



DESCHUTES COUNTY SHERIFF'S OFFICE

Policy Title: Use of Force, Specific Instrumentality	Effective Date: June 29, 2016	Policy Number: 5.02
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Attachments:	L. Shane Nelson, Sheriff	

I. PURPOSE

The purpose of this policy is to provide Deschutes County Sheriff's Office deputies with guidelines on the use of specific forms of deadly and non-deadly force.

II. POLICY

This agency recognizes and respects the value and special integrity of each human life. Refer to Policy [5.01 Use of Force](#).

III. DEFINITIONS

Deadly Force means any use of force that is likely to cause death or serious physical injury.

Non-Deadly Force means any use of force other than that which is considered deadly force.

CERT is the Central Oregon Emergency Response Team.

Chemical Irritants are substances, either natural or man-made, the design and use of which is to temporarily incapacitate a suspect.

Electronic Control Device is a device designed to stun, restrain or incapacitate a suspect temporarily by way of delivering an electronic shock.

Firearm means any weapon, the design of which is to propel a projectile or projectiles by the use of a chemical explosion, and capable of causing serious physical injury or death.

Impact Weapon means police baton, side-handle baton, collapsible baton, or any other such instrument or device designed or used to block, jab, strike, or temporarily restrain or control a suspect by way of physical impact or extending the deputy's ability to use control holds.

Instructor/Instruction are Sheriff's Office instructors and instruction will meet or exceed Department of Public Safety Standards and Training criteria prior to being accepted by the Training Sergeant. Such instructors and instruction are then deemed "certified". ([Policy 3.12 Training: Requests, Processing and Documentation](#))

Extended Range Impact Weapons are fired from a firearm or similar device, extended range impact projectiles are designed to temporarily stun or incapacitate a suspect without penetrating the body or causing serious physical injury or death.

Patrol Canine is a canine trained for and employed by law enforcement officers, the use of which includes, but may not be limited to, handler protection and the location and apprehension of suspects.

Restraints/Handcuffs are handcuffs, flex-cuffs, hobbles, belly chains, and all such devices designed or used to temporarily restrain a person for the purpose of officer safety or to prevent injury to the person or another.

SOT is the Special Operations Team.

Vehicular Use of Force means the deployment of a motor vehicle as a use of force to stop or control a suspect or vehicle beyond that of a traffic stop or normal vehicular operation.

IV. WARNING OF USE

Deputies should issue a warning of the impending use of force except where impractical or tactically disadvantageous, such as in situations where the warning would endanger the deputy or another, alerts the suspect to escape or allows actions to be taken which aid or abet a crime.

V. USE OF FORCE RELATED INJURIES

Once a person is in custody, it is the responsibility of the deputies to render or obtain any medical aid required. With any use of physical force where an injury has occurred or is alleged to have occurred follow the guidelines below.

A. Observe and Evaluate

If an injury is apparent to a person in custody, the deputy should observe and evaluate the injury to assure that the proper level of care is provided. If a person in custody alleges an injury and none is apparent, the deputy will summon appropriate trained medical response for an evaluation.

B. Provide or Obtain Medical Aid

Appropriate medical treatment shall be provided to any person who is injured or complains of injury as a result of use of force. This may include, but is not limited to:

1. Flushing the eyes and skin of a person subjected to Oleoresin Capsicum (OC) or other chemical irritant, and monitoring the person for complications.
2. Washing and bandaging minor cuts or abrasions resulting from the application of physical force.
3. Obtaining trained medical personnel attention and ambulance transport to medical facilities for persons with more serious injuries.

Also see Deschutes County Sheriff's Office [Policy 6.22 Transport of Prisoners](#).

C. Documentation

Deputies should take all practical measures to fully document the injuries.

1. Carefully note the location, extent, and appearance of the injury for reporting purposes.
2. Photograph the injury as soon as possible.
3. Obtain witness names and statements from medical personnel or others at the scene.
4. Obtain all medical records possible if the subject is treated by emergency medical personnel or at a hospital facility.
5. Carefully note any statements made by the suspect.

D. Reporting Use of Force Injuries

Policy and procedures for reporting the use of force are described in [Policy 5.01 Use of Force](#).

VI. CHEMICAL IRRITANTS

Chemical Irritants are considered a "physical control hold" level of force and shall be employed in a manner consistent with this agency's use of force policy. (Refer to [Policy 5.01 Use of Force](#).)

A. Sheriff's Office Issued Chemical Irritants

Deputies will carry only Sheriff's Office issued chemical Irritants. These fall into two categories: personal issue and tactically deployed. Deputies will not use Sheriff's Office issued chemical irritants off-duty. A deputy may purchase a chemical irritant for personal defense while off-duty.

