



# Clallam County Sheriff's Office

WASPC Accredited Agency

223 East 4<sup>th</sup> Street, Suite 12  
Port Angeles, WA 98362-3015

Support Services: (360)417-2270  
Fax: (360)417-2498

<http://www.clallam.net/departments/sheriff>

[sheriff@co.clallam.wa.us](mailto:sheriff@co.clallam.wa.us)

Ron Peregrin  
Undersheriff

Ron Cameron  
Chief Criminal Deputy

Alice Hoffman  
Chief Civil Deputy

Ron Sukert  
Chief Corrections Deputy

**W. L. Benedict**  
**Sheriff**

File: A35.10, A36.10, A41.10

A35Internal Investigation/A36Use of Force/A41Pursuit Analysis 2012

## ANNUAL ANALYSIS

### 2012 Internal Investigation/Complaint Analysis

1. 2012-001 – Corrections Deputy – (1) Unbecoming Conduct/(2) Disparaging Remarks  
**SUSTAINED X 2 - Memo to File – Corrective Action Plan Implemented.**
2. 2012-002 – Deputy – (1) Fail to Submit Detailed Report/(2) Insufficient Case investigation - **SUSTAINED - 2 days leave w/o pay.**
3. 2012-003 – Corrections Deputy – (1) Inappropriate Use of Sick Leave, (2) Unsatisfactory Work Performance, (3) False Statement to Supervisor, (4) Insubordination - **SUSTAINED X 4 - Termination of Employment.**

#### Individuals investigated by section

2 Corrections Section = 2 Corrections Deputies

1 Operations Section = 1 Operations Deputy

0 Administration Section

0 Emergency Management Section

0 Code Enforcement Section

3 individuals were subject to internal investigations

8 policy violations were identified for all individuals investigated

8 allegations sustained

0 allegations unfounded

Of the 3 individuals investigated 2 individuals (1 Corrections & 1 Operations) accounted for 6 of the 8 policy violations comprising 6 sustained allegations resulting in formal discipline. 1 other individual (1 Corrections) investigated accounted for 2 sustained policy violations resulting in informal discipline.

#### Allegations

**Unbecoming Conduct/Disparaging remarks** – A Corrections Deputy received complaint from an inmate stating the Deputy was using profanity and condescending

comments toward the inmate on a regular basis that were harassing. Both allegations were **SUSTAINED**

**Substandard Report Preparation/Insufficient Investigative Performance** – A Deputy responding to report of a burglary failed to fully investigate the crime, failed to properly process evidence and failed to file a complete and detailed report. Both allegations were **SUSTAINED**

**Inappropriate Use of Sick Leave/Unsatisfactory Work Performance/False & Misleading Statements to a Supervisor/Insubordination** – A Corrections Deputy used sick leave to attend a concert in Seattle. The Deputy failed to report to work on the graveyard shift the night of the concert. When questioned by a shift supervisor during the investigation of this incident the Deputy lied. After the investigative interview the Deputy was given a direct order prohibiting contact with anyone regarding the investigation. Within minutes of that order being given the Deputy text messaged a witness in the investigation in order to relay the facts they had gave the investigating supervisor. This appeared to be an attempt to influence witnesses in an official investigation. The Deputy had conversation with the same witness at a later date in direct violation of the order given. All four allegations **SUSTAINED**

There was no common thread connecting allegations of misconduct and individuals involved, however there appeared to be a lack of oversight by first line supervision in the Corrections Section. Discussions with the Chief Corrections Deputy resulted in follow up with all Corrections first line supervisors to reaffirm expectations of management and minimum professional standards that are acceptable. Frequent random unannounced tours of the jail are being conducted by the Undersheriff and Chief Corrections Deputy to monitor conditions and to demonstrate the importance of jail operations to management.

