



Sheriff's Office Training Bulletin

Volume 24 Issue 11

November 2022

SHERIFF'S PERSONNEL SHALL UNDERSTAND THE PROVISIONS OF THE POLICY MANUAL PERTAINING TO RAPID RESPONSE AND DEPLOYMENT.

Sworn personnel must have a complete understanding of Sheriff's Office policy regarding rapid response and deployment. Sworn personnel shall be familiar with the policy and what it contains. Sheriff's Office Policy Manual Policy 411 establishes the Sheriff's Office policy regarding rapid response and deployment. The following are excerpts from that policy. All affected personnel must be familiar with the entire Policy as stated in the Sheriff's Office Policy Manual.

POLICY

The San Mateo County Sheriff's Office will endeavor to plan for rapid response to crisis situations, and to coordinate response planning with

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Sheriff's Office Cliff Rescue Unit



FROM THE TRAINING MANAGER

In this issue, we highlight the policy on rapid response and deployment (active shooter, etc.). A key point to remember is the fact the first unit on-scene will likely have to engage the threat immediately without waiting for additional resources.

With any "active attacker" or "active violence" incident that's in progress, it's important to respond swiftly. If you are the first unit arriving, you are in command and should begin sizing up the situation while reporting what you observe. Proper training is essential to prepare you ahead of time.

The Sheriff's Office will be providing active violence incident management and response training. Expect the training to be rolled in early 2023.

- Sgt. Jason Leone

CODE OF ETHICS

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

I WILL keep my private life unsullied as an example to all and will behave in a manner that does not bring discredit to me or to my agency. I will maintain courageous calm in the face of danger, scorn or ridicule; develop self-restraint; and be constantly mindful of the welfare of others. Honest in thought and deed both in my personal and official life, I will be exemplary in obeying the law and the regulations of my department. Whatever I see or hear of a confidential nature or that is confided to me in my official capacity will be kept ever secret unless revelation is necessary in the performance of my duty.

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

I RECOGNIZE the badge of my office as a symbol of public faith, and I accept it as a public trust to be held so long as I am true to the ethics of police service. I will never engage in acts of corruption or bribery, nor will I condone such acts by other police officers. I will cooperate with all legally authorized agencies and their representatives in the pursuit of justice. I know that I alone am responsible for my own standard of professional performance and will take every reasonable opportunity to enhance and improve my level of knowledge and competence. I will constantly strive to achieve these objectives and ideals, dedicating myself before God to my chosen profession . . . law enforcement.

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other emergency services as well as with those that are responsible for operating sites that may be the target of a critical incident. Nothing in this policy shall preclude the use of reasonable force, deadly or otherwise, by members of the Office in protecting themselves or others from death or serious injury.

Deputies are encouraged to review and utilize the resources of the County Violent

SAN MATEO COUNTY SHERIFF'S OFFICE TRAINING BULLETIN

The San Mateo County Sheriff's Office Training Bulletin is published monthly by the San Mateo County Sheriff's Office Training Unit, 400 County Center, Redwood City, California 94063.

Sergeant Jason Leone, Training Manager

Lance Bayer, Editor

For further information, please contact the Training Unit at Sheriffs_TrainingUnit@smcgov.org

Intruder / Active Shooter Protocol for additional guidelines.

FIRST RESPONSE

If there is a reasonable belief that acts or threats by a suspect are placing lives in imminent danger, first responding deputies should consider reasonable options to reduce, prevent or eliminate the threat. Deputies must decide, often under a multitude of difficult and rapidly evolving circumstances, whether to advance on the suspect, take other actions to deal with the threat or wait for additional resources.

If a suspect is actively engaged in the infliction of serious bodily harm or other life-threatening activity toward others, deputies should take immediate action, if reasonably practicable, while requesting additional assistance.

Deputies should remain aware of the possibility that an incident may be part of a coordinated multilocation attack that may require some capacity to respond to other incidents at other locations.

When deciding on a course of action deputies should consider:

- ✓ Whether to advance on or engage a suspect who is still a possible or perceived threat to others. Any advance or engagement should be based on information known or received at the time.
- ✓ Whether to wait for additional resources or personnel. This does not preclude an individual deputy from taking immediate action.
- ✓ Whether individuals who are under imminent threat can be moved or evacuated with reasonable safety.
- ✓ Whether the suspect can be contained or denied access to victims.
- ✓ Whether the deputies have the ability to effectively communicate with other personnel or resources.
- ✓ Whether planned tactics can be effectively deployed.
- ✓ The availability of rifles, shotguns, shields, breaching tools, control devices and any other appropriate tools, and whether the deployment of these tools will provide a tactical advantage.