1. *Personal Issue*: Those deputies whose normal duties/assignments may require them to make arrests or supervise arrestees shall be required, while on duty, to carry agency authorized Oleoresin Capsicum aerosol restraint spray. Agency issued sprays are:
 - a. Sabre Red MK-3 and MK-4, manufactured by Security Equipment Corporation.
2. *Tactically Deployed*: The Sheriff's Office may deploy, by various means, chemical irritants, such as Oleoresin Capsicum and CS, during riot or emergency situations. The use of these agents will be determined and controlled by the Special Operations Team (SOT) commander based on training, situation, and tactical doctrine. Tactically deployed chemical irritants will be Body Guard, Command Fogger, Pepper Defense Spray manufactured by Body Guard Industries, and 37-38 MM Caliber CS Irritant Agent manufactured by Body Guard Industries.

In addition to the above described chemical irritants, in a tactical environment, the Special Operations Team members will have the following chemical irritants available for use to lessen the risk of injury to those involved (Refer to [Policy 3.43 Special Operations Team](#)):

- a. *Indoor Barricade Penetrating Projectiles Manufactured by Combined Tactical Systems*. These projectiles are powder and liquid filled, non-burning, fin-stabilized rounds designed to penetrate light to intermediate barriers such as windows and hollow core doors. The projectiles break upon impact and deliver agent payloads of powder or liquid throughout the adjacent target area.
- b. *Outdoor Short Range Projectiles Manufactured by Combined Tactical Systems*. These are a burning projectile round that dispenses smoke or chemical agents via rapid burning. Used effectively during riots at safe stand-off distances to disperse groups or deny areas.
- c. *Indoor/Outdoor Flameless Expulsion Grenade Manufactured by Combined Tactical Systems*. A flameless grenade that discharges a high volume of agent through multiple emission ports that can be used indoor or outdoor.
- d. *Tear-Ball Multi-Effect Grenades Manufactured by Combined Tactical Systems*. An explosive grenade used to control indoor and outdoor situations, ejecting rubber-balls and a powder payload of chemical irritants or talc into a radius surrounding the device.

B. Training

Only deputies who have completed the prescribed course of instruction on the use of Oleoresin Capsicum (OC) are authorized to carry the device.

1. Deputies will be instructed in and issued copies of the Sheriff's Office use of force policies and applicable laws prior to being issued a chemical irritant. Issuance of the policies, as well as the instruction, shall be documented.
2. Deputies will receive orientation and training regarding the use of OC, its effects, ingredients, means of delivery, and first aid to be administered which will be included in the deputy's training file prior to being issued OC.
3. Deputies will receive training, at least annually, on the Sheriff's Office use of force policies and the proper use of chemical irritants, and will demonstrate a proficient knowledge of their use. This proficiency will be documented in the deputy's training file.

4. A deputy failing to demonstrate proficiency shall not be authorized to use chemical irritants until remedial training has been completed and proficiency has been demonstrated and documented in the deputy's training file.
5. Deputies and technicians will be trained in both basic first aid and CPR. Any additional medical treatment will be provided by paramedics or hospital staff.

C. Use of Chemical Irritants

1. Oleoresin Capsicum (OC) may be used:
 - a. when verbal commands have failed to bring about the suspect's compliance and the suspect has indicated his intention to actively resist the deputy's efforts to make the arrest.
 - b. on animals as a deterrent to aggressive behavior when a deputy reasonably believes that such aggression may cause injury to the deputy or any other person who is present.
2. The effects of OC vary among individuals. Therefore, all suspects shall be handcuffed as soon as possible after being sprayed. Deputies should also be prepared to employ other means to control the suspect, to include, if necessary, other force options consistent with agency policy if the suspect does not respond sufficiently to the spray and cannot otherwise be subdued.
3. A deputy may use deadly force to protect himself from the use or threatened use of OC when the deputy reasonably believes that deadly force will be used against him if he becomes incapacitated.
4. Once a suspect is incapacitated or restrained, the use of OC is no longer justified unless the deputy reasonably believes the suspect is a continuing threat because of the tactical situation or some other articulable reason.

D. Additional Considerations

Within several seconds of being sprayed by OC, a person will normally display symptoms of temporary blindness, have difficulty breathing, burning sensation in the throat, nausea, lung pain, and/or impaired thought processes.

Consistent with Sheriff's Office training in the use of OC, the deputy using the chemical irritant should be aware of additional considerations including, but not limited to:

1. Collateral effects:
 - a. Whenever possible, deputies should be upwind from the suspect before using OC and should avoid entering the spray area.
 - b. A deputy should maintain a safe distance from the suspect of between two and ten feet.
 - c. Use of OC should be avoided, if possible, under conditions where it may affect innocent bystanders.
 - d. Assistance shall be offered to any individuals accidentally exposed to OC spray who feel the effects of the agent.
2. Treatment of affected persons:
 - a. Once the suspect has been restrained, deputies shall assist him by rinsing with clean water and drying the exposed area.
 - b. Any vehicles or interiors of buildings should be ventilated.
 - c. Suspects who have been sprayed shall be monitored continuously for indications of medical problems and shall not be left alone while in Sheriff's Office custody;
 - d. Immediately after spraying a suspect, deputies shall be alert to any indications that the individual needs medical care; and
 - e. Upon observing any medical problems or if the suspect requests medical assistance, the deputy shall immediately summon emergency medical aid.

