

Integrity Service Excellence

Riverside Police Department

Less Lethal Training Presentation

July 2015

Tab 1

Use of Force

300.1 PURPOSE AND SCOPE

This policy provides guidelines on the reasonable use of force. While there is no way to specify the exact amount or type of reasonable force to be applied in any situation, every member of this department is expected to use these guidelines to make such decisions in a professional, impartial and reasonable manner.

300.1.1 DEFINITIONS

Definitions related to this policy include:

Deadly force - Force reasonably anticipated and intended to create a substantial likelihood of causing death or very serious injury.

Force - The application of physical techniques or tactics, chemical agents or weapons to another person. It is not a use of force when a person allows him/herself to be searched, escorted, handcuffed or restrained.

300.2 POLICY

The use of force by law enforcement personnel is a matter of critical concern, both to the public and to the law enforcement community. Officers are involved on a daily basis in numerous and varied interactions and, when warranted, may use reasonable force in carrying out their duties.

Officers must have an understanding of, and true appreciation for, their authority and limitations. This is especially true with respect to overcoming resistance while engaged in the performance of law enforcement duties.

The Department recognizes and respects the value of all human life and dignity without prejudice to anyone. Vesting officers with the authority to use reasonable force and to protect the public welfare requires monitoring, evaluation and a careful balancing of all interests.

300.2.1 DUTY TO INTERCEDE

Any officer present and observing another officer using force that is clearly beyond that which is objectively reasonable under the circumstances shall, when in a position to do so, intercede to prevent the use of unreasonable force. An officer who observes another employee use force that exceeds the degree of force permitted by law should promptly report these observations to a supervisor.

300.3 USE OF FORCE

Officers shall use only that amount of force that reasonably appears necessary given the facts and circumstances perceived by the officer at the time of the event to accomplish a legitimate law enforcement purpose.

The reasonableness of force will be judged from the perspective of a reasonable officer on the scene at the time of the incident. Any evaluation of reasonableness must allow for the fact that officers are often forced to make split-second decisions about the amount of force that reasonably

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appears necessary in a particular situation, with limited information and in circumstances that are tense, uncertain and rapidly evolving.

Given that no policy can realistically predict every possible situation an officer might encounter, officers are entrusted to use well-reasoned discretion in determining the appropriate use of force in each incident.

It is also recognized that circumstances may arise in which officers reasonably believe that it would be impractical or ineffective to use any of the tools, weapons or methods provided by the Department. Officers may find it more effective or reasonable to improvise their response to rapidly unfolding conditions that they are confronting. In such circumstances, the use of any improvised device or method must nonetheless be reasonable and utilized only to the degree that reasonably appears necessary to accomplish a legitimate law enforcement purpose.

While the ultimate objective of every law enforcement encounter is to avoid or minimize injury, nothing in this policy requires an officer to retreat or be exposed to possible physical injury before applying reasonable force.

300.3.1 USE OF FORCE TO EFFECT AN ARREST

Any peace officer may use reasonable force to effect an 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/her efforts by reason of resistance or threatened resistance on the part of the person being arrested; nor shall an officer be deemed the aggressor or lose his/her right to self-defense by the use of reasonable force to effect the arrest, prevent escape or to overcome resistance (Penal Code § 835).

300.3.2 FACTORS USED TO DETERMINE THE REASONABLENESS OF FORCE

When determining whether to apply force and evaluating whether an officer has used reasonable force, a number of factors should be taken into consideration, as time and circumstances permit. These factors include, but are not limited to:

- (a) Immediacy and severity of the threat to officers or others.
- (b) The conduct of the individual being confronted, as reasonably perceived by the officer at the time.
- (c) Officer/subject factors (age, size, relative strength, skill level, injuries sustained, level of exhaustion or fatigue, the number of officers available vs. subjects).
- (d) The effects of drugs or alcohol.
- (e) Subject's mental state or capacity.
- (f) Proximity of weapons or dangerous improvised devices.
- (g) The degree to which the subject has been effectively restrained and his/her ability to resist despite being restrained.
- (h) The availability of other options and their possible effectiveness.

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- (i) Seriousness of the suspected offense or reason for contact with the individual.
- (j) Training and experience of the officer.
- (k) Potential for injury to officers, suspects and others.
- (l) Whether the person appears to be resisting, attempting to evade arrest by flight or is attacking the officer.
- (m) The risk and reasonably foreseeable consequences of escape.
- (n) The apparent need for immediate control of the subject or a prompt resolution of the situation.
- (o) Whether the conduct of the individual being confronted no longer reasonably appears to pose an imminent threat to the officer or others.
- (p) Prior contacts with the subject or awareness of any propensity for violence.
- (q) Any other exigent circumstances.

300.3.3 PAIN COMPLIANCE TECHNIQUES

Pain compliance techniques may be effective in controlling a physically or actively resisting individual. Officers may only apply those pain compliance techniques for which they have successfully completed department-approved training. Officers utilizing any pain compliance technique should consider:

- (a) The degree to which the application of the technique may be controlled given the level of resistance.
- (b) Whether the person can comply with the direction or orders of the officer.
- (c) Whether the person has been given sufficient opportunity to comply.

The application of any pain compliance technique shall be discontinued once the officer determines that compliance has been achieved.

300.3.4 CAROTID CONTROL HOLD

The proper application of the carotid control hold may be effective in restraining a violent or combative individual. However, due to the potential for injury, the use of the carotid control hold is subject to the following:

- (a) The officer shall have successfully completed department-approved training in the use and application of the carotid control hold.
- (b) The carotid control hold may only be used when circumstances perceived by the officer at the time indicate that such application reasonably appears necessary to control a person in any of the following circumstances:
 - 1. The subject is violent or physically resisting.
 - 2. The subject, by words or actions, has demonstrated an intention to be violent and reasonably appears to have the potential to harm officers, him/herself or others.

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- (c) **Any individual who has had the carotid control hold applied, regardless of whether he/she was rendered unconscious, shall be taken for a medical booking clearance (OK to book) as soon as practicable, and should be monitored until examined by paramedics or other appropriate medical personnel.**
- (d) The officer shall inform any person receiving custody, or any person placed in a position of providing care, that the individual has been subjected to the carotid control hold and whether the subject lost consciousness as a result.
- (e) Any officer attempting or applying the carotid control hold shall promptly notify a supervisor of the use or attempted use of such hold.
- (f) The use or attempted use of the carotid control hold shall be thoroughly documented by the officer in any related reports.

300.4 DEADLY FORCE APPLICATIONS

Use of deadly force is justified in the following circumstances:

- (a) An officer may use deadly force to protect him/herself or others from what he/she reasonably believes would be an imminent threat of death or serious bodily injury.
- (b) An officer may use deadly force to stop a fleeing subject when the officer has probable cause to believe that the person has committed, or intends to commit, a felony involving the infliction or threatened infliction of serious bodily injury or death, and the officer reasonably believes that there is an imminent risk of serious bodily injury or death to any other person if the subject is not immediately apprehended. Under such circumstances, a verbal warning should precede the use of deadly force, where feasible.

Imminent does not mean immediate or instantaneous. An imminent danger may exist even if the suspect is not at that very moment pointing a weapon at someone. For example, an imminent danger may exist if an officer reasonably believes any of the following:

1. The person has a weapon or is attempting to access one and it is reasonable to believe the person intends to use it against the officer or another.
2. The person is capable of causing serious bodily injury or death without a weapon and it is reasonable to believe the person intends to do so.

300.4.1 SHOOTING AT OR FROM MOVING VEHICLES

Shots fired at or from a moving vehicle are rarely effective. Officers should move out of the path of an approaching vehicle instead of discharging their firearm at the vehicle or any of its occupants. An officer should only discharge a firearm at a moving vehicle or its occupants when the officer reasonably believes there are no other reasonable means available to avert the threat of the vehicle, or if deadly force other than the vehicle is directed at the officer or others.

Officers should not shoot at any part of a vehicle in an attempt to disable the vehicle.

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300.5 REPORTING THE USE OF FORCE

Any use of force by a member of this department shall be documented promptly, completely and accurately in an appropriate report, depending on the nature of the incident. The officer should articulate the factors perceived and why he/she believed the use of force was reasonable under the circumstances. To collect data for purposes of training, resource allocation, analysis and related purposes, the Department may require the completion of additional report forms, as specified in department policy, procedure or law.

