

	<p style="text-align: center;"><b>VOLUSIA SHERIFF'S OFFICE</b></p> <p style="text-align: center;"><b>GENERAL ORDER GO-001-03</b></p>	<p style="text-align: center;"><b>Distribution</b></p> <p style="text-align: center;">All Personnel</p>	<p style="text-align: center;"><b>Reissue/Effective Date</b></p> <p style="text-align: center;">06/19/2020</p>
		<p style="text-align: center;"><b>Original Issue Date</b></p> <p style="text-align: center;">07/12/2017</p>	<p style="text-align: center;"><b>Previous Revision Date</b></p> <p style="text-align: center;">01/01/2020</p>
<p><b>Title</b></p> <p><b>USE OF LESS-LETHAL WEAPONS AND DEVICES</b></p>			
<p><b>Section</b></p>		<p><b>AUTHORITY OF</b>  </p> <p>MICHAEL J. CHITWOOD, SHERIFF</p>	

*To protect and serve with courage, honor and integrity by fighting crime, maintaining trust, and building community partnerships.*

## I. PURPOSE

This general order applies to all Volusia Sheriff's Office sworn law enforcement to include all Deputies and Reserve Deputies while acting within the scope of their lawful authority, both while on-duty and off-duty. This general order establishes policy and procedural guidelines pertaining to all agency approved less-lethal weapons and devices.

## II. DISCUSSION

Whereas Volusia Sheriff's Office general order 1.1 Use of Force Guidelines sets forth agency policy regarding the full range of use of force options by Deputies, this general order is designed to set forth procedural guidelines for all agency approved less-lethal Weapons and Devices. Volusia Sheriff's Office recognizes the need to provide and train Deputies who are faced with unlawful resistance with effective use of force options when restraining or empty hand control measures either fail or are deemed impractical in the situation, and when deadly force is not justified.

## III. POLICY

As reflected in general order 1.1 Use of Force Guidelines, it is the policy of the Volusia Sheriff's Office that Deputies use only the minimal degree of force that is necessary to overcome the immediate threat and/or to effectuate an arrest. **Excessive force will not be tolerated.** Deputies shall exercise all safe and reasonable means of control and containment; the application of force shall be guided by Florida State Statutes, Volusia Sheriff's Office general order 1.1 Use of Force Guidelines and agency approved training.

The Sheriff hereby authorizes Deputies to use that amount of force that is reasonable and necessary under the circumstances to protect themselves and/or others while in the performance of their lawful duties and to provide a full range of less-lethal weapon/device options for effective control and containment. When feasible and practical under the circumstances, Deputies shall attempt to resolve potential use of force situations with non-physical force alternatives, such as direction, persuasion, verbal warning, and time/distance tactics prior to resorting to the use of force.

When making use of force decisions, Deputies shall be mindful of subjects who may be physically or mentally incapable of responding to law enforcement commands due to a variety of circumstances including, but not limited to alcohol or drugs, mental impairment, medical conditions, physical limitations, deaf/hard of hearing, or language/cultural barriers.

This general order provides the current authorized list of less-lethal weapons and devices that have been reviewed by the Training Section Captain, Senior Rangemaster and Armorer, certified weapons training instructors, and/or the respective Special Tactical Team Leaders and are hereby authorized for issuance and use in the performance of duty by those Deputies who have successfully completed training for said weapon and have demonstrated proficiency in its use.

## IV. DEFINITIONS

**BolaWrap** – A remote restraint device used for immobilizing and controlling resistive/non-compliant persons and persons with known or suspected mental health issues. The purpose of this device is to facilitate a safe and effective response in order to minimize injury to suspects, subjects, and Deputies.

**Emergency Restraint Chair (ERC)** – A mobile chair containing shoulder, wrist, lap and ankle restraints that is used to humanely restrain individuals who demonstrate combative, self-destructive, or potentially violent behavior that creates substantial risk of physical harm to themselves or others.

**Freeze +P** – An Oleoresin Capsicum (OC) spray that is an inflammatory agent that causes an intense burning sensation of the skin, eyes, and mucous membranes.

**Impact Weapon** – Any object, including an expandable baton, or defensive weapon of opportunity that is used to strike a subject in a manner that is reasonably likely to cause injury. (ASP, flashlight, radio, etc.)