E. Maintenance

1. All OC spray devices shall be maintained in an operational and charged state.
2. Replacements of OC spray canisters shall occur when the unit has been discharged in any significant amount.
3. OC canisters shall be inspected periodically by the deputy it is issued to, and turned in for replacement when expired, damaged, inoperable, or depleted.
4. An inventory of chemical irritants and who they are assigned to will be maintained by the Training Coordinator.

VII. TASER

TASER is an electro-muscular disruption weapon that disrupts the body's ability to communicate messages from the brain to the muscles causing temporary motor skill dysfunction in a subject. The TASER is classified as an Electronic Control Device (ECD).

A. Definitions

Anti-Felon Identification (AFIDS): Small circular identification tags expelled at the time of the cartridge being fired, 20 to 30 tags total, and are printed with the serial number of the cartridge they were fired from in order to assist with determining who fired the cartridge.

Central Information Display (CID): Digital display that communicates battery percentage, duration remaining during pulse discharge, time, date, and warranty status.

Digital Power Magazine (DPM): Integrated power source with lithium battery cells and solid state memory module for tracking power consumption, power levels remaining, and allows for software updates to be distributed via battery replacement.

Drive Stun: A secondary function of the TASER is to stun a subject by making direct contact with the body after the air cartridge has been expended or removed. Contact is made by pressing the front of the TASER (cartridge removed) into the body of a subject resisting lawful orders, and activating the TASER. The Drive Stun causes significant localized pain in the area touched by the TASER but does not usually cause incapacitation but may assist in taking a subject into custody.

Probe: The TASER is most effective when the cartridge is fired and the probes/darts make direct contact with the subject. Proper application will result in temporary immobilization of the subject and provide the officer a "window of opportunity" in which to take the subject safely into custody. Optimum range for probe deployment is 7 to 15 feet. Deployment of the TASER cartridge at distances of less than three feet may not result in neuromuscular incapacitation (NMI) or incapacitate a focused or combative subject.

Sensitive Tissue Area: The head, face, neck, groin, or female breast area.

Spark Test: A test completed at the start of every shift to verify that the TASER is working; that the batteries are performing and are adequately charged, and to energize (condition) the high voltage components of the TASER.

TASER: An electro-muscular disruption weapon that disrupts the body's ability to communicate messages from the brain to the muscles causing temporary motor skill dysfunction in a subject. The TASER is classified as an Electronic Control Device (ECD).

TASER Cam: Video/Audio recorder for the X26-series TASER devices can record 1.5 hours of video and audio, even in zero light conditions.

TASER Cartridge: A replaceable cartridge for the TASER which uses compressed nitrogen to fire two barbed probes on steel insulated connecting wires sending a high voltage/low current signal into a subject. The TASER cartridges come in varying lengths and colored blast doors, including:

1. 15 feet with a solid yellow door designated for training;

2. 21 foot with a silver door designated for duty;
3. 25 foot with a green door with XP probes designated for duty; and
4. 35 foot with an orange door with XP probes designated for SOT/CERT only.

B. Training

The training staff instructors who have been certified as TASER instructors are the only authorized persons to instruct on the TASER. Training will be conducted in accordance with Sheriff's Office [Policy 3.12 Training: Requests, Processing and Documentation](#).

C. Authorization to Carry TASERs

Deputies authorized to use a TASER must successfully complete an initial certification training course, including written and practical tests. Once certified, deputies must attend annual re-certification training.

D. Equipment Care and Handling

Deputies will use only authorized TASER equipment issued by the Deschutes County Sheriff's Office. The TASER will be inspected for damage and cleanliness, and batteries and cartridges replaced when required by the inspecting deputy. The battery display will be checked on the CID at the beginning of each shift. The TASER will never be stored without the TASER camera attached. When off-duty, TASERs must be stored and secured in a climate-controlled area, not in a vehicle.

Deputies must conduct a spark check at the beginning of shift to ensure the TASER will function properly. A spark check is an equipment check conducted outside of public view or inmate view to ensure the TASER is operable. It is conducted by removing the cartridge, test firing the weapon, and observing the electrical arc. This spark check does not require completion of a use of force report. All deputies will carry the TASER in a Sheriff's Office issued holster. The holster will be carried on the duty belt on the side opposite the duty firearm in a cross draw position.

Deputies are not authorized to draw or display the TASER, except for training, unless the circumstances create reasonable belief that it may be necessary to use it. The TASER will be handled in the same manner as a firearm.