300.5.1 NOTIFICATION TO SUPERVISORS

Any application of force used by an Officer shall be reported to a supervisor as soon as practicable.

300.5.2 REPORTABLE USE OF FORCE ADMINISTRATIVE REVIEW

Supervisors shall be required to complete an administrative review of the application of force used by an officer when;

- (a) The application of the force used by the officer appears to have caused physical injury to the suspect or required medical assistance.
- (b) The application of the force by the officer included personal body weapons, a chemical irritant, electronic control device, carotid restraint, baton or firearm.
- (c) The application of force by the officer appears to have rendered the suspect unconscious.

300.5.3 WARNING SHOTS

Warning shots are strictly prohibited. Shots fired for the purpose of summoning aid are discouraged and may not be discharged unless the officer reasonably believes that they appear necessary, effective, and reasonably safe.

300.5.4 REPORT OF WEAPON DISCHARGE

Except during training or recreational use, any member who discharges a weapon accidentally or intentionally, on or off-duty, shall make a verbal report to his/her supervisor as soon as circumstances permit. If on-duty at the time of the incident the member shall file a written report with his/her Division Commander prior to the end of shift and if off-duty, as directed by the supervisor but no later than the end of the next regularly scheduled shift.

300.6 MEDICAL CONSIDERATION

Prior to booking or release, medical assistance shall be obtained for any person who exhibits signs of physical distress, who has sustained visible injury, expresses a complaint of injury or continuing pain, or who was rendered unconscious. Any individual exhibiting signs of physical distress after an encounter should be continuously monitored until he/she can be medically assessed.

Based upon the officer's initial assessment of the nature and extent of the subject's injuries, medical assistance may consist of examination by fire personnel, paramedics, hospital staff or medical staff at the jail. If any such individual refuses medical attention, such a refusal shall be fully documented in related reports and, whenever practicable, should be witnessed by another

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officer and/or medical personnel. If a recording is made of the contact or an interview with the individual, any refusal should be included in the recording, if possible.

The on-scene supervisor, or if not available, the primary handling officer shall ensure that any person providing medical care or receiving custody of a person following any use of force is informed that the person was subjected to force. This notification shall include a description of the force used and any other circumstances the officer reasonably believes would be potential safety or medical risks to the subject (e.g., prolonged struggle, extreme agitation, impaired respiration).

Persons who exhibit extreme agitation, violent irrational behavior accompanied by profuse sweating, extraordinary strength beyond their physical characteristics and imperviousness to pain (sometimes called "excited delirium"), or who require a protracted physical encounter with multiple officers to be brought under control, may be at an increased risk of sudden death. Calls involving these persons should be considered medical emergencies. Officers who reasonably suspect a medical emergency should request medical assistance as soon as practicable and have medical personnel stage away if appropriate.

300.7 SUPERVISOR RESPONSIBILITY

A supervisor shall respond to an incident in which there has been a reportable use of force, and the supervisor is expected to:

- (a) Obtain the basic facts from the involved officers. Absent an allegation of misconduct or excessive force, this will be considered a routine contact in the normal course of duties.
- (b) Ensure that any injured parties are examined and treated.
- (c) When possible, separately obtain a recorded interview with the subject upon whom force was applied. If this interview is conducted without the person having voluntarily waived his/her *Miranda* rights, the following shall apply:
 1. The content of the interview should not be summarized or included in any related criminal charges.
 2. The fact that a recorded interview was conducted should be documented in a supplemental police report.
 3. The recording of the interview should be distinctly marked for retention until all potential for civil litigation has expired.
- (d) Once any initial medical assessment has been completed or first aid has been rendered, ensure that photographs have been taken of any areas involving visible injury or complaint of pain, as well as overall photographs of uninjured areas. These photographs should be retained until all potential for civil litigation has expired.
- (e) Identify any witnesses not already included in related reports.
- (f) Review and approve all related reports.
- (g) Determine if there is any indication that the subject may pursue civil litigation.

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1. If there is an indication of potential civil litigation, the supervisor should complete and route a notification of a potential claim through the appropriate channels.
- (h) Evaluate the circumstances surrounding the incident and initiate an administrative investigation if there is a question of policy non-compliance or if for any reason further investigation may be appropriate.

300.7.1 WATCH COMMANDER RESPONSIBILITY

The Watch Commander shall review each use of force by any personnel within his/her command to ensure compliance with this policy and to document any training issues within the Early Warning System.

300.8 TRAINING

Officers will receive periodic training on this policy and demonstrate their knowledge and understanding.

Use of Force Training for CIT:

Warm Up/Stretching/Safety Discussion

(a)

- 1) Jog
- 2) Stretch

Use of Force Policy:

(j)

- 1) Review, RPD Policy 4.30
 - a. Levels 1-6 defined and explained
 - b. Discussion of Force Options/De-escalation
 - c. Questions

(g)(f)

Use of Force Reporting:

(f) (j)

- 1) Reportable uses of force
 - a. Supervisor's report vs. Officer/Detective report
- 2) Use of force cards
- 3) Example reports
- 4) Review of details needed to complete use of force report

Position of Advantage:

(h)

- 1) Uses of position of advantage
- 2) Entering position
- 3) Engaging subject
 - (a) Mapping the shoulder
 - (b) Correct position of hands/feet
- 4) Practical application

(i)

(i) (f)

Control Holds:

(d)

- 1) Rear Wrist Lock
 - (a) To finger flex/cuffing
- 2) Twist Lock
 - (a) To takedown/cuffing
- 3) Arm Bar
 - (a) To takedown/cuffing
- 4) Arm Shoulder lock
 - (a) Takedown/cuffing
- 5) Practical

(d)(e)

(d)(e)

(d)(e) (f)

Cuffing:

(e)

- 1) Low Risk (Standing)
 - a. Typical arrests
- 2) Medium Risk (Kneeling)
 - a. Felony car stop
- 3) High Risk (Prone)
 - a. Pedestrian hot stop/high risk situations
- 4) Searching from all cuffing positions

(c) (f)

Carotid Restraint:

(j) (n)

- 1) Policy
 - a. Level 4
 - b. Duration of application
 - c. After care
- 2) Proper position
 - a. Elbow aligned with nose and chin
- 3) Swim Technique
 - a. Used to expose suspects neck
- 4) Takedowns
 - (a) Rear
 - (b) Push/Pull
 - (c) Shoulder Pull/Knee Kick
- 5) Suspect pushes back
- 6) Escape from choke

(k)

Baton:

(l)

- 1) Zone strikes
 - (a) Zone 1-4
- 2) Blocks/Avoidance
 - (a) Basic blocks
 - (b) Passing
- 3) Danger areas on the body
 - (a) Where to aim
 - (b) Where not to aim
- 4) Practical Application

Pugilistics:

(l)

- 1) Fighting stance
 - (a) Hand/Feet/Head Position
 - (b) Movement
- 2) Punches
 - (a) Common fist jab/cross/hook/uppercut
 - (b) Palm heel strike
 - (c) Combinations
- 3) Elbows
 - (a) Horizontal Elbow to the front
 - (b) Elbow to the rear
- 4) Knees
 - (a) Proper positioning of hands and arms
 - (b) Single knee front and rear leg
 - (c) Change step
 - (d) Multiple

- 5) Kicks
 - (a) Front Kick
 - (1) Front leg/rear leg
 - (b) Round kick
 - (1) Front leg/rear leg
 - (c) Change step for both leg

Ground Fighting:

(h)

- 1) Suspect has back mount
 - (a) Create space/roll over
- 2) Suspect has mount
 - (a) Mount Escape
- 3) Suspect has guard
 - (a) Guard escape to mount/guard escape to standing
- 4) Officer has Guard
 - (a) Control of suspects arms/upper body
 - (b) Simple Sweep
 - (c) Creating space and getting back to feet
- 5) Figure four weapon retention
 - (a) Cap weapon
 - (b) Creating space
 - (c) Strike
 - (d) Obtain figure four
 - (e) Complete technique/cuffing
- 6) Lateral head displacement
 - (a) Initial position of arms/hands
 - (b) Post hand on opposite side of suspects head
 - (c) Gain compliance/cuffing
 - (d) Transition into carotid/head push method
- 7) Sprawls
 - (a) Use as immediate defense
 - (b) Disengage to different weapon system
 - (c) Take Back Mount to Carotid Restraint or custody

(e)(f)

Weapon Retention:

(m)

- 1) Suspect one/two hand grab from the front (same side/cross grab)
 - (a) Cap weapon
 - (b) Get base
 - (c) Strike at least 4 times
 - i. Extreme aggression needed to remove suspect from gun
 - (d) Counter joint movement to suspects elbow
 - (e) Clear weapon/direct suspect
 - (f) Visually check surroundings
- 2) Suspect grab from the rear
 - (a) Cap weapon
 - (b) Check behind and get base

- (c) Strike at least four times
- (d) Counter joint movement to suspects elbow
- (e) Clear weapon/direct suspect
- (f) Visually check surroundings

Two Officer Takedown/TARP:

(d)

- (a) Leg Control/upper body control
 - a. Role of officers
- (b) Hobble vs. TARP

Fight for Life Drill:

Used to allow students to show proficiency in all aspects of class and to give them an idea of the difficulty of fighting for an extended period of time.