In a case of a barricaded suspect with no hostages and no immediate threat to others, deputies should consider summoning and waiting for additional assistance (special tactics and/or crisis negotiation unit response).

RESPONSE TO SCHOOL THREATS

Upon receiving a threat or perceived threat from a school official that involves grades 6 to 12, deputies shall immediately investigate and conduct a threat assessment. The investigation shall include a review of the firearm registry of the California Department of Justice. A reasonable search of the school at issue shall be conducted when the search is justified by reasonable suspicion that it would produce evidence related to the threat or perceived threat (Education Code § 49394).

For purposes of this subsection a "threat" or "perceived threat" means any writing or action of a pupil that creates a reasonable suspicion that the pupil is preparing to commit a homicidal act related to school or a school activity. This may include possession, use, or depictions of firearms, ammunition, shootings, or targets in association with infliction of physical harm, destruction, or death in a social media post, journal, class note, or other media associated with the pupil. It may also include a warning by a parent, pupil, or other individual (Education Code § 49390).

CONSIDERATIONS

When dealing with a crisis situation members should:

- ✓ Assess the immediate situation and take reasonable steps to maintain operative control of the incident.
- ✓ Obtain, explore and analyze sources of intelligence and known information regarding the circumstances, location and suspect involved in the incident.
- ✓ Attempt to attain a tactical advantage over the suspect by reducing, preventing or eliminating any known or perceived threat.
- ✓ Attempt, if feasible and based upon the suspect's actions and danger to others, a negotiated surrender of the suspect and release of the hostages.

PLANNING

The Operations Assistant Sheriff or designee should coordinate critical incident planning. Planning efforts should consider:

- ✓ Identification of likely critical incident target sites, such as schools, shopping centers, entertainment and sporting event venues.

- ✓ Availability of building plans and venue schematics of likely critical incident target sites.
- ✓ Communications interoperability with other law enforcement and emergency service agencies.
- ✓ Training opportunities in critical incident target sites, including joint training with site occupants.
- ✓ Evacuation routes in critical incident target sites.
- ✓ Patrol first-response training.
- ✓ Response coordination and resources of emergency medical and fire services.
- ✓ Equipment needs.
- ✓ Mutual aid agreements with other agencies.
- ✓ Coordination with private security providers in critical incident target sites.

TRAINING

The Training Manager should include rapid response to critical incidents in the training plan. This training should address:

- ✓ Orientation to likely critical incident target sites, such as schools, shopping centers, entertainment and sporting event venues.
- ✓ Communications interoperability with other law enforcement and emergency service agencies.
- ✓ Patrol first-response training, including patrol rifle, shotgun, breaching tool and control device training.
 - This should include the POST terrorism incident training required for deputies assigned to field duties (Penal Code § 13519.12).
- ✓ First aid, including gunshot trauma.
- ✓ Reality-based scenario training (e.g., active shooter, disgruntled violent worker). ☆

A SUSPECT'S STATEMENT TO A PEACE OFFICER WAS COERCED DUE TO THE OFFICER'S THREATS TO

ARREST THE SUSPECT'S TWO SONS.

A police officer was on patrol driving a marked patrol car when he observed an SUV with an attached trailer parked next to an open field. The officer looked into the field and saw three men and two trash cans. The men ran to the SUV and got in. The vehicle then drove off.

The officer suspected that the men had engaged in illegal dumping. He followed the SUV and attempted to make a traffic stop. He turned on his flashing overhead lights. The vehicle did not yield, but instead drove at a rapid pace. After driving a few blocks, the SUV made a U-turn and went back to the field where the trash cans were located. The driver drove up to the trash cans, rolled down his window, leaned out of the window, lifted the lid of one of the trash cans, and used a lighter to set fire to the contents.

The officer knew that he needed to extinguish the fire. He rammed the SUV, causing the driver of the SUV to drop the lid, which extinguished the fire.

The SUV drove off. The officer followed, with lights flashing and siren on. At one point, the SUV came to a stop and two passengers got out. They were identified as the teenage sons of the driver.

