
Conducted Electrical Weapon

1202.1 PURPOSE AND SCOPE

This policy provides guidelines for the issuance and use of the TASER (TM).

1202.2 POLICY

The TASER device is used to control a violent or potentially violent individual. The appropriate use of such a device should result in fewer serious injuries to deputies and suspects.

1202.3 ISSUANCE AND CARRYING CEW DEVICES

Only members who have successfully completed the TASER CEW end user certification training may be issued and carry the Taser (Conducted Electrical Weapon) device.

TASER devices are issued for use during a members current assignment. Those leaving a particular assignment may be required to return the device to the office inventory.

members may only use the TASER device and cartridges that have been issued by the Office. Uniformed members who have been issued the TASER device shall wear the device in an approved holster. Non-uniformed members may secure the TASER device in the driver's compartment of their vehicles.

Authorized carriers utilizing the TASER device should perform a spark test prior to every shift.

When carried while in uniform, members shall carry the TASER device in a weak-side holster on the side opposite the duty weapon.

- (a) All TASER devices shall be clearly and distinctly marked to differentiate them from the duty weapon and any other device.
- (b) Whenever practicable, members may carry two or more cartridges on their person when carrying the TASER device.
- (c) Members shall be responsible for ensuring that the issued TASER device is properly maintained and in good working order. Supervisors will conduct periodical inspections to ensure they are in good working order.
- (d) Members should not hold a firearm and the TASER device at the same time.

1202.4 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 members 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 deputies and individuals with a warning that the TASER device may be deployed.

The aiming laser should not be intentionally directed into anyone's eyes.

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The fact that a verbal or other warning was given may be included in the narrative of the incident report.

1202.5 USE OF THE CEW 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 effective in controlling most individuals, deputies should be aware that the device may not achieve the intended results and be prepared with other options.

1202.5.1 APPLICATION OF THE CEW DEVICE

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

- (a) The subject is combative and/or assaultive.
- (b) The subject has demonstrated, by words or action, an intention to be combative and/or assaultive, and reasonably appears to present the potential to harm deputies, him/herself or others.

Mere flight from a pursuing deputy, without other known circumstances or factors, is not good cause for the use of the TASER device to apprehend an individual.

The TASER device shall not be used to psychologically torment, pain compliance, elicit statements or to punish any individual or one who displaying only passive resistance.

1202.5.2 SPECIAL DEPLOYMENT CONSIDERATIONS

The use of the TASER device on certain individuals should be avoided unless the totality of the circumstances indicates that other available options reasonably appear ineffective or would present a greater danger to the deputy, the subject or others, and the deputy 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, physically or mentally handicapped.
- (b) Elderly or small children.
- (c) Individuals with obviously low body mass.
- (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).
- (g) Infirm

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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 should be limited to supplementing the probe-mode to complete the circuit, or as a distraction technique to gain separation between deputies and the subject, thereby giving deputies time and distance to consider other force options or actions.

1202.5.3 TARGETING CONSIDERATIONS

The preferred targeting areas include the individual's back or front lower-center mass. The head, neck, chest and groin should be avoided when reasonably practicable. If the dynamics of a situation or officer safety do not permit the deputy to limit the application of the TASER device probes to a precise target area, deputies 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.

1202.5.4 MULTIPLE APPLICATIONS OF THE CEW DEVICE

Deputies should apply the TASER device for only one standard cycle and then reassess the subject's behavior before applying any subsequent cycles. Deputies should not intentionally apply more than one TASER device at a time against a single individual.

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

- (a) Whether it is reasonable to believe that the need to control the individual outweighs the potentially increased risk posed by multiple applications.
- (b) Whether the probes are making proper contact.
- (c) Whether the individual has the ability and has been given a reasonable opportunity to comply.
- (d) Whether verbal commands, other options or tactics may be more effective.

1202.5.5 ACTIONS FOLLOWING DEPLOYMENTS

Deputies should take appropriate actions to control and restrain the individual to minimize the need for longer or multiple exposures to the TASER device. As soon as possible, deputies shall notify a supervisor any time the TASER device has been discharged. 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 paper work, and the report form. The evidence packaging should be marked "Biohazard" if the probes penetrated the subject's skin.

1202.5.6 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.

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1202.5.8 OFF-DUTY CONSIDERATIONS

Deputies are not authorized to carry office TASER devices while off-duty.

Deputies 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.

1202.6 DOCUMENTATION

Deputies shall document all TASER device discharges in the related incident reports. Notification shall also be made to a supervisor in compliance with the Use of Force Policy. Unintentional discharges, pointing the device at a person, or warns the person that the Deputy may use the CEW shall require supervisor notification.