(b) (f)

Tab 2

Control Devices and Techniques

305.1 PURPOSE AND SCOPE

This policy provides guidelines for the use and maintenance of control devices that are described in this policy.

305.2 POLICY

In order to control subjects who are violent or who demonstrate the intent to be violent, the Riverside Police Department authorizes officers to use control devices in accordance with the guidelines in this policy and the Use of Force Policy.

305.3 ISSUING, CARRYING AND USING CONTROL DEVICES

Control devices described in this policy may be carried and used by members of this department only if the device has been issued by the Department or approved by the Chief of Police or the authorized designee.

Only officers who have successfully completed department-approved training in the use of any control device are authorized to carry and use the device.

Control devices may be used when a decision has been made to control, restrain or arrest a subject who is violent or who demonstrates the intent to be violent, and the use of the device appears reasonable under the circumstances. When reasonable, a verbal warning and opportunity to comply should precede the use of these devices.

When using control devices, officers should carefully consider potential impact areas in order to minimize injuries and unintentional targets.

305.4 RESPONSIBILITIES

305.4.1 WATCHCOMMANDER RESPONSIBILITIES

The Watch Commander may authorize the use of a control device by selected personnel or members of specialized units who have successfully completed the required training.

305.4.2 RANGEMASTER RESPONSIBILITIES

The Rangemaster shall control the inventory and issuance of all control devices and shall ensure that all damaged, inoperative, outdated or expended control devices or munitions are properly disposed of, repaired or replaced.

Every control device will be periodically inspected by the Rangemaster or the designated instructor for a particular control device. The inspection shall be documented.

305.4.3 USER RESPONSIBILITIES

All normal maintenance, charging or cleaning shall remain the responsibility of personnel using the various devices.

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Any damaged, inoperative, outdated or expended control devices or munitions, along with documentation explaining the cause of the damage, shall be returned to the Rangemaster for disposition. A City property damage memo shall also be prepared and forwarded through the chain of command, when appropriate, explaining the cause of damage.

305.5 BATON GUIDELINES

The need to immediately control a suspect must be weighed against the risk of causing serious injury. The head, neck, throat, spine, heart, kidneys and groin should not be intentionally targeted except when the officer reasonably believes the suspect poses an imminent threat of serious bodily injury or death to the officer or others.

When carrying the department approved baton, uniformed personnel shall carry the baton in its authorized holder on the equipment belt. Plainclothes and non-field personnel may carry the baton as authorized and in accordance with the needs of their assignment or at the direction of their supervisor. The department approved baton is:

- (a) The straight baton made of wood, black in color.
- (b) The collapsible baton.

305.6 TEAR GAS GUIDELINES

Tear gas may be used for crowd control, crowd dispersal or against barricaded suspects based on the circumstances. The Incident Commander may authorize the delivery and use of tear gas, and only after evaluating all conditions known at the time and determining that such force reasonably appears justified and necessary.

When practicable, fire personnel should be alerted or summoned to the scene prior to the deployment of tear gas to control any fires and to assist in providing medical aid or gas evacuation if needed.

305.7 OLEORESIN CAPSICUM (OC) GUIDELINES

As with other control devices, oleoresin capsicum (OC) spray and pepper projectiles may be considered for use to bring under control an individual or groups of individuals who are engaging in, or are about to engage in violent behavior. Pepper projectiles and OC spray should not, however, be used against individuals or groups who merely fail to disperse or do not reasonably appear to present a risk to the safety of officers or the public.

305.7.1 OC SPRAY

Uniformed personnel carrying OC spray shall carry the device in its holster on the equipment belt. Plainclothes and non-field personnel may carry OC spray as authorized, in accordance with the needs of their assignment or at the direction of their supervisor.

305.7.2 PEPPER PROJECTILE SYSTEMS

Pepper projectiles are plastic spheres that are filled with a derivative of OC powder. Because the compressed gas launcher delivers the projectiles with enough force to burst the projectiles on

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impact and release the OC powder, the potential exists for the projectiles to inflict injury if they strike the head, neck, spine or groin. Therefore, personnel using a pepper projectile system should not intentionally target those areas, except when the officer reasonably believes the suspect poses an imminent threat of serious bodily injury or death to the officer or others.

Officers encountering a situation that warrants the use of a pepper projectile system shall notify a supervisor as soon as practicable. A supervisor shall respond to all pepper projectile system incidents where the suspect has been hit or exposed to the chemical agent. The supervisor shall ensure that all notifications and reports are completed as required by the Use of Force Policy.

Each deployment of a pepper projectile system shall be documented. This includes situations where the launcher was directed toward the suspect, whether or not the launcher was used. Unintentional discharges shall be promptly reported to a supervisor and documented on the appropriate report form. Only non-incident use of a pepper projectile system, such as training and product demonstrations, is exempt from the reporting requirement.

305.7.3 TREATMENT FOR OC SPRAY EXPOSURE

Persons who have been sprayed with or otherwise affected by the use of OC should be promptly provided with clean water to cleanse the affected areas. Those persons who complain of further severe effects shall be examined by appropriate medical personnel.

305.8 POST-APPLICATION NOTICE

Whenever tear gas or OC has been introduced into a residence, building interior, vehicle or other enclosed area, officers should provide the owners or available occupants with notice of the possible presence of residue that could result in irritation or injury if the area is not properly cleaned. Such notice should include advisement that clean up will be at the owner's expense. Information regarding the method of notice and the individuals notified should be included in related reports.

305.9 KINETIC ENERGY PROJECTILE (LESS LETHAL) GUIDELINES

This department is committed to reducing the potential for violent confrontations. Kinetic energy projectiles, when used properly, are less likely to result in death or serious physical injury and can be used in an attempt to de-escalate a potentially deadly situation.

305.9.1 DEPLOYMENT AND USE

Only department-approved kinetic energy munitions shall be carried and deployed. Approved munitions may be used to compel an individual to cease his/her actions when such munitions present a reasonable option.

Officers are not required or compelled to use approved munitions in lieu of other reasonable tactics if the involved officer determines that deployment of these munitions cannot be done safely. The safety of hostages, innocent persons and officers takes priority over the safety of subjects engaged in criminal or suicidal behavior.

Circumstances appropriate for deployment include, but are not limited to, situations in which:

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- (a) The suspect is armed with a weapon and the tactical circumstances allow for the safe application of approved munitions.
- (b) The suspect has made credible threats to harm him/herself or others.
- (c) The suspect is engaged in riotous behavior or is throwing rocks, bottles or other dangerous projectiles at people and/or officers.
- (d) There is probable cause to believe that the suspect has already committed a crime of violence and is refusing to comply with lawful orders.

305.9.2 DEPLOYMENT CONSIDERATIONS

Before discharging projectiles, the officer should consider such factors as:

- (a) Distance and angle to target.
- (b) Type of munitions employed.
- (c) Type and thickness of subject's clothing.
- (d) The subject's proximity to others.
- (e) The location of the subject.
- (f) Whether the subject's actions dictate the need for an immediate response and the use of control devices appears appropriate.

A verbal warning of the intended use of the device should precede its application, unless it would otherwise endanger the safety of officers or when it is not practicable due to the circumstances. The purpose of the warning is to give the individual a reasonable opportunity to voluntarily comply and to warn other officers and individuals that the device is being deployed.

Officers should keep in mind the manufacturer's recommendations and their training regarding effective distances and target areas. However, officers are not restricted solely to use according to manufacturer recommendations. Each situation must be evaluated on the totality of circumstances at the time of deployment.