E. Accidental Discharge

In the event of an accidental TASER cartridge discharge, the deputies shall promptly notify their supervisor. The supervisor will investigate the incident and prepare a written report documenting the incident. The supervisor will make appropriate notifications and/or take other appropriate actions.

F. Use of the TASER

The use of the TASER constitutes a "serious physical control" level of force and is one of the options available to deputies when the use of serious physical control level of force is necessary.

The TASER, like the baton, OC spray, or empty hand techniques, may not be effective in every situation. Deputies must assess the effectiveness of each application and determine whether further applications are warranted or a different tactic should be employed. The decision to use the TASER will be dependent upon the actions of the threat and the totality of circumstances surrounding the incident.

The TASER may be used when a subject is displaying active, aggressive, or aggravated aggressive resistance to a deputy attempting to conduct legal law enforcement activities (see [Policy 5.01 Use of Force](#), Section VI, Guidelines Governing the Use of Force).

The TASER will not be used, unless the deputy can articulate his actions:

1. When the deputy knows a subject has come in contact with flammable liquids or is in a flammable atmosphere.
2. When the subject is in a position where a fall will cause substantial injury or death.
3. Punitively for purposes of coercion or in an unjustified manner.
4. To escort or jab individuals.

5. To discipline, harass, or punish a subject,
6. In a playful, malicious or sadistic manner, or intentionally misused;
7. To awaken unconscious individuals.

The TASER will not be used in the following circumstances unless the deputy can articulate his actions:

1. When the subject is operating a motor vehicle.
2. When the subject is holding a firearm.
3. If the person is in a body of water or could fall into a body of water.
4. When the prisoner is handcuffed.
5. In a situation where deadly force is clearly justified unless another officer is present and capable of providing deadly force to protect the officers and/or civilians as necessary.
6. When the subject is visibly or known to be pregnant, unless deadly force is the only other option.
7. When the subject has a known medical condition which may be adversely affected by the use of the TASER, unless deadly force is the only other option.
8. When the subject is at the extremes of age or physically disabled unless deadly force is the only other option.

At the time of deployment the deputy will:

1. Give a warning, when practical, to the subject and other deputies before firing the TASER at the subject.
2. Prior to deploying the TASER the deploying deputy should announce: "TASER! TASER! TASER!" The announcement should be made only if it would not further endanger any deputies, other persons, or the suspect.
3. The primary front target area should be from the subject's nipple line and below. The primary rear target area is from the subject's lower neckline and below.
4. When encountering subjects wearing heavy or loose clothing on the upper body, the legs should be considered as a target.
5. If possible, avoid hitting the subject in sensitive tissue areas such as head, face, neck, groin, or female breast area. Probes penetrating these areas shall be removed by medical personnel at a medical facility.
6. Probes shall be removed by a TASER certified deputy unless medical assistance is required as stated above.

Use of the "Drive Stun" can be used in situations where the "probe" deployment is not possible and the immediate application of the "Drive Stun" will bring a subject displaying active, aggressive, or aggravated aggressive resistance safely under control. Multiple "Drive Stuns" are discouraged and each use must be justified and articulated in the incident report. If initial application is ineffective, the deputy will reassess the situation and may consider other available options.

Notify jail personnel at the time of booking and note on the Custody Intake form that the subject has been struck with TASER probes and/or received a "Drive Stun."

Notify his immediate supervisor whenever the TASER has been used as soon as possible.

Supervisors will:

1. Respond to the scene when a TASER has been used.
2. Notify the lieutenant and/or division commander when a TASER has been used and there are special circumstances surrounding the use of the TASER.

3. Ensure photographs are taken of the site of the probe impacts and any related injuries by a gender appropriate deputy.

G. Use of TASER in Jail Facilities

Deployment of a TASER in the jail or work center will be authorized by the corrections shift sergeant.

All law enforcement officers are required to secure their weapons prior to entering the intake areas of the jail facilities. Firearms, ammunition, TASER, and knives are not allowed and will be secured prior to entering the facility.

The objectives in the use of the TASER in the Corrections setting are:

1. Prevention of violence and minimization of injury to staff, inmates, and the public.
2. Incapacitation and restraint of violent inmate(s) who are endangering life, property, and the safety and security of the facility.
3. Prevention of an escape from the corrections facility or during transport.
4. To restore or maintain security, order, and discipline in a riotous situations.

The shift sergeant will follow DCAJ Policy: [CD-8-11 Use of Force in a Corrections Setting](#). The shift sergeant may authorize law enforcement patrol officers to retrieve a TASER for emergency purposes.

