



**LUELLE MONROE KENNON JR.
OFFICER-INVOLVED DEATH
PUBLIC REPORT**

Case Type: OFFICER INVOLVED SHOOTING

RPD Case No. P17-196932

TUESDAY, OCTOBER 31, 2017

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Date of Incident: October 31, 2017 – 1112 Hours

Location: Castle View Elementary School, Riverside, CA
6201 Shaker Dr., Riverside

Decedent: Luvelle Monroe Kennon, Jr. M 12/30/1989 (28-years)

Involved Officer(s): Detective Tanner Paes #675

I. Preamble:

The finding of the Community Police Review Commission (“Commission”) as stated in this report is based solely on the information presented to the Commission by the Riverside Police Department (“RPD”) criminal investigation case files, and follow-up investigative report submitted by CPRC Independent Investigator, Mike Bumcrot of “Mike Bumcrot Consulting,” Norco, California. The Commission reserves the ability to render a separate, modified, or additional finding based on its review of the Internal Affairs Administrative Investigation. Because the Administrative Investigation contains peace officer personnel information, it is confidential under State law, pursuant to CPC §832.7. Any additional finding made by the Commission that is based on the administrative investigation is also deemed confidential, and therefore cannot be made public.

II. Finding:

On September 25, 2019, by a vote of 7 to 0 (1 vacancy and 1 absence), the Commission found that the officer’s actions were consistent with RPD policy (Section 300 – Use of Force Policy, and 304.2 – Handcuffing and Restraints) based on the objective facts and circumstances determined through the Commission’s review and investigation.

Ortiz	Evans	Smith	Huerta	DeBrier	Berrellez	Levine	Teichert	Vacant
✓	✓	✓	✓	✓	✓	✓	✓	

III. Standard of Proof for Finding:

In coming to a finding, the Commission applies a standard of proof known as the “Preponderance of Evidence.” Preponderance generally means “more likely than not,” or may be considered as just the amount necessary to tip the scale. The Commission need not have certainty in their findings, nor do they need to support their finding “beyond a reasonable doubt.” The Preponderance of Evidence standard of proof is the same standard applied in most civil court proceedings.

IV. Incident Summary:

On October 31, 2017, at approximately 1112 hours, Luvelle Kennon went to Castle View Elementary School to pick his daughter up. Prior to Kennon’s arrival, his mother, Tonya Kennon went to the school and met with principle Tiffany Farris.

Tonya Kennon told Farris not to release her granddaughter to her son because he was “having an episode.” Kennon arrived at the school office minutes after his mother and contacted Farris stating that he was there to pick-up his daughter. According to Farris and Kennon’s mother, he appeared angry. Kennon saw that his mother was in the principal’s office and banged on the window and told his mother to come out however she refused. Farris heard Kennon say that he was going to get his daughter no matter what.

Decedent Kennon forced his way onto the campus without following the proper procedures. Farris then called for a school lockdown before running after Kennon. The front office staff notified the police department in regard to Kennon’s actions.

As Kennon entered the school yard he went directly to his daughter’s classroom where her teacher, Ms. Linda Montgomery, was present by herself. Farris followed Kennon to the front of the classroom and told him that he did not have to do this. Kennon continued into Montgomery’s classroom and shut the door. Farris ran to the other door that leads to the classroom from the center pod that provides access to additional classrooms. The door was locked and she could not make entry.

Carlos Gallardo, an individual that was at the school having lunch with his spouse who is a teacher at the school, heard the school lock-down announcement. Gallardo saw Farris looking into Montgomery’s classroom and asked her what was going on. Farris told Gallardo that a man was locked in the classroom with one of the teachers. Gallardo was able to gain access into the classroom and asked Kennon if he could help him. Kennon then struck Gallardo in the face with his fist, breaking his nose. With this diversion, Montgomery ran out of the classroom. Kennon gave chase and caught up to her approximately 20-yards from the classroom. Kennon grabbed Montgomery and she fell to the ground. Gallardo recalled that Kennon had Montgomery in a headlock when he grabbed her.

Carlos Gallardo jumped onto Kennon’s back and tried to put a headlock on him so he would stop assaulting Montgomery. Kennon threw Gallardo off and began punching him several more times before moving back toward Montgomery. Kennon took Montgomery by the hair and drug her back into the classroom.

Decedent Kennon told Montgomery to sit on the floor as he screamed at her to get his daughter. While doing so, Kennon began stacking desks in front of the doors and moving furniture to barricade himself and Montgomery inside the room. When Kennon saw the initial arriving officers, he sprayed the whole room with a fire extinguisher in an attempt to better conceal his movements. Responding officers established a perimeter around the classroom while other officer began evacuating students and faculty from the area.

Decedent Kennon moved an old “cubby” shelf in a position to from an angle with the wall and a folding “accordion” style partition wall. He forced Montgomery to sit behind the cubby shelf with him. Hostage Negotiation (HNT) members called out to Montgomery in an attempt to open dialogue with them however Kennon would not allow her to respond for the exception of two requests by HNT.

Decedent Kennon allowed her to cough one time and then allowed her to tell the HNT members she was okay. Kennon armed himself with a pair of scissors from Montgomery's desk and then sat down next to her once again.

From approximately 1220 hours until 1744 hours, HNT tried numerous times to establish communications with Kennon but were unsuccessful since he refused to reply. Kennon did not negotiate with HNT. Kennon spoke only with his grandfather over the phone at approximately 1543 hours however he still refused to exit the classroom and would not allow Montgomery to leave. Kennon said very few words to the HNT members and said nothing for the last three hours before officers entered.

A full METRO/SWAT Team had been called to the scene and waited while HNT tried to negotiate with Kennon. The classrooms at Castle View Elementary school are situated in a pod style with a common area in the middle that is accessible from each room. The larger classrooms around the common area were all separated by a folding wall partition. Kennon and Montgomery were in classroom A-1 which shared a folding wall with classroom A-6. The METRO team had personnel inside classroom A-6 and utilized a small camera device to attempt to locate where Kennon and Montgomery were located. Other METRO members were situated in tactical positions on the perimeter around the classroom.

At approximately 1745 hours, based on Kennon's unwillingness to negotiate, the age of the hostage victim (70-years) and not knowing Montgomery's condition, the SWAT Commander gave the team an order to initiate a rescue. The entry plan was to disorient Kennon with interior and exterior light sound devices. The entry team entered classroom A-1 from room A-6. Entry was made by opening the accordion style partition wall. Detective Paes was assigned as the first team member to enter. As the partition wall was opened, it stopped abruptly due to striking an object in its path. The partition only opened about 1' and Paes got stuck as he attempted to force his way through. According to Paes, Kennon and Montgomery were lying on the floor to his left in a "spooning" position with Kennon behind Montgomery. Kennon and Montgomery were lying on their right side, facing the partition wall.

Detective Paes saw Kennon with his left arm around Montgomery's neck area and was holding an object in his hand which Paes initially thought might be a knife. Paes stated he was more afraid that Kennon was choking Montgomery and was going to break her neck by the way he held her. Paes ordered Kennon to let go of Montgomery but he refused and held her even tighter toward his own body. He was uncertain if she was alive. Paes heard something that Kennon had in one of his hands fall to the floor. He then noticed that the item was a pair of scissors. Fearing that Kennon was killing Montgomery or about to kill her in front of him, Paes fired five rounds at Kennon. Kennon then stopped moving and Montgomery was able to crawl to the officers who took hold of her and removed her from the classroom. Kennon was secured and transported to Riverside Community Hospital where he succumbed to his injuries,

Decedent Kennon sustained gunshot wounds to his upper rear left leg, left buttocks, scrotum and lower left abdomen.

Victim Montgomery sustained bruises on her upper right arm, upper left arm, right and left knees, and had complaint of pain on the top of her head from her hair being pulled as Kennon drug her along the ground by the hair.

The crime scene was subsequently secured as detectives conducted their investigation.

V. CPRC Follow-Up:

The Commission requested a cover to cover review of the Criminal Casebook by CPRC Independent Investigator Mike Bumcrot of Bumcrot Consulting, located in Norco, California.

Mr. Bumcrot is a nationally recognized expert in homicide and Officer Involved Death cases. The purpose of this review is for Mr. Bumcrot to provide the CPRC with his findings based upon his experience and expertise. Mr. Bumcrot felt that the investigation conducted by the Riverside Police Department was thorough and all evidence collected and preserved was completed accordingly.

VI. Evidence and Methodology:

The relevant evidence in this case evaluation consisted primarily of the testimony of a kidnap and assault victim, the officer involved, three witness officers, RFD personnel and paramedics. In addition, a Deputy Coroner investigation and autopsy report, along with police reports and photographs, forensic examination results and a report by the independent CPRC investigator.

VII. Applicable RPD Policy(s); Penal Codes and Case Law:

RPD – Policy Manual, Policy 300

USE OF FORCE

Policy 300.3, Use of Force

Officers shall use only that amount of force that reasonably appears necessary given the facts and circumstances perceived by the officer at the time...

