

## George Floyd protests: Here are local police, sheriff policies on tear gas, batons, more

[Alayna Shulman](#), Redding Record Searchlight Published 11:22 a.m. PT June 13, 2020



In Redding, the protests over the Minneapolis police killing of George Floyd have largely been peaceful, with officers at one point even escorting marchers down Court Street.

But police at some events have pepper-sprayed, tear-gassed and even beaten participants, and the sometimes shocking videos are what prompted Gov. Gavin Newsom to call for a statewide standardization of use-of-force policies.

"It's the most visible, most serious aspect of our job," said Ed Obayashi, a national adviser on use-of-force issues and a deputy sheriff and legal adviser for the Plumas County Sheriff's Office. "You can always correct a report. Once that baton-strike goes or the projectile, you can't take that back."

Obayashi said current policies for the Redding Police Department, Shasta County Sheriff's Office and Anderson Police Department are fairly standard for California.

Here's a look at their official policies on crowd control and more.

## 'Nothing's in black and white'

The first thing to remember: While it's easy to confuse the policy manual as a rule book, Obayashi said it's really just a guideline.

"Nothing's in black and white, especially this area of the law," he said. "There's not enough pages in the world to address every possible potential scenario that comes up in police work, especially when it comes to use of force."

Obayashi said most law-enforcement agencies in California use a template for policies they might then adjust, and that's true of Redding, Anderson and the sheriff's office.



While all three departments use the same template, Anderson and the sheriff's office tend to have fewer guidelines than Redding.

Obayashi said it's common for rural jurisdictions to allow more force because lone deputies patrolling in remote areas aren't necessarily going to get backup.

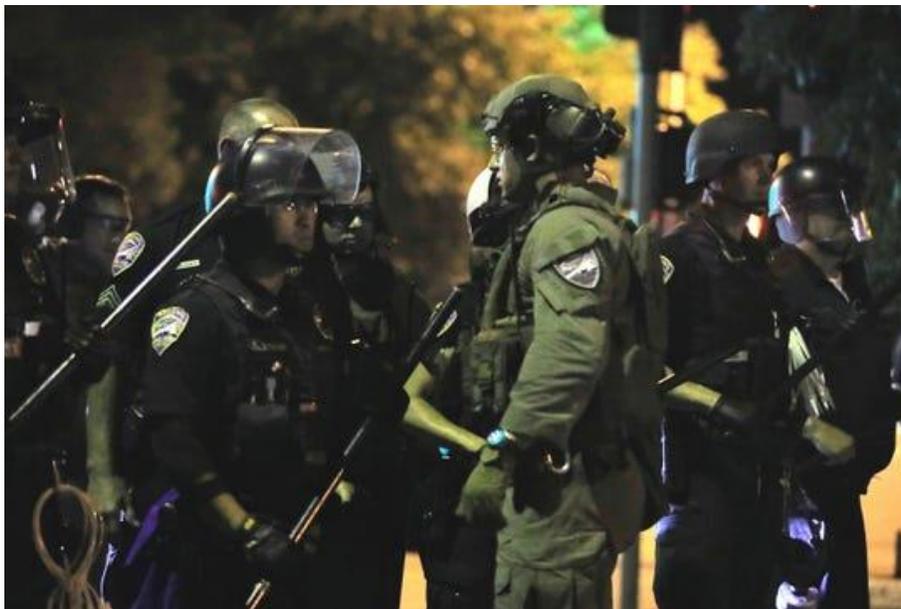
"We don't have the luxury of having a dozen officers," he said. "You're by yourself in the middle of the night in the middle of nowhere."

## When they use crowd-control techniques

With crowd control, for example, the two cities and county essentially have the same policy, but the sheriff's office's doesn't have as many guidelines.

The policy for all three agencies starts by advising that "In order to control subjects who are violent or who demonstrate the intent to be violent, the (agency) authorizes officers to use control devices in accordance with the guidelines in this policy and the Use of Force Policy."

For all departments, employees who use devices to control people have to be trained in them, and the devices have to be approved by the police chief, sheriff or an "authorized designee." Even then, "When using control devices, officers should carefully consider potential impact areas in order to minimize injuries and unintentional targets," the policy reads.



Redding police keep watch over a protest that took place in downtown Redding on Tuesday, June 2, 2020, over George Floyd's death at the hands of Minneapolis police. The outcry over Floyd's death led to protests across the U.S. and in other countries in response to police brutality and racism. *(Photo: Matt Brannon/Record Searchlight)*

After that is where the cities and sheriff's office start to differ.

RPD and Anderson both have entire subsections on "responsibilities" when using crowd control, and the sheriff's office's policy omits that section.

In part, that policy for Redding and Anderson includes the rule that "All normal maintenance, charging or cleaning shall remain the responsibility of personnel using the various devices. Any damaged, inoperative, outdated or expended control devices or munitions, along with documentation explaining the cause of the damage, shall be returned to the SWAT Tactical Commander or designee for disposition."

Whether officers decide to use tactics for controlling crowds can come down to the individual.