**R.E.A.C.T./BANDIT** – Electronic control weapon utilized when necessary as a restraining device to minimize potential problems and situational occurrences of violent outbursts or escape attempts posed by individuals being transported as prisoners and attempts to subdue the prisoner by other conventional tactics have been, or will likely be, ineffective in the situation at hand. (primarily utilized by Extraditions and Courts)

**Specialty Impact Munitions** – A less-lethal round discharged from a dedicated shotgun that is designed to temporarily disrupt a subject’s behavior.

**Taser** – Electronic control weapon (ECW) designed primarily to discharge electrical charges into a subject that may cause involuntary muscle contractions and override the subject’s voluntary motor responses.

## V. PROCEDURE

### A. GENERAL

1. The agency approved less-lethal weapons and devices are as follows:

LESS-LETHAL WEAPONS AND DEVICES		
TYPE	DESCRIPTION	CLASSIFICATION
Violent Subject Restraint	Emergency Restraint Chair (ERC)	Restraint Device
	V.P.T.R.	Restraint Device
	BolaWrap	Remote Restraint Device
Aerosol Spray	FREEZE +P	Less-Lethal
Electronic Restraint Device	R.E.A.C.T./BANDIT	Less-Lethal
Dart-Firing Stun Gun (Electronic Control Weapon)	Taser	Less-lethal
K-9	Certified K-9 Team: Certified K-9 Handler and Agency Approved K-9	Less-Lethal
Less-Lethal Impact Weapons	ASP Baton	Less-Lethal
	Defensive Tools of Convenience	
Less-Lethal Specialty Impact Munitions	12-GA. Less-Lethal Impact Munition	Less-Lethal

2. As with any other use of force, less-lethal weapons and devices are not to be used indiscriminately or without just cause. Employees must be able to articulate the reason(s) for their use of these authorized weapons/devices.
3. As a general rule, less-lethal weapons and devices are not considered justified response to:
  - a. Passive resistance, unless exigent circumstances exist or the person has known violent tendencies.
  - b. A person already handcuffed, unless the person is combative and poses a physical danger to the Deputy or others despite being handcuffed.

## B. EMERGENCY RESTRAINT CHAIR

### 1. PURPOSE AND ADMINISTRATION

- a. The purpose of the Emergency Restraint Chair (E.R.C.) is the safe restraint and humane management of those **individuals** who demonstrate combative, self-destructive, or potentially violent behavior that creates substantial risk of physical harm to themselves, or others. Proper use of the restraint chair reduces combative-related injuries and incidents, allows the subject to safely calm down, and reduces the need for additional personnel for the control of such individuals.
- b. The Emergency Restraint Chair **is considered a restraining device** and will be used only by Deputies who have received documented training in the procedures and proper use of the E.R.C.
- c. Training will **include a training video demonstrating use of the E.R.C. as recommended by the manufacturer**, practical application exercises, the recognition and response to early signs of positional asphyxia, restraint asphyxia and excited delirium, and review of this **general order 1.3 Use of Less-Lethal Force and Devices**.

### 2. AUTHORIZED USE

- a. The Emergency Restraint Chair may be used when:
  - (1) Subject is combative and/or demonstrates behavior that creates substantial risk of physical harm to themselves or others.
  - (2) Subject has shown a propensity to destroy property.

### 3. PROTOCOLS

- a. In order to employ use of the restraint chair, a minimum of two deputies will be used.
- b. The E.R.C. will **never** be used as a means of punishment.
- c. Use of force is prohibited once a subject is secured in an E.R.C.
- d. Subjects shall not be left in the ERC for more than two hours. This time limit is established to allow for the subject to calm down.

**Exception:** In extenuating circumstances, the two-hour limit may be extended either by Judge's Order (Court Services Deputies), or by a District/Court Services supervisor; **this must be documented by the respective supervisor.**
- e. If the subject exhibits any signs of requiring medical assistance, E.M.S. will be contacted immediately to respond.
- f. **CAUTION: Violent behavior may mask dangerous medical conditions. Subjects must be monitored continuously by direct supervision and provided medical treatment, if needed.**
- g. Ensure that all of the subject's personal property has been removed, to include jewelry, glasses, shoes, boots, socks, coat, hat, and belt. Subject should only be clothed in shirt, pants, or dress. **Note:** The subject should be handcuffed (and wearing leg irons when warranted).
- h. In scenarios that do not require the full-use restraint capabilities of the E.R.C., a minimum of the lap belt will be used to securely hold a handcuffed subject placed in the E.R.C.