Policy 300.3.2, Use of Force Factors

(a) Immediacy and severity of the threat to officers and others; (b) conduct of the individual being confronted; (e) suspect's mental state or capacity; (f) proximity to weapons; (k) potential injury to officers, suspects and others; (l) whether person appears to be resisting, evading, or attacking; (m) risk and reasonable foreseeable consequences of escape; (q) any other exigent circumstances

Other Applicable RPD Policy(s): (Refer to RPD Policy Manual)

307 Investigation of officer Involved Shootings and Incidents Where a Death or Serious likelihood of Death Results

406 SWAT

410 Hostage & Barricade Incidents

California Penal Code § 835a states:

“Any peace officer who has reasonable cause to believe that the person to be arrested has committed a public offense may use reasonable force to effect the arrest, to prevent escape or to overcome resistance. A peace officer who makes or attempts to make an arrest need not retreat or desist from his efforts by reason of the resistance or threatened resistance of the person being arrested; nor shall such officer be deemed an aggressor or lose his right to self-defense by the use of reasonable force to effect the arrest or to prevent escape or to overcome resistance.”

People v. Turner, 2 Cal.App.3d 632 (1969), the right of police officer to assure his own safety during the course of an investigation is not limited to disarming the person immediately before him. The officer may do anything reasonably necessary to neutralize the threat of physical harm.

Graham v. Connor, 490 U.S. 396 (1989), considered the reasonableness of a police officer’s use of force, and instructed that the reasonableness must be judged from the perspective of a reasonable officer on scene.

VIII. Rationale for Finding – Within Policy:

After a complete and thorough review of all investigative reports, all known facts, evidence and open session deliberations, the CPRC finds that the actions taken by officer(s) in the use of deadly force was within policy.

Decedent Kennon forcibly entered the school grounds at Castle View Elementary School in attempt to pick-up his daughter. He entered his daughter’s classroom and found only her teacher, Victim Montgomery inside. He then locked himself and Montgomery in the classroom against her will and with the use of force and fear, would not allow her to leave the classroom. The school principal, Tiffany Farris attempted to intervene and was unsuccessful.

A good Samaritan, Carlos Gallardo, who happened to be on campus having lunch with his wife, a school employee, recognized what was happening and also attempted to intervene and assist Montgomery who had been taken hostage. Gallardo found a way to get into the classroom and confronted Kennon. Kennon struck Gallardo in the face with a fist, breaking his (Gallardo’s) nose. Gallardo’s intervention gave Montgomery the opportunity to escape the classroom but Kennon gave chase. Gallardo also gave chase to Kennon as he (Kennon) grabbed hold of Montgomery.

Gallardo jumped onto Kennon’s back and attempted to put him in a headlock in order to stop him from assaulting Montgomery.

Decedent Kennon threw Gallardo off his back and repeatedly began punching him while Gallardo was on the ground. During this time, Montgomery had fallen to the ground. Kennon grabbed her by the hair and drug her across the ground and back into the classroom. Kennon then locked the doors and barricaded himself and Montgomery in the classroom.

Riverside Police Department METRO/SWAT and Hostage Negotiation Team members arrived at the scene and took control of the kidnapping/hostage scene. HNT members inserted a "throw phone" into the room in order to establish communication with Kennon. HNT members attempted to negotiate with Kennon for nearly 6-hours. He said only a few words the entire time. He refused to negotiate. He allowed Montgomery to cough one time to satisfy officers that she was still alive.

After approximately 6 hours transpired, the SWAT Commander elected to give SWAT members an order to make entry to rescue Montgomery. The decision was based upon the fact that Kennon made no effort to negotiate with HNT, the age of Victim Montgomery (70-years) vs Kennon, and not knowing what Montgomery's physical condition was since Kennon would not allow her to say anything and more than 3-hours had passed by since anything was heard from Montgomery (cough).

Decedent Kennon was given many opportunities by RPD to give up or release Montgomery which he refused to do. He spoke to his grandfather over the telephone for a few minutes and still refused to comply with RPD or even give some type of verbal acknowledgment. Kennon already displayed violent behavior by physically punching Gallardo numerous times as he attempted to intervene and help Montgomery. In addition, Kennon demonstrated violence against Montgomery by physically assaulting her, knocking her to the ground then dragging her by her hair across the ground and back into her classroom.

The CPRC felt that based upon the above set of circumstances, the entry into the classroom by SWAT officers at the time they did was proper and appropriate considering the welfare of the victim. The CPRC also felt that the use of deadly force under the circumstances was within policy and did not violate any laws or rules. Kennon had Montgomery on the floor, cradling her body with his, holding her around her throat and neck with one arm. In the other he had what was later determined to be a pair of scissors. The officer making entry feared for Montgomery's life since Kennon had a weapon (scissors) and one arm wrapped around Montgomery's throat/neck. In addition, the officer making entry got stuck in the door opening and was unable to move forward toward Kennon and Montgomery.

IX. Recommendations:

None.

X. **Closing:**

The Commission offers its empathy to the community members, police officers, and City employees who were impacted by the outcome of this incident, as any loss of life is tragic, regardless of the circumstances.

APPENDIX

Mike Bumcrot Consulting Report of Investigation

Section A

RPD Policy 300 / Policy 300.3, Use of Force; **Policy 300.3.2**, Use of Force Factors; **Policy 307** Investigation of officer Involved Shootings and Incidents Where a Death or Serious likelihood of Death Results **Policy 406** SWAT **Policy 410** Hostage & Barricade Incidents

Section B

MIKE BUMCROT CONSULTING

REPORT OF INVESTIGATION

DATE: November 12, 2017

SUBJECT: Officer Involved Shooting Death of Luvelle Kennon, which occurred on October 31, 2017

CASE: Riverside Police Department File #P17-196932

LOCATION: 6201 Shaker Drive, Riverside, Castleview Elementary School

On November 7, 2017, I attended a briefing of the above incident, conducted by Riverside Police Detectives. I learned that on October 31, 2017, Luvelle Kennon entered the office at Castleview Elementary School and demanded that his first grade daughter be released to him. When the school employees hesitated to produce his daughter, Mr. Kennon walked out an office door on to the school grounds. Because Mr. Kennon was acting irrational and carrying 2 duffel type bags, a lock down of the school was ordered.

Mr. Kennon approached his daughter's teacher, Linda Montgomery, and began to demand the whereabouts of his daughter. He was advised that the children were at lunch and Mr. Kennon began to physically and verbally attack the teacher.

Carlos Gallardo, the husband of another teacher at the school, was eating lunch with his wife when he heard the lock down order over the public address system. He then witnessed the physical attack on Ms. Montgomery and came to her aid. Mr. Gallardo attempted to calm Mr. Kennon and was viciously beaten, receiving numerous facial injuries.



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Mr. Kennon dragged Ms. Montgomery in to her classroom and immediately began barricading the doorway by dragging chairs and desks to block the entrance. Over the next several hours, police officers attempted to communicate with Mr. Kennon and/or his hostage, with negative results.

Over 6 hours after the incident begun, a plan was devised to rescue Ms. Montgomery. After diversionary tactics were conducted, entry was made in to the classroom and an Officer Involved Shooting occurred. A large pair of scissors was found next to Mr. Kennon.

On November 8, 2017, I responded to Castlevue Elementary School, which is located on Shaker Drive between Century Avenue and Lynridge Avenue. In an attempt to locate possible witnesses to the incident, I knocked on several residence doors but was unable to locate anyone who saw Mr. Kennon arrive at the school. Not wanting to disrupt the school, which was in progress, I did not contact anyone at the school office.

I will review the entire circumstances of the Officer Involved Death of Mr. Kennon when the Riverside Police Department provides me access to their files.



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Use of Force

300.1 PURPOSE AND SCOPE

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

300.1.1 DEFINITIONS

Definitions related to this policy include:

Deadly force - Any use of force that creates a substantial risk of causing death or serious bodily injury, including but not limited to the discharge of a firearm (Penal Code § 835a).

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

300.2 POLICY

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

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

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

300.2.1 DUTY TO INTERCEDE

Any officer present and observing another officer using force that is clearly beyond that which is objectively reasonable under the circumstances shall, when in a position to do so, intercede to prevent the use of unreasonable force. An officer who observes another employee use force that exceeds the degree of force permitted by law should promptly report these observations to a supervisor.

300.3 USE OF FORCE

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

The reasonableness of force will be judged from the perspective of a reasonable officer on the scene at the time of the incident. Any evaluation of reasonableness must allow for the fact that officers are often forced to make split-second decisions about the amount of force that reasonably

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appears necessary in a particular situation, with limited information and in circumstances that are tense, uncertain, and rapidly evolving.

Given that no policy can realistically predict every possible situation an officer might encounter, officers are entrusted to use well-reasoned discretion in determining the appropriate use of force in each incident.

It is also recognized that circumstances may arise in which officers reasonably believe that it would be impractical or ineffective to use any of the tools, weapons, or methods provided by the Department. Officers may find it more effective or reasonable to improvise their response to rapidly unfolding conditions that they are confronting. In such circumstances, the use of any improvised device or method must nonetheless be objectively reasonable and utilized only to the degree that reasonably appears necessary to accomplish a legitimate law enforcement purpose.

