

Use of Force - Less Lethal Control Devices

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Title: *Use of Force - Less Lethal Control Devices* Detention Division Version: 4.03.10

1.0 POLICY STATEMENT

To reduce and minimize altercation-related injuries to deputies and inmates, the Department authorizes Correctional Deputies to use selected less lethal control devices (i.e. baton, oleoresin capsicum spray, kinetic energy projectiles, PepperBall projectiles). Certain less lethal control devices are provided in order to control violent or potentially violent inmates. It is anticipated that the use of these devices will generally result in fewer altercation-related injuries to Correctional Deputies and inmates.

2.0 DEFINITIONS

SERT	Specialized Emergency Response Team.
Approved Less Lethal Control Devices	Less Lethal Control Devices approved by the Sonoma County Sheriff's Department for use by Department approved staff.
Pepperball System	The Pepperball System deploys plastic spheres filled with Oleoresin Capsicum (O/C) powder, which shatter on impact with a semi-hard surface, releasing the O/C powder into the air, temporarily incapacitating the affected subject.
Oleoresin	A mixture of an essential oil and a resin found in nature.
Capsicum	The common pepper of the garden, occurring in many varieties that range from mild to hot, having pungent seeds, also ranging from mild to hot, enclosed in a podded or bell shaped pericarp.
Oleoresin Capsicum Oil of Capsicum (O/C)	1. Powder form of O/C - Dispensed from a pepperball projectile system. 2. Liquid form of O/C - Dispensed in aerosol form from a hand held dispenser (Refer to: Use of Force - Chemical Agents)
Kinetic Energy Projectiles	Munitions containing foam, rubber or bean-bag projectiles deployed from 12 guage shotguns, 37mm or 40mm launchers, and/or the FN303 Less Lethal Launcher System.
Approved Impact Weapon (baton)	Plastic or metal straight or side handle expandable police baton.
Use of Force Tracking and Reporting Form	Form used to document the Use of Force used with the intent to gain compliance from a suspect who will not comply.
Taser	A less lethal conductive energy weapon that uses propelled wires to conduct energy to a remote target, thereby controlling and affecting the central nervous system of the body. Although Taser is a brand name, the word is used in this policy and procedure to define the type of device, not the brand. (Refer to: Use of Force - Taser)

3.0 MANDATES

Title 15 Standards: None

4.0 GENERAL INFORMATION

- A. Only Department approved less lethal control devices will be used.
- B. Correctional Deputies who have successfully completed an approved Departmental training course, and are authorized by the Operations Captain or his designee, may carry and deploy department-approved less lethal projectiles while performing correctional duties pursuant to this policy.
- C. With the exception of training situations, all uses of less lethal control devices, including accidental discharges, will be documented in the incident/arrest/crime report and on the Sheriff's Department Use of Force Tracking and Reporting form. If a Taser is deployed the serial number of the Taser will also be included on all documents.
- D. Requests for use of a less lethal control device will be made through the Detention Operations Captain or his designee.
- E. The SERT Lieutenant, SERT Sergeant or SERT Team Leader may authorize the use of a less lethal control device for SERT operations.
- F. The application of a less lethal control device will stop once compliance is gained and resistance has stopped (Refer to: [Use of Force](#)).
- G. All Staff Members will wear appropriate safety equipment when training with less lethal control devices.
- H. All SERT less lethal control devices will be stored in the Detention Armory.
- I. All normal maintenance, charging or cleaning shall remain the responsibility of members using the various devices.
- J. The Watch Commander or his designee will check with Medical Staff to determine if any of the involved inmates have any medical conditions that may be affected by the use of less lethal control devices.
- K. The Staff Member firing a less lethal control device shall avoid intentionally striking an inmate's face, neck, eyes, or groin unless a life threatening situation exists. For exceptions see ([Use of Force - Chemical Agents](#)).
- L. Each tactical situation must be evaluated based on the totality of circumstances at the time of deployment.

