 2012, February 2015, February 2018
University of Florida PD	June 2012
Martin CSO	June 2012, June 2015
Orlando PD	September 2012, October 2015, October 2018
Florida Department of Law Enforcement	February 2013, February 2016
Altamonte Springs PD	February 2013, February 2016
Clearwater PD	June 2013, June 2016
Polk CSO	June 2013, June 2016
Ft. Lauderdale PD	June 2013, June 2016
North Miami Beach PD	June 2013, June 2016
Punta Gorda PD	June 2013, June 2016
Port Orange PD	June 2013, June 2016
Coral Springs PD	October 2013, October 2016
Largo PD	October 2013, October 2016
Collier CSO	October 2013, October 2016
Port St. Lucie PD	October 2013, October 2016
Miramar PD	February 2014, February 2017
Gulf Breeze PD	June 2014, June 2017
Margate PD	June 2014, June 2017
Jacksonville SO	October 2014, November 2017
Clay CSO	October 2014, November 2017
Osceola CSO	October 2014, November 2017
North Port PD	February 2015, February 2018
Wauchula PD	February 2015, February 2018
Gulfport PD	June 2015, June 2018
Putnam CSO	October 2015
Satellite Beach PD	October 2015, October 2018
Palm Beach CSO	October 2015, October 2018
Bay CSO	February 2016
Broward CSO	February 2016
Palm Beach Gardens PD	February 2016
Oviedo PD	February 2016
Winter Park PD	February 2016
Jupiter PD	June 2016
Lee CSO	June 2016
Lighthouse Point PD	June 2016
Maitland PD	June 2016
Boynton Beach PD	October 2016
Citrus CSO	October 2016
Plantation PD	February 2017
Daytona Beach Shores Public Safety Department	June 2017
Sumter CSO	June 2017
Florida State University PD	November 2017
Sebastian PD	November 2017
Winter Haven PD	November 2017
Wakulla CSO	November 2017
Monroe CSO	October 2018
St. Petersburg PD	October 2018
USF PD	October 2018

# CFA Excelsior Agencies in the entire State of Florida

### FCAC Excelsior Agencies

Jacksonville SO	June 2012, June 2015, June 2018
Marion CSO	June 2012, June 2015, June 2018
Sarasota CSO	September 2012, October 2015, October 2018
Palm Beach CSO	September 2012, October 2015, October 2018
Broward CSO	September 2012, October 2015, October 2018
Martin CSO	February 2013, February 2016
→ Alachua CSO	October 2014, October 2017
St. Lucie CSO	February 2015, February 2018
Sumter CSO	June 2015, June 2018
Collier CSO	October 2015, October 2018
Monroe CSO	October 2015, October 2018
Polk CSO	October 2015, October 2018
Orange CSO	June 2017
Wakulla CSO	October 2017
Leon CSO	February 2018
Clay CSO	June 2018
Osceola CSO	June 2018

# Training on Racial Bias and Duty to Intervene - Section 361, page 4

# Racial and Ethnic Disparities Initiative

## Phase One (2015-2016)

- ▶ In 2012, ACSO began addressing disparities in arrests and stopped arresting kids in school for technical violations of probation
- ▶ In 2015, we rewrote our contract with the School Board regarding School Resource Deputies on campus policies as well as the Youth arrest and Bias Based Profiling policies for the Sheriff's Office
- ▶ The focus of these revisions were to impart procedural justice and best practices to not only address R.E.D. but for all of our children. This resulted in a 48% reduction in arrests
- ▶ All sworn Law Enforcement Deputies are trained in Racial and Ethnic Disparities, Fair and Impartial Policing, Restorative Justice, Adolescent Brain Development, Trauma Informed Response and De-escalation. \*All new sworn employees receive this training before they spend their first day in patrol. \*

# Racial and Ethnic Disparities Initiative Phase One (2015-2016)

- ▶ Sgt. Pardue, RED/DMC Coordinator, was sent to Georgetown University Center for Juvenile Justice Reform for the, “Reducing Racial and Ethnic Disparities in Juvenile Justice Certificate Program”;
- ▶ Upon Completion of the program the ACSO officially started the R.E.D. initiative along with our community partners, from the River Phoenix Center for Peacebuilding, Gainesville PD, School Board of Alachua County, Department of Juvenile Justice, and Department of Children and Families. The team was tasked with a year long capstone project to create real change in our community;
- ▶ The Capstone was nationally recognized and is being used as a **police reform** model