The need to immediately incapacitate the subject must be weighed against the risk of causing serious injury or death. The head and neck should not be intentionally targeted, except when the officer reasonably believes the suspect poses an imminent threat of serious bodily injury or death to the officer or others.

305.9.3 SAFETY PROCEDURES

Shotguns specifically designated for use with kinetic energy projectiles will be specially marked in a manner that makes them readily identifiable as such.

Officers will inspect the shotgun and projectiles at the beginning of each shift to ensure that the shotgun is in proper working order and the projectiles are of the approved type and appear to be free from defects.

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When it is not deployed, the shotgun will be unloaded and properly and securely stored in the vehicle. When deploying the kinetic energy projectile shotgun, the officer shall visually inspect the kinetic energy projectiles to ensure that conventional ammunition is not being loaded into the shotgun.

Absent compelling circumstances, officers who must transition from conventional ammunition to kinetic energy projectiles will employ the two-person rule for loading. The two-person rule is a safety measure in which a second officer watches the unloading and loading process to ensure that the weapon is completely emptied of conventional ammunition.

305.10 TRAINING FOR CONTROL DEVICES

The Training Bureau Manager shall ensure that all personnel who are authorized to carry a control device have been properly trained and certified to carry the specific control device and are retrained or recertified as necessary.

- (a) Proficiency training shall be monitored and documented by a certified, control-device weapons or tactics instructor.
- (b) All training and proficiency for control devices will be documented in the officer's training file.
- (c) Officers who fail to demonstrate proficiency with the control device or knowledge of this agency's Use of Force Policy will be provided remedial training. If an officer cannot demonstrate proficiency with a control device or knowledge of this agency's Use of Force Policy after remedial training, the officer will be restricted from carrying the control device and may be subject to discipline.

305.11 REPORTING USE OF CONTROL DEVICES AND TECHNIQUES

Any application of a control device or technique listed in this policy shall be documented in the related incident report and reported pursuant to the Use of Force Policy.

LESS LETHAL WEAPON SYSTEMS COURSE OUTLINE

(Revised 8/12/10)

I. INTRODUCTION / COURSE OVERVIEW

- a. Less Lethal force philosophy, including the management of officer created jeopardy.
- b. Legal considerations
 - 1. The use of impact projectiles.
 - 2. High Risk versus Low Risk.
- c. Delivery Systems
 - 1. Deployment techniques
 - 2. Handling of persons after deployment
 - 3. Documentation

II. COURSE OBJECTIVES

- a. The student will have an understanding of;
 - 1. the less lethal force philosophy,
 - 2. safety priorities
 - 3. managing officer jeopardy
 - 4. legal issues
 - 5. (RPD) department policy.
- b. The student will demonstrate his/her ability to safely operate a 12 gauge, less lethal weapon.
 - 1. The student will have an understanding of the 12 gauge less lethal weapon.
 - 2. The student will have an understanding of the Def-Tec 23 DS impact projectile.

III. LEGAL CONSIDERATIONS

- a. Case Law
 - 1. Graham v. Connor, 490 U.S. 386, (1989)
 - 2. Quezada v. County of Bernalillo
 - 3. Plakas v. Drinkski
 - 4. Deorle v. Rutherford
- b. Policy and Procedure
 - 1. 4.49 (d) 5, Target Areas
 - 2. 4.30 -5, Use of Force
- c. Safety priorities
 - 1. Hostages
 - 2. Bystanders
 - 3. Officers
 - 4. Suspect/Subjects

IV. TACTICAL TRIAGE

- a. Incident Command (Who's in Charge?)
 - 1. First on scene
 - 2. Senior officer
 - 3. Supervisor

V. LESS LETHAL SYSTEMS

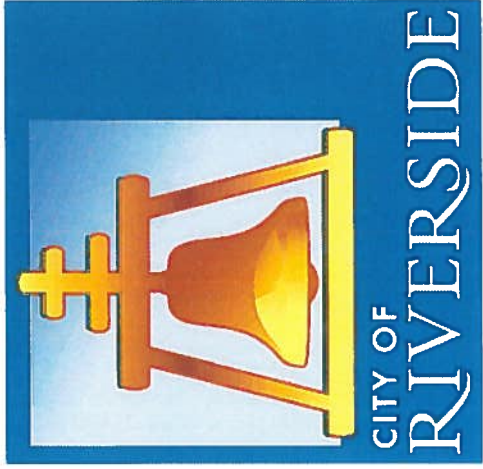
- a. Def-Tec Model 23 Drag Stabilized
 - 1. Type/Design
 - 2. Load – 40 g. #9 shot
 - 3. Range
- b. Primary Target Areas
 - 1. Buttocks
 - 2. Lower extremities
 - 3. Upper extremities
- c. Secondary Target Areas
 - 1. High risk use of force
 - 2. Lethal justification
- d. Injuries
 - 1. Impact – open wound
 - 2. Impact – closed wound
- e. Deployment/ Tactics
 - 1. Lethal cover for less lethal deployment
 - 2. Announcement, reassess, redeploy
 - 3. Take down/ arrest team
 - 4. Medical aid
 - 5. Scene security, documentation (photos)
 - 6. Report writing

VI. Written Exam

- a. 25 Question exam consisting of multiple choice, true / false, and fill in the blank questions.

VII. Practical Application

- a. Safety Briefing
 - 1. Weapon manipulation
 - 2. Range limits
- b. Course of Fire
 - 1. Fire one round at 7 yards and 15 yards
- c. Debrief / Clean up



Less Lethal Weapons Training

40mm

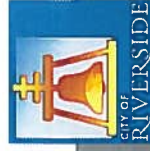


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Empowering Riverside Communities

Course Overview

- Less Lethal force philosophy, including the management of officer created jeopardy.
- Legal considerations, and the use of impact projectiles.
- Safety considerations in high risk incidents.
- Impact projectiles and delivery system (technical aspects, potential for death/injury, deployment techniques, handling of persons after deployment, documentation).



Course Objectives

- The student will have an understanding of the less lethal force philosophy, safety priorities, managing officer jeopardy, legal issues and (RPD) department policy.
- The student will have an understanding of the impact projectiles utilized by RPD.
- The student will demonstrate his/her ability to safely operate a 40mm less lethal weapon.
- The student will receive instructions on how to handle a person after deployment of less lethal and documentation of the incident.



Less Lethal Force Philosophy

“A concept of planning and force application, which meets operational objectives with less potential for causing death or serious injury than conventional police tactics.”



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Definition of Less Lethal

- A lawful and within policy application of force delivered with the intent of subduing a subject. Render him/her non-threatened and/or gain compliance. It is accepted that the probability exists for bodily harm, or even death, to occur through the use of less lethal options. However, it must also be accepted that the application of such force may be the only alternative to using lethal force to stop the subject's actions. Less Lethal force options are generally regarded as lower in a force continuum than deadly force



Policy and Procedure

- **Lexipol Section 300.3 (Use of Force)**
- Officers shall use only that amount of force that reasonably appears necessary given the facts and circumstances perceived by the officer at the time of the event to accomplish a legitimate law enforcement purpose.
- The reasonableness of force will be judged from the perspective of a reasonable officer on the scene at the time of the incident. Any evaluation of reasonableness must allow for the fact that officers are often forced to make split-second decisions about the amount of force that reasonably appears necessary in a particular situation, with limited information and in circumstances that are tense, uncertain and rapidly evolving.



Policy and Procedure

- Given that no policy can realistically predict every possible situation an officer might encounter, officers are entrusted to use well-reasoned discretion in determining the appropriate use of force in each incident.
- **Lexipol Section 305.9 (Kinetic Energy Projectile)**
 - Only department-approved kinetic energy munitions shall be carried and deployed. Approved munitions may be used to compel an individual to cease his/her actions when such munitions present a reasonable option.
 - Officers are not required or compelled to use approved munitions in lieu of other reasonable tactics if the involved officer determines that deployment of these munitions cannot be done safely. The safety of hostages, innocent persons and officers takes priority over the safety of subjects engaged in criminal or suicidal behavior.