H. Post Deployment

In compliance with this policy, following a TASER deployment, deputies will additionally perform the following:

1. Medical

- a. If deputies reasonably believe that the subject upon whom the TASER was used exhibits any sign of medical distress, such as in the case of striking the area of sensitive tissue, the deputy will render aid and summon emergency medical care.
- b. If needed, reasonable and appropriate, medical personnel will be summoned to the scene to assess the subject struck with the TASER. If medical personnel or other circumstances indicate the subject requires further medical treatment the subject will be transported by reasonable means to a suitable medical facility per Sheriff's Office [Policy 6.22 Transportation of Prisoners](#).
- c. If safety circumstances dictate moving the subject to another location, deputies may arrange to have emergency medical personnel meet the deputies and the subject at another location to assess the subject and render care.
- d. If emergency medical care or transport is not available, or if the perceived response delay appears excessive, then, per Sheriff's Office policies, the subject may be transported by the deputy for medical evaluation. The deputy will attempt to transport the subject without further imbedding the probes into the subject. During transport the officers shall reasonably monitor the subject's observable physical condition.

2. Documentation

The deputy deploying the TASER will:

- a. Present the TASER to a supervisor for data download to a disk prior to the end of shift if a reported use of force incident occurs. The supervisor will complete the download and place the disk into evidence.
- b. Complete a detailed incident report, whenever a TASER is fired, whether a subject is struck or not, or when drive stunned.
- c. Complete a use of force report.
- d. Forward a copy of the report to the appropriate division commander and training coordinator.

3. Evidence

- a. Deputies will handle the probes the same as contaminated needles and sharps in accordance with Sheriff's Office biohazard disposal policy.
- b. The probes and the expended cartridge(s) will be maintained as evidence appropriately secured, tagged, and identified as a bio-hazard(s). If the probes strike sensitive tissue they will be removed at a medical facility to be placed into evidence at the Sheriff's Office with the cartridge they were fired from. The probes shall be placed in a single use Sharps container and sealed. The sealed Sharps container shall then be placed in the same evidence bag with the expended cartridge, wire and AFIDS.
- c. The AFIDS will only be collected and maintained as evidence if reasonably necessary, such as where identification of who discharged the TASER is a foreseeable problem or issue.

An attempt to locate and collect AFIDS shall take place in every instance where a TASER ID discharged. Deputies shall document where the AFIDS were located and describe any environmental conditions, such as wind direction and speed that may have affected the manner in which they dispersed.

Supervisors will:

- a. Ensure the deputy completes reports and that required photographs are taken.
- b. Verify the probes and expended cartridges are placed into evidence and arrange for replacement cartridges with the training coordinator.
- c. Download the data record of the TASER prior to the end of shift in which a reported use of force incident occurs and saves data to the appropriate file.
- d. All data downloaded will be reviewed by the use of force committee.

VIII. FIREARMS

Use of firearms constitutes a "deadly force" level of force and shall be used only in situations where the use of deadly force is justified. (Refer to [Policy 5.01 Use of Force](#).)

A. Sheriff's Office Issued Firearms

Deputies will carry only agency issued firearms or those specifically authorized in the Sheriff's Office firearms policy. Ammunition will likewise conform to that authorized in the Sheriff's Office firearms [Policy 8.20 Firearms](#), [Appendix A](#), [B](#) and [C](#).

Handgun: The agency issues or allows personally owned Glock and Sig-Sauer 9mm, .40 and .45 calibers as duty handguns. Deputies may carry duty handguns off-duty. Models vary and may be any of the following models:

- | | |
|------------------------------------|-----------------------------|
| • Glock 9mm Model 17 | • Sig-Sauer 9mm Model P225 |
| • Glock 9mm Model 19 | • Sig-Sauer 9mm Model P226 |
| • Glock 9mm Model 26 | • Sig-Sauer 9mm Model P228 |
| • Glock 40 Model 22 | • Sig-Sauer 9mm Model P239 |
| • Glock 9mm Model 34 SOT/CERT only | • Sig-Sauer 40 Model P229 |
| • Glock 40 Model 23 | • Sig-Sauer 40 Model P239 |
| • Glock 40 Model 27 | • Sig-Sauer 40 Model SP2340 |
| • Glock 45 Model 21 | • Sig-Sauer 45 Model P220 |
| • Glock 45 Model 36 | |

Shotgun/Extended Range Impact Weapon: The Sheriff's Office issues the Remington 870 pump action and the Mossberg 590A pump action shotgun chambered in 12 gauge. Barrel lengths and magazine capacity may vary according to assignment. The shotgun may be used as a delivery system for a breaching round in order to access a location. Such rounds may cause serious physical injury or death when fired at a human being and are for the exclusive use by SOT members. Duty shotguns are not authorized for use off duty. For additional information see [Policy 8.20, Firearms](#).

Special Purpose Firearms: The Sheriff's Office issues Tippman Pneumatics, Inc, Jaycor compressed air launchers of .68 caliber. These are used for extended range impact and/or chemical agent applications. A 37mm Harrington and Richardson Arms Co., Gas Projectile Gun commonly used to propel tear gas cartridges is also available in the armory. A 37mm Defense Tech Gas Projectile Gun used for the delivery of gas or less lethal munitions is available to SOT members only. Neither the Pepperball launcher nor the 37mm is authorized for off-duty use.

