

# CRITICAL INCIDENT REPORTS

## SUMMARY

The Sonoma County Civil Grand Jury reviews all critical incident cases involving law enforcement in Sonoma County. Once the involved law enforcement agency and an outside law enforcement agency complete the investigation, and the Sonoma County District Attorney (DA) reviews the incident and makes a ruling, the Grand Jury begins its investigation. The 2011-2012 Grand Jury received four critical incident reports from the DA's office. We reviewed three of them. Due to time constraints, the last report received from the DA's office in April 2012 will be held over for the 2012-2013 Grand Jury to review.

Two of the reports involved the death of inmates: one suicide and one due to natural causes. The third report dealt with an incident of an officer-involved shooting of a suspect.

The District Attorney's duty is to determine if law enforcement officers followed the law. The DA found that there was no criminal liability in the shooting incident. The DA does not deal with civil liability litigation.

The Grand Jury provides an independent citizen review of the DA's conclusion regarding the absence of criminal behavior. The Grand Jury reviews critical incident reports to ensure that law enforcement agencies:

- Comply with county fatal incident protocol
- Act appropriately during the fatal incident
- Write unbiased reports which include witness statements
- Create a timeline of events leading up to, and including, the incident

The Grand Jury found that law enforcement agencies complied with the above.

## APPROACH

The Grand Jury reviewed all critical incident reports received from the DA's office. Regarding the Main Adult Detention Facility (MADF) inmate suicide, the Grand Jury interviewed all MADF deputies and staff who were present at the time of the suicide. We also took a tour viewing the areas where the inmate was confined prior to his suicide.

## DISCUSSION

The Grand Jury has a serious role in ensuring that law enforcement as well as the District Attorney's office thoroughly investigate each incident and reach a conclusion that is appropriate and without prejudice. This role pertains to all fatal reports, be it a death in custody or an officer-involved fatality. These are the three critical incidents that the Grand Jury reviewed this year:

**09/08/10: A death in the MADE.** The inmate committed suicide by jumping to his death from the second floor of the jail. The Grand Jury investigated, wrote a separate report on this death, and found that jail personnel followed appropriate procedures.

**10/29/10: Officer-involved shooting.** Sonoma County deputies shot and killed a suspect after a long standoff. The officers were aware that the suspect was carrying a loaded shotgun and made many attempts to negotiate with the suspect to surrender. The suspect used his car as a weapon and tried to ram into the deputies' cars to escape, potentially causing bodily harm to the officers. Reporting agencies found no criminal liability.

**12/05/10: A death in the MADE.** The inmate died of natural causes due to an unforeseen blood clot. The staff took appropriate measures in rendering aid before Emergency Medical Technicians arrived.

## FINDINGS

F1. Required protocol was followed by personnel in each critical incident.

*Reports issued by the Civil Grand Jury do not identify individuals interviewed. Penal Code Section 929 requires that reports of the Grand Jury not contain the name of any person or facts leading to the identity of any person who provides information to the Civil Grand Jury.*