POLICY AND PROCEDURE

Continued:

- Circumstances appropriate for deployment include, but are not limited to, situations in which:
- (a) The suspect is armed with a weapon and the tactical circumstances allow for the safe application of approved munitions.
- (b) The suspect has made credible threats to harm him/herself or others.
- (c) The suspect is engaged in riotous behavior or is throwing rocks, bottles or other dangerous projectiles at people and/or officers.
- (d) There is probable cause to believe that the suspect has already committed a crime of violence and is refusing to comply with lawful orders.



Policy and Procedure

- A verbal warning of the intended use of the device should precede its application, unless it would otherwise endanger the safety of officers or when it is not practicable due to the circumstances. The purpose of the warning is to give the individual a reasonable opportunity to voluntarily comply and to warn other officers and individuals that the device is being deployed.



Hierarchy of Life

- Prioritization of Human Life
 - Hostages
 - Innocent civilian bystanders
 - Officers
 - Suspects
- When Reasonable to utilize Less Lethal Munitions
 - Riot/Crowd Control
 - Armed Suspects (i.e. edged weapon, pipe, bat, etc.)
 - Mentally Challenged/"Suicide by Cop"
 - Non-compliant who pose a reasonable threat
 - Tactical operations/Diversionary purposes
 - Animal Control



Tactical Triage

- Experience has shown that in the absence of clear direction, indecisions tend to creep in. Officers must have a clear understanding of tactical triage, and the process of determining on whose behalf tactical decisions will be made; hopefully prior to facing the crisis.



Case Law

- **Graham v. Connor 490 US 386 (1989)**
 - “Objectively Reasonable” Test for Law Enforcement UOF
- **Quezada v. County of Bernalillo 944F .2d710 (1991)**
 - Officers held liable for putting self into deadly force situation
- **Plakas v. Drinkski 19F .ed 1143 (1994)**
 - “There is no constitutional duty to use non-deadly force
- **Langford v. Gates 729 P. 2nd 21,26 (1987)**
 - Proper documentation of training & operational use of distraction devices



Case Law

Deorle v. Rutherford 2001DJDA 2725

- Officers have a duty to warn, if possible, before using any force option, including bean bags

NLG vs. City of Los Angeles (CV 01-6877FMC)

- Less Lethal munitions may be deployed in situations involving suspects who are:
 - Aggressive and/or combative subjects in a crowd control
 - A threat to self or others
 - Armed with weapons other than firearms
 - Displaying “aggressive or combative” actions
- Should not be used:
 - A lawfully dispersing crowd/individual
 - Against a person in a crowd, unless engaged in unlawful behavior



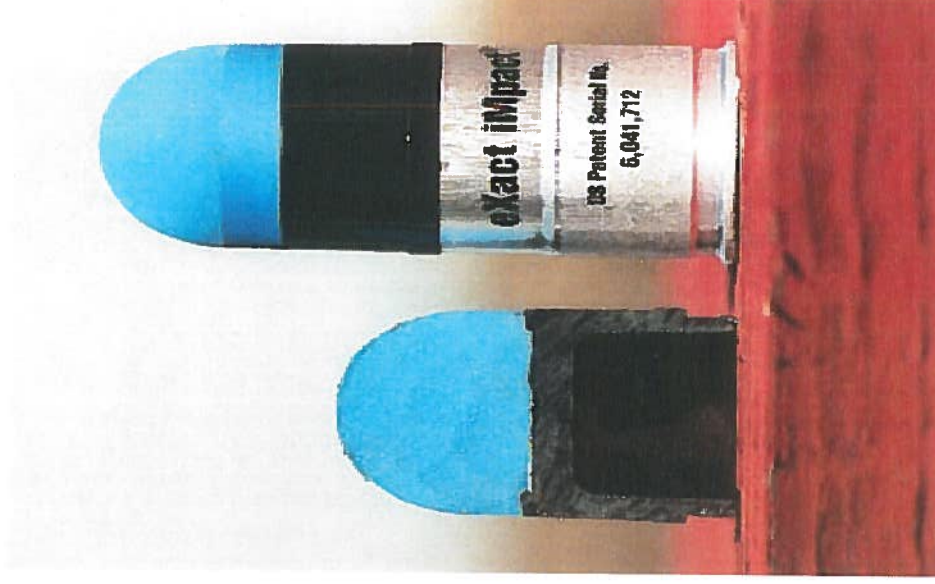
History of 40mm Less Lethal Launchers

Launchers

- 40 mm Less Lethal Launchers were first implemented in the United States Military as an alternative to lethal force during support missions (peace keeping missions)
 - First used in Somalia in the 90's as a form of less lethal for crowd control
 - Originally designed after the M79 launchers. However have since evolved into a modernized version.
 - Has been seen as highly more accurate than other less lethal devices used (12 gauge Shotgun and 37mm)



Launchers & Munitions



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Launchers & Munitions

- Defense Technology 40mm Launcher
 - 1-shot
 - Single/Double action
 - No external safety
 - Rail mounted fore-grip
 - Total weight 5.4 pounds
 - Can upgrade to include a picatinny rail which allows for:
 - Optics
 - Flip up front and rear sights
 - Tac-light



Launchers & Munitions

- Munitions
 - Exact Impact 40mm Sponge Round
 - Diameter: 1.60 in.
 - Length: 4.00 in.
 - Velocity: 325 fps
 - Maximum range: 120 feet
 - Extended Range 40mm Sponge Round
 - Diameter: same
 - Length: 3.40 in.
 - Velocity: 400 fps
 - Maximum Range: 230 feet
 - Minimum Safe Ranges: 33 feet



Launchers & Munitions

- Point of Aim, Point of Impact
- The Exact Impact round uses a one-piece projectile made of a soft (sponge) nose and a hard plastic body. The round weighs 1.1 ounces (30 grams) and has a muzzle velocity of 325 fps. That equates to a muzzle energy of 115 ft-lbs.
- Def-Tec indicates the 40mm Exact Impact round has an optimal energy range of 10 feet to 75 feet and a useable engagement range of 5 feet to 120 feet.



Deployment/Recommended

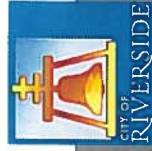
Target

- **Prime target areas (front of the body):**
 - Arm below the elbow
 - Lower Abdomen
 - Thigh
 - Leg below the knee
- **Prime target areas (rear of the body):**
 - Buttocks
 - Arm below the elbow
 - Thigh
 - Leg below the knee
- Impacts to the head, neck, throat, sternum, spine and groin should be avoided unless that level of force is appropriate.



Deployment/Recommended Target

- **Secondary Target Areas**
 - Depending on policy, Officers may be authorized to target other body parts if the use of force is:
 - Justified based on the circumstances
 - Efforts to subdue the suspect using prime target area are ineffective, inappropriate, or too dangerous



Flexible Projectiles/Injuries

- It is a flexible projectile that conforms to the shape of the target, distributing energy over a wider area (reduce energy density) producing blunt trauma.
- Potential for death or serious physical injury with Less Lethal projectiles does exist. Deaths have occurred.
- Less Lethal projectiles can deform the body and compress the chest very rapidly. Bones may also fracture upon impact causing internal injuries from sharp bone fragments.
- Impacts to the head, neck, throat, sternum, spine and groin should be avoided unless that level of force is appropriate.

