PURPOSE

The purpose of this Policy is to provide employees with guidelines on the authorized use of force or control that objectively reasonable employees would apply in the performance of their lawful duties.

- Although this Policy refers to “employees” throughout, this Policy also applies with equal force to all volunteers. Volunteers include, but are not limited to, reserve deputies and posse members.

POLICY

It is the policy of the Office to ensure that trained employees are authorized to use reasonable force or control in the performance of their duties.

DEFINITIONS

**Blue Team:** The Early Identification System (EIS) application that allows employees and supervisor to record information in a database regarding incidents, performance, and conduct. The information from Blue Team is transferred to the IA Pro Early Identification case management system.

- **Detention Planned Use of Force:** An incident involving an inmate who is not posing an immediate threat to officers, staff, or other inmates, where force must be used to protect the inmate involved or to allow Correctional Health Services (CHS) staff to administer involuntary psychotropic medications.

**Early Identification System (EIS):** A system of electronic databases that capture and store threshold events to help support and improve employee performance through early intervention and/or to identify Office operating procedures that need evaluation. The computerized relational database shall collect, maintain, integrate, and retrieve information gathered in order to highlight tendencies in performance, complaints, and other activities. The database allows the Office to document appropriate identifying information for involved employees, (and members of the public when applicable), and the actions taken to address the tendencies identified. Blue Team, the EIS Dashboard, IA Pro, and EI Pro are applications of EIS.

**Employee:** A person currently employed by the Office in a classified, unclassified, full-time, part-time, contract or probationary status.

**Restraint Devices:** Equipment used to control and restrict the physical movement of a prisoner or inmate.

**Volunteer:** A person who performs hours of service for civic, charitable, or humanitarian reasons, without promise, expectation, or receipt of compensation for services rendered. An employee may not volunteer to perform the same, similar, or related duties for the Office that the employee is normally paid to perform.

PROCEDURES
1. **Completion of Approved Training:** All employees must successfully complete approved training before employing any of the authorized weapons, equipment, or techniques approved by the Office. Guidelines for the use and application of weapons, equipment, and techniques are taught during training and should be followed. All required certifications and re-certifications will be obtained, as specified in the Training Calendar.

2. **Considerations in Use of Force:** The reasonableness of a particular use of force or control will be determined by the circumstances known to the employee at the time of the incident.

   A. Enforcement Considerations: The decision to use force should balance the need to apprehend or control the subject against the intrusion or impact of the capture. Factors to be considered include, but are not limited to, the following:

   1. The immediate threat to the employee or others.
   2. A subject who is resisting arrest or attempting to evade arrest by flight.
   3. A situation that is tense, uncertain, or rapidly evolving.
   4. The severity of the crime.

   B. Detention Considerations: The decision to use force should balance the need to preserve internal order and discipline within the jail and the need to maintain institutional security. Employees shall only use the amount of force that is reasonable and necessary to address the situation. Factors to be considered include, but are not limited to, the following:

   1. The threat as reasonably perceived by the employee.
   2. The extent of the threat to the safety of staff and inmates, as reasonably believed by the employee based on the known facts.
   3. The relationship between the need and the amount of force used.
   4. When the force is applied, the amount of injury that it may cause the inmate and other involved parties.

   C. Detention Planned Use of Force: Employees shall consult with Correctional Health Services (CHS) mental health staff prior to any detention planned use of force incident within a detention facility.

3. **Decision to Use Force or Control:** The employee’s decision to use force or control will be based on the totality of circumstances known to the employee at the time of the incident, his training, and the subject’s actions. Considerations include the following:

   A. The elements of force present.

   1. Ability: The subject’s physical or mental power to carry out an act.
   2. Opportunity: The subject’s chance to carry out an act.
   3. Jeopardy: The danger to the employee, others, or to property, if the subject acts.
   4. Preclusion: The consideration of reasonable means of force or tactical redeployment.
Policy CP-1, *Use of Force*  
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B. The type of resistance used by the subject.

C. The response options reasonably and readily available to the employee at the time.

4. **Type of Resistance:** The following types of resistance may influence an employee’s response.

A. Psychological Intimidation: Non-verbal cues indicating a subject’s attitude, appearance, and physical readiness.

B. Verbal Non-Compliance: Verbal responses indicating unwillingness or threats.

C. Passive Resistance: Physical actions that do not prevent an employee’s attempt of control, such as a protester going limp and having to be carried away or an inmate not following verbal commands.