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

300.3.1 USE OF FORCE TO EFFECT AN ARREST

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

300.3.2 FACTORS USED TO DETERMINE THE REASONABLENESS OF FORCE

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

- (a) The apparent immediacy and severity of the threat to officers or others (Penal Code § 835a).
- (b) The conduct of the individual being confronted, as reasonably perceived by the officer at the time.
- (c) Officer/subject factors (age, size, relative strength, skill level, injuries sustained, level of exhaustion or fatigue, the number of officers available vs. subjects).
- (d) The conduct of the involved officer (Penal Code § 835a).
- (e) The effects of drugs or alcohol.
- (f) The individual's apparent mental state or capacity (Penal Code § 835a).
- (g) The individual's apparent ability to understand and comply with officer commands (Penal Code § 835a).

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- (h) Proximity of weapons or dangerous improvised devices.
- (i) The degree to which the subject has been effectively restrained and his/her ability to resist despite being restrained.
- (j) The availability of other reasonable and feasible options and their possible effectiveness (Penal Code § 835a).
- (k) Seriousness of the suspected offense or reason for contact with the individual.
- (l) Training and experience of the officer.
- (m) Potential for injury to officers, suspects, and others.
- (n) Whether the person appears to be resisting, attempting to evade arrest by flight, or is attacking the officer.
- (o) The risk and reasonably foreseeable consequences of escape.
- (p) The apparent need for immediate control of the subject or a prompt resolution of the situation.
- (q) Whether the conduct of the individual being confronted no longer reasonably appears to pose an imminent threat to the officer or others.
- (r) Prior contacts with the subject or awareness of any propensity for violence.
- (s) Any other exigent circumstances.

300.3.3 PAIN COMPLIANCE TECHNIQUES

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

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

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

300.3.4 CAROTID CONTROL HOLD

The proper application of the carotid control hold may be effective in restraining a violent or combative individual. However, due to the potential for injury, the use of the carotid control hold is subject to the following:

- (a) The officer shall have successfully completed department-approved training in the use and application of the carotid control hold.

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- (b) The carotid control hold may only be used when circumstances perceived by the officer at the time indicate that such application reasonably appears necessary to control a person in any of the following circumstances:
 - 1. The subject is violent or physically resisting.
 - 2. The subject, by words or actions, has demonstrated an intention to be violent and reasonably appears to have the potential to harm officers, him/herself or others.
- (c) The application of a carotid control hold on the following individuals should generally be avoided unless the totality of the circumstances indicates that other available options reasonably appear ineffective, or would present a greater danger to the officer, the subject or others, and the officer reasonably believes that the need to control the individual outweighs the risk of applying a carotid control hold:
 - 1. Females who are known to be pregnant
 - 2. Elderly individuals
 - 3. Obvious juveniles
 - 4. Individuals who appear to have Down syndrome or who appear to have obvious neck deformities or malformations, or visible neck injuries
- (d) Any individual who has had the carotid control hold applied, regardless of whether he/she was rendered unconscious, shall be taken for a medical booking clearance (OK to book) as soon as practicable and should be monitored until examined by paramedics or other appropriate medical personnel.
- (e) The officer shall inform any person receiving custody, or any person placed in a position of providing care, that the individual has been subjected to the carotid control hold and whether the subject lost consciousness as a result.
- (f) Any officer attempting or applying the carotid control hold shall promptly notify a supervisor of the use or attempted use of such hold.
- (g) The use or attempted use of the carotid control hold shall be thoroughly documented by the officer in any related reports.

300.3.5 USE OF FORCE TO SEIZE EVIDENCE

In general, officers may use reasonable force to lawfully seize evidence and to prevent the destruction of evidence. However, officers are discouraged from using force solely to prevent a person from swallowing evidence or contraband. In the instance when force is used, officers should not intentionally use any technique that restricts blood flow to the head, restricts respiration or which creates a reasonable likelihood that blood flow to the head or respiration would be restricted. Officers are encouraged to use techniques and methods taught by the Riverside Police Department for this specific purpose.

300.4 DEADLY FORCE APPLICATIONS

If an objectively reasonable officer would consider it safe and feasible to do so under the totality of the circumstances, officers should evaluate the use of other reasonably available resources and

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techniques when determining whether to use deadly force. The use of deadly force is only justified in the following circumstances (Penal Code § 835a):

- (a) An officer may use deadly force to protect him/herself or others from what he/she reasonably believes is an imminent threat of death or serious bodily injury to the officer or another person.
- (b) An officer may use deadly force to apprehend a fleeing person for any felony that threatened or resulted in death or serious bodily injury, if the officer reasonably believes that the person will cause death or serious bodily injury to another unless immediately apprehended. Where feasible, the officer shall, prior to the use of force, make reasonable efforts to identify themselves as a peace officer and to warn that deadly force may be used, unless the officer has objectively reasonable grounds to believe the person is aware of those facts.

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

An “imminent” threat of death or serious bodily injury exists when, based on the totality of the circumstances, a reasonable officer in the same situation would believe that a person has the present ability, opportunity, and apparent intent to immediately cause death or serious bodily injury to the officer or another person. An officer’s subjective fear of future harm alone is insufficient as an imminent threat. An imminent threat is one that from appearances is reasonably believed to require instant attention (Penal Code § 835a).

300.4.1 SHOOTING AT OR FROM MOVING VEHICLES

Shots fired at or from a moving vehicle are rarely effective. Officers should move out of the path of an approaching vehicle instead of discharging their firearm at the vehicle or any of its occupants. An officer should only discharge a firearm at a moving vehicle or its occupants when the officer reasonably believes there are no other reasonable means available to avert the threat of the vehicle, or if deadly force other than the vehicle is directed at the officer or others.

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

300.5 REPORTING THE USE OF FORCE

Any use of force by a member of this department shall be documented promptly, completely and accurately in an appropriate report, depending on the nature of the incident. The officer should articulate the factors perceived and why he/she believed the use of force was reasonable under the circumstances. To collect data for purposes of training, resource allocation, analysis and related purposes, the Department may require the completion of additional report forms, as specified in department policy, procedure or law.

300.5.1 NOTIFICATION TO SUPERVISORS

Any application of force used by an Officer shall be reported to a supervisor as soon as practicable.

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300.5.2 REPORTABLE USE OF FORCE ADMINISTRATIVE REVIEW

Supervisors shall be required to complete an administrative review of the application of force used by an officer when;

- (a) The application of the force used by the officer appears to have caused physical injury to the suspect or required medical assistance.
- (b) The application of the force by the officer included personal body weapons, a chemical irritant, electronic control device, carotid restraint, baton or firearm.
- (c) The application of force by the officer appears to have rendered the suspect unconscious.

300.5.3 WARNING SHOTS

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

300.5.4 REPORT OF WEAPON DISCHARGE

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

300.5.5 REPORTING TO CALIFORNIA DEPARTMENT OF JUSTICE

The Records Bureau Manager or the authorized designee shall ensure that data required by the Department of Justice (DOJ) regarding all officer-involved shootings and incidents involving use of force resulting in serious bodily injury is collected and forwarded to the DOJ as required by Government Code § 12525.2.

300.6 MEDICAL CONSIDERATION

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

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

The on-scene supervisor or, if the on-scene supervisor is not available, the primary handling officer shall ensure that any person providing medical care or receiving custody of a person following any

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use of force is informed that the person was subjected to force. This notification shall include a description of the force used and any other circumstances the officer reasonably believes would be potential safety or medical risks to the subject (e.g., prolonged struggle, extreme agitation, impaired respiration).

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

300.7 SUPERVISOR RESPONSIBILITY

A supervisor shall respond to an incident in which there has been a reportable use of force, and the supervisor is expected to:

- (a) Obtain the basic facts from the involved officers. Absent an allegation of misconduct or excessive force, this will be considered a routine contact in the normal course of duties.
- (b) Ensure that any injured parties are examined and treated.
- (c) When possible, separately obtain a recorded interview with the subject upon whom force was applied. If this interview is conducted without the person having voluntarily waived his/her *Miranda* rights, the following shall apply:
 1. The content of the interview should not be summarized or included in any related criminal charges.
 2. The fact that a recorded interview was conducted should be documented in a supplemental police report.
 3. The recording of the interview should be distinctly marked for retention until all potential for civil litigation has expired.
- (d) Once any initial medical assessment has been completed or first aid has been rendered, ensure that photographs have been taken of any areas involving visible injury or complaint of pain, as well as overall photographs of uninjured areas. These photographs should be retained until all potential for civil litigation has expired.
- (e) Identify any witnesses not already included in related reports.
- (f) Review and approve all related reports.
- (g) Determine if there is any indication that the subject may pursue civil litigation.
 1. If there is an indication of potential civil litigation, the supervisor should complete and route a notification of a potential claim through the appropriate channels.

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- (h) Evaluate the circumstances surrounding the incident and initiate an administrative investigation if there is a question of policy non-compliance or if for any reason further investigation may be appropriate.

300.7.1 WATCH COMMANDER RESPONSIBILITY

The Watch Commander shall review each use of force by any personnel within his/her command to ensure compliance with this policy and to document any training issues within the Early Warning System.

300.8 TRAINING

Officers will receive periodic training on this policy and demonstrate their knowledge and understanding.