## C. R.E.A.C.T./BAND-IT RESTRAINT DEVICE

### 1. AUTHORIZED USE

- a. The R.E.A.C.T./Band-It is deployed by law enforcement to minimize potential problems and situational occurrences of violent outbursts or escape attempts posed by individuals being transported as prisoners.
- b. During transport, the risk of prisoner escape and increased violence to innocent bystanders become prevalent factors.
- c. The R.E.A.C.T./Band-It may be used to control a dangerous or violent prisoner when deadly physical force does not appear to be justified and/or necessary; or:

- (1) Attempts to subdue the prisoner by other conventional tactics have been, or will likely be, ineffective in the situation at hand; or
- (2) There is reasonable expectation that it will be unsafe for officers to approach within contact range of the subject.

## 2. ADMINISTRATION

- a. R.E.A.C.T./Band-It shall be issued to and used only by Deputies who have successfully completed the Electronic Defense Technology System Training Program.
- b. Only properly functioning and charged R.E.A.C.T./Band-It units shall be carried in the field for service during a transport or in any controlled setting.
- c. With the exception of testing the equipment, each activation, including accidental activation of a R.E.A.C.T./Band-It, shall be investigated and documented by a supervisor.

## 3. PROTOCOLS

- a. The R.E.A.C.T./Band-It may be used when:
  - (1) The prisoner poses a threat, and the Deputy or others are at risk of injury if attempts are made to close the gap.
  - (2) The prisoner is punching or kicking or threatening to punch or kick.
  - (3) Lesser force options are ineffective, or likely to be ineffective.
  - (4) The Deputy reasonably believes the prisoner poses a threat, attempts escape, or takes any aggressive action.
  - (5) Prisoner attempts to disrupt proceedings by threats to do violence to others or self and actually takes some action towards completing those acts.
  - (6) Prisoner makes any attempt to remove or tamper with the R.E.A.C.T./Band-It.
- b. CAUTION: R.E.A.C.T./Band-it shall not be used on:
  - (1) Females in the third trimester of pregnancy
  - (2) For a known heart condition or neuromuscular illness

## 4. PROCEDURE

- a. The R.E.A.C.T./Band-It is programmed to deliver a 7 to 9 second "electrical shock."
- b. The R.E.A.C.T./Band-It may be attached to the prisoner's forearm, thigh, or calf area. It can be worn either over the clothing or under the clothing for concealment purposes when necessary and appropriate. Multiple Band-It's may be used on one inmate at a time.
- c. The R.E.A.C.T./Band-It is secured with the nylon flex cuffs or duct tape each time it is used. This will prevent the prisoner from being able to remove the device.
- d. Every prisoner being transported is to be handcuffed in order to minimize the possibility of his/her attempting to remove the device. This may not be possible in certain situations. Especially in courtroom settings or airports.
- e. The R.E.A.C.T./Band-It is not to be used over sweat pants or nylon "parachute" style pants.

## 5. METHOD OF USE

- a. The Deputy shall use verbal commands when feasible, advising the prisoner that the R.E.A.C.T./Band-It will be activated.
- b. Make certain that other law enforcement officers and other persons present are aware of the pending activation, by announcing, "BAND-IT, BAND-IT DISENGAGE".
- c. CAUTION: DO NOT USE THE R.E.A.C.T./BAND-IT AFTER OC SPRAY HAS BEEN DEPLOYED.
- d. The maximum effective range of the R.E.A.C.T./Band-It is 150 feet to 175 feet.
- e. When flying with a prisoner and the R.E.A.C.T./Band-It is utilized, it shall be in the "ON" position while moving the prisoner by vehicle or while in the airport if airport policy will permit the use.

- (1) Once on the aircraft the Deputies shall follow the procedure requested by the flight crew.
- (2) At all times the Deputy with the arming device shall be with the inmate.
- (3) In the event that the Deputy with the arming device needs to leave the inmate for any reason, the arming device shall be given to the other transport Deputy.
- (4) All manufacturers' recommendations shall be followed while using the R.E.A.C.T./Band-It.