D. Active Resistance: Physical actions which attempt to prevent an employee’s control, but never attempt to harm the employee, such as a subject tightening up or attempting to pull away.

E. Active Aggression: Physical actions of assault, such as a subject displaying threatening behavior, assaulting or attempting to assault another person, or destroying or attempting to destroy property.

F. Aggravated Active Aggression: Physical actions which result in a deadly-force encounter.

5. **Response and Control Options:** Actions an employee may use in an attempt to control a subject.

A. Employee’s Presence: Identification of the employee’s authority.

B. Verbal Direction: Commands of direction or arrest.

C. Empty-Hand Control and Restraint Devices:

1. Soft, Empty-Hand Control: Techniques that have minimal chance of causing injury such as, escort position, handcuffing, and leg cuffs.

2. Hard, Empty-Hand Control: Techniques that have a probability of causing injury such as, closed fist strikes, palm-heel strikes, kicks, and knee strikes.

D. Intermediate Weapons and Control: Force that has a probability of causing injury, but is unlikely to result in death, when properly used.

1. Soft, Intermediate Weapons and Control: The use of intermediate weapons where vulnerable areas of the body are not the target of force delivery techniques. This includes techniques such as impact weapons, joint locks, wristlocks, and come-a-longs.

2. Hard, Intermediate Weapons: The use of intermediate weapons where vulnerable areas of the body are the target of force delivery techniques when it is reasonable to do so based on the totality of the circumstances. This includes techniques such as impact weapon strikes.
E. Deadly Force: Force that is likely to cause death or serious physical injury. Deadly force should only be exercised when other reasonable, safe alternatives are not present, not practical, or have been exhausted.

1. An employee may use deadly force to protect himself or others from an immediate threat of death or serious bodily harm.

2. An employee may use deadly force to prevent the escape of a subject whom the employee has probable cause to believe has committed an offense involving the infliction or threat of serious physical injury or death, and is likely to endanger human life or cause serious injury to another, unless apprehended without delay. When safe and feasible, a verbal warning should be given.

3. Employees should not discharge a firearm at, or from, a moving vehicle, except as an extreme measure of self-defense or defense of another, when all other means are ineffective or impractical.

6. **Authorized Weapons, Equipment, and Techniques:** Guidelines for the use and application of weapons, equipment, and techniques are taught during training and should be followed. The vulnerable areas of the body to avoid, durations of use, and frequency of use authorized are specified in training. Authorized weapons, equipment, and techniques include, but are not limited to, the following:

   A. Baton: The use of a baton is limited to sworn personnel, Qualified Armed Posse (QAP), and firearms qualified detention personnel.

   B. Canine: Will be used, as specified in Policy GJ-25, *Canine Unit Operations*.

   C. Carotid Control Technique: Will only be used by sworn officers trained in its use.

   D. Conducted Electrical Weapon (CEW): Use of the CEW is authorized, as specified in Policy GJ-30, *TASER® Conducted Electrical Weapon (CEW)*.

      1. CEWs are considered intermediate weapons.

      2. Examples of CEWs include Advanced TASER® X2™ and TASER® X26™.

   E. Firearms: Use of firearms is authorized in this Policy and Policy GJ-23, *Firearms*. Only sworn personnel will use a firearm to destroy an animal. An attempt shall be made to locate and contact the animal’s owner by searching for brandings or ID tags. If the animal’s owner cannot be determined and there is no reasonable likelihood the animal can be humanely rescued, the deputy may use his firearm to destroy the animal.

   F. Oleoresin Capsicum (OC): Only Office approved OC spray is authorized for use. All employees should be aware of and take precautions for multi-agency participation in which a variety of OC sprays and equipment might be used, since some types of OC spray may be flammable.

   G. PepperBall® Launcher: Use of the PepperBall® launcher is authorized, as specified in Policy GJ-31, *PepperBall® Launcher*. PepperBall® launchers are considered intermediate weapons.

   H. Restraints: Employees are authorized to restrain combative subjects by binding the hands to the ankles in front of the body. Binding the hands to the ankles behind the back is strictly prohibited.
I. Vehicle: Employees should not deliberately use an Office vehicle in an attempt to collide with another vehicle or force any vehicle off the roadway unless, given the totality of the circumstances, it is a reasonable use of force. Only those employees trained in the Pursuit Immobilization Technique (PIT) are authorized to use it, as specified in Policy CP-4, Emergency and Pursuit Driving.