# Racial and Ethnic Disparities Initiative

## Phase Two (2017-2018)

- ▶ The Youth and Community Resource Unit (YCRU) was created to build on the successes of the reduction of youth arrests and dialogs. The unit includes a Sergeant / RED coordinator, two Deputy Sheriff -Youth Intervention Specialists aimed at outreach and intervention, a Civilian Youth and Community Liaison, as well as the Teen Court Program.
- ▶ Establishing community partnerships was a critical focus. This was done by connecting with businesses and stakeholders throughout the county by partnering with them to serve citizens together through both volunteering and monetary support.
- ▶ We worked to develop major changes in both our policy and policing strategies working with community members in the Gainesville for All Initiative.

# Racial and Ethnic Disparities Initiative

## Phase Two (2017-2018)

- ▶ Stop arresting youth for technical violations while at school. The goal is for them to stay at school and receive an education.
- ▶ Reduce in-school youth arrests.
- ▶ Reduce Domestic Disputes arrest of Juveniles
- ▶ Stop Arresting youth 12 years of age and younger.
- ▶ Strengthened Civil Citation policies.



# Racial and Ethnic Disparities Initiative

## Phase Two Out Reach

- ▶ Second, we established positive community programs where Deputies and Citizens can spend time together getting to know each other and building lasting positive relationships.
- ▶ Books and Burgers Literacy Initiative; Movie Nights; Coffee with a Cop; Doughnuts with a Deputy; Trunk or Treat; Water Day; Operation C.O.N.E. Ice Cream Truck; Operation Turkey Toss; Shop With a Cop; Teen Court Youth Summit



# Racial and Ethnic Disparities Initiative

## Phase Two Training

- ▶ RED Initiative partnered again with GPD for the “Reducing the use of Jails” project with the National League of Cities in Washington, DC. This project in addition to the original RED capstone project includes quarterly reports to the state DMC coordinator and the Washington counter parts.
- ▶ 2016 Florida Racial and Ethnic Disparities Conference
- ▶ 2016 Implicit Bias Training for First Line Supervisors
- ▶ 2017 Cultural Differences: CONNECTIONS instead of CORRECTIONS - Interacting with Today’s Youth with DJ Batiste (Conscious Discipline). Mandatory Training for all Law Enforcement Deputies
- ▶ 2018 Adverse Childhood Experiences Conference Naples Florida with Dr. Fretti

# Racial and Ethnic Disparities Initiative

## Phase Three (2019-2020)

- ▶ The Third Phase of the RED initiative is focused on expansion of effective services.
- ▶ The Teen Court Program had an influx of younger children receiving referrals and noticed a large gap in services for youth as they got closer to 18 years old. They conducted exhaustive research with many local agencies, youth court judges, schools, and deflection programs to find out what services are missing and developed a plan to fix it. They have created the Sentinel Program and were awarded a grant from the [Alachua County Children's Trust](#). This program will help further bridge the gap in services for our at risk youth. They provide early intervention, consistent mentoring, and evidence based /trauma informed responses to children before they become system involved.

# Racial and Ethnic Disparities Initiative

## Phase Three (2019-2020)

- ▶ The YCRU began addressing disparities in the Mental Health world in addition to our children.
- ▶ The ACSO developed a Mental Health Co-Responder Team with Meridian Behavioral Health. The team is assigned to the RED/ YCRU Supervisor and began deployment in June of 2020, the mission of the team is Jail deflection/diversion as well as providing services before a Baker Act is needed.
- ▶ We Joined the Joint Mental Health Collaboration Project (JMHCP) that studied incarceration rates for those suffering from mental health and substance abuse issues in its first phase. In the Second Phase we are helping to develop refresher training for law enforcement in Crisis intervention, de-escalation, and jail deflection.

# Racial and Ethnic Disparities Initiative

## Phase Three (2019-2020)

- ▶ While our agency is on the forefront of innovative programming we recognize we can still do more.
- ▶ We hope to add a full time Racial and Ethnic Disparities Coordinator to solely focus on further positive systemic change through agency education and community collaborations.
- ▶ We need to add part time community liaisons to help with outreach events but more importantly as direct lines of communication for our citizens.