## 6. MEDICAL ATTENTION AFTER USE

- a. Prisoners who have been subjected to the R.E.A.C.T./Band-It shall be treated as follows:
  - (1) Advise EMS personnel or correctional facility medical personnel. If transported to a hospital, advise the emergency room staff that the prisoner has been subjected to the R.E.A.C.T./Band-It and relate the approximate time the action occurred.
  - (2) The physical site of the activation on the body of the prisoner shall be brought to the attention of the on duty supervisor, EMS personnel or Emergency Room Staff for treatment of the affected area, if necessary.
  - (3) If the prisoner is treated at an emergency room, the Deputy shall obtain a medical release from the Emergency Room Physician before continuing the transport to the applicable detention facility.
- b. One easily overlooked aspect of injury in activating the R.E.A.C.T./Band-It, is that of falling from a standing or running position. A thorough physical examination with particular emphasis on injuries secondary to the fall should be performed by EMS personnel.
- c. EMS must be summoned whenever activation results in a fall.

## D. BOLAWRAP

### 1. AUTHORIZED USE

- a. BolaWraps shall be issued to and used only by Deputies who have completed the Volusia Sheriff's Office *BolaWrap Certification Training Program*.
- b. Only a Volusia Sheriff's Office-approved BolaWrap shall be utilized by personnel.
- c. Deputies who have been issued the BolaWrap device shall wear the device in the approved holster on their person. The BolaWrap may take the place of their issued Freeze +P.
- d. Deputies shall be responsible for ensuring that their issued BolaWrap device is properly maintained and in good working condition.
- e. Deputies shall not hold both a firearm and the BolaWrap device at the same time.
- f. The BolaWrap may be used on subject(s) who have demonstrated, by word or actions to be violent or to physically resist, and/or reasonably appears to present the potential to harm Deputies, him/herself or others.
- g. Deputies shall consider the totality of circumstances, to include severity of the offense, the subject's threat level to others and the risk of serious injury to the subject before use on a fleeing suspect.

### 2. PROTOCOLS

- a. In deploying the BolaWrap, Deputies shall consider the following:
  - (1) The BolaWrap shall not be used when a subject is in an elevated position or unstable surface where a fall may cause great/serious bodily harm or death.
  - (2) The BolaWrap shall not be used on handcuffed subjects unless doing so is necessary to prevent them from causing great/serious bodily harm to themselves or others and lesser attempts of control have been ineffective.
  - (3) The BolaWrap shall not be used on any subject near flammable or combustible liquids or fumes, near any body of water that may present a downing risk, or any subject known to be pregnant.