The SUV drove off again. It got on the freeway and headed west, traveling into another county. The license plate of the trailer had a registration that corresponded to an address in the direction the SUV was traveling. Law enforcement officers set up a barrier of two vehicles that left just barely enough room for the SUV to go between the police cars. The officers bailed out of their vehicles as the SUV approached. Eventually, the SUV stopped. The driver got out and ran. Officers pursued him on foot and apprehended him.

While officers were locating and apprehending the driver, other officers were back at the field where the SUV was first seen. The officers searched the two trash cans. One of the cans contained a dead man who was face down in the trash can. He was partially burned. The victim had been stabbed once in the upper back and three

MISSION STATEMENT

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

COMMITMENT

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

INTEGRITY

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

COMPASSION

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

INNOVATION

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

times in the front of the neck. A hunting knife was located in a sheath in the victim's jacket. The victim had been soaked in gasoline. In the other trash can was a half-full gas can.

The driver of the SUV was interviewed by a detective while he was in custody. Prior to beginning the interrogation, the detective several times raised the issue of arresting and charging the driver's sons with the crime. The detective at one point said, "Okay, you're right, they had nothing to do with this, they didn't do this— But you're gonna be the one to help them Because I'm gonna have to charge them with the death of this guy Until I can find out what happened." The driver replied, "Okay, well I'll talk to ya and tell ya what happened, okay?" The detective responded, "Okay, all right. And then once we do all of that, then we'll be able to, you know, to clear them from this and then we'll move on, okay?" At another point, the detective said, "So I want to try to help you and your boys, mostly the boys, so— So we don't have to make them criminals." At that point, the detective read the driver the Miranda rights, which he waived and gave his confession. During the interview, the driver admitted to

stabbing the victim. He told the detective that he made a considered decision to kill the victim and that he intentionally stabbed him to death.

In the case of People v. Jimenez, the California Court of Appeal ruled that the driver's confession was coerced and violated his Fifth Amendment right against self-incrimination.

In its written decision, the Court first stated, "The use of coerced confessions, whether true or false, is forbidden because the method used to extract them offends constitutional principles."

The Court then stated, "The due process voluntariness test examines whether a defendant's will was overborne by the circumstances surrounding the giving of a confession. An involuntary confession is inadmissible for any purpose, including impeachment."

The Court then stated, "The due process test takes into consideration the totality of all the surrounding circumstances — both the characteristics of the accused and the details of the interrogation. The determination depends upon a weighing of the circumstances of pressure against

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the power of resistance of the person confessing . . . Under current law, no single factor is dispositive in determining voluntariness, but rather courts consider the totality of circumstances."

The Court further stated, "Coercive police activity is a necessary predicate to the finding that a confession is not 'voluntary' within the meaning of the Due Process Clause of the Fourteenth Amendment. Coercive police activity, however, does not itself compel a finding that a resulting confession is involuntary. The statement and the inducement must be causally linked."

The Court then looked at the effect of a threat to arrest or prosecute a relative. The Court stated, "A threat by police to arrest or punish a close relative, or a promise to free the relative in exchange for a confession, may render an admission invalid. However, where no express or implied promise or threat is made by the police, a suspect's belief that his cooperation will benefit a relative will not invalidate an admission."

The Court then looked at the facts of the driver's case and stated, "Here, [the detective] made an explicit threat to charge defendant's sons with homicide unless defendant confessed. Initially, he played on defendant's emotions by saying, '[Your sons] are a little afraid'

Then he said, 'I'm gonna have to charge them with the death of this guy,' 'Until I can find out what happened.' Clearly, this meant finding out from defendant, not from some kind of independent investigation, as [the detective] also said, 'You're gonna be the one to help them.' When defendant said, 'I'll talk to ya and tell ya what happened, okay?,' [the detective] responded, 'And then once we do all of that, then we'll be able to, you know, to clear them from this and then we'll move on, okay?' He added, 'So I want to be able to try to help you and your boys, mostly the boys,' 'So we don't have to make them criminals.'"

