

**MARIN COUNTY SHERIFF'S OFFICE
PATROL DIVISION POLICY AND PROCEDURES MANUAL**

**CHAPTER 3 – NON-CRIMINAL/CIVIL
PAT-03-01
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**DATE
March 9, 1990
Rev: 5/28/02**

CIVIL RIGHTS DEMONSTRATION - NONVIOLENT

POLICY

It shall be the policy of this department to protect and insure the civil rights of anyone who chooses to peacefully demonstrate. Should there be cause to make arrests during a nonviolent civil rights demonstration, members of this department shall make arrests in accordance with Section 835a and 843 of the California Penal Code.

DEFINITIONS

835a P.C. Use of Force to Effect Arrest.

Any peace officer who has reasonable cause to believe that the person to be arrested has committed a public offense may use reasonable force to effect the arrest, to prevent escape or to overcome resistance.

A peace officer who makes or attempts to make an arrest need not retreat or desist from his efforts by reason of the resistance or threatened resistance of the person being arrested; nor shall such officer be deemed an aggressor or lose his right to self-defense by the use of reasonable force to effect the arrest or to prevent escape or to overcome resistance.

843 P.C. Overcoming Resistance or Preventing Escape.

When the arrest is being made by an officer under the authority of a warrant, after information of the intention to make the arrest, if the person to be arrested either flees or forcibly resists, the officer may use all necessary means to effect the arrest.

RELATED STANDARDS

Penal Code § 835a, 843

AFFECTED DIVISIONS

Patrol Division

DATE OF REVISIONS

3/9/90

5/28/02 (replaces GN-90-08)

BY ORDER OF:

**DANIEL PAYNE, CAPTAIN
BUREAU OF FIELD OPERATIONS**