- (4) When possible, avoid using a BolaWrap on a person who is operating or riding any mode of transportation (e.g., vehicle, bus, bicycle, motorcycle, or train), conveyance (e.g., escalator, moving walkway, elevator, skateboard, rollerblades), or machinery.
    - (5) The preferred target area for use of the BolaWrap is below the knees, but above the shins to secure the subject's legs. Or below the elbows, but above the wrists to secure the subject's arms.
    - (6) Back deployments are preferable.
    - (7) Never aim the BolaWrap at the eyes, face or neck, as this may cause great/serious bodily harm.
  - b. Following the use of the BolaWrap, personnel shall request a supervisor to the scene.
  - c. Each discharge, including accidental discharges, of a BolaWrap shall be investigated as a Response to Resistance, documented by a supervisor and administratively reviewed through chain of command in accordance with general order 1.1 Use of Force Guidelines.
3. **DEPUTY RESPONSIBILITY**
  - a. The Deputy shall complete a pre-shift inspection/function test prior to each tour of duty.
4. **METHOD OF USE**
  - a. The BolaWrap device shall be carried in a "patrol ready" manner (cartridge inserted, device on safe but not cocked).
  - b. When ready to deploy, Deputies shall disengage the safety then cock the device, push the safety button forward to disengage the safety, ensure the device is being held horizontal to the ground, activate the laser, give verbal warnings then press the activation button firmly until the device discharges.
  - c. Deputies shall have an arrest/detainment plan prior to the deployment of the BolaWrap.
  - d. A verbal warning of the intended use of the BolaWrap ("Bola, Bola, disengage") shall precede the deployment of the device in order to:
    - (1) Provide the individual with a reasonable opportunity to voluntarily comply.
    - (2) Provide other Deputies and the public with a warning that the BolaWrap may be deployed.
  - e. The fact that a verbal and/or other warning was given, or reasons it was not given, shall be documented in any related reports.
  - f. The Deputy should have a second cartridge present or a second BolaWrap ready to fire in case pellets miss the target, or a malfunction occurs.
  - g. The BolaWrap shall be unloaded after each shift is completed.
  - h. **DO NOT** use compressed air to clean inside the port of the BolaWrap.
5. **MEDICAL ATTENTION AFTER USE**
  - a. Persons who have been subjected to the BolaWrap, or the pellets, shall be treated as follows:
    - (1) Once in custody, the arresting Deputy shall advise EMS personnel or if transported to the hospital, advise the Emergency Room Staff that the person has been subjected to the BolaWrap and relate the approximate time the action occurred.
    - (2) If the pellets have penetrated the skin, the puncture sites shall be brought to the attention of the on duty supervisor, EMS personnel or Emergency Room Staff.
    - (3) After EMS personnel have examined the affected person(s), the EMS personnel will make the determination if the person(s) should or should not be transported to the hospital. Transportation to a medical facility shall be by law enforcement unless an ambulance is more appropriate.
  - b. Deputies are prohibited from removing embedded pellets from a subject's body. The removal of pellets from a subject's body on-scene shall be evaluated and conducted by EMS personnel.

- c. Only Emergency Room Staff may remove BolaWrap pellets that are embedded in soft tissue areas such as the face, neck, breast/areola and groin.
- d. Removal from other areas, that have not penetrated the subject's body, such as heavy clothing, will be at the discretion of the on-scene supervisor.
- e. If the pellets used are no longer impaled in the skin, and EMS personnel release the subject on-scene, the subject may be transported to the detention facility.
- f. If the subject is treated in the Emergency Room, the arresting Deputy shall obtain a medical release from the Emergency Room Physician before transporting said subject to a detention facility.

## 6. EVIDENCE SUBMISSION

- a. The cartridge, Kevlar cord and pellets used shall be tagged into evidence as follows:
  - (1) Since the pellets may have blood on them (biohazard), the Deputy shall wear protective latex gloves when handling.
  - (2) The pellets shall be placed into the portals they originally were deployed from.
  - (3) Tape shall then be placed over the portals to secure the pellets in the cartridge.
  - (4) Place into an evidence envelope and mark as "Biohazard"/"Sharps".

## E. FREEZE +P

### 1. AUTHORIZED USE

- a. Freeze +P is the only authorized chemical agent to be used by Volusia Sheriff's Office Deputies (SWAT Personnel are trained and authorized in additional specialized weapons in accordance with general order 46.5 Special Weapons & Tactics).
- b. The use of Freeze +P is authorized after verbal dialogue has failed and when the only other alternative is to physically attempt to take a combative suspect into custody.
- c. Freeze +P may be utilized prior to the use of an impact weapons.
- d. Freeze +P shall not be used on passively resistant suspects.

### 2. PROTOCOLS

- a. The Freeze +P canister is held in the strong hand, with the index finger or thumb on the top push button and the weak/reaction arm crossed behind the strong hand.
- b. When preparing to spray a suspect who is struggling with other Deputies, the Deputy with the Freeze +P will yell, "OC, OC!" then "Disengage!" Deputies struggling with the suspect shall immediately disengage.
- c. Freeze +P should be sprayed at the suspect's face in a side-to-side motion above the eyebrows.
- d. Deputies will take every precaution to ensure that innocent bystanders are not in the line of fire prior to discharge.
- e. Deputies must be careful not to spray into a strong wind or breeze that would force the spray back onto them.
- f. Unless absolutely necessary (hostile crowds, violent situations), Deputies should not transport a sprayed subject in a Sheriff's car or prisoner transport van for fifteen to twenty minutes after spraying, thus allowing the chemical time to dissipate. (The spray residue can affect the transporting Deputy, particularly in closed vehicles.)