The Court noted that there was a clear causal connection between the threat and the driver's confession. He confessed immediately after the threat was made. The Court also noted that a threat to arrest or prosecute a relative is not coercive if the officers have probable cause to believe that the relative has committed a crime. In the driver's case, however, the detective specifically told the driver that he did not have probable cause to charge the driver's sons with homicide. The Court noted, "[T]he only reasonable interpretation of [the detective]'s statements is that he knew [the driver's] sons were not guilty of murder, but he intended to charge them with murder anyway, unless [the driver] confessed." ☆

FROM THE RANGEMASTER'S OFFICE

The Importance of Firearms Maintenance

Rangemaster Sgt. David Weidner and I have discussed the need to promote firearms maintenance to staff members. Relevant emails have been sent out already, but I feel compelled to follow up on that by elaborating a little further here. There will be videos on firearms maintenance shared with you next year.

Although most of us know the importance of cleaning and lubricating our issued firearms, it's worth a moment to reflect on the "why" behind that process. When our duty issued firearms are used, they begin to foul due to copper, carbon, and lead deposits. Without proper lubrication, increased metal on metal wear can also occur in addition to corrosion vulnerability. If left untreated (not cleaned or lubricated), the firearm will begin to decline in performance and reliability as a function of round count fired and environmental exposure. With this in mind, here are a few fundamental reasons for properly maintaining your firearms.

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Safety

A firearm that lacks appropriate maintenance and inspection will increase the risk of mechanical failure over time. Corroded parts, fatigued parts, dirty parts, and a lack of proper lubrication will ultimately increase the chance of a catastrophic failure. This puts the user at severe risk for physical injury (in addition to any others nearby).

Reliability & Dependability

In the field, our firearms are deployed when the threat level justifies such a response. In that scenario, we are generally relying on our firearms to neutralize the immediate threat (to protect innocent life or in self-defense). When lives are in the balance, we cannot afford to have our firearms fail us. A corroded or fouled firearm may not function when we need it most (e.g., an active shooter incident). The same attention to detail should be given to your magazines. We must ensure we do everything we can to maintain the reliability and dependability of our firearms. By regularly inspecting and maintaining our firearms, we fulfill that important obligation.

Accuracy

Without cleaning, our firearms reach a level of fouling in the barrel that will eventually degrade the accuracy of the system. As you know, we are responsible for every round we fire. If you must shoot, you owe it to the public, your agency, and yourself, to be as accurate as possible.

Longevity

Similar to a hand tool or power tool, we want our equipment to last as long as possible. If we don't properly maintain our firearms, the lifecycle of the firearms will undoubtedly be prematurely reduced. Just like changing the oil in your vehicle's engine to ensure longevity, we need to do likewise with our firearms. We have a fiscal responsibility to our agency and the public to avoid unnecessary waste and needless spending.

Familiarity with your weapon

As you disassemble, clean, lubricate, reassemble, and function check your firearms, you will become familiar with the mechanical parts and how they interface with each other. You'll also learn the condition of the parts, which will assist you in identifying any new changes in appearance (cracks, wear, corrosion, etc.) that may indicate a problem. Having that intimate knowledge of your firearms will also assist you in clearing ammunition malfunctions and mechanical failures. Notify the Rangemaster immediately if you notice any problems with your firearm (see "Policies" below).

Sheriff's Office Policies

As a reminder, Lexipol policy 306 covers the use of firearms by sworn staff members. Per 306.5.1: *Sworn staff members shall be responsible for promptly reporting any damage or malfunction of an assigned firearm to a supervisor or the Rangemaster.*

Lexipol policy 700 covers Sheriff's Office and Personal Property use. Per 700.2: *Members shall be responsible for the safekeeping, serviceable condition, proper care, use and replacement of Sheriff's*

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Office property assigned or entrusted to them. A member's intentional or negligent abuse or misuse of office property may lead to discipline including, but not limited to the cost of repair or replacement.

- a. Members shall promptly report through their chain of command, any loss, damage to, or unserviceable condition of any office issued property or equipment assigned for their use.*
- b. The use of damaged or unserviceable office property should be discontinued as soon as practical and replaced with comparable Office property as soon as available and following notice to the member's immediate supervisor.*
- c. Except when otherwise directed by competent authority or required by exigent circumstances, Office property shall only be used by those to whom it was assigned. Use should be limited to official purposes and in the capacity for which it was designed.*
- d. Sheriff's Office property shall not be thrown away, sold, traded, donated, destroyed, or otherwise disposed of without proper authority.*
- e. In the event that any Office property becomes damaged or unserviceable, no member shall attempt to repair the property without prior approval of their immediate supervisor.*

- Guest contributor Sgt. Jason Leone