300.9 USE OF FORCE ANALYSIS

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

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

SWAT

406.1 DEFINITION

The Special Weapons and Tactics (SWAT) Team is a designated group of officers that are selected, trained and equipped to work as a coordinated team to resolve critical incidents that are hazardous, complex or unusual and typically exceed the capabilities of first responders or other investigative units. They consist of officers from the Special Weapons and Tactics (SWAT) Team, Technical Services Unit (TSU), Long Rifle / Observer Teams, SWAT K9, and the Emergency Negotiations Team (ENT).

406.2 POLICY

The purpose of a SWAT Team activation or response is to increase the likelihood of safely resolving critical incidents. To accomplish this goal, the SWAT Team is organized into specific team components and considers department policy, risk assessments, planning and current team capabilities to mitigate each incident.

The structure and protocol contained within this policy are written to comply with the guidelines established in the Attorney General's Commission on Special Weapons and Tactics Report (September 2002) and the POST 2005 SWAT Operational Guidelines and Standardized Training Recommendations (Penal Code 13514.1).

406.3 OPERATIONAL PROCEDURES

In addition to this policy, the Special Operations Division shall prepare and maintain a separate document, outlining specific SWAT Operational Procedures. The document shall be reviewed and updated on an annual basis and shall be approved by the Special Operations Division Commander. The SWAT Team's operational procedures manual shall be patterned after current best practices and will outline departmentally approved tactics, in which to achieve safe resolutions. The designated author and custodian of the document shall be assigned by the SWAT Team Commander, who will review all annual updates. The author shall consider any updated documentation from POST and other recognized resources such as the National Tactical Officers Association and California Association of Tactical Officers.

406.4 SWAT TEAM ELEMENTS

The SWAT Team is led by a SWAT Commander and SWAT sergeants. The SWAT Team is comprised of elements that specialize in three basic operational functions; command and control, containment and entry/apprehension, and rescue. The SWAT Team elements primarily responsible for performing these functions are METRO, and collateral SWAT Blue, White, Long Rifle/Observer, and K9 teams. Additionally, the SWAT Team is comprised of elements that specialize in negotiations and technical services.

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406.4.1 SWAT TEAM COMMANDER

The SWAT Team Commander is the Special Operations Bureau Lieutenant, or his/her designee. The SWAT Team Commander reports directly to the Special Operations Division Commander and shall assume full command of all SWAT Team members on SWAT Team activations or other critical incidents wherein the SWAT Team has been deployed.

406.4.2 SWAT TEAM SERGEANTS

SWAT Teams are supervised by SWAT sergeants. SWAT Team sergeants report directly to the SWAT Team Commander and may serve as the Interim SWAT Team Commander in his/her absence.

406.4.3 METRO

METRO or "Red Team" is comprised of SWAT sergeants and officers. METRO is assigned to the Special Operations Division and is a fulltime complement of the SWAT Team.

406.4.4 COLLATERAL SWAT TEAMS

The collateral units of the SWAT Team are identified as the "White" and "Blue" Teams. Each of these Teams is supervised by a SWAT sergeant and the operators are comprised of officers and or detectives.

The selection of sergeants to SWAT collateral Teams is predicated on the mutual understanding that their progression to METRO is expected upon vacancies occurring in METRO.

406.4.5 LONG RIFLE / OBSERVER TEAMS

The collateral duty Long Rifle/Observer Teams are supervised by SWAT sergeants and the operators are comprised of officers and/or detectives.

406.4.6 SWAT K9

The collateral SWAT Team K-9 element is comprised of designated canine handlers and their police service dogs and is supervised by a SWAT Team sergeant when working in the capacity as a SWAT Team operator.

406.4.7 EMERGENCY NEGOTIATIONS TEAM (ENT)

The collateral duty Emergency Negotiation Teams are comprised of ENT sergeants and the operators are comprised of officers and/or detectives.

406.4.8 TECHNICAL SERVICES UNIT (TSU)

The Technical Services Unit is comprised of one (1) collateral TSU sergeant, two (2) full time TSU detectives, and two (2) collateral TSU bomb technicians. TSU is assigned to the Field Operations Division and reports directly to the Field Operations Traffic Bureau Lieutenant.

TSU assists with specialized entry techniques, surveillances, and rendering safe hazardous devices.

SWAT

406.5 CRITERIA FOR ACTIVATING THE SWAT TEAM

A rapidly evolving critical incident may necessitate a field supervisor or first responder to initiate immediate action to rescue a citizen and/or an officer who may be gravely injured or in imminent threat of serious injury or death. In these situations, field supervisors or first responders are encouraged to formulate and carry out tactical plans that are consistent with the training, equipment, and capability of the police personnel readily available to them. In these types of situations, the activation of the SWAT Team should be initiated as soon as practical. In all other circumstances, when time allows, the following criteria shall be evaluated and serve as the operational guidelines for the activation of the SWAT Team.

406.5.1 REQUIRED SWAT TEAM ACTIVATIONS

- (a) Hostage Situations - When the suspect(s) is:
 - 1. Holding someone against their will.
 - 2. Being contained by officers, and is refusing to release the victim(s) and surrender.
 - 3. Armed or has access to any type of weapon.
 - 4. Capable of injuring or has injured the hostages.
- (b) Barricaded Suspects - When the suspect(s) is:
 - 1. Believed to be armed.
 - 2. Believed to be involved in a criminal act or is a threat to citizens/police.
 - 3. In a position affording cover or concealment.
 - 4. Refuses to submit to law enforcement.
- (c) Sniper Activity/Open Area Searches - When the suspect(s) is or has:
 - 1. A position of advantage and has the ability to lie in wait for the opportunity to shoot or injure someone.
 - 2. Shot or tried to shoot another person from a position of concealment.
 - 3. Believed to be contained by police personnel.
 - 4. Refused to surrender.
- (d) Rescue Work - In instances where:
 - 1. An officer or civilian has been injured and emergency personnel cannot attend to the victim(s) because a suspect is armed and is intentionally preventing the victim's rescue.
 - 2. Time allows and there are on-duty SWAT Team personnel in the field who are trained in tactical rescue work.

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- (e) Warrant Service/Remote Takedown:
 - The investigating division planning a warrant service or remote takedown shall evaluate and prepare the Operational Assessment Form contained in the Search Warrants, Probation and Parole Searches policy, and shall consult the SWAT Team Commander, or designee, as required.
- (f) Dignitary Protection - Whenever:
 1. A domestic or foreign dignitary is to visit the City of Riverside.
 2. The dignitary or VIP's protective agency requests additional protection or services.
- (g) Riot/Crowd Control or Planned Demonstrations:
 - The SWAT Team shall work in conjunction with Riverside Police Department Mobile Field Force personnel and will be deployed when:
 - (a) An unruly crowd cannot be controlled by on-duty personnel.
 - (b) A field supervisor believes that a crowd control situation may escalate beyond control.
 - (c) Intelligence information indicates the possibility of a crowd control problem.
- (h) Escort for Hazardous or Sensitive Materials:
 - The SWAT Team shall be used whenever an armed escort is needed for the transportation of material of a hazardous, valuable, or sensitive nature (i.e., large quantities of money, drugs, or hazardous materials) to a predetermined location for safety or disposal.
- (i) Counter Terrorist Activities:
 - The SWAT Team shall work with the Riverside Police Department Intelligence Unit or other designated personnel from allied agencies whenever terrorist activities are suspected. Examples include, but are not limited to, suspects utilizing weapons of mass destruction (WMD) or suicide/homicide bombers.
- (j) Unusual Incidents:
 - Whenever a supervisor involved in an investigation believes that the expertise or special equipment of the SWAT Team would assist in safe resolution of the incident.

406.6 SWAT TEAM ACTIVATION PROTOCOL

- (a) Procedure:

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- A request for the SWAT Team can be made by any Command Officer or Watch Commander to the SWAT Team Commander
 - The SWAT Team Commander will assess the circumstances of the request and determine the necessity of SWAT activation.
- (b) Management Guidelines for SWAT Team Activations:
1. Incident Commander Responsibilities: In the event of an activation of the SWAT Team, the ranking officer on-scene shall assume the role of Incident Commander and will act as such until relieved by the Watch Commander. The Incident Commander shall prepare for the anticipated arrival of SWAT Team personnel and will, at a minimum, initiate the preparatory steps to ensure the immediate preservation of life and property. These steps shall include, but are not limited to, the following:
 - (a) Establish the inner and outer perimeter.
 - (b) Account for the personnel on-scene and their location.
 - (c) Evaluate the need to evacuate injured or potentially involved persons who are within the immediate areas of danger.
 - (d) Ensure medical aid is on-scene or within close proximity and available to immediately respond if necessary.
 - (e) Establish an arrest/react team and tactically position them to respond appropriately to the action of the suspect.
 - (f) Attempt to establish preliminary communications with the suspect to negotiate a resolution.
 - (g) Establish an Incident Command Post.
 - (h) Identify a location for a Tactical Command Post, considering the anticipated arrival of SWAT Team personnel and accompanying support vehicles.
 2. Tactical Command Responsibilities:
 - The first arriving SWAT Team operator shall report to the Incident Commander and shall be briefed on the current status of the incident and deployment of Field Operations personnel and resources. The SWAT Team operator shall ensure the initial preparatory safety steps have been accomplished and will manage the incident in conjunction with the Incident Commander. The initial SWAT Team operator shall direct the deployment of subsequent arrival of SWAT Team personnel and will maintain his/her duties until relieved by a SWAT Team supervisor. The SWAT Team

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supervisor shall assume the role of Tactical Commander, until relieved by the SWAT Team Commander.