1202.6.1 REPORTS

The deputy should include the following in the incident report:

- (a) Information to illustrate why the device was used and all those who were present during its use.
- (b) Identification of all witnesses
- (c) Medical care provided to the subject
- (d) Observations of the subject's physical and physiological actions
- (e) Any known or suspected drug use, intoxication or other medical problems

1202.7 MEDICAL TREATMENT

Consistent with local medical personnel protocols and absent extenuating circumstances, only appropriate medical personnel should remove TASER device probes from sensitive areas of 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 or who sustained direct exposure of the laser to the eyes, shall be assessed prior to presentation to a magistrate. 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, physically or mentally handicapped.
- (c) Elderly or small children.
- (d) The person reasonably appears to be in need of medical attention.
- (e) The TASER device probes are lodged in a sensitive area (e.g., groin, female breast, head, face, neck).
- (f) The person requests medical treatment.

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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 presentation to a magistrate. If any individual refuses medical attention, such a refusal should be witnessed by another deputy 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 deputy shall inform any person providing medical care or receiving custody that the individual has been subjected to the application of the TASER device (see the Medical Aid and Response Policy).

1202.8 SUPERVISOR RESPONSIBILITIES

When possible, supervisors will respond to calls when they reasonably believe there is a likelihood the TASER device may be used. A supervisor will respond to all incidents where the TASER device was activated.

A supervisor should review each incident where a person has been exposed to an activation of the TASER device and ensure all reports are completed. The device's onboard memory may be downloaded through the data port by a supervisor or Range Master and saved. Photographs of probe sites should be taken and witnesses interviewed.

1202.9 TRAINING

Personnel who are authorized to carry the TASER device shall be permitted to do so only after successfully completing the TASER CEW end user certification training. Any personnel who have not carried the TASER device as a part of their assignments for a period of one year or more shall be recertified by a qualified 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 a deputy's knowledge and/or practical skills may be required at any time if deemed appropriate by the Training Officer. All training and proficiency for TASER devices will be documented in the deputy's training files.

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

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

The Training Officer is responsible for ensuring that all members who carry TASER devices have received initial and annual proficiency training. Periodic audits should be used for verification.

Exposure of a TASER deployment and/or a drive stun during training is not to be mandatory for certification.

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The Training Officer should ensure that all training includes:

- (a) A review of this policy.
- (b) A review of the Use of Force Policy.
- (c) Review entire end-use certification course Power Point presentation.
- (d) Demonstrate safe handling of CEW and cartridges and proper finger positions for safe handling, aiming and firing.
- (e) Safely control TASER CEW adequately when commanded "Arm – Spark – Safe" at random.
- (f) Demonstrate the ability to safely load and unload the TASER CEW under stress.
- (g) Remove and reinstall battery in TASER CEW correctly.
- (h) Deploy a minimum of two (2) live cartridges, placing both probes in preferred target zones.
- (i) Written test with a minimum passing score of eighty (80) percent.

1202.10 APPLICATION OF THE I.C.E. SHIELD

ICE SHIELD

RELATED N.C. JAIL STANDARDS: .0203; .0501; .0601

POLICY STATEMENT: The ICE SHIELD is designed for use by Detention Officers to provide safe control of an inmate exhibiting violent or uncontrollable behavior, to prevent self injury, injury to others or property damage when other control techniques are not effective and to facilitate cell extractions. Authorized and trained Detention Officers and deputies may use ICE SHIELD consistent with the training and Use of Force policy of Montgomery County Detention Center.

DEFINITIONS: The ICE SHIELD is a 24" X 28" institutional sized polycarbonate shield with a trigger activated electronic package (ULTRON II circuit design).

PURPOSE: To provide Detention Officers with guidelines on ICE SHIELD:

1. To prevent an inmate from inflicting self-harm
2. To prevent escape
3. To prevent damage to property
4. Cell Extractions
5. Use of force
6. In the reporting of the use of force

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SPECIFIC PROCEDURES:

1. USE OF ICE SHIELD

a. ICE SHIELD can be used in custody situations to reduce the physical force needed to effectively control combative prisoners or prisoners who may attempt escape, assault, cause property damage, inflict self-harm.

b. ICE SHIELD can facilitate cell extractions while reducing the likelihood of injuries to all involved parties including but not limited to innocent bystanders. At no time will an untrained and unsupervised Officer use the ICE SHIELD.

c. Although classified as a non-lethal device, the potential for injury still exists. Therefore, personnel shall avoid intentionally striking those bodily areas such as head, throat, groin, female breast, or base of the sternum.

d. The ICE SHIELD can be used independently from the electronic immobilization package. The ICE Shield's electronic package may not be activated upon a subject for more than 8 seconds if there is no noticeable result. Should the device begin to have an effect within 7 seconds, a sustained application should be maintained until the desired results are achieved.

e. At least three (3) Detention Officers shall be present to assist in the use of the ICE Shield.