Rifle: The Sheriff's Office issues the Colt and Armalite semi-automatic rifles chambered for the .223 round. The duty rifle is not authorized for use off-duty.

Long-Rifle: Remington, Winchester, Harrington and Richardson Arms Co. 308 caliber bolt action or semi-automatic scoped rifles are available for SOT members only. The specialized rifle is not authorized for use off-duty

Sub-Machine gun: Heckler and Koch .40 caliber MP5s are available for CERT Team members only. The MP5s are not authorized for off-duty use.

Special Purpose Devices:

- a. 15 gram Reload Distraction Devices and Gun Steel Bodies. These are hand thrown distraction (flash bang) devices for CERT members only. Distraction devices are not authorized for off-duty use.
- b. Tactical "Flash Bang" hand delivered diversionary device of a steel body construction for SOT members only. This device is not authorized for off-duty use

The following firearms are not authorized for off-duty use:

- Shotgun/Extended Range Impact Weapon
- Compressed Air Launchers
- Gas Projectile Gun
- Agency Issued Rifles
- Sub-Machine Gun

Other Firearms: The Sheriff's Office may issue other firearms necessary the purposes of law enforcement as authorized by the Sheriff including, but not limited to, those whose specific purpose or design is delivery of chemical irritants, full automatic firing capability, or precision long-range shot placement. Other firearms may be carried off-duty only with the authorization of the Sheriff.

B. Training

(Refer to [Policy 3.14 Firearms Training](#)). Deputies may carry and use only those firearms that they have received training and demonstrated proficiency in the use of.

1. Deputies will be instructed in all applicable laws on the use of deadly force and Sheriff's Office use of force policy prior to being issued any firearm.
2. Deputies will be issued copies of the Use of force policies prior to authorization to carry a weapon. Both the issuance and instruction shall be documented.
3. Deputies will successfully complete the Basic Police Academy course on firearms instruction or its accepted equivalent prior to being authorized to carry a firearm.

4. Deputies will receive firearms training at least bi-annually. They will demonstrate a current knowledge of the Sheriff's Office Use of force policy received during annual training, and an acceptable level of proficiency with each firearm they are authorized to carry.
5. Levels of proficiency and frequency of qualifications with each weapon will be set by the Sheriff's Office Training Coordinator and the deputy's performance will be documented in the deputy's training file.
6. A deputy failing to demonstrate proficiency shall not be authorized to carry the firearm until remedial training has been completed; and current proficiency demonstrated and documented in the deputy's training file.

C. Use of Firearms

Use of firearms by law enforcement deputies in the performance of their duties constitutes one of the most closely scrutinized aspects of the profession. Deputies are authorized to use firearms when necessary:

1. To protect the deputy or another from serious physical injury or death.
2. To prevent the escape of a fleeing felon when the deputy has probable cause to believe the felon poses a significant and immediate threat to human life should escape occur and lesser means have failed or would be unreasonable.
3. To destroy or deter a dangerous animal or, with permission from a supervisor, to destroy a badly injured animal to prevent further suffering.
4. At a firing range pursuant to all safety rules and regulations.

D. Unauthorized Firearms Uses

1. Deputies are prohibited from discharging firearms from a moving vehicle.
2. Discharging a firearm is not authorized as a signal, warning or communication method.
3. Any accidental discharge of a firearm by a deputy occurring on duty or an accidental discharge of agency firearm off-duty that causes injury or property damage will be reported immediately to the on-duty supervisor. An incident report will be generated and copies forwarded to the Division Commander and Sheriff.
4. Deputies shall not display their weapons for casual civilian observation.

E. Maintenance

Any firearm authorized by this agency to be carried by a deputy will be maintained in a clean and operational condition. Deputies are subject to unannounced inspections by a supervisor or a Firearms Instructor at any time.

Firearms will be inspected as part of each scheduled firearms range training session.

IX. IMPACT WEAPONS

When a deputy uses an impact weapon to perform a physical control hold, the deputy must be aware the level of force is equivalent to "physical control hold" but could elevate to the level of "deadly force." Use of impact weapons to block, jab, or strike constitutes a "serious physical control" level of force. (Refer to [Policy 5.01 Use of Force.](#))

A. Sheriff's Office Issued Impact Weapons

Deputies will carry only Sheriff's Office issued impact weapons. The agency issued impact weapons are not authorized for off-duty use.

1. *Monadnock Collapsible Baton*: The Sheriff's Office issues, for standard deployment, a Monadnock collapsible baton which will be in the deputy's possession when assigned to the patrol, traffic, or investigation functions. Use of the baton in the jail setting, including transports, cell extractions, riots, and as determined by shift supervisor.