406.7 TRAINING

(a) Training Overview:

1. Initial Training:

- SWAT Team operators and sergeants shall successfully complete a POST certified Basic SWAT Academy and demonstrate proficiency in the listed Core Competency Training areas before fully participating in SWAT activations or deployments.

2. Core Competency Training:

- (a) Tactical deliveries: Weapons, munitions and equipment
- (b) Individual/Team movements and tactical operations
- (c) Decision making
- (d) SWAT Team integration

3. SWAT Training Disciplines and Compliance:

- Specific SWAT training topics, disciplines and guidelines shall be contained within the Special Operations Division SWAT Team Operational Procedures Manual. The manual shall articulate and detail the departmentally approved tactics to be trained to safely resolve SWAT Team related critical incidents and activations.

(b) SWAT Team Training Requirements:

- (a) Designated training for METRO ("Red" Team) shall consist of one (1) full duty day per week (25% of their duty time) and one (1) full week (40 hours) per calendar year.
- (b) Designated training for collateral SWAT Blue and White Teams shall consist of two (2) full duty days per month and one (1) full week (40 hours) per calendar year.
- (c) Designated training for the Long Rifle/Observers Team shall consist of two (2) full duty days per month and one (1) full week (40 hours) per calendar year. One (1) training day every other month shall be dedicated to cross training with METRO/SWAT.
- (d) Designated training for the SWAT K-9 Teams shall be determined by the training topic. SWAT K-9 Teams shall attend team movement related training sessions.

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- (e) Designated training for ENT shall consist of a minimum of four (4) hours of duty time, one (1) day per month.
- (f) TSU shall conduct on-going training as necessary.
- (g) Designated training requirements for all SWAT Team elements may be changed to meet the needs of the Department.
- (c) Command/Executive Training:
 - o Command and executive level personnel are encouraged to attend team training sessions for managing the SWAT Team functions at the organization level and to ensure personnel who provide active oversight at the scene of SWAT operations understand the purpose and capabilities of the SWAT Team.
 - o It is preferred that Command level Officers who may assume tactical command responsibilities, attend a SWAT or a Critical Incident Commander training course or its equivalent. The SWAT Team Commander should also attend a POST certified SWAT commander or tactical commander course, or its equivalent upon his/her appointment.
- (d) Updated Training:
 - o SWAT operators, sergeants and lieutenants should attend and complete 24 hours of POST certified SWAT update or refresher training, or its equivalent every 24 months. Other advanced training assignments should be evaluated by the SWAT Team Commander and approved, based upon a needs assessment, to obtain or maintain function specific certification.
- (e) Training Responsibilities and Documentation:
 - (a) The SWAT Team Commander or his/her designee shall:
 - (a) Approve the annual training calendar.
 - (b) Approve training outlines and curriculum to ensure compliance with departmentally approved tactics, policies and legal standards.
 - (c) Ensure the training and attendance records are forwarded to the Training Bureau for retention and documentation in personnel training files.
 - (d) Ensure that a supervisor is assigned and present for the entirety of all SWAT Team training sessions.
 - (e) Authorize the absence of SWAT Team personnel from required training sessions.
 - (b) SWAT Team sergeants or designees shall:

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- (a) Prepare an outline of the training session to include date & time, training location, curriculum and the listing of supplies necessary for effective training.
 - (b) Ensure the training is organized, consistent, and current.
 - (c) Ensure a safety officer is designated for each training site and/or training sessions.
 - (d) Ensure a POST certified firearms instructor is present for all firearms training sessions.
 - (e) Ensure a general first aid kit and a law enforcement trauma shooting kit is available at every range site in use by SWAT Team operators for all firearms training sessions.
 - (f) Ensure that SWAT Team personnel proficiently complete all required training.
 - (g) Prepare an after action training report, which includes, but is not limited to, a record of scheduled personnel who attended and/or were excused from training.
- (c) SWAT Team personnel shall:
- (a) Report on time at the designated training location and have with them all necessary SWAT Team issued equipment and uniforms.
 - (b) Obtain timely approval from their immediate primary duty supervisor to be absent from their regularly assigned duties and responsibilities for the purpose of attending required SWAT Team Training.

406.8 SWAT TEAM PERSONNEL

- (a) Unit Assignments:
 - o SWAT Team assignments are voluntary. Members are expected to be dedicated, disciplined, well-trained, and skilled within their assigned discipline. Officers are expected to maintain at least a "meets standard" rating in all categories on their annual evaluation.
- 1. Inactive Status:
 - Personnel may be placed on "inactive status" under the following circumstances:
 - (a) When the SWAT Team Commander or Special Operations Division Commander, with concurrence of the Deputy Chief of Operations,

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determines that placement of SWAT Team personnel on inactive status is in the best interest of the team member and/or the Department.

- (b) When the SWAT Team member receives a less than "meets standards" performance evaluation.
- (c) When the SWAT Team member fails to demonstrate firearms proficiency during any portion of the range qualifications.
- (d) When the SWAT Team member fails to pass the physical agility test.
- (e) Due to medical restrictions.
- (f) At the request of the SWAT Team member, based upon articulated reasons.
 - Personnel who are designated as "inactive" must continue to participate in scheduled training, unless prevented by illness or injury, or excused by the SWAT Team Commander. Inactive status personnel will not participate in SWAT Team missions.

2. Removal From SWAT Team:

- SWAT Team personnel serve at the discretion of the SWAT Team Commander. Any employee who fails to perform satisfactorily, fails to maintain SWAT Team operational readiness, or conducts himself/herself in a manner that reflects discredit on the SWAT Team or the Department may be removed from the team, at the discretion of the Division Commander.
- Personnel who are removed from the SWAT Team shall have a right to appeal the decision to the Deputy Chief of Operations, or designee. That decision, upon appeal, shall be final.

(b) SWAT Team Candidates:

- (a) Must have satisfactorily completed probation at the time the Request for Transfer form is submitted.
- (b) Candidates for the METRO, Blue, White, Long Rifle/Observer, and K9 Teams must be in excellent physical condition and successfully complete the SWAT Team's physical agility course prior to appointment. The SWAT Team's physical agility course will ensure the team member or candidate is capable of performing strenuous duty by maintaining extraordinary physical conditioning as measured by:
 - Cardiovascular efficiency
 - Flexibility
 - Upper body strength

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- Balance
 - Coordination
 - Stamina
 - Maneuvering in confined spaces
 - Carrying heavy equipment
- (c) Candidates for the METRO, Blue, White, Long Rifle/Observer, and K9 Teams must successfully pass the SWAT Team or Long Rifle/Observer Team's shooting assessment and oral interview.
- (d) Must have at least a "meets standards" in each of their past two performance evaluations.
- (e) Final approval for selection to the SWAT Team shall be made by the Captain of the Special Operations Division, with concurrence from the Deputy Chief of Police, Operations.
- (c) Active METRO, Blue, White, Long Rifle/Observer, and K9 SWAT Team Members:
- (a) Shall successfully complete a POST certified basic SWAT course within one year of appointment.
 - (b) Shall qualify monthly with their departmentally approved lethal weapon systems.
 - (c) Shall qualify bi-annually with their issued departmentally approved less-lethal weapons.
 - (d) Shall qualify quarterly and successfully complete the SWAT Team's physical agility course.
- (d) Active Long Rifle/Observer Team Members:
- Long Rifle/Observer Team members must successfully complete a POST certified basic Long Rifle course within eighteen (18) months of appointment.
- (e) Emergency Negotiations Team Members:
- (a) Must have at least three years of sworn police experience.
 - (b) Must successfully complete a POST certified Negotiations Course.

406.9 SWAT EQUIPMENT

- (a) Accountability and Responsibility:
1. SWAT Team personnel shall maintain SWAT equipment in a constant state of operational readiness.

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2. All weapons assigned to SWAT Team personnel shall remain under the control of the assigned employee or shall be safety secured at all times.
3. SWAT Team personnel shall be responsible for all departmentally issued equipment. Equipment that is lost or damaged shall immediately be reported to a SWAT supervisor.
4. All personnel who are separated from the SWAT Team shall promptly return all SWAT Team weapons and equipment to their SWAT supervisor.

406.10 SWAT TAKE-HOME POLICE VEHICLES

- (a) Purpose and Objective:
 - o Marked and unmarked police vehicles are assigned to SWAT Team personnel to enable a rapid initial response to SWAT Team callouts or crisis situations.
- (b) Procedure:
 1. A number of marked and unmarked police vehicles will be assigned to the SWAT Team. At the discretion of the City Manager, some of these vehicles may be taken home by SWAT members.
 2. If a SWAT Team member is authorized to use a city vehicle for commuting to and from work & home so as to be able to immediately respond from their home to an emergency callout of the SWAT Team, he/she must be able to arrive at the designated duty location within sixty (60) minutes of notification without driving Code Three.
- (c) Restrictions:
 1. The police vehicle shall be secured at the team member's place of residence in a locked garage or similar facility.
 2. Police vehicles shall not be parked overnight on the street, on an open driveway, an open parking lot, or in a carport.
 3. SWAT Team personnel shall carry all necessary tactical equipment with them in the trunk of the vehicle for immediate response to the scene.
 4. SWAT Team personnel shall not use a take home vehicle to attend any school outside the immediate area without approval of the Division Commander.
 5. SWAT Team personnel shall not leave a vehicle at their residence while on vacation.
 6. Use of the vehicle shall be restricted to work related duties. The use of the vehicle for personal reasons is prohibited.