**Recommend regular follow up with Corrections Supervisors by the Chief Corrections Deputy to indicate managements interest in Corrections operations. Also recommend complimenting our entire staff for providing a year with very few complaints from the public concerning conduct or behavior perceived to be offensive. We have received numerous compliments, thank you notes and letters complimenting staff on the care and concern they have exhibited when dealing with our citizens. A resounding “Well Done” to all our staff is in order.**

### **Use of Force During 2012**

**63** Use of Force incidents were filed versus 105 in 2011.  
**42** reports (67%-2012) versus (74.3%-2-11) were filed for Corrections versus 38 in 2012.  
**21** reports (32%-2012) (25.7 %-2011) were filed by Operation’s personnel versus 15 in 2012.

Use of Force incidents are broken down in the following categories:

**Corrections:**

Display of Force/Taser	15 versus 10 in 2011
Level One (Escort/Pain Compliance)	51 versus 100 in 2011
OC	0 versus 7 in 2011
LVNR	6 versus 4 in 2011
Taser	7 versus 8 in 2011
Level 2	4 versus 4 in 2011

**Operations:**

Display of Force Option (Taser)	0 versus 1 in 2011
Display of Force Option (Firearm)	4 versus 9 in 2011
Level 1 (Escort/Pain Compliance)	17 versus 12 in 2011
OC	0 versus 1 in 2011
Taser	1 versus 3 in 2011
Level 2	2 versus 1 in 2011

During this reporting period 63 Use of Force reports arose of which 50 incidents involved Corrections 21 incidents involved Operations personnel.

Use of force incidents in the jail are down dramatically from last year due to removing any use of the restraint chair from the use of force reporting policy that was instituted after last year's annual analysis. Last year it was determined that a use of force report was being submitted by corrections staff anytime an inmate was placed into a restraint chair even if the inmate voluntarily and willingly submitted to the chair. Policy was established to report use of force involving the restraint chair only if actual force was required in order to have an inmate comply. Simple use of the restraint chair is not considered a use of force.

Many of the Use of Force reports, especially in corrections, involved multiple deputies. The use of force incidents appear to be driven by shift worked rather than by any particular individual. Swing shift in the jail has the greatest number of bookings and also considerably more interaction with inmates than other shifts which accounts for a greater number of uses of force incidents on that shift than on others.

Reading through A35 Use of Force report forms revealed several problems that have been addressed with command staff for implementation of changes with their respective sections. Issues are:

Recommend the following be added to A35 Use of Force Forms:

**Number of CCSO Officers involved** \_\_\_\_\_  
**Indicate force used by number of officers:**  
**L1** \_\_\_\_\_ **L2** \_\_\_\_\_ **Taser** \_\_\_\_\_ **LVNR** \_\_\_\_\_ **Less Lethal** \_\_\_\_\_ **Lethal** \_\_\_\_\_  
**Display of Firearm** \_\_\_\_\_ **Taser** \_\_\_\_\_

Additional discrepancies found throughout Use of Force Reports submitted:

- \* A35's not signed by supervisor
- \* A35's not signed by reporting officer
- \* Level of force not verified by supervisor
- \* No level of force indicated on A35
- \* Techniques used section not filled out
- \* Corrections reports utilized the term "Tasers at standby". What does this mean? Is it aimed at an individual which would require an A35 or simply held at low ready which does not?
- \* Number of officers misleading. Reports list all officers present as witnesses however several officers may not have employed any force at all. Adding the matrix above should resolve that problem.
- \* Some Operations A35's say "see report" with either no report or case number indicated or just a case number which gives no information regarding the incident on the A35 at all.
- \* Misclassification of level of force found on A35's.

Reports were generally improved from last year when it was noticed that many reports used nondescript verbs to describe force employed, such as "assisted, placed, and escorted" rather than more descriptive terms for actual force utilized to gain compliance. It would be better described to say "I put the offender on the ground by means of an arm bar" rather than "I placed the offender on the ground". **This year reports more accurately reflect actual force used. Recommend reaffirming that descriptive verbs are utilized in Use of Force reports submitted by all personnel and instruct all personnel regarding the issues noted above.**

We currently require a Use of Force report for Display of Force Option. Lexipol does not require a report for Display of Force. Display of Force Options accounts for nearly 31% of Use of Force Reports versus 23% in 2011. **Recommend discussing at Command Staff level whether a display of force should continue to be reported or not. Suggest that County Risk Management also provide input to that discussion.**