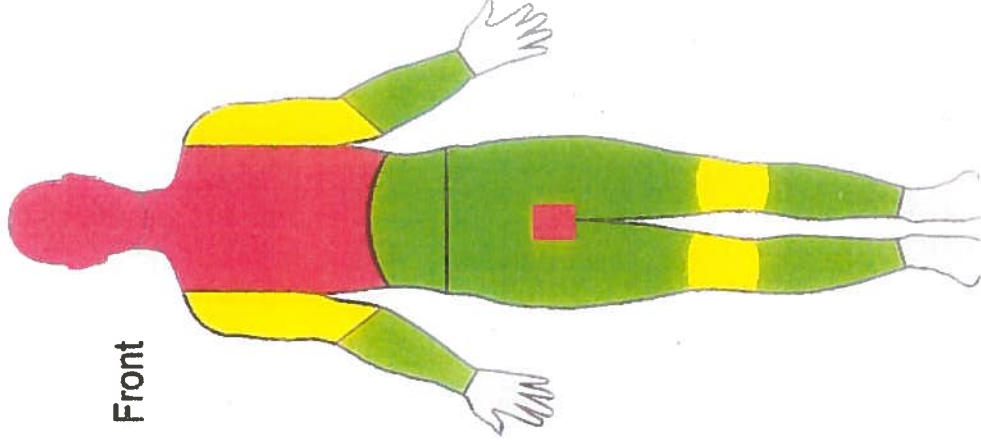


Deployment/Recommended

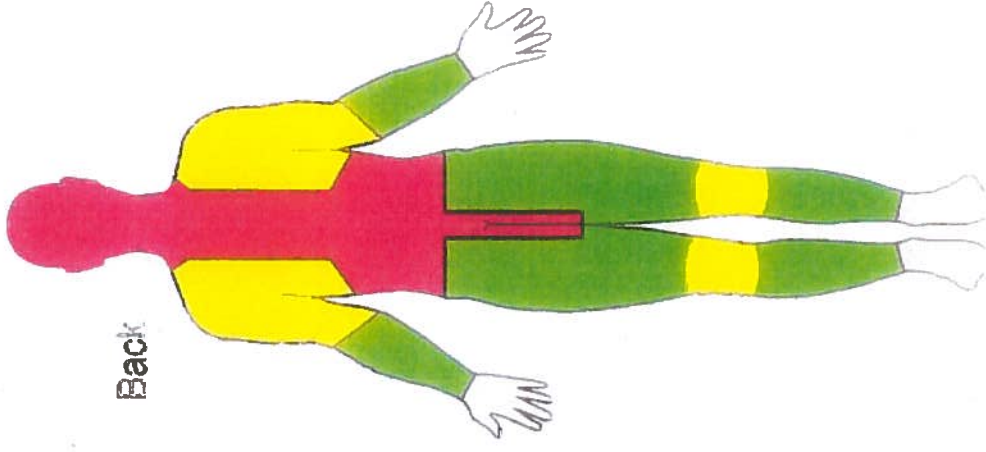
Target

- Green – Primary Target Areas
- Yellow – Secondary Target Areas
- Red – Potentially Lethal Area

Front



Back



Deployment

- **Factors in deployment**

1. Distance and angle to target.
2. Type of munitions employed.
3. Type and thickness of subject's clothing.
4. The subject's proximity to others.
5. The location of the subject.
6. Whether the subject's actions dictate the need for an immediate response and the use of control devices appears appropriate.



Significant Deployment Factors

- #1 Accurate Shot Placement
- #2 Distance
- #3 Body Area Impacted/Multiple Hits
- #4 Body Weight
- #5 Clothing
- #6 Wind Condition



Tactical Consideration

- 40mm vs. 12 gauge Remington 870 Shotgun
 - Easily identifiable and proper ammunition identification
- Appropriate justification
- COMMUNICATION with other Officers
- Evaluation of the subject
- Target area selected
- Contingency plan / “Plan B”
- Solo Officer use vs. Multiple Officer use
- Team Effort



Team Deployment

- **Preferred Method/Formation**
 - Less lethal Officer
 - Lethal cover Officer
 - Supervisor
 - Arrest Team
 - Negotiator
 - Other options
 - Distraction Officer
 - K9 Officer
 - Medical Aid
 - Bottom line ALWAYS HAVE A PLAN



After Action

Medical Attention:

Summon medical aid and obtain an “OK to Book”.

Notification:

Notify your supervisor regarding the incident

Photographs:

Photograph the location, surroundings, and suspect. Include overalls and close-up of injury sustained from less lethal deployment

Report:

Complete crime report, include all details of the use of force

Evidence:

Secure all evidence related to incident and spent less lethal munitions and casings



After Action – Report Writing

- Determine and document crime(s) involved
- What are the subject's physical actions (combative, threatening gestures, etc.)
- Are your verbal commands successful
- What is the subject's degree of compliance and cooperation towards commands
- Environmental concerns, location, and people in the area?
- Spell out justification for the use of force
- Do not exaggerate or under report
- Several officers may be needed at the scene to gather multiple victim / witness statements
- All involved officers should read each report before submission



Tab 3

Taser

306.1 PURPOSE AND SCOPE

This policy provides guidelines for the issuance and use of TASER devices.

306.2 POLICY

The TASER® device is intended to control a violent or potentially violent individual, while minimizing the risk of serious injury. The appropriate use of such a device should result in fewer serious injuries to officers and suspects. In deciding whether or not to use a Taser, officers must consider the severity of the crime, if any, whether the subject poses an immediate threat to his or her own safety, the safety of officers or other persons, and whether the subject is actively resisting arrest or attempting to evade arrest by flight.

306.3 ISSUANCE AND CARRYING TASER DEVICES

Only officers who have successfully completed department-approved training may be issued and carry the TASER device.

TASER devices are issued for use during an officer's current assignment. Those leaving a particular assignment may be required to return the device to the department's inventory.

Officers shall only use the TASER device and cartridges that have been issued by the Department. Uniformed officers who have been issued the TASER device shall wear the device in an approved holster on their person. Non-uniformed officers may secure the TASER device in the driver's compartment of their vehicle.

Officers carrying the TASER device should perform a spark test on the unit prior to every shift.

When carried while in uniform officers shall carry the TASER device in a weak-side holster on the side opposite the duty weapon. No cross draw configuration.

- (a) Officers shall be responsible for ensuring that their issued TASER device is properly maintained and in good working order.
- (b) Officers should not hold both a firearm and the TASER device at the same time.

306.4 VERBAL AND VISUAL WARNINGS

A verbal warning of the intended use of the TASER device should precede its application, unless it would otherwise endanger the safety of officers or when it is not practicable due to the circumstances. The purpose of the warning is to:

- (a) Provide the individual with a reasonable opportunity to voluntarily comply.
- (b) Provide other officers and individuals with a warning that the TASER device may be deployed.

Taser

If, after a verbal warning, an individual is unwilling to voluntarily comply with an officer's lawful orders and it appears both reasonable and feasible under the circumstances, the officer may, but is not required to, display the laser in a further attempt to gain compliance prior to the application of the TASER device. The aiming laser should never be intentionally directed into the eyes of another as it may permanently impair his/her vision.

The fact that a verbal or other warning was given or the reasons it was not given shall be documented by the officer deploying the TASER device in the related report.

306.5 USE OF THE TASER DEVICE

The TASER device has limitations and restrictions requiring consideration before its use. The TASER device should only be used when its operator can safely approach the subject within the operational range of the device. Although the TASER device is generally effective in controlling most individuals, officers should be aware that the device may not achieve the intended results and be prepared with other options.

306.5.1 APPLICATION OF THE TASER DEVICE

The TASER device may be used in any of the following circumstances, when the circumstances perceived by the officer at the time indicate that such application is reasonably necessary to control a person:

- (a) The subject is violent or is physically resisting.
- (b) The subject has demonstrated, by words or action, an intention to be violent or to physically resist, and reasonably appears to present the potential to harm officers, him/herself or others.

306.5.2 SPECIAL DEPLOYMENT CONSIDERATIONS

The use of the TASER device on certain individuals should generally be avoided unless the totality of the circumstances indicates that other available options reasonably appear ineffective or would present a greater danger to the officer, the subject or others, and the officer reasonably believes that the need to control the individual outweighs the risk of using the device. This includes:

- (a) Individuals who are known to be pregnant.
- (b) Elderly individuals or obvious juveniles.
- (c) Individuals with known heart conditions.
- (d) Individuals who are handcuffed or otherwise restrained.
- (e) Individuals who have been recently sprayed with a flammable chemical agent or who are otherwise in close proximity to any known combustible vapor or flammable material, including alcohol-based oleoresin capsicum (OC) spray.
- (f) Individuals whose position or activity may result in collateral injury (e.g., falls from height, operating vehicles).

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Policy Manual

Taser

Because the application of the TASER device in the drive-stun mode (i.e., direct contact without probes) relies primarily on pain compliance, the use of the drive-stun mode generally should be limited to supplementing the probe-mode to complete the circuit, or as a distraction technique to gain separation between officers and the subject, thereby giving officers time and distance to consider other force options or actions.

The TASER device shall not be used to psychologically torment, elicit statements or to punish any individual.

306.5.3 TARGETING CONSIDERATIONS

Reasonable efforts should be made to target lower center mass and avoid the head, neck, chest and groin. If the dynamics of a situation or officer safety do not permit the officer to limit the application of the TASER device probes to a precise target area, officers should monitor the condition of the subject if one or more probes strikes the head, neck, chest or groin until the subject is examined by paramedics or other medical personnel.