2. *Monadnock PR-24 Side Handle Control Batons*: Authorized for those trained in their use in the adult jail only.

The only PR-24 authorized for patrol use must be collapsible and carried as such until deployment.

Impromptu Impact Weapons

Nothing in this section precludes a deputy from using an impromptu impact weapon, such as the police issue flashlight, if the deputy is justified in its use to protect himself or another from serious physical injury or death.

The Training Coordinator will record the type and assignee of all impact weapons.

B. Training

Only deputies who have received training and have demonstrated proficiency in the use of impact weapons may carry and use them.

1. Deputies will be issued copies of and be instructed in the agency's Use of Force policy and applicable laws prior to being issued an impact weapon. Issuance of and instruction in the policies shall be documented.
2. Deputies will receive training in the proper use of impact weapons prior to the weapon being deployed by the deputy. This will be documented in the deputy's training file.
3. Deputies will receive annual training in the Sheriff's Office Use of force policy and the proper use of impact weapons, and will demonstrate proficiency in their use. This will be documented in the deputy's training file.
4. A deputy failing to demonstrate proficiency shall not be authorized to use impact weapons until remedial training has been completed, current proficiency demonstrated, and documented in the deputy's training file.

C. Use of Impact Weapons

Only that amount of force reasonably believed necessary to protect persons from bodily harm or to affect a lawful police action may be used.

1. Impact weapons may be used as an extension of a deputy's ability to apply a control hold to overcome "static" or higher levels of resistance. This includes, but is not limited to, leverage applications, wrist or other joint locks, arm bars, come along holds, and takedowns.
2. Impact weapons may be used as a blocking, jabbing, or striking weapon to overcome "active" or higher levels of resistance. This includes, but is not limited to, jabs and rakes intended to stun or gain compliance, strikes to major muscle groups for the same purpose, or strikes to areas such as wrists or shins designed to disarm or incapacitate.
3. Impact weapons may be used on targets identified as potentially lethal, such as the head or groin, only in situations where the use of deadly force is justified.

D. Unauthorized use

1. Impact weapons shall not be used to threaten, intimidate or punish any person.
2. Impact weapons shall not be used for other than law enforcement purposes.
3. Deputies should exercise restraint and consideration before demonstrating or displaying their impact weapons. They should not normally be subject to casual civilian observation.

E. Maintenance

Sheriff's Office issued impact weapons will be kept in a clean, operational condition at all times.

X. EXTENDED RANGE IMPACT WEAPON PROJECTILES

Use of extended range impact weapon projectiles constitutes a "serious physical control" level of force. (Refer to [Policy 5.01 Use of Force.](#))

A. Sheriff's Office Authorized Extended Range Impact Weapon Projectiles

Deputies will carry and deploy only Sheriff's Office issue extended range impact weapon projectiles. In general terms, extended range impact weapon projectiles are launched from three types of firearms: pepperball launchers, standard shotguns, and larger caliber launchers. (See Section VIII. A and D)

Shotgun Launched Extended Range Impact Weapon Projectiles

The Sheriff's Office issues 12 gauge Accusox for designated shotguns for deployment as extended range impact weapon projectiles, deployed at a patrol level. ([See Policy 8.20, Appendix C](#))

Gas Gun Launched Extended Range Impact Weapon Projectiles

SOT will have available for deployment 37mm gas gun launched extended range impact weapon projectiles for singular or multiple subject targeting at a tactical incident level. ([See Policy 8.20, Appendix C](#))

B. Training

Deputies assigned to extended range impact weapons will have weapons available for the specific purpose of launching extended range impact weapon projectiles. The weapons will be assigned at squad or tactical level, and shall not be used for or loaded with lethal rounds. The shotguns designated as extended range impact weapon projectile launchers shall be readily identified as such, to avoid any possible confusion.

1. Deputies will be issued copies of and be instructed in the agency's use of force policy and applicable laws prior to being issued an extended range impact weapon. Issuance of and instruction in the policies shall be documented.
2. Only deputies trained in the use of the extended range impact weapons are authorized to use them.
3. Deputies will be trained in and demonstrate knowledge of applicable laws and Sheriff's Office use of force policy when assigned to extended range impact weapon projectile duty.
4. Deputies will receive training in the proper deployment and use of extended range impact weapon projectile weapons prior to being authorized to carry them on-duty.
5. At least biennially, deputies will demonstrate knowledge of the current Sheriff's Office use of force policy received during annual training, and demonstrate proficiency in the use of extended range impact projectile weapons assigned to them.
6. Training and demonstrations of proficiency shall be documented in the deputy's training file.
7. A deputy failing to demonstrate proficiency shall not be authorized to carry extended range impact weapon projectiles until remedial training has been completed, and current proficiency demonstrated and documented in the deputy's training file.