### 3. MEDICAL ATTENTION AFTER USE

- a. Once a subject has been sprayed and successfully restrained, Deputies must closely monitor the medical conditions of the arrested individual.
- b. The Deputy must monitor the subject, paying close attention to the subject's breathing and consciousness. If significant difficulty in breathing develops, the **detainee** appears to lose consciousness, or any other significant physical distress occurs, the Deputy shall immediately arrange for emergency medical treatment and notify his/her supervisor.

- c. A subject who has been sprayed with Freeze +P shall be continuously attended by a Deputy and shall not be left alone while in Volusia Sheriff's Office custody.
- d. When transporting an individual who has been sprayed with Freeze +P to a hospital, Deputies shall call ahead to the emergency room to see if the staff wants to decontaminate the individual prior to bringing them inside the emergency room.

## **F. TASER**

### **1. AUTHORIZED USE**

- a. Tasers shall be issued to and used only by Deputies who have completed the Volusia Sheriff's Office Taser Certification Training Program. Initial Taser training shall require that each deputy be the recipient of a Taser discharge. Training discharge shall be at minimal levels and shall be mandatory subject to dismissal.
- b. Only properly functioning and charged Tasers shall be carried in the field.
- c. With the exception of testing the equipment, each discharge, including accidental discharges, of a Taser shall be investigated as a Use of Force, documented by a supervisor and administratively reviewed through chain of command.
- d. Fleeing should not be the sole justification for using a Taser against a subject.
- e. Deputies shall consider the totality of circumstances, to include severity of the offense, the subject's threat level to others and the risk of serious injury to the subject before use on a fleeing subject.
- f. Deputies should evaluate whether the use of the Taser is reasonable, based upon all circumstances, including the subject's age and physical condition. When possible, avoid using a Taser on known pregnant women, the Infirm, the elderly, small children and visibly frail persons.
- g. Intentionally targeting of other sensitive areas (e.g., head, neck, genitalia) with the Taser is prohibited.

### **2. PROTOCOLS**

- a. The Taser is programmed to give a 5-second cycle. The probes shall not be touched during this time period, as the Deputy will receive the same "electrical current" the suspect is receiving. In addition, Deputies shall avoid touching or tripping over the wires.
- b. In deploying the Taser (ECW), Deputies shall consider the following:
  - (1) The subject may already be in a medically compromised state and be at risk of death or serious injury as a result of pre-existing conditions, individual susceptibilities, or other factors such as being under the influence of alcohol or drugs and/or exhibiting the symptoms associated with excited delirium.
  - (2) Tasers should not be used when a subject is in an elevated position or unstable surface where a fall may cause substantial injury or death or when the subject is less able to catch or protect them self in a fall.
  - (3) Tasers should not be used on handcuffed subjects unless doing so is necessary to prevent them from causing serious bodily harm to themselves or others and lesser attempts of control have been ineffective.
  - (4) When possible, avoid using a Taser (ECW) on a person who is operating or riding any mode of transportation (e.g., vehicle, bus, bicycle, motorcycle, or train), conveyance (e.g., escalator, moving walkway, elevator, skateboard, rollerblades), or machinery.
  - (5) The preferred target areas are below the neck area for back shots and the lower center mass (below chest/heart) for front shots.
  - (6) The preferred target areas increase dart-to-heart distance and reduce cardiac risks.
  - (7) Back shots are preferable to front shots when practical.
  - (8) To reduce cardiac risks (when possible) target the back, avoid targeting the chest/heart area and avoid prolonged and repeated exposures.

- c. **Never** aim the Taser at the eyes or face. *It is laser-sighted* - the top probe will follow the front and rear sights and the laser sight; the bottom probe will travel at a predesignated downward angle below the aim point/laser-sighted area. The rule of thumb for the bottom probe is that it drops 1-foot spread for every 7-9 feet that it travels.
- d. Keep hands away from the front of the unit at all times unless the safety slide is down and the Taser is deactivated.
- e. Always replace cartridges by their expiration date.
- f. Expired cartridges shall be returned to the Training Section and used for training purposes only.
- g. DO NOT fire the Taser near flammable liquids and/or fumes. The Taser can ignite gasoline or other flammables. Some self-defense sprays are flammable and would be extremely dangerous to use in conjunction with the Taser.
- h. DO NOT deploy the Taser in highly flammable