Obayashi said one officer might feel the need to use certain techniques based on his or her size or other factors, but it's not necessarily unreasonable just because another officer wouldn't have to.

"That's why these guidelines, by definition, cannot be a, 'Hey, this is one-size-fits all and applies everywhere at every time,'" he said. "There's no such thing, and there never will be."

## Batons

When it comes to batons, Redding has more extensive rules than the sheriff's office or Anderson.

For all three departments, "The need to immediately control a suspect must be weighed against the risk of causing serious injury. The head, neck, throat, spine, heart, kidneys and groin should not be intentionally targeted except when the officer reasonably believes the suspect poses an imminent threat of serious bodily injury or death to the officer or others."



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Redding police watch protesters Tuesday, June 2, 2020, during a downtown demonstration over the killing of George Floyd in Minneapolis on Memorial Day. The outcry over Floyd's death began as local protests in the Minneapolis-Saint Paul area of Minnesota before spreading throughout the U.S. and then worldwide in response to police brutality and racism. *(Photo: Matt Brannon/Record Searchlight)*

But Redding's policy on people hit with batons includes a provision that they be medically treated, while the other two departments' policies don't.

"Any suspect struck with a baton shall be transported to a Department approved medical facility for medical treatment prior to booking. Officers shall photograph all visible and complained of injuries, even when no evidence is present."

Redding also requires officers to use approved batons and apply the same rules if an officer hits someone with a flashlight.

## Tear gas and more

As for tear gas and pepper spray, all three departments basically have the same policy, except the sheriff's office and Anderson also have separate sections on "pepper projectiles."

Chemical agents "may be used for crowd control, crowd dispersal or against barricaded suspects based on the circumstances. Only the Division Commander, Watch Commander, SWAT Tactical Commander, or Incident Commander may authorize the delivery and use of tear gas, and only after evaluating all conditions known at the time and determining that such force reasonably appears justified and necessary. When practicable, fire personnel should be alerted or summoned to the scene prior to the deployment of tear gas to control any fires and to assist in providing medical aid or gas evacuation if needed."

Pepper spray, known formally as oleoresin capsicum,"may be considered for use to bring under control an individual or groups of individuals who are engaging in or are about to engage in violent behavior. OC spray should not, however, be used against individuals or groups who merely fail to disperse or do not reasonably appear to present a risk to the safety of officers or the public."

For all three departments, someone sprayed "or otherwise affected by the use of OC should be promptly provided with clean water to cleanse the affected areas. Those persons who complain of further severe effects shall be examined by appropriate medical personnel."

## Projectiles

The policies also address "kinetic energy projectiles," which Obayashi said includes bean bags and what most people know as rubber bullets.

All three departments essentially have the same policy, but once again, Redding has tighter guidelines about who should be on the receiving end of the projectiles.

Each department says they each are "committed to reducing the potential for violent confrontations. Kinetic energy projectiles, when used properly, are less likely to result in death or serious physical injury and can be used in an attempt to de-escalate a potentially deadly situation."

While "Officers are not required or compelled to use approved munitions in lieu of other reasonable tactics if the involved officer determines that deployment of these munitions cannot be done safely," the department guideline says "riotous" behavior such as throwing water bottles and even evidence the person has committed a crime or is refusing orders are some of the circumstances that might call for use.



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Redding police monitor the protest that took place in downtown Redding on Tuesday, June 2, 2020, over the killing of George Floyd at the hands of Minneapolis police. The Redding protesters joined with demonstrators nationwide who rallied against racism and law enforcement brutality against Black people. *(Photo: Matt Brannon/Record Searchlight)*

Still, things officers should consider when potentially firing include distance and angle, the type of munitions, how thick someone's clothing is, how close they are to others, their location and "whether the subject's actions dictate the need for an immediate response and the use of control devices appears appropriate."

In Redding, other than in "exigent and extraordinary" situations, officers are advised to avoid firing at obviously pregnant women, elderly or physically frail people, pre-adolescent children, someone who could fall off something, someone driving and someone handcuffed or "similarly" restrained, "unless the actions of the restrained person present violent resistance to officers or an immediate threat of physical injury to officers, the restrained person, or to other people present."

That provision isn't in the manuals for Anderson or the sheriff's office.

For all departments, if officers do decide to fire, "A verbal warning of the intended use of the device should precede its application unless it would otherwise endanger the safety of officers or when it is not practicable due to the circumstances. The purpose of the warning is to give the individual a reasonable opportunity to voluntarily comply and to warn other officers and individuals that the device is being deployed."

But when large gatherings happen, training ends up being more important than whatever's in the official handbook, Obayashi said.

"I've always said 1% policy, 99% training," he said.

*Alayna Shulman covers a little bit of everything for the Record Searchlight. In particular, she loves writing about [the issues of this community](#) through [long-form storytelling](#). Her work often centers on local [crime](#), [features](#) and [politics](#), and has won awards for best writing, best business coverage and best investigative reporting in the California News Publishers Association's Better Newspapers Contest. Follow her on Twitter ([@ashulman\\_RS](#)), call her at 530-225-8372 and, to support her work, please [subscribe](#).*