Investigations of Officer Involved Shootings and Incidents Where Death or Serious Likelihood of Death Results

307.1 POLICY

The following procedures shall be followed when a member of this Department, whether on or off duty, or any member of any law enforcement agency, uses, or attempts to use, deadly force through the intentional or accidental use of a firearm or any other instrument in the performance of his/her duties or is otherwise involved as a principal or witness in an incident where death or serious likelihood of death results. A member is considered a principal for the purposes of this policy if he/she participates in and/or is otherwise physically involved in the incident. A member is considered a witness if they observed the incident but had no direct involvement. Such incidents include, but are not limited to:

- (a) Intentional and accidental shootings;
- (b) Intentional and accidental use of any other deadly or dangerous weapon;
- (c) Attempts to affect an arrest or otherwise gain physical control over a person for a law enforcement purpose; and,
- (d) Deaths of persons while in police custody or under police control following a use of force.

307.2 PROCEDURES

- (a) Whenever an employee of this Department uses, or attempts to use, deadly force through the intentional or accidental use of a firearm or any other instrument in the performance of his/her duties, or is otherwise involved in an incident where death or serious likelihood of death results as defined above, he/she shall immediately notify his/her supervising officer.
- (b) The supervisor shall notify the Watch Commander without unreasonable delay.
- (c) The Watch Commander shall notify the on-call Sergeant. The on-call Sergeant shall notify the Centralized Investigations Bureau Lieutenant (or Captain in his/her absence). The Centralized Investigations Bureau Lieutenant will determine if a response by the Centralized Investigation Bureau detectives is necessary. If so, the Centralized Investigations Bureau Lieutenant will notify the Robbery/Homicide Sergeant who will respond Centralized Investigations Bureau detectives.
- (d) If an employee discharges a firearm, or uses other deadly force, or is otherwise involved in an incident where death or serious likelihood of death results outside the Riverside City limits, the employee shall immediately notify the local law enforcement agency having jurisdiction where the incident occurred. As soon as possible, the employee shall notify the Riverside Police Department Watch Commander. The Watch Commander will notify the on-call Sergeant and other personnel as designated in this policy. The on-call Sergeant shall make the notification as above in 307.2(c). If the

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incident occurs within Riverside County, the use of deadly force shall be investigated pursuant to the Riverside County Law Enforcement Administrator's protocol. In those cases outside the City of Riverside, the involved employee shall notify the Riverside Police Department Watch Commander as soon as possible and a written memorandum shall be filed with the Watch Commander without delay.

307.3 ROLES AND RESPONSIBILITIES

Personnel responding to an officer involved shooting or other deadly use of force incident or officer involved incident where death or serious likelihood of death results should recognize and adhere to the roles and responsibilities as listed below.

307.3.1 ROLES

- (a) The Centralized Investigations Bureau will focus on all criminal aspects of the incident.
- (b) The Riverside County District Attorney may be present to oversee the focus on all criminal aspects of the investigation and may conduct a parallel investigation.
- (c) The Riverside Police Department Office of Internal Affairs may be present to review the actions of the Department personnel involved in the incident with respect to policies, procedures, tactics, training, equipment and any other relevant issues.
- (d) The Riverside City Attorney may respond to the scene to review the case with regard to any potential civil liability to the City of Riverside and its officers.
- (e) Peer Support Officers shall be called to provide employee(s) support and assistance in understanding the investigative process and to attend to the officer(s)' personal needs. The Watch Commander or Centralized Investigations Bureau Lieutenant will determine the appropriate time and place for peer support to respond. Although confidentiality within the Peer Support Program is provided under the Evidence Code, and the Riverside Police Department will not require Peer Support Officers to reveal confidential conversations with involved employees, Peer Support Officers are cautioned that a court may determine no privilege exists regarding immunity or communication between the Peer Support Officers and the involved employee(s).
- (f) Psychological Services shall be called to assist the employee(s) involved with information on coping with psychological changes which can occur as a result of being involved in a critical incident. A licensed mental health professional afforded psychotherapist-patient privilege under the Evidence Code shall interview the employee(s) involved. The Watch Commander or Centralized Investigations Bureau Lieutenant will determine the appropriate time and place for post-incident psychological counseling. Employees may decline to discuss the specific facts of the critical incident with the psychological counselor.
- (g) The Press Information Officer shall be summoned to the scene if necessary to act as a single source of information to the news media. The Centralized Investigations Bureau Lieutenant or his/her designee will brief the PIO as to information deemed appropriate for release. The PIO shall provide regular updates and a written press release to the news media when appropriate.

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- (h) The Riverside Police Officers Association (RPOA) shall be notified of the critical incident whenever the ensuing investigation is handled by this department and the incident involves a member of the RPOA. In such cases, notification will be made by the Centralized Investigations Bureau Sergeant at the following RPOA telephone number: (951) 403-4657. Representative(s) of the RPOA will be permitted access to the involved officers at the scene and at the Centralized Investigations Bureau. RPOA will designate which representative(s) will respond. RPOA Representatives on duty shall be relieved of further duty with pay unless they are witnesses to or directly involved in the critical incident. RPOA Representatives will not unreasonably be denied access to the officers they are representing. No report will be required of RPOA Representatives. While the Police Department will not require RPOA Representatives to reveal communications with member officers they are representing, a court may determine that no privilege exists in criminal matters. Accordingly, officers are encouraged to obtain legal representation.

307.3.2 RESPONSIBILITIES

- (a) Principal/Witnessing Employee Shall:
1. Provide care for all injured persons.
 2. Request supervision and suitable assistance.
 3. Secure the scene of the incident and protect it from alteration and contamination.
 4. Apprehend offenders.
 5. Brief the responding supervisor, providing a public safety statement to assist in identifying and/or locating the suspect, number of rounds fired, trajectory of rounds fired, information necessary to protect the crime scene, or information to protect the public and other officers from continuing harm of a fleeing suspect.
 6. Ensure principal/witness officers, civilian witnesses and/or other involved persons (including police personnel) do not discuss the incident prior to being interviewed by the Centralized Investigations Bureau detectives.
 7. Prepare an accurate and complete police report of the incident and have it approved by a supervisor. For principal and witness officers, the report may be prepared by furnishing a complete and accurate statement to police investigators, or by submitting a complete and accurate written report. Other involved employees will prepare a complete and accurate written report. Principal officers may prepare their report voluntarily during the criminal investigation or be compelled to make a report during the administrative investigation. If the Principal officer(s) chooses not to make a voluntary statement during the criminal investigation then no further questioning will be conducted by the criminal investigators and an interview will be scheduled with Internal Affairs. All reports should be prepared as soon as possible after the incident unless the employee is injured or emotionally unable to promptly make a police report. The Centralized Investigations Bureau Lieutenant will determine when the report will be prepared or the employee interviewed.

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8. Unless approval is granted by the Chief of Police or his/her designee, the principal and/or witness employee(s) shall not talk to the news media or anyone else regarding the incident or investigation until the entire criminal investigation is completed. Exceptions are: the interviewing detective and/or supervision from the Centralized Investigations Bureau, legal representatives, RPOA representative, Peer Counselor, a member of the clergy, or a psychological services provider.
 9. Provide a blood sample, when a supervisor reasonably believes, based upon objective facts, that the employee is under the influence of alcohol or drugs that are impairing his/her ability to perform duties safely and efficiently, when administratively compelled, or when in compliance with the department's alcohol and drug testing policy.
- (b) Field Supervision Shall:
1. Provide medical aid to any injured parties.
 2. Take immediate charge of the scene. Establish a crime scene perimeter with a single point of entry and exit. Assign an officer to restrict access only to necessary police and/or medical personnel and to maintain a log of persons entering and exiting the crime scene.
 3. Ensure preservation of the scene for investigators. Supervise Field Operations personnel and ensure they carry out assigned duties.
 4. Make immediate inquiry into issues of public safety and scene security, i.e., including number of rounds fired, trajectories of rounds after discharge, and the description, location, or direction of travel of any outstanding suspects. No further questions will be asked of the principal employee(s).
 5. Ensure that no items of evidence are handled or moved unless contamination or loss of evidence is imminent. If contamination or loss of evidence is likely, notation (or preferably a photograph) must be made of its location and condition before it is moved. Photographs will only be taken upon the express direction of a member of the Centralized Investigations Bureau or the Field Supervisor.
 6. Assign an officer to accompany any injured persons to the hospital to:
 - (a) Recover and secure any item of physical evidence.
 - (b) Place suspect in custody if appropriate.
 - (c) Record any spontaneous or other unsolicited statements.
 - (d) Record information regarding medical condition and personnel treating the injured person.
 7. Notify the Watch Commander.
 8. Establish an appropriate command post.
 9. Ensure that the weapons used are not handled by anyone at the scene. Safety should be paramount. Weapons in possession of the principal employee(s)

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should be left with the employee(s) until requested by Centralized Investigations Bureau detectives.