7. Use of Other Reasonable Weapons, Equipment, or Techniques: An employee is authorized to use other reasonable weapons, equipment, or techniques available to him if authorized weapons, equipment, and techniques are unsafe, unavailable, or ineffective given the totality of the circumstances.

8. Medical Treatment: Employees should determine whether an individual has sustained any injury as a result of the use of force or control. Appropriate medical treatment should be obtained when necessary. Medically protected documents shall not be forwarded outside their originating bureau.

9. Documenting Use of Force:

A. Supervisors shall ensure that all incidents above and beyond Soft, Empty-Hand Control are documented using the Use of Force Report form.

B. An Incident Report (IR) shall also be completed when there is an incident that requires a Use of Force Report form.

C. A memorandum to the immediate supervisor shall be completed following the use of deadly force in which no injury occurred.

D. Routing the Use of Force Report forms:

1. Sworn:

   a. The Use of Force Report shall be completed in the EIS Blue Team application. All supporting documentation, including but not limited to, the IR, Taser download, evidence impound forms, pictures, and any video of the incident, shall be uploaded in the EIS Blue Team application. If the video is too large to download into the EIS Blue Team application, it shall be impounded as evidence, and referenced in the IR. Once the Use of Force Report has been completed in the EIS Blue Team application, it will be forwarded through the chain of command to the division commander.

   b. Once approved by the division commander, the Use of Force Report shall be forwarded to the Chief of Operations, or his designee, who will then evaluate the incident.

   c. After review and approval by the Chief of Operations, of his designee, the Use of Force Report shall be forwarded to the Early Intervention Unit. A copy of the Use of Force Report will be saved by the Chief of Operations, or his designee, for records retention.

2. Detention:

   a. The Use of Force Report shall be completed in the EIS Blue Team application. All supporting documentation, including but not limited to, the IR, Taser download, evidence impound forms, pictures, and any video of the incident, shall
be uploaded in the Blue Team application. If the video is too large to download into the Blue Team application, it shall be impounded as evidence, and referenced in the IR. Once the *Use of Force Report* has been completed in the EIS Blue Team application, it will be forwarded through the chain of command to the division commander.

b. Once approved by the division commander, the *Use of Force Report* shall be forwarded to the Detention Use of Force Committee Facilitator and the Detention Use of Force Committee. The Use of Force Review Committee will then evaluate the incident.

c. After review and approval by the Detention Use of Force Review Committee, the *Use of Force Report* shall be forwarded by the Detention Use of Force Committee Facilitator and to the Early Intervention Unit. A copy of the *Use of Force Report* will be saved by the Custody Bureau Hearing Unit for records retention.

10. **Critical Incident Stress Management (CISM) Team:** The CISM team may be utilized following a critical incident, as specified in Policy GC-22, *Critical Incident Stress Management Program*.

11. **Use of Force Review Committee:** The Use of Force Review Committee is comprised of designated personnel who evaluate use of force incidents to ensure that proper action has been taken and to identify any policy or training deficiencies. The Committee does not hold hearings or impose discipline. Policy, procedure, or training deficiencies identified by the Use of Force Committee shall be forwarded to the appropriate division or bureau for review and follow-up.

   A. **Enforcement Action:** A copy of the Use of Force Review Committee findings will be forwarded to the Operations Bureau Commander who will determine if a minor or major infraction occurred. If a major infraction occurred, the information will be forwarded to the Sheriff, or his designee, to determine the appropriate course of action.

   B. **Custody Action:** A copy of the Use of Force Review Committee findings will be sent to their respective bureau commander who will determine if a minor or major infraction occurred. If a major infraction occurred, the information will be forwarded to the Sheriff, or his designee, to determine the appropriate course of action.

12. **Training Programs:** The Training Division shall be responsible for developing, implementing, and monitoring programs designed to provide training in the use of force and control, defensive tactics, and weapons. Specialty units will be responsible for their specialized training and should forward their training documents to the Training Division for tracking purposes. All employees shall successfully complete the training requirements appropriate to their classification prior to:

   A. Assignment to law enforcement or detention duties.

   B. Authorization to carry or use any weapon, ammunition, or use of force tool in the line of duty.