

to pull and struggle against his attempts to control the arm. Acting Sergeant Barker noted that as the Inmate continued to resist, he pulled on the Inmate's arm and heard a "pop". Staff note that the Inmate did not react but that they were finally able to move his other arm behind his back and secure it in restraints.

Once the Inmate was restrained, staff escorted him out of the cell where they document that he continued to struggle, "go limp" and resist their efforts to move him to disciplinary housing. Staff note that Inmate Sullivan actively resisted their efforts during the entire escort to the fourth floor and into the 4F13 cell. According to reports, Inmate Sullivan did not stop resisting until his clothing was removed and he verbalized that his arm was injured. After being notified of possible injury staff contacted medical and requested that the Inmate be assessed. Staff also note that they covered Inmate Sullivan with a white jumpsuit and a sheet to keep him warm and to ensure some privacy.

Based on the information provided in the attached reports, it appears that staff used a reasonable level of force in order to stop Inmate Sullivan's assaultive behavior, secure him in restraints and move him to disciplinary housing. Staff only escalated force in response to the actions and behavior demonstrated by Inmate Sullivan. Staff gave multiple verbal commands to the Inmate and allowed opportunity for compliance. Staff deescalated force appropriately once Inmate Sullivan was controlled. Medical staff were notified of the event as per policy.

It should be noted that I requested reports from Deputy Pemberton and Deputy Dilger after I received this packet for review. I did not send the packet back to previous reviewers as I do not believe that any of the information provided by either writer would alter the conclusion of any previous reviewers. (Lt Kurtiss Morrison)

10/06/2017 1254 hrs - All reports reviewed.

It is clear from all the reports that inmate Sullivan planned his attack on staff. He pre crushed up spicy chips to throw at staff as well as purposely would not cuff up through the food-port but told staff that he would comply with cuffing in his cell. In hindsight this appears to be a ploy to get staff in his cell so he could assault them, but it is not uncommon for staff to handcuff inmates that appear compliant for movement in this manner.

Once in the cell, Sullivan assaulted staff by throwing the spicy ground up chips at the faces of staff and Sullivan threw multiple punches and kicked at staff. Some punches and kicks did impact staff members.

Staff responded by turning Sullivan away from them and attempted to place handcuffs on him. Sullivan resisted the entire time and would not follow numerous orders to comply. Staff held Sullivan against the counter in the cell and continued to attempt to get Sullivan's arms behind his back for handcuffing. This process took an extreme amount of effort by staff to overcome Sullivan's resistance. Staff were able to get Sullivan's hands behind his back and cuffed. During this process some staff heard a "pop" and it appears that due to Sullivan's extreme resistance Sullivan's arm was broken. Sullivan was handcuffed and moved to disciplinary housing. Once in disciplinary housing Sullivan said for the first time that his arm was hurt. Staff called Medical and Sullivan was seen by Medical and transport by ambulance to the ER.

Staff were confronted by a sudden and unprovoked attack and responded appropriately to defend themselves from the attack and to accomplish the requirement of securing the inmate for movement to disciplinary housing.

The force used was appropriate and necessary to overcome the inmate attack and the inmates physical resistance.

Due only to the nature of the injury to the inmate, I am sending this report packet to CD Peterson for review. (Cpt Jeffery Wheeler)

11/16/2017 1131 hrs - I have reviewed the Use of Force packet. (Cpt Derrick Peterson)

HAZARD:

Sullivan, Cyrus Controlled	
Reason for Contact:	Back up call
Reasons for Force:	Defend Self Defend Other Assault (Deputy) Assault (Staff) Physical Resistance or Intent
Resist Conditions:	Passive Active Defiance Threatening Combative Mental Armed/Perceived (Other/Unknown)
Physical Control:	Other