10. Arrange for the transportation of the principal and/or witness employee(s) from the scene to the Centralized Investigations Bureau, using uninvolved, on-duty personnel or Peer Support Officers to ensure they are not allowed to discuss the incident with other officers or employees.
 11. Separate principal and witness employee(s) until such time as they meet with the Centralized Investigations Bureau detectives and/or supervisors assigned to the investigation for the purposes of providing an interview. Exceptions are: legal representatives, RPOA representative, Peer Support Officer, a member of the clergy, or a psychological services provider.
 12. Ensure all witnesses are located and documented, including hostile witnesses.
 13. Ensure that each employee present, excluding those directly involved in the incident, peer officers and RPOA representatives, completes a supplemental report before the end of shift. The report should include the employee's name, identification number, unit number, and specific actions at the scene. The completed report is to be submitted directly to the Centralized Investigations Bureau Supervisor.
 14. Brief the responding Centralized Investigations Bureau detectives.
 15. Notify the Press Information Officer if necessary. Provide an initial press release to the news media present if necessary. The information released shall be brief and generalized with absolutely no names released or confirmed. The PIO shall also prepare a written press release covering the same information previously released. Any subsequent media contact shall be the responsibility of the PIO or the Centralized Investigations Bureau Lieutenant or his/her designee.
- (c) Watch Commander Shall:
1. Notify the on-call Sergeant.
 2. Notify the employee's Division Commander.
 3. Notify the Deputy Chief of Operations
 4. Notify on-call Peer Support personnel and RPOA representative, and coordinate the response of the Psychological Services provider with the Centralized Investigations Bureau Lieutenant.
 5. Ensure the presence of sufficient personnel to control the scene and to allow adequate police services for the remainder of the city.
 6. Maintain or cause to be maintained an accurate account of police personnel involved in the incident and any employee(s) called to assist in providing basic police services.
 7. Unless directed otherwise, conduct a debriefing of the incident and prepare the after action report as required by Riverside Police Department Debriefing of Critical Incidents Policy.

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8. Ensure that the necessary reports are completed in compliance with Riverside Police Department Use of Force Policy.
- (d) Centralized Investigations Bureau Lieutenant Shall:
1. Notify and assign Robbery/Homicide Sergeant(s) to the investigation.
 2. Notify the Investigations Division Commander of the investigation.
 3. Notify the City Attorney.
 4. Notify the Internal Affairs Lieutenant or appropriate Internal Affairs Sergeant in his/her absence.
 5. Respond to the scene to assume command of the investigation and serve as liaison with Area Commanders, Division Commanders, Office of Internal Affairs, City Attorney, and the District Attorney's Office.
 6. Provide the Press Information Officer with updated information that can be released to the media. In the absence of the PIO, the Centralized Investigations Bureau Lieutenant or his/her designee shall be the single release point for all press information and be responsible for preparing and distributing the written press release.
 7. Ensure that public information concerning the findings and conclusions of the criminal investigation are not disclosed until the principal employee(s) have been first notified.
 8. Schedule a debriefing at the conclusion of the initial investigation to ensure all aspects have been covered and to discuss considerations for improvement.
 9. Ensure the completed investigation is submitted to the District Attorney's Office and attend the DA staffing of the investigation with the Centralized Investigations Bureau Sergeant and the case agent.
 10. Ensure that the involved employee(s) meets with the Psychological Services provider.
 11. Ensure that all Riverside Police personnel, including supervisors, complies with this Policy and that principal officers are afforded their procedural rights under the Public Safety Officers Procedural Bill of Rights and related laws.
- (e) Centralized Investigations Bureau Detectives Shall:
1. Document, photograph, and collect all evidence at the scene. Photographs taken after the arrival of the Centralized Investigations Bureau detectives will be at their direction only.
 2. Interview all victims, witnesses, suspects, or other involved persons. All interviews will be tape recorded unless impractical or the circumstances prevent it.
 3. Advise the principal employee(s) of their Constitutional rights if there is a possibility of a criminal violation on the part of the employee(s) and when it is anticipated the case will be submitted to the District Attorney's Office for filing. If the principal employee(s) is advised of his/her Constitutional rights prior

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to writing or dictating a report or being questioned, and the employee declines to waive those rights, no further questioning will occur. Rights advisals are not required for employees who are solely witnesses and criminal prosecution will not occur.

4. Advise the principal or witness employee(s) that they may consult with a department representative or attorney prior to the interview taking place, and this department representative or attorney may be present during the interview.
 5. Not be provided administratively compelled statement(s).
 6. Notify a supervisor when they reasonably believe, based upon objective facts, that a principle or witness employee is under the influence of alcohol or drugs that are impairing his/her ability to perform duties safely and efficiently.
 7. Interview or question principal and/or witness employee(s) in an office or room not regularly used to interview suspects or civilian witnesses whenever possible. Officers shall not be interviewed in a suspect interview room or a room equipped to remotely monitor (audio and/or video) interviews. Injured officers shall not be interviewed at a hospital or medical care center unless circumstances require an emergency interview before the officer is released.
 8. Notify and consult with the Deputy District Attorney concerning legal issues connected to the investigation.
 9. Ensure all reports have been written and submitted in a timely manner.
 10. Take custody of the principal employee's weapon(s) for submission to DOJ and range inspection.
 11. Collect all police reports and related documents.
 12. Submit the completed investigation to the District Attorney's Office and attend the DA staffing of the investigation with the Centralized Investigations Bureau Sergeant and Lieutenant.
- (f) Centralized Investigations Bureau Supervision Shall:
1. Notify and assign Robbery/Homicide Detectives(s) to the investigation.
 2. Notify the Centralized Investigations Bureau Lieutenant of the investigation.
 3. Respond to the scene to assume supervision of the investigation from Field Operations.
 4. Update the Centralized Investigations Bureau Lieutenant regarding the progress of the investigation.
 5. Review and approve all police reports related to the incident.
 6. Consider ordering principal and/or witness employee(s) to provide samples of blood when they reasonably believe, based upon objective facts, that the employee is under the influence of alcohol or drugs that are impairing his/her ability to perform duties safely and efficiently. All blood samples will be retained by the Riverside Police Department. All blood results will be sent directly to the

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Centralized Investigations Bureau Sergeant overseeing the investigation. Blood results will then be forwarded to the case agent.

7. Ensure the involved employee(s) meets with the Psychological Services provider.
 8. Ensure principal employee's weapon(s) are taken and submitted to DOJ and the RPD Range for inspection, and that the principal employee(s) have replacement weapons.
 9. Ensure the investigation is completed in a timely manner and submitted to the Centralized Investigations Bureau Lieutenant for review.
 10. Not disclose public information concerning the findings and conclusions of the criminal investigation until the principal employee(s) have been first notified.
 11. Ensure the completed investigation is submitted to the District Attorney's Office and attend the DA staffing of the investigation with the Centralized Investigations Bureau Lieutenant and the case agent.
 12. Complete an executive summary and a debrief of the incident for the Chief of Police and the Executive Command Staff within 72 hours of the incident.
- (g) No employee shall ever threaten, coerce, intimidate, or harass a principal and/or witness officer or his representative for: 1) exercising their rights under this Policy, the Public Safety Officers Procedural Bill of Rights Act, and any other protections afforded peace officers under the law; or 2) choosing to write a report rather than being interviewed. Violations of such rights or failing to comply with or afford the officer his rights and elections under this Policy shall be grounds for disciplinary action.
- (h) Internal Affairs Shall:
1. Conduct an administrative investigation independent from the criminal investigation conducted by the Centralized Investigations Bureau detectives.
 2. Inform the Chief of Police or his/her designee with regard to the information obtained in the course of their investigation.
 3. Use information obtained from the Centralized Investigations Bureau investigation to aid the administrative investigation.
 4. Not disclose information from a compelled interview by Internal Affairs investigators to the Centralized Investigations Bureau detectives.
 5. Not conduct interviews with witnesses, suspects, principal and/or witness employees until after they have been interviewed by the Centralized Investigations Bureau detectives.
- (i) Public Information Officer and Press Releases:
1. Refer to the Riverside Police Department News Release and Media Relations and Access Policy.

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307.4 RELIEF FROM DUTY

- (a) In the best interest of the community, the Department and the principal employee(s), the employee(s) shall, as soon as practical, be relieved from active duty by the Watch or Division Commander or designee. The principal employee(s) may be placed on paid Administrative Leave status for a minimum of one day, during which time he/she shall be provided full salary and benefits. The principal employee(s) shall not be returned to full duty until such time as the Personnel Services Bureau has received a "clearance for return to full duty" from the department's contracted psychological services provider. Once the clearance notification is received, the Personnel Services Bureau Lieutenant shall communicate this information to the Bureau Commander overseeing the employee's bureau or assignment.
- (b) At the discretion of the Chief of Police or his/her designee, those employees who witnessed the traumatic incident or otherwise assisted the principal employee(s) may also be placed on paid Administrative Leave status as described above.

Hostage and Barricade Incidents

410.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for situations where officers have legal cause to contact, detain or arrest a person, and the person refuses to submit to the lawful requests of the officers by remaining in a structure or vehicle and/or by taking a hostage.

