



USE OF FORCE SUMMARY

Analysis Information

DR	14-190439	# of Deputies Using Force	4	Division	Investigations
Date	10/2/2014	# of Subjects		Sergeant	
Facility/Bureau		# of Witnesses		Lieutenant	William Baker
				Captain	Stuart Greenberg
Off Duty?	No				
Type of Force	General				

Location

Address / Cross Streets	
City	Garden Grove
Initial Call/Event	148 - Resisting / Delaying or Obstruction
Supervisor Present?	No
Converted?	Yes

Involved Employees

Employee Name	Injury / Details	Emergency Room?	Hospitalized	Blood borne pathogen/Needle Stick
BRETT DARNELL	None	No	No	No
DANIEL MERZ	None	No	No	No
PATRICK KINNEY	None	No	No	No
RENE DE LA ROSA	None	No	No	No

Subjects



Subject Name Height Weight Gender Race DOB	Force Encountered Charges ID Type/#	Subject Injured? Admitted to Hospital Details of Injury & Treatment	Alcohol	Drugs	Mental	ADA	AB109	ICE	Parole	Pro Per	Probation
Dhaliwal, Raji 6'0" 200 Male Unknown [REDACTED]	Resisting by running away and later holding arms under his body while on the ground. Refused to be handcuffed. 148(a)(1) CDL [REDACTED]	Major No Slight fracture of elbow. Treated in Emergency room of Western Medical Center - Anaheim. Cleared for booking after X-rays.	No	Yes	No	No	No	No	No	No	No

Force Used

Employee Reason for Force	Subject Force Used	Head/Face/Neck	Chest/Torso	Groin	Back/Buttocks	L Arm/Hand	L Leg/Foot	R Arm/Hand	R Leg/Foot

Witnesses

Witness Name	Contact Information (if available)

Supervisor's Review

I was present and witnessed this incident in it's entirety. I reviewed all reports and statistical summaries related to this incident. The subject was not interviewed due to Miranda issues. There were no other witnesses identified. There was no audio or video to review.

Audio / Video Review

No audio or video of incident

Materials Collected

None

Subject Interview

Dhaliwal was not interviewed due to Miranda issues. I spoke with Investigators Darnell, Kinney, Delarosa, and Deputy Merz after the incident. Each of their statements and accounts of the incident were consistent with what I witnessed and what was reported in the ICR.

Scene Documentation

Large motel parking lot and adjacent lawn.

Witness (es) Statement and Summary

No witnesses identified.

Supervisor Questions

- What were the actions that led to this Use of Force?
- Were the force options or weapons in this incident effective?
- Were the force options or weapons utilized in this incident reasonable under Policy 300?
- Was relevant/necessary medical attention provided to department member(s) and the use of force subject(s)?
- Was a supervisor notified of the use of force as required by department policy?
- Was proper use of video and/or audio recording technology used in this force incident?
- Were any training issues identified? (Examples include: officer safety, tactical communication, or de-escalation techniques)
- Were any other policy violations identified (examples: professionalism, violation of pursuit policy, standard of contact, use of profanity, pvs)?

Departmental Reviews

Involved Employees

Employee Name	Sgt. Recommendation	Lt. Recommendation	Cpt. Determination
BRETT DARNELL	In Policy, No further action required	In Policy, No further action required	In Policy, No further action required
DANIEL MERZ	In Policy, No further action required	In Policy, No further action required	In Policy, No further action required
PATRICK KINNEY	In Policy, No further action required	In Policy, No further action required	In Policy, No further action required
RENE DE LA ROSA	In Policy, No further action required	In Policy, No further action required	In Policy, No further action required

Sergeant's Conclusions

I find this use of force was within policy and justifiable. Members of the Sheriff's North Narcotics unit were serving a search warrant on Raji Dhaliwal, his vehicle, and the motel room that he was living in. Dhaliwal was positively identified prior to being contacted by investigators. Dhaliwal was seen exiting his vehicle in the parking lot. All Sheriff's personnel were clearly identifiable as law enforcement as they approached Dhaliwal, wearing green tactical vests or black t-shirts with SHERIFF in large gold letters on their fronts and backs. Investigators verbally identified themselves repeatedly while ordering Dhaliwal to stop and get on the ground. Dhaliwal continued to ignore all lawful commands to stop while he ran away, throwing narcotics from his pockets as he went. After being tackled to the ground, Dhaliwal continued to resist and attempted to destroy evidence that was in his pockets. Investigators used only enough force to overcome the resistance they encountered. Once Dhaliwal was handcuffed he was checked for injuries and no additional force was used. All Sheriff's personnel used tremendous self-restraint while taking Dhaliwal into custody. The tackle and control holds were appropriate and reasonable, especially in light of the defiant and irrational behavior demonstrated by Dhaliwal.

Sergeant's Recommendation

I recommend no further action be taken.

Managerial Review

Were all witness statements memorialized in the Supervisory Analysis of this use of force incident?

Was the use of force subject interviewed and the statements memorialized in the Supervisory Analysis of this use of force incident?

Are there any areas of training to be addressed? If yes, what are they? Corrected Actions taken?

Are there any areas of liability or risk management concerns associated with this use of force event? If yes, what are they?

This use of force was subject to automatic review due to one or more of the following reasons:

- Use of Force required admission to a hospital for medical treatment No
- Arrests for PC 148, with no additional charges No
- Use of carotid restraint No
- Ineffective use of ECD where additional force is necessary No
- Multiple deployments (drive stun, multiple cycles, more than one cartridge used) of the ECD No
- Use of less lethal munitions (40mm, 12 gauge super sock "bean bag") with no response from Homicide No
- Use of Force on subjects not involved in the original investigation (witnesses, passengers, etc.) No
- Use of Force on subjects released at the scene (includes cite and releases) No

Lt. Conclusions / Recommendations