# Other Innovative ACSO Practices

# Intimate Partner Violence Initiatives

- ▶ Since 2007, the following Intimate Partner Violence Initiatives have taken place:
  - ▶ Created the Intimate Violence Enhanced Services Team (INVEST)
  - ▶ Intimate Partner Violence Risk Assessment: Implications for Safety
  - ▶ Lethality Assessment Program (LAPs) - Launched by ASO in 2009
  - ▶ Designated Domestic Violence Detective at ACSO
  - ▶ Saving Lives: Creating Safer Communities High Risk Team Model
  - ▶ Alachua County High Risk Team
  - ▶ Domestic Violence Fatality Review Team
  - ▶ Danger Assessment, LAP and High Risk Team Recognized as National Best Practice
  - ▶ Danger Assessment Community Training
  - ▶ ACSO Victim/Witness Intimidation Project
  - ▶ Strangulation Documentation and ALS

# Intimate Partner Violence: Community Collaborations

- ▶ Alachua County Domestic Violence Task Force
- ▶ Alachua County Domestic Violence Fatality Review Board
- ▶ Intimate Violence Enhanced Services Team\*
- ▶ Lethality Assessment Program\*
- ▶ Alachua County High Risk Team



# Intimate Violence Enhanced Services Team (INVEST):

- ▶ Statewide Initiative (FCADV)
- ▶ Implemented in **5 counties** with the **highest DV homicide rate (2006)** - **Alachua**, Jacksonville, Orange, Seminole and St. Lucie
- ▶ Partnership with Peaceful Paths and local law enforcement.
- ▶ Identify victim/survivors at high risk for homicide.
- ▶ Assistance from victim advocates and law enforcement.
- ▶ Work towards reducing the number of domestic violence homicides.

**Creating Safety and Accountability**

*“Determining key risk factors, over and above a history of domestic violence, that contribute to the abuse that escalates to murder will help us identify and intervene with battered women who are most at risk.” ~Jaqueline Campbell*

## DANGER ASSESSMENT

Jacquelyn C. Campbell, Ph.D., R.N.  
Copyright, 2003; www.dangerassessment.com

Several risk factors have been associated with increased risk of homicides (murders) of women and men in violent relationships. We cannot predict what will happen in your case, but we would like you to be aware of the danger of homicide in situations of abuse and for you to see how many of the risk factors apply to your situation.

Using the calendar, please mark the approximate dates during the past year when you were abused by your partner or ex partner. Write on that date how bad the incident was according to the following scale:

1. Slapping, pushing; no injuries and/or lasting pain
2. Punching, kicking; bruises, cuts, and/or continuing pain
3. "Beating up"; severe contusions, bumps, broken bones
4. Threat to use weapon; head injury, internal injury, permanent injury
5. Use of weapon; wounds from weapon

(If any of the descriptions for the higher number apply, use the higher number.)

Mark Yes or No for each of the following. ("He" refers to your husband, partner, ex-husband, ex-partner, or whoever is currently physically hurting you.)

1. Has the physical violence increased in severity or frequency over the past year?
2. Does he own a gun?
3. Have you left him after living together during the past year?  
3a. (If have *never* lived with him, check here: ☐)
4. Is he unemployed?
5. Has he ever used a weapon against you or threatened you with a lethal weapon?  
(If yes, was the weapon a gun? ☐)
6. Does he threaten to kill you?
7. Has he avoided being arrested for domestic violence?
8. Do you have a child that is not his?
9. Has he ever forced you to have sex when you did not wish to do so?
10. Does he ever try to choke you?
11. Does he use illegal drugs? By drugs, I mean "uppers" or amphetamines, "meth", speed, angel dust, cocaine, "crack", street drugs or mixtures.
12. Is he an alcoholic or problem drinker?
13. Does he control most or all of your daily activities? For instance: does he tell you who you can be friends with, when you can see your family, how much money you can use, or when you can take the car? (If he tries, but you do not let him, check here: ☐)
14. Is he violently and constantly jealous of you? (For instance, does he say "If I can't have you, no one can.")
15. Have you ever been beaten by him while you were pregnant? (If you have never been pregnant by him, check here: ☐)
16. Has he ever threatened or tried to commit suicide?
17. Does he threaten to harm your children?
18. Do you believe he is capable of killing you?
19. Does he follow or spy on you, leave threatening notes or messages on answering machine, destroy your property, or call you when you don't want him to?
20. Have you ever threatened or tried to commit suicide?