5.0 PROCEDURES

- A. The Facility Manager or his designee will assess the situation and determine if a less lethal control device is authorized for use.
- B. When a decision has been made to restrain a violent or threatening inmate, an approved less lethal control device may only be used when its use appears reasonable under the circumstances. The Deputy discharging the weapon should consider the following factors:
 - 1. Severity of the crime/incident
 - 2. Inmate's capability to pose an immediate threat to the safety of Deputies or others
 - 3. If the inmate is actively resisting
 - 4. The credibility of the inmate's threat as evaluated by the Deputy's present & physical capacity/capability
 - 5. The proximity of weapons available to the inmate
 - 6. The Correctional Deputy versus the inmate's physical factors (i.e., age, size, relative strength, skill level, injury/exhaustion, the number of Correctional Deputies versus inmate(s))
 - 7. The availability of other force options and their possible effectiveness
 - 8. Manufacturers recommendations regarding deployment distance and angle to target, however Deputies are not solely restricted to use according to these recommendations based on the totality of circumstances at the time of deployment
 - 9. Type of munitions employed
 - 10. Type/thickness of subject's clothing
- C. In cases where the use of deadly force is justified or immediate incapacitation must be accomplished to prevent death or serious injury, Correctional Deputies are authorized to consider close range or extended range shots. The need to immediately incapacitate the subject must be weighed against the risk of causing serious injury or death.
- D. Unless it would otherwise endanger officer safety or is impractical due to circumstances, a verbal announcement of the

intended use of the less lethal control device shall precede the application of the device in order to:

1. Provide the individual with a reasonable opportunity to voluntarily comply.
 2. Provide other Deputies and Staff with a warning that a device may be deployed.
- E. Medical Staff will examine and decontaminate all involved inmates and treat all injuries as soon as possible. If necessary the inmate will be transported to the hospital for medical clearance.
- F. Photographs will be taken of the area on the inmate struck by an impact weapon, pepperball projectile, and/or kinetic energy impact projectile and any area the inmate alleges they have been injured.
- G. When projectiles have been deployed, prior to leaving the Module/Unit the Correctional Deputies will collect the projectiles and dispose of them in the Detention Armory. If projectiles cannot be located, the Deputy will document the efforts taken to locate the projectiles in the Incident Report.
- H. The Sergeant or his designee will complete a detailed Incident Report (Refer to: [Incident Report](#)) to include:
1. Type of weapon used
 2. Type of projectile/munition used
 3. Distance from subject at deployment
 4. Area targeted
 5. Impact area
 6. Injuries sustained by the subject
 7. Medical treatment provided
 8. The fact that a verbal and/or other warning was given or reasons it was not given
 9. a copy of the Use of Force Tracking and Reporting Form
 10. Photographs
- I. The Supervisor who reviews the incident report shall ensure consistency between the incident, the incident report, the crime report, and the Use of Force Tracking and Reporting Form.
- J. The original Use of Force Tracking and Reporting form shall be sent to the Watch Commander or for SERT operations, the SERT Lieutenant.
- K. The Watch Commander or SERT Lieutenant shall send the original Use of Force Tracking and Reporting form to the Personnel Bureau Lieutenant for filing in the Use of Force Tracking and Reporting form file. Use of Force Tracking and Reporting forms shall be purged after five years unless there is criminal or civil proceedings pending.
- L. The Facility Manager or his designee will monitor the use of less lethal control devices and all damaged, inoperative and/or expended less lethal control devices will be returned to the Correctional Deputy responsible for disposition, repair or replacement.

6.0 REVISION HISTORY

Version 2.03.01 - Revised 03/2001

Version 3.06.07 - Revised 6/26/07 (Merged MADF Version 2.03.01 and NCDF Version 2.03.01)

Version 4.03.10 - Revised 03/17//2010 (Replaces Division Wide SERT Specialty Impact Munitions Version 5.06.07 & Pepperball Projectiles Version 3.06.07)