Review of Use of Force reports show one level 1 report that should have been listed as level 2 due to knee strikes being employed and one level 2 report that should have been listed as level 1. **Recommend reaffirming use of force levels for 1<sup>st</sup> line supervisors to appropriately assign use of force levels in reports. Defensive tactics training should include a portion of a class dedicated to when Use of Force reports are required and how use of force levels are determined in reports. We will also work to create an A35 report form that incorporates the levels of force continuum for reference in the future.**

**The decrease in Use of Force incidents and the reduction of public complaints is an exceptional achievement by all sections of the department considering we have had a 20+% increase in calls for service and increased public contacts at the front counter.**

During 2012 there were 4 pursuits by members of CCSO versus 5 reported in 2011.

- On 09/24/2012 A Deputy observed a suspicious vehicle parked in an area of recent burglaries. When the Deputy approached the vehicle, a red Corvette, the vehicle fled. A pursuit reaching speeds of 80 mph lasted for 4 miles ended when the driver of the vehicle fled on foot.
- On 09/24/2012 Deputies responded to a tip that an attempted homicide suspect was in the Diamond Point area. Deputies observed a vehicle flee the location where the suspect was reported and a pursuit reaching speeds of 60 mph took place. The pursuit last approximately 6 minutes before the suspect crashed his vehicle and fled on foot.
- On 10/20/2012 Deputies responded to a domestic violence call. Upon arrival in the area of the call the DV suspect fled in a vehicle. Deputies attempted to stop the vehicle with emergency equipment reaching speeds of 90 mph. The suspect failed to negotiate a curve and crashed where they were taken into custody without injury.
- On 11/04/2012 Deputies attempted to stop a vehicle on Heath Rd for excessively bright high intensity road lights. The vehicle fled reaching speeds of 35/25 mph, 75/25 mph, 50/35 mph, 80/50 mph. When the vehicle went into a field after going into a ditch the Deputy dropped out of the pursuit. Sequim PD continued pursuit onto Hwy 101 until reaching the Clallam/Jefferson county line where they terminated pursuit. Jefferson County eventually located the vehicle in a ditch with no one present. The vehicle was located near Quilcene approximately 18 miles from termination of pursuit.

**All pursuits were subject to supervisory and administrative review and all were within department pursuit policy.**

Analysis of all internal investigations, use of force incidents and pursuits found no common thread indicating any single individual is responsible for an inordinate or unusual number of reports in any category or any reoccurring issue that needs to be dealt with more directly.

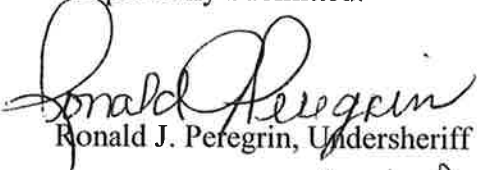
No indications were found indicating any profiling or racially motivated actions were engaged in by any department member during the 2012 review period. There are also no indications of an inordinate number of reports by any single individual across the three reporting issues, (Internal Investigation A36; Use of Force A35; & Pursuit A41) that would indicate no particular individual is experiencing an inordinate number of incidents.

**Recommend reaffirming Command Staff intent that all persons are expected to be treated with courtesy, dignity and respect. Commend personnel for the manner in which they have interacted with the public which is evidenced by very few complaints, no sustained complaints related to interaction with the public and numerous compliments received throughout the year.**

**Recommend instructions be reaffirmed to first line supervision to ensure descriptive verbs are utilized in Use of Force reports submitted by their personnel.**

**Recommend continued training in Use of Force reporting in order to maintain consistency in reporting. Defensive tactics training should include a portion of a class dedicated to when Use of Force reports are required.**

Respectfully Submitted:

  
Ronald J. Peregrin, Undersheriff

Sheriff's Signature



Date: 1-7-2012

Concur with findings

Do not concur with findings

Encl: A35 Internal Investigation  
A36 Use of Force Analysis  
A41 Pursuit Analysis

cc: Accreditation File