Total "Yes" Answers

Thank you. Please talk to your nurse, advocate or counselor about what the Danger Assessment means in terms of your situation.

# Lethality Assessment Program

- ▶ In 2009, the Alachua County Sheriff's Office along with Peaceful Paths, partnered to be the FIRST in Florida to launch the Lethality Assessment Program

## What other benefits has the LAP created?

- ▶ Improved partnerships and collaboration among law enforcement officers and other community practitioners and advocates
- ▶ New guidelines for hotline advocates who speak to High-Danger victims
- ▶ LAP best practices include follow-up calls and team officer-advocate home visits to victims to provide support and encouragement to use program services

# RAD Systems

- ▶ RAD (Rape, Aggression, Defense) For Women (ages 13 and up)
- ▶ RAD (Resisting Aggression Defensively) for Seniors (For men and women ages 60 and up)
- ▶ radKIDS (Resisting Aggression Defensively) Children's Safety Education with an emphasis in self value and personal boundaries; 8 hour curriculum; topics: Bullying, Fires; Guns; Drugs; Good, Bad & Unwanted Touch



# MACS became a Zero Victimization School!

## ► Micanopy Area Cooperative School (MACS) became the first Zero Victimization School in Florida

- Every child, 1<sup>st</sup> - 5<sup>th</sup> Grade is a radKID (over 270 kids)
- 4 Licensed Instructors on staff
- Every employee completed radKIDS Zero Training
- No recorded bullying incidents
- Every morning starts with the Pledge and radKIDS rules



# Mental Health Initiatives - ACSO

- ▶ Crisis Intervention Training (CIT) goal of 100% of deputies, detention officers and 911 call takers to become CIT certified
- ▶ Emergency Mental Health Dispatch Protocol - First in the nation to be certified to better respond to individuals in a mental health crisis
- ▶ Many sworn members trained in Trauma Informed Response and Forensic Experiential Trauma Interviewing techniques
- ▶ Critical Incident Stress Management (CISM) team - an internal peer support team to assist employees exposed to significant trauma
- ▶ Employees have access to Licensed Mental Health Counselor uniquely skilled re public safety trauma exposure
- ▶ Mental Health Co-Responder Program launched in June 2020



# Mental Health Co-Responder Team



## **ALACHUA COUNTY SHERIFF'S OFFICE** *740 – Mental Health Co-Responder Program*

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PUB: 05/20/20  
STATUS: Current

- I. **EFFECTIVE DATE:** June 03, 2020  
**RESCINDS:** New
- II. **SCOPE AND PURPOSE** – This directive applies to all Alachua County Sheriff's Office (ACSO) personnel and establishes policy and procedures for the use and policy for the Mental Health Co-Responder Program.
- III. **DISCUSSION** – The ACSO is committed to developing and maintaining programs designed to best serve our citizens. The Mental Health Co-Responder team is designed to provide immediate on-scene support, counseling, early trauma intervention, and make service referrals that will best suit the needs of our citizens in crisis. To deflect citizens with chronic mental health and substance abuse related issues from becoming system involved. To help high service utilizers become self-sustainable with the overall goal of systemic solutions to the current mental health crisis. The Mental Health Co-Responder Program is based on successful law enforcement models from around the country.

 **Alachua County Sheriff**  
5 hrs · 🌐

Our partnership with Meridian Behavioral Healthcare, Inc. is already paying dividends.