2. NOTIFICATIONS AND MAINTENANCE

a. Detention Officers encountering a situation which requires the use of the ICE SHIELD, when feasible, shall notify the Shift Sergeant / Designee. This system can be used before the notification of the Shift Sergeant / Designee when the situation dictates such use. The Shift Sergeant / Designee shall make all notifications and reports as required by the Montgomery County Detention Center.

b. Each officer responsible for maintaining the respective product will exercise due care and diligence in making sure the batteries are charged and replaced as necessary. No officer will attempt to repair or alter this unit without first consulting with factory personnel (other than changing the batteries).

c. When not in use, the ICE Shield, support equipment shall be securely stored in the sally port of the Lower Control Room. The designated ICE Shield instructors are responsible for cleaning, maintenance, and testing of the ICE Shield.

1202.11 APPLICATION OF THE R.E.A.C.T. SYSTEM

REMOTE ELECTRONICALLY ACTIVATED CONTROL TECHNOLOGY (R-E-A-C-T) SYSTEM

POLICY STATEMENT: The purpose of this administrative directive is to establish guidelines for Detention Officers on the use of the Remote Electronically Activated Control Technology (R-E-A-C-T) System.

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PURPOSE:

To provide Detention Officer with guidelines on R-E-A-C-T System:

- Safely transport inmates
- Use of force
- In the reporting of the use of force

Authorization:

Authorized and trained Officers may use R-E-A-C-T System, consistent with the Use of Force policy of Montgomery County Detention Center and training. The officer with the remote transmitter will assume the position of Control Officer.

Description of R-E-A-C-T System

The R-E-A-C-T System is a remotely operated electronic restraint device which produces an electrical shock for 8 continuous seconds that can disorient, temporarily immobilize and stun a person without causing permanent injuries. It is activated by a small radio transmitter with a range of up to 300 feet. The product may be used in a low profile mode or combined with other restraints such as handcuffs, belly chains and leg irons.

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The R-E-A-C-T System has been adopted to provide a safe, effective restraint device for use in court with high risk defendants or during transportation details. The device can also be used in other custody situations to reduce the physical force needed to effectively control combative inmates or inmates who may attempt escape, while reducing the likelihood of injuries to involve parties including to but not limited to innocent bystanders. At no time will a Control Officer relinquish an R-E-A-C-T system to untrained, unsupervised personnel.

MAINTENANCE RESPONSIBILITIES

Each officer, hereafter designated as "Control Officer", responsible for maintaining the respective product, will exercise due care and diligence in making sure the batteries are charged and replaced as necessary. No officer will attempt to repair or alter this unit without first consulting with factory personnel (other than changing the batteries).

PROCEDURE:

1. The System may be activated under the following circumstances:
 - A. Any attempt to escape or assault anyone.
 - B. Any outburst or movement which appears to threaten escape or assault.
 - C. Any failure to comply with the lawful direction of the custodial officers.

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- D. Any tampering with the product.
- E. Any time the wearer moves out of sight of the control officer.
- F. Subsequent activations will be used only if the inmate is still actively attempting assault or escape. If the inmate's actions are limited to resistance to being secured, other physical restraint techniques should be attempted.
- G. Use of the audible tone as a warning should be used where and when possible. However, acts of aggression or escape will warrant immediate and swift response.
- H. Immediately after the R-E-A-C-T system has cycled, secure the inmate with handcuffs and other restraints as necessary to control the inmate.
- I. In the event the inmate is able to resist being immobilized after a single activation, a second activation may be initiated.

2. FOLLOWING USE:

- A. Immediately report the incident to the Detention Sergeant.
- B. Medical Examination: The R-E-A-C-T System is designed for temporary immobilization. It will not normally cause any significant injury. An inmate may however, receive secondary injuries as a result of falling when the device is activated.
- C. If the inmate complains of medical problems after the use of the product, have him/her evaluated by medical staff and or taken to the nearest medical facility if medical staff is unavailable.
- D. Use caution if the inmate is moved to a civilian medical facility.
- E. As soon after the incident as possible, photograph signature marks (Contact Marks) and any secondary injury. Photographs should be taken of any effected area.

3. WRITTEN REPORT

While the R-E-A-C-T System utilizes non-lethal pulse technology and causes no known permanent injuries or side effects, the use of this device is a serious matter.

- A. Any activation of the product by an employee will be immediately brought to the attention of the Detention Administrator.

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B. On every occasion that the R-E-A-C-T System is activated, a written report will be completed by the activating officer before he/she goes off duty. That report will comply with regular department report requirements and must also include:

- 1) The observed reaction of the inmate/subject at the time of activation.
- 2) Description of any observable marks or injuries to the inmate/subject.
- 3) Complaints from the inmate/subject.
- 4) The time, location and by whom the photographs were taken.

4. UNAUTHORIZED USE

The R-E-A-C-T System may not be used in the following circumstances:

- A. With pregnant women.
- B. With persons known to have serious heart diseases, multiple sclerosis or muscular dystrophy.
- C. To unlawfully threaten, coerce, harass, taunt, belittle or abuse any person.
- D. In any form of horseplay between staff or with persons from outside the department.
- E. Persons violating any category "C" or "D" violations will be subject to departmental discipline and may be subject to criminal charges.