The scope of this policy is not intended to address all variables that officers encounter during their initial response or when a hostage or barricade situation has developed. This policy does not require or purport to recommend specific strategies or tactics for resolution as each incident is a dynamic and rapidly evolving event.

410.1.1 DEFINITIONS

Definitions related to this policy include:

Barricade situation - An incident where a person maintains a position of cover or concealment and ignores or resists law enforcement personnel, and it is reasonable to believe the subject is armed with a dangerous or deadly weapon.

Hostage situation - An incident where it is reasonable to believe a person is:

- (a) Unlawfully held by a hostage-taker as security so that specified terms or conditions will be met.
- (b) Unlawfully held against his/her will under threat or actual use of force.

410.2 POLICY

It is the policy of the Riverside Police Department to address hostage and barricade situations with due regard for the preservation of life and balancing the risk of injury, while obtaining the safe release of hostages, apprehending offenders and securing available evidence.

410.3 COMMUNICATION

When circumstances permit, initial responding officers should try to establish and maintain lines of communication with a barricaded person or hostage-taker. Officers should attempt to identify any additional subjects, inquire about victims and injuries, seek the release of hostages, gather intelligence information, identify time-sensitive demands or conditions and obtain the suspect's surrender.

When available, department-authorized negotiators should respond to the scene as soon as practicable and assume communication responsibilities. Negotiators are permitted to exercise flexibility in each situation based upon their training, the circumstances presented, suspect actions or demands and the available resources.

410.3.1 EMERGENCY COMMUNICATIONS

Only an officer who has been designated by the District Attorney or Attorney General may use or authorize the use of an electronic amplifying or recording device to eavesdrop on or record,

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or both, oral communication in response to an emergency situation involving a hostage or the barricading of a location, and only when (Penal Code § 633.8(b)):

- (a) The officer reasonably determines an emergency situation exists that involves the immediate danger of death or serious physical injury to any person within the meaning of 18 USC § 2518(7)(a)(i),
- (b) The officer reasonably determines that the emergency situation requires that eavesdropping on oral communication occur immediately, and
- (c) There are grounds upon which an order could be obtained pursuant to 18 USC § 2516(2).
- (d) An application for an order approving the eavesdropping and complying with the requirements of Penal Code § 629.50 is made within 48 hours of the beginning of the eavesdropping.
- (e) The contents of any oral communications overheard are recorded on tape or other comparable device.

410.4 FIRST RESPONDER CONSIDERATIONS

First responding officers should promptly and carefully evaluate all available information to determine whether an incident involves, or may later develop into, a hostage or barricade situation.

The first responding officer should immediately request a supervisor's response as soon as it is determined that a hostage or barricade situation exists. The first responding officer shall assume the duties of the supervisor until relieved by a supervisor or a more qualified responder. The officer shall continually evaluate the situation, including the level of risk to officers, to the persons involved and to bystanders, and the resources currently available.

The handling officer should brief the arriving supervisor of the incident, including information about suspects and victims, the extent of any injuries, additional resources or equipment that may be needed, and current perimeters and evacuation areas.

410.4.1 BARRICADE SITUATION

Unless circumstances require otherwise, officers handling a barricade situation should attempt to avoid a forceful confrontation in favor of stabilizing the incident by establishing and maintaining lines of communication while awaiting the arrival of specialized personnel and trained negotiators. During the interim the following options, while not all-inclusive or in any particular order, should be considered:

- (a) Ensure injured persons are evacuated from the immediate threat area if it is reasonably safe to do so. Request medical assistance.
- (b) Assign personnel to a contact team to control the subject should he/she attempt to exit the building, structure or vehicle, and attack, use deadly force, attempt to escape or surrender prior to additional resources arriving.

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- (c) Request additional personnel, resources and equipment as needed (e.g., canine team, air support).
- (d) Provide responding emergency personnel with a safe arrival route to the location.
- (e) Evacuate uninjured persons in the immediate threat area if it is reasonably safe to do so.
- (f) Attempt or obtain a line of communication and gather as much information on the subject as possible, including weapons, other involved parties, additional hazards or injuries.
- (g) Establish an inner and outer perimeter as circumstances require and resources permit to prevent unauthorized access.
- (h) Evacuate bystanders, residents and businesses within the inner and then outer perimeter as appropriate. Check for injuries, the presence of other involved subjects, witnesses, evidence or additional information.
- (i) Determine the need for and notify the appropriate persons within and outside the Department, such as command officers and the Public Information Officer (PIO).
- (j) If necessary and available, establish a tactical or exclusive radio frequency for the incident.
- (k) Establish a command post.

410.4.2 HOSTAGE SITUATION

Officers presented with a hostage situation should attempt to avoid a forceful confrontation in favor of controlling the incident in anticipation of the arrival of specialized personnel and trained hostage negotiators. However, it is understood that hostage situations are dynamic and can require that officers react quickly to developing or changing threats. The following options, while not all-inclusive or in any particular order, should be considered:

- (a) Ensure injured persons are evacuated from the immediate threat area if it is reasonably safe to do so. Request medical assistance.
- (b) Assign personnel to a contact team to control the subject should he/she attempt to exit the building, structure or vehicle, and attack, use deadly force, attempt to escape or surrender prior to additional resources arriving.
- (c) Establish a rapid response team in the event it becomes necessary to rapidly enter a building, structure or vehicle, such as when the suspect is using deadly force against any hostages (see the Rapid Response and Deployment Policy).
- (d) Assist hostages or potential hostages to escape if it is reasonably safe to do so. Hostages should be kept separated if practicable pending further interview.
- (e) Request additional personnel, resources and equipment as needed (e.g., canine team, air support).
- (f) Provide responding emergency personnel with a safe arrival route to the location.
- (g) Evacuate uninjured persons in the immediate threat area if it is reasonably safe to do so.

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- (h) Coordinate pursuit or surveillance vehicles and control of travel routes.
- (i) Attempt to obtain a line of communication and gather as much information about the suspect as possible, including any weapons, victims and their injuries, additional hazards, other involved parties and any other relevant intelligence information.
- (j) Establish an inner and outer perimeter as resources and circumstances permit to prevent unauthorized access.
- (k) Evacuate bystanders, residents and businesses within the inner and then outer perimeter as appropriate. Check for injuries, the presence of other involved subjects, witnesses, evidence or additional information.
- (l) Determine the need for and notify the appropriate persons within and outside the Department, such as command officers and the PIO.
- (m) If necessary and available, establish a tactical or exclusive radio frequency for the incident.

410.5 SUPERVISOR RESPONSIBILITIES

Upon being notified that a hostage or barricade situation exists, the supervisor should immediately respond to the scene, assess the risk level of the situation, establish a proper chain of command and assume the role of Incident Commander until properly relieved. This includes requesting a Special Weapons and Tactics Team (SWAT) response if appropriate and apprising the SWAT Commander of the circumstances. In addition, the following options should be considered:

- (a) Ensure injured persons are evacuated and treated by medical personnel.
 - (b) Ensure the completion of necessary first responder responsibilities or assignments.
 - (c) Request crisis negotiators, specialized units, additional personnel, resources or equipment as appropriate.
 - (d) Establish a command post location as resources and circumstances permit.
 - (e) Designate assistants who can help with intelligence information and documentation of the incident.
 - (f) If it is practicable to do so, arrange for video documentation of the operation.
 - (g) Consider contacting utility and communication providers to restrict such services (e.g., restricting electric power, gas, telephone service).
1. When considering restricting communication services, a supervisor should make the determination that there is reason to believe an emergency situation exists involving immediate danger of death or great bodily harm and that an interruption to communication services is necessary to protect public safety (Penal Code § 11471). The supervisor must ensure the Department obtains a court order, in accordance with Penal Code § 11472, prior to requesting the interruption. In the case of an extreme emergency when there is insufficient time to obtain an order prior to the request, application for the order must be submitted within six hours after initiating the interruption. If six hours is not possible, then the application for the court order shall be made at the first reasonably available opportunity, but no later than 24 hours in accordance with Penal Code § 11475.

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- (h) Ensure adequate law enforcement coverage for the remainder of the City during the incident. The supervisor should direct non-essential personnel away from the scene unless they have been summoned by the supervisor or the Communications Center.
- (i) Identify a media staging area outside the outer perimeter and have the department Public Information Officer or a designated temporary media representative provide media access in accordance with the Media Relations Policy.
- (j) Identify the need for mutual aid and the transition or relief of personnel for incidents of extended duration.
- (k) Debrief personnel and review documentation as appropriate.

410.6 SWAT RESPONSIBILITIES

The Incident Commander will decide, with input from the SWAT Commander, whether to deploy the SWAT during a hostage or barricade situation. Once the Incident Commander authorizes deployment, the SWAT Commander or the authorized designee will be responsible for the tactical portion of the operation. The Incident Commander shall continue supervision of the command post operation, outer perimeter security and evacuation, media access and support for the SWAT. The Incident Commander and the SWAT Commander or the authorized designee shall maintain communications at all times.

410.7 REPORTING

Unless otherwise relieved by a supervisor or Incident Commander, the handling officer at the scene is responsible for completion and/or coordination of incident reports.