MYCBS4.COM

ACSO partnership with mental health services saves a man's life



## Man rescued from cell tower by Alachua County Sheriff's Office after threatening to jump

ACSO Mental Health Team partnered with Meridian Behavioral Healthcare in effort to help

By Suzette Cook/Staff Writer Mainstreet DailyNews  
Jul 2, 2020







# News Release

For Immediate Release | June 25, 2020

**Meridian: For Information Contact:**  
Joy Riddle \* joy\_riddle@mbhci.org \* 352-262-2103

**Alachua County Sheriff's Office: For Information Contact:**  
Sgt. Frank Kinsey #461 \* fkinsey@alachuasheriff.org \* 352-367-4041

## Meridian to Partner with Alachua County Sheriff's Office for Co-Responder Program

Gainesville, Fla. — As part of Meridian Behavioral Healthcare Inc.'s long-term strategy to establish Co-Responder programs throughout the communities served by Meridian, a Co-Responder team has been launched this month in partnership with the Alachua County Sheriff's Office (ACSO). Meridian's first team was launched in April of 2018 in partnership with the City of Gainesville and the Gainesville Police Department and has delivered positive outcomes.

"The Co-Responder concept involves partnering law enforcement officers with mental health professionals to act as first responders to calls for service involving persons with a mental illness so that we can provide them the services they need and potentially keep them out of the criminal justice system" stated Alachua County Sheriff Sadie Darnell.

The Alachua County Sheriff's Office is committed to developing and maintaining programs designed to best serve our citizens. The Mental Health Co-Responder team is designed to provide immediate on-scene support, counseling, early trauma intervention and make service referrals that will best suit the needs of our citizens in crisis.

The Co-Responder program is an evidence-based approach that provides a positive form of outreach, community education, and de-escalation of crisis within our community. Don Savoie, President/CEO of Meridian said, "these teams are a vital aspect of advancing community-based solutions for citizens suffering with mental illness and substance use disorders."

The program will consist of a team comprised of one ACSO Deputy Sheriff that is certified in CIT crisis intervention training and one Meridian mental health clinician; who will partner to work a flexible, 40-hour shift.

The team will ride together in a marked police vehicle and will respond to calls for service involving persons with mental illness, mental healthcare crisis, and calls involving emotionally charged situations. Their focus will be individuals identified as high utilizers of crisis stabilization units, emergency rooms, and the Alachua County Jail.

The majority of the team's time will be spent responding to calls in the community and conducting follow up visits with people engaged as they respond to calls.

The team will also utilize time within their shift to address issues at the 0-intercept point in the Sequential Intercept Model. Intercept 0 focuses on designing mental health/law enforcement systems to connect individuals in need of treatment before a behavioral health crisis begins, at the earliest stage possible.



The co-responder team.

Sgt. Paul Pardue of the Alachua County Sheriff's Office, Briana Kelley PhD, law enforcement clinical specialist at Meridian, and, not pictured is Deputy Sheriff Daniel Maynard.



The Co-responder program is sponsored by Meridian Behavioral Healthcare, the Alachua County Sheriff's Office, LSF Health Systems LLC, and the State of Florida, Department of Children and Families.

*Meridian Behavioral Healthcare, Inc. is a comprehensive community behavioral healthcare organization located in North Central Florida. With services available throughout the region, Meridian maintains offices in these eleven counties: Alachua, Baker, Bradford, Columbia, Dixie, Gilchrist, Hamilton, Lafayette, Levy, Suwannee, and Union. Meridian is CARF accredited and licensed by the Florida Department of Children and Families. Its mission is to promote the health, recovery, and well-being of those affected by mental illness and substance use disorders through prevention, coordinated treatment, and supportive services and is based on the vision that hope, recovery, and wellness are within everyone's reach. For more information, visit <http://mbhci.org/>.*

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**“Service to the Community First....  
Commitment to the Employees Always”**

# Justice in Policing Act

Chair Karen Bass  
Senator Cory A. Booker  
Senator Kamala D. Harris  
Chair Jerrold Nadler

## TITLE I. POLICE ACCOUNTABILITY

### Section 101 – Revising 18 U.S.C. 242 – Federal Criminal Police Misconduct Statute

The problem:

- The current *mens rea* standard of “willfulness” has made it extremely difficult to prosecute law enforcement officers

The bill would:

- Change “willful” to “knowingly or with reckless disregard”
- Define a “death resulting” as any act that was a “substantial factor contributing to the death”

### Section 102 – Qualified Immunity Reform

The problem:

- Courts have interpreted qualified immunity to bar individuals from recovering damages when law enforcement officers have violated their constitutional rights

The bill would:

- Modify Section 1983 to enable individuals to recover damages when law enforcement officers violate their constitutional rights

### Section 103 – Pattern and Practice Investigations

The problem:

- The Department of Justice, Civil Rights Division’s ability to conduct pattern and practice investigations into discriminatory and unconstitutional policing practices has been undermined by the Trump Administration

The bill would:

- Grant subpoena power to the U.S. Department of Justice, Civil Rights Division, to conduct pattern and practice investigations
- Provide grants to state attorneys’ general to conduct pattern and practice investigations

### Section 104 – Independent Investigations

The problem:

- **State and local law enforcement agencies have historically failed to hold law enforcement officers accountable for misconduct and excessive use of force**

The bill would:

- Create a grant program for state attorneys' general to create an independent investigation process for law enforcement misconduct or excessive use of force

### **Section 105 – Law Enforcement Trust and Integrity Act**

**The problem: Police departments lack uniform standards to ensure adherence to best practices and community accountability.**

The bill would:

- Require the attorney general to create law enforcement accreditation standard recommendations based on President Obama's Taskforce on 21st Century policing
- Create law enforcement development programs to develop policing best practices
- Study the impact of any law, rule or procedure that allows a law enforcement officer to delay for an unreasonable or arbitrary period of time the answer to questions posed by investigators of law enforcement misconduct.
- Enhances funding for pattern and practice discrimination described in section 210401 of the Violent Crime Control and Law Enforcement Act of 1994 (42 U.S.C.A. 14141); and programs managed by the DOJ Community Relations Service.
- Require the Attorney General to collect data on the following: A) Investigatory actions and detentions by federal law enforcement agencies; B) The racial distribution of drug charges; C) The use of deadly force by and against law enforcement officers; D) Traffic and pedestrian stops and detentions.
- Establish a DOJ task force to coordinate the investigation, prosecution and enforcement efforts of federal, state and local governments in cases related to law enforcement misconduct.

## **TITLE II: POLICING TRANSPARENCY THROUGH DATA**

### **Subtitle A – Establishment of a National Police Misconduct Registry**

**The problem:**

- **Too often, problematic officers leave (or are fired by) one agency, and then move to another jurisdiction without any accountability.**

The bill would:

- Create a federal registry of all federal, state and local law enforcement officers that compiles
  - Misconduct Complaints (Pending, Sustained and Exonerated)
  - Discipline records
  - Termination records
  - Records of certification
- Mandates that law enforcement agencies ensure that all officers hired are certified within the state

### **Subtitle B – Police Reporting Information Data and Evidence Act**

The bill would:

- Require States to report to the Justice Department any incident where use of force is used against a civilian or against a law enforcement officer
- The reports must include, for example, the following:
  - The national origin, sex, race, ethnicity, age, disability, English language proficiency, and housing status of each civilian against whom a law enforcement officer used force
  - The reason force was used
- Provide technical assistance grants to law enforcement agencies that employ less than 100 people to help comply with the requirements of the bill

## **TITLE III. IMPROVING POLICE TRAINING AND POLICES**

### **Subtitle A – End Racial and Religious Profiling Act**

**The Problem:**

- **Blacks are 3.6 times more likely to be arrested for selling drugs, despite the fact that whites are *more likely* to sell drugs**
- **Blacks are 2.5 times more likely to be arrested for possessing drugs, despite using drugs at the same rate as whites**

The bill would:

- Prohibit federal, state, and local law enforcement from racial, religious and discriminatory profiling and create a cause of action for declaratory or injunctive relief
- Mandate law enforcement provide training on racial, religious, and discriminatory profiling
- Require law enforcement to collect data on all investigatory activities and submit collected data to the Department of Justice using a standardized form
- Condition federal funding to state and local law enforcement to adopt policies to combat racial, religious, and discriminatory profiling
- Condition federal funding to state and local law enforcement to establish best practices to discourage profiling
- Require the Attorney General to provide reports on racial, religious, and discriminatory profiling and ongoing efforts to combat profiling

### **Section 361 – Training on Racial Bias and Duty to Intervene**

The bill would:

- Establish a training program to cover racial bias, implicit bias, procedural justice, and the duty to intervene
- Mandate training at the federal level
- Condition federal funding on establishing training at the state and local level

### **Section 362 – Ban on No-Knock Warrants in Drug Cases**

The bill would:

- Ban no-knock warrants in drug cases at the federal level
- Condition law enforcement funding for state and local law enforcement agencies on prohibiting the use of no-knock warrants in drug cases

### **Section 363 – Ban on Chokeholds and Carotid Holds**

The bill would:

- Ban the use of chokeholds and carotid holds
- Condition law enforcement funding for state and local law enforcement agencies on establishing a law to prohibit the use of chokeholds and carotid holds

### **Section 364 – Police Exercising Absolute Care with Everyone Act (“PEACE Act”)**

The bill would:

- Change the use of force standard for federal officers from reasonableness to only when necessary to prevent death or serious bodily injury.
- Require that deadly force be used only as a last resort, and require officers to employ de-escalation techniques.
- Condition grants on state and local law enforcement agencies’ establishing the same use of force standard

### **Section 365 – Stop Militarizing Law Enforcement Act**

The bill would:

- Limit the transfer of military-grade equipment to state and local law enforcement

### **Subtitle C – Part I – Federal Police Camera and Accountability Act**

The bill would:

- Requires federal uniformed police officers to wear body cameras and marked federal police vehicles to have dashboard cameras. This would also commission a GAO study on federal police officer’s training, vehicle pursuits, and use of force interactions with the public.

### **Subtitle C – Part II – Police Camera Act**

The bill would:

- Require state and local law enforcement to use existing federal funds to ensure the use of police body cameras.

### **TITLE IV. JUSTICE FOR VICTIMS OF LYNCHING ACT**

- The bill would make it a federal crime to conspire to violate existing hate crimes laws.

## PRESIDENT'S TASKFORCE ON 21<sup>ST</sup> CENTURY POLICING COMPARISON TABLE

**Action Step 1: Review and update policies, training, and data collection on use of force. Emphasize de-escalation and alternatives to arrest or summons in situations where appropriate. Policies and training should include shoot/don't shoot scenarios and the use of less than lethal technologies.**

ACCREDITATION STANDARDS	ACSO POLICY AND TRAINING
CFA 2.02 – Policy must include alternatives to arrest.	<a href="#">ACSO 004</a> allows for use of discretion including warnings, NTA's and sworn complaints.
CFA 4.01M – Use of Force policy must follow Florida Law. Deputies may only use the amount of force necessary to achieve lawful objectives.	We require employees to attempt to use non-physical force alternatives prior to resorting to the use of force if possible. Deputies are CIT Trained in these alternative methods. – <a href="#">ACSO 802 IV.A</a>
CFA 4.02M – Employees must receive instruction on the agency's use of force policy before they are authorized to carry any lethal/less-lethal weapon.	Deputies receive and sign for the policy in DMS and it's taught in the new hire mini-academy. This includes discretionary shooting scenarios. – <a href="#">ACSO 802</a>
CFA 4.04M – Agency must have a policy on the firing of warning shots.	We are restrictive and do not allow warning shots. – <a href="#">ACSO 802.XI.E.2</a>
CFA 4.05M – Firearms usage, training, inspections and maintenance	Deputies receive far more than the required biennial mandatory qualification regarding firearms training. <a href="#">ACSO 602</a>
CFA 4.06M – Less-Lethal weapons usage, training and inspection	Deputies receive far more than the required minimum mandatory training for less-lethal weapons. <a href="#">ACSO 803</a>
CFA 4.07M – Written report and documented review must occur anytime force is used (firearm, less-lethal weapons, physical force.)	We require more reporting than standard use of force incidents because we also require use of force reporting for <u>displays</u> of force. Use of force reports are reviewed through the chain of command at many levels. <a href="#">ACSO 802.XII</a>
CFA 4.08M – Policy requires procedures for ensuring medical aid be provided after a use of force.	We require medical aid for use of force incidents where a subject either has a visible injury or complains of an injury, even if it isn't apparent. <a href="#">ACSO 802.X.B.1.a.iii</a>
CFA 4.09M – Annual administrative review and analysis is required for all use of force incidents	In addition to the multi-level use of force review for each incident, use of force reports are reviewed collectively to capture trends for which training may be required, helpful etc. OPS has an early warning system in place to require additional review monthly, quarterly and yearly. – <a href="#">OPS Manual page 25</a> .