306.5.4 MULTIPLE APPLICATIONS OF THE TASER DEVICE

Officers should apply the TASER device for only one standard cycle and then evaluate the situation before applying any subsequent cycles. Multiple applications of the TASER device against a single individual are generally not recommended and should be avoided unless the officer reasonably believes that the need to control the individual outweighs the potentially increased risk posed by multiple applications.

If the first application of the TASER device appears to be ineffective in gaining control of an individual, the officer should consider certain factors before additional applications of the TASER device, including:

- (a) Whether the probes are making proper contact.
- (b) Whether the individual has the ability and has been given a reasonable opportunity to comply.
- (c) Whether verbal commands, other options or tactics may be more effective.

Officers should generally not intentionally apply more than one TASER device at a time against a single subject.

306.5.5 ACTIONS FOLLOWING DEPLOYMENTS

Officers shall notify a supervisor of all TASER device discharges. Confetti tags should be collected and the expended cartridge, along with both probes and wire, should be submitted into evidence. The cartridge serial number should be noted and documented on the evidence paperwork. The evidence packaging should be marked "Biohazard" if the probes penetrated the subject's skin.

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Taser

306.5.6 DANGEROUS ANIMALS

The TASER device may be deployed against an animal as part of a plan to deal with a potentially dangerous animal, such as a dog, if the animal reasonably appears to pose an imminent threat to human safety and alternative methods are not reasonably available or would likely be ineffective.

306.5.7 OFF-DUTY CONSIDERATIONS

Officers are not authorized to carry department TASER devices while off-duty.

Officers shall ensure that TASER devices are secured while in their homes, vehicles or any other area under their control, in a manner that will keep the device inaccessible to others.

306.6 DOCUMENTATION

Officers shall document all TASER device discharges in the related arrest/crime report. Notification shall also be made to a supervisor in compliance with the Use of Force Policy. A supervisor shall respond and complete an administrative memo documenting any accidental TASER discharges.

306.6.1 REPORT DOCUMENTATION

Items that shall be included in the use of force report are:

- (a) The type and brand of TASER device and cartridge and cartridge serial number.
- (b) Date, time and location of the incident.
- (c) Whether any display, laser or arc deterred a subject and gained compliance.
- (d) The number of TASER device activations, the duration of each cycle, the duration between activations, and (as best as can be determined) the duration that the subject received applications.
- (e) The range at which the TASER device was used.
- (f) The type of mode used (probe or drive-stun).
- (g) Location of any probe impact.
- (h) Location of contact in drive-stun mode.
- (i) Description of where missed probes went.
- (j) Whether medical care was provided to the subject.
- (k) Whether the subject sustained any injuries.
- (l) Whether any officers sustained any injuries.
- (m) Identification of all witnesses.
- (n) Medical care provided to the subject.
- (o) Observations of the subject's physical and physiological actions.
- (p) Any known suspected drug use, intoxication or other medical condition.

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Taser

The Force Training Unit should periodically analyze the use of force reports for Taser deployments to identify trends, including deterrence and effectiveness. This information should be considered in designing training for the department or individual officers as appropriate.

306.7 MEDICAL TREATMENT

Consistent with local medical personnel protocols and absent extenuating circumstances, only appropriate medical personnel should remove TASER device probes from a person's body. Used TASER device probes shall be treated as a sharps biohazard, similar to a used hypodermic needle, and handled appropriately. Universal precautions should be taken.

All persons who have been struck by TASER device probes or who have been subjected to the electric discharge of the device shall be medically assessed prior to booking. Additionally, any such individual who falls under any of the following categories should, as soon as practicable, be examined by paramedics or other qualified medical personnel:

- (a) The person is suspected of being under the influence of controlled substances and/or alcohol.
- (b) The person may be pregnant.
- (c) The person reasonably appears to be in need of medical attention.
- (d) The TASER device probes are lodged in a sensitive area (e.g., groin, female breast, head, face, neck).
- (e) The person requests medical treatment.

Any individual exhibiting signs of distress or who is exposed to multiple or prolonged applications (i.e., more than 15 seconds) shall be transported to a medical facility for examination or medically evaluated prior to booking. If any individual refuses medical attention, such a refusal should be witnessed by another officer and/or medical personnel and shall be fully documented in related reports. If an audio recording is made of the contact or an interview with the individual, any refusal should be included, if possible.

The transporting officer shall inform any person providing medical care or receiving custody that the individual has been subjected to the application of the TASER device.

306.8 SUPERVISOR RESPONSIBILITIES

Supervisors should respond to calls when they reasonably believe there is a likelihood the TASER device may be used. Supervisors shall respond to calls whenever a TASER device has been deployed.

A supervisor shall review each incident where a person has been exposed to an activation of the TASER device. The device's onboard memory shall be downloaded through the data port by a supervisor and saved with the related arrest/crime report prior to the end of the shift. Supervisors shall ensure photographs of probe sites are taken and witnesses are interviewed.

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Taser

Supervisors shall synchronize and inspect tasers issued to their squads at shift changes and Daylight Savings time changes.

306.9 TRAINING

Personnel who are authorized to carry the TASER device shall be permitted to do so only after successfully completing the initial department-approved training. Any personnel who have not carried the TASER device as a part of their assignment for a period of six months or more shall be recertified by a department-approved TASER device instructor prior to again carrying or using the device.

Proficiency training for personnel who have been issued TASER devices should occur every year. A reassessment of an officer's knowledge and/or practical skill may be required at any time if deemed appropriate by a supervisor. All training and proficiency for TASER devices will be documented in the officer's training file.

Command staff, supervisors and investigators should receive TASER device training as appropriate for the investigations they conduct and review.

Officers who do not carry TASER devices should receive training that is sufficient to familiarize them with the device and with working with officers who use the device.

The Training Bureau Manager is responsible for ensuring that all Officers who carry TASER devices have received initial and regular continuing proficiency training. Periodic audits should be used for verification.

Application of TASER devices during training could result in injury to personnel and should not be mandatory for certification.

The Training Bureau Manager should ensure that all initial and CIT training includes:

- (a) A review of this policy.
- (b) A review of the Use of Force Policy.
- (c) Performing weak-hand draws to reduce the possibility of unintentionally drawing and firing a firearm.
- (d) Target area considerations, to include techniques or options to reduce the unintentional application of probes near the head, neck, chest and groin.
- (e) Handcuffing a subject during the application of the TASER device and transitioning to other force options.
- (f) De-escalation techniques.
- (g) Restraint techniques that do not impair respiration following the application of the TASER device.
- (h) Deployment of training cartridges during initial training.

ELECTRONIC WEAPONS COURSE OUTLINE

COURSE GOAL:

The course will cover initial training and certification for users of the TASER X-26 weapon.

I. INTRODUCTION AND REGISTRATION

- A. Welcoming Remarks
 - 1. Students will sign roster
 - 2. Housekeeping issues such as restrooms, phones etc...
 - 3. Summary of course content to be covered

II. HISTORY AND DEFINITIONS

- A. Evolution of the weapon
 - 1. Early models
 - 2. TASER M-26 weapon
 - 3. TASER X-26 weapon
- B. Commonly Used Terms
 - 1. Conducted energy weapon
 - 2. Stun vs. NMI(Neuro Muscular Incapacitation)
 - 3. Effects sensory and motor nervous system

III. EXPOSURES AND SAFETY

- A. Electrical
 - 1. Volts vs. Amps
 - 2. Underwriters laboratories
 - 3. 1/100th the danger level
- B. What to Expect
 - 1. Subject falls to the ground
 - 2. They freeze in place
 - 3. The subject will yell or scream
 - 4. No long term effects

IV. ELECTRONIC WEAPONS AND NOMENCLATURE

- A. Nomenclature
 - 1. Safety and trigger demonstration
 - 2. Battery indicator
 - 3. Data port issues
- B. Cartridges
 - 1. Compressed and inert nitrogen
 - 2. Blast door cover colors
 - 3. Penetration of probes is 1/4 inch maximum

- C. Activation
 - 1. Trigger pull activates current for 5 full seconds
 - 2. Safety switch
 - 3. Preferred target zones
 - 4. Probe spread of 8 degrees
- D. Drive Stun Mode
 - 1. Cartridge in place
 - 2. No cartridge in place
 - 3. Drive stun target areas