C. Use of Extended Range Impact Weapons

Extended range impact weapons are used in situations where a serious physical control or higher level of force is justified and other means have not been effective or are not practical.

Extended range impact weapon projectiles are directed at large muscle groups or center body mass to temporarily stun or incapacitate a subject so that he may be taken safely into custody, or to persuade the subject to surrender without physical resistance.

Situations justifying the use of an extended range impact weapon may include, but are not limited to:

1. As an alternative to the use of deadly physical force if the tactical situation allows for the option.
2. To induce a cornered, dangerous suspect into custody without necessitating deputies approaching into the danger area.

3. To stop the escape of a fleeing fugitive, where pursuit is likely to endanger the deputy or others.
4. To accomplish a lawful law enforcement action in situations where lesser levels of force have been ineffective and a substantial danger exists for the deputies if the action is not taken.
5. To deter a dangerous or aggressive animal.

D. Unauthorized Uses

In any other than the most extreme circumstances, deputies should avoid deploying extended range impact weapons against:

1. Extremely frail or elderly subjects.
2. Very young or very small persons.
3. Pregnant individuals.
4. Injured or sick persons whose injury or sickness may cause them to be more subject to injury.
5. Any person at ranges so close as to be likely to produce a serious or fatal wound.
6. Any part of the body that could be reasonably expected to produce a serious injury or lethal wound.

E. Maintenance

The same maintenance and inspection standards apply to extended range impact weapons as are applied to other firearms.

XI. RESTRAINTS/HANDCUFFS

Use of restraints, such as handcuffs, leg irons, flex cuffs, or hobbles, constitutes a "physical contact" level of force. (Refer to [Policy 5.01 Use of Force](#), Section IV, Levels of Force)

A. Sheriff's Office Authorized Restraints

Deputies will carry only Sheriff's Office issued or authorized restraints.

1. *Handcuffs*: The Sheriff's Office issues handcuffs to deputies whose normal duties/assignments may require them to make arrests or supervise arrestees. Deputies may carry additional personally owned sets of handcuffs so long as they are of a similar design and quality to those issued.
2. *Other restraints*: The Sheriff's Office equips each patrol vehicle which may be used by deputies to make arrests, transport, or supervise prisoners, with:
 - a. Leg irons, for the restraint of violent offenders or escape risks.
 - b. Hobbles, for the purpose of preventing a violent prisoner from kicking persons or damaging property.
 - c. Belly chains, for the purpose of further restraining the arms of prisoners who are unusually flexible, violent, or dangerous.
3. *Flex-cuffs*: Flex-cuffs may be used by deputies as a temporary means to secure additional suspects. Deputies should be aware of the danger of a suspect cutting, burning, or slipping out of flex-cuffs and exercise additional caution, checking the flex-cuffs frequently.

B. Training

Deputies shall train annually during defensive tactics in-service training on the proper use of restraints.

1. The training shall include instruction in the agency's use of force policy.
2. The training shall be documented in the deputy's training file.

C. Use of Restraints

Every person taken into custody shall be handcuffed with their hands behind their back, unless such handcuffing is impossible (e.g., an amputee) or impractical. In such an event, a deputy shall use appropriate safeguards to secure the person. Additional restraints shall be used, as needed, if the deputy reasonably believes they are necessary because:

1. The prisoner is violent and constitutes a continuing threat to the deputy even though handcuffed.
2. The prisoner constitutes an escape risk unless further restrained.
3. The prisoner damages or attempts to damage property even though restrained.
4. The prisoner acts in a manner that is likely to injure him or others.
5. The prisoner is accused of crimes of a serious nature that merit additional security.
6. The prisoner has a past record of violent behavior or escapes.

D. Unauthorized Uses of Restraints

Restraints shall not be used as punishment, or to humiliate or degrade any person

E. Maintenance

All restraints carried by or in the care of deputies shall be maintained in a clean and operational condition.

XII. CANINE AS USE OF FORCE

Sheriff's Office canines can be deployed as a "use of force," depending on the task being performed. When they are utilized as such, they are considered to be a "serious physical control" level of force. (Refer to [Policy 5.01 Use of Force](#).)

Canines as a use of force are located in the Law Enforcement Canine section of this chapter. (Refer to [Policy 5.50 Law Enforcement Canines](#).)

XIII. VEHICULAR USE OF FORCE

Vehicles are not designed as, nor are they normally deployed as, a "use of force". When they are utilized as such, vehicular use of force will be consistent with the "[Vehicular Use of Force Continuum](#)" located in [Policy 5.15 Vehicular Use of Force](#).

WARNING

This directive is for Sheriff's Office use only and does not apply in any criminal or civil proceeding. The Sheriff's Office policy should not be construed as a creation of higher legal standard of safety or care in an evidentiary sense with respect to third party claims. Violations of this directive will only form the basis for Sheriff's Office administrative sanctions.