**Action Step 2: Increase transparency by collecting and making data, policies, and procedures publicly available in multiple languages relevant to the local community through official website(s) and municipal open data portals. To accelerate this work, join the growing community of agencies participating in the Police Data Initiative to learn best practices around open data on policing, and to share challenges and successes along the way.**

ACCREDITATION STANDARDS	ACSO POLICY AND TRAINING
Limited accreditation policies currently exist in this area. CFA 2.06 requires community education and awareness efforts. Most agencies, including ours post this on their websites.	<p>The ACSO website was updated to provide additional assistance to those with disabilities and is also able to be translated into multiple languages.</p> <p>Policy and Accreditation has the most commonly used forms available to the public from English into Spanish including:</p> <ul style="list-style-type: none"> <li>• The Inmate Handbook</li> <li>• Waiver of Rights (Miranda)</li> <li>• Complaint Intake Form</li> <li>• Voluntary Consent to Search</li> <li>• Citizen Survey (online version)</li> </ul>

**Action Step 3: Call on the state Peace Officer Standards and Training (POST) Commission to implement training at all levels to ensure fair and impartial policing. This is CJSTC for Florida.**

ACCREDITATION STANDARDS	ACSO POLICY AND TRAINING
N/A	N/A

**Action Step 4: Examine hiring practices to better involve the community in recruiting and screening of recruits**

ACCREDITATION STANDARDS	ACSO POLICY AND TRAINING
CFA 8.01M – Recruitment Team must be training in Equal Employment Opportunity.	Review of the recruitment plan occurs yearly and is required by all recruitment team members. <a href="#">ACSO 304</a>
CFA 8.02M – The agency’s recruitment plan must contain elements to develop racial, ethnic and gender diversity.	Our recruitment plan contains what is required per accreditation standards including, goals, objectives, evaluation of progress and updates as needed. <a href="#">ACSO 304</a>
CFA 8.03 – All recruitment literature must advertise the agency is an equal opportunity employer.	Our literature meets this standard. We also advertise this on our website and agency applications as well as printed documents. <a href="#">ACSO 304</a>
CFA Chapter 9 – Selection – Contains 7 accreditation standards that speak to the following elements of the selection process for all LEO’s including reserves:	<p>Selection Process (CFA Chapter 9)</p> <p>We choose not to prove the first bullet (uniform, fair, job-related and non-discriminatory).</p> <p>We require a psychological fitness exam.</p>

<ul style="list-style-type: none"> <li>• Uniform, fair, job-related and non-discriminatory.</li> <li>• Psychological fitness</li> <li>• Physical fitness</li> <li>• Background check to include: warrants, fingerprints, local records check, prior employment and criminal history</li> </ul>	<p>We require a physical fitness test even though it's not required. <a href="#">ACSO 343</a></p> <p>We satisfy the background check elements according to the accreditation standards. <a href="#">HRB 008</a></p>
<b>Action Step 5: Ensure that officers have access to the tools that will keep them safe, such as bulletproof vests and tactical first aid kits and training. Policies should reinforce the use of seat belts and other protective practices.</b>	
ACCREDITATION STANDARDS	ACSO POLICY AND TRAINING
CFA 14.10M – Body armor must be issued, current (not expired) and required for pre-planned, high risk situations, and be readily available when the LEO is on-duty.	We supply soft body armor, rifle plated armor and off duty suitcase armor, and require deputies to wear it for high-risk situations, in training and for normal Patrol Operations and DOJ Transport activities. <a href="#">ACSO 345</a>
CFA 14.08M – Each patrol vehicle must be equipped with medical equipment with current supplies (as defined by the agency)	We supply first aid kits, car and personal trauma kits, and AED's, CPR masks. We also provide training that accompanies the products we supply and use. <a href="#">POD 200</a>
CFA 14.09M – Agency must have a policy in the use of safety belts.	We require safety belts be worn when driving agency vehicles and post flyer and have signage reminding the employees of this practice. <a href="#">ACSO 223</a>