V. LEGAL/ETHICAL CONSIDERATIONS

- A. Case Law Update
 - 1. Bryan v. McPherson
 - 2. Mattos v. Agarano
 - 3. Brooks v. City of Seattle
 - 4. Lindsay v. Kiernan
- B. Department Policy
 - 1. Use
 - 2. Medical aid
 - 3. Reporting procedure

VI. MEDICAL ASPECTS

- A. Physical Effects
 - 1. No effect on the heart rhythm
 - 2. No long term effects
 - 3. Minor skin irritation
 - 4. No effect on the pacemaker

VII. DEPLOYMENT AND DOCUMENTATION

- A. Aiming
 - 1. Sight or laser sight
 - 2. Optimal deployment range
 - 3. Center mass
- B. Tactical considerations
 - 1. Avoid "Taser" over-dependence
 - 2. Lethal cover
 - 3. Distance
 - 4. Back up for control / cuff
 - 5. Attempt verbal compliance
 - 6. Display of Taser, laser or arc
 - 7. K-9
 - 8. Environment
 - 9. Announcements
 - 10. Window of opportunity

- C. Contingencies
 - 1. Clothing
 - 2. Sing probe hits / misses
 - 3. Close probe spread
 - 4. Operator error
 - 5. Low nerve / low muscle mass
 - 6. Wires break
 - 7. Aiming Angle / suspect's position
- D. Report Writing
 - 1. Articulate why force was reasonable
 - 2. Describe threat
 - 3. Cover "How" and "Why"
 - 4. End result

VIII. PRACTICAL APPLICATION AND TESTING

- A. Manipulation of the weapon
 - 1. Bring weapon up on target
 - 2. Safety switch (off/on)
 - 3. Trigger press (dry fire)
 - 4. Safety on
 - 5. Reload
- B. Static target discharge
 - 1. Loading (cartridge)
 - 2. Bring weapon up on target
 - 2. Safety switch (off/on)
 - 3. Discharge (live fire)
 - 4. Unload
 - 5. Reload
- C. Practical scenarios (Force Options Simulator)
 - 1. Students equipped with a TASER X-26 will go through a force options simulator scenario
 - 2. Evaluate student's actions
- D. Voluntary Practical Participation
 - 1. Experience the effects of a deployment
 - 2. Discuss experience/effects

IX. COURSE CONCLUSION

- A. Review
 - 1. Oral review (open class discussion of material)
 - 2. Questions & answers

TASER Policy 306.2

- The TASER® device is intended to control a violent or potentially violent individual, while minimizing the risk of serious injury.
- In deciding whether or not to use a TASER, officers must consider the severity of the crime, if any, whether the subject poses an immediate threat to his or her own safety, the safety of officers or other persons, and whether the subject is actively resisting arrest or attempting to evade arrest by flight.

TASER Policy 306.3 –

Carrying the TASER

- Officers shall only use the TASER device and cartridges that have been issued by the Department.
- Uniformed officers shall wear the device in an approved holster on their person, off-hand side only, and positioned for an off-hand draw only.
- Non-uniformed officers may secure the TASER device in the driver's compartment of their vehicle.

TASER Policy 306.4 –

Verbal and Visual Warnings

- Warnings should precede the application of the TASER if practical.
- Provides a reasonable opportunity for the suspect to voluntarily comply; Provides officers and other individuals a warning that the TASER may be deployed
- The fact that a verbal or other warning was given or the reasons it was not given shall be documented by the officer deploying the TASER device in the related report.

TASER Policy 306.5.1 - Application of the TASER

The TASER device may be used in any of the following circumstances, when the circumstances perceived by the officer at the time indicate that such application is reasonably necessary to control a person:

- The subject is violent or physically resisting
- The subject has demonstrated, by words or action, an intention to be violent or to physically resist, and reasonably appears to present the potential to harm officers, him/herself or others.

TASER Policy 306.5.2 -

Special Deployment Considerations

- Individuals who are known to be pregnant.
- Elderly individuals or obvious juveniles.
- Individuals with known health conditions.
- Individuals who are handcuffed or otherwise restrained.
- Individuals who have been recently sprayed with a flammable chemical agent or who are otherwise in close proximity to any known combustible vapor or flammable material, including alcohol-based OC spray.
- Individuals whose position or activity may result in collateral injury (e.g., falls from height, operating vehicles).

TASER Policy 306.6 –

Documentation

- Officers shall document all TASER device discharges in the related report.
- Unintentional discharges, pointing the device at a person, laser activation and arcing the device will also be documented in the report.
- Notification shall be made to a supervisor in compliance with the Use of Force Policy.

TASER Policy 306.6.1 – Report Documentation

- The type and brand of TASER device and cartridge and cartridge serial number.
- Date, time and location of the incident.
- Whether any display, laser or arc deterred a subject and gained compliance.

TASER Policy 306.6.1 –

Report Documentation

- The number of TASER device activations, the duration of each cycle, the duration between activations, and (as best as can be determined) the duration that the subject received applications.
- The range at which the TASER device was used.

TASER Policy 306.6.1 – Report Documentation

- The type of mode used (probe or drive-stun).
- Location of any probe impact.
- Location of contact in drive-stun mode.
- Description of where missed probes went.

TASER Policy 306.6.1 – Report Documentation

- Whether the subject sustained any injuries.
- Whether any officers sustained any injuries.
- Identification of all witnesses.

TASER Policy 306.6.1 – Report Documentation

- Medical care provided to the subject.
- Observations of the subject's physical and physiological actions.
- Any known suspected drug use, intoxication or other medical condition.

TASER Policy 306.7 –

Medical Treatment

- Only medical personnel should remove TASER probes from a person's body.
- All persons who have been subjected to the electric discharge of the TASER (probes or drive-stun) shall be medically assessed prior to booking.

TASER Policy 306.8 -

Supervisor Responsibilities

- Shall respond to all TASER deployments
- Shall review all TASER deployments, download TASER data, and include it with the report prior to end of shift
- Ensure photos of injuries are taken and all witnesses are interviewed.
- Synchronize and inspect TASERS at shift change and Daylight Saving time changes.

Key Considerations

- Severity of the crime
- Does the suspect pose an immediate threat to self/others?
- Is the suspect actively resisting or attempting to flee?

Key Considerations (cont.)

- Is the suspect capable of compliance with verbal commands?
- Has a warning been given prior to each deployment?
- Has the suspect been given a reasonable amount of time to recover and consider the consequences of failure to comply prior to each deployment?

- **Avoid TASER CEW over-dependence**
- If practical, attempt to gain compliance using verbal commands, verbal warnings, laser or arc display.
- Consider having lethal cover/other force options available when practical.
- Consider cover and distance tactics.

- Consider environment surrounding suspect
- “TASER! TASER!” or “Deploying TASER” should be announced prior to deployment to prevent sympathetic reflex shooting
- When practical, have at least one back-up officer present to control/cuff during deployment.
- A full 5 second deployment cycle should be applied without interruption to allow the arrest team to go hands-on

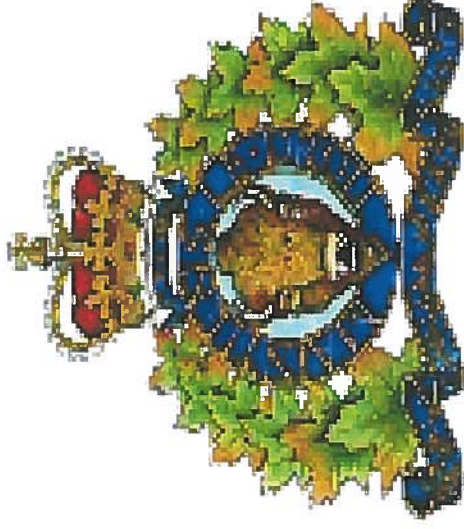
- Addition TASER cycles may be necessary to control a suspect (must justify each cycle separately)
- Avoid placing yourself into a position which creates exigency

- Clothing over 2.25" thick, baggy clothing or clothing that falls away from the body like an open jacket
- Single probe hit and/or missed shots
- Close probe spread may not achieve NMI
- Operator Error

- Low Nerve / Low Muscle Mass
- Cartridge Failure / Weapon Malfunction
- Wires break
- Aiming angle - suspect's position

Contingencies (cont.)

Conducted Energy Weapon Evaluation Project



Less Than 100%

Solutions to Contingencies

- Reload, re-deploy TASER
- Drive-stun follow up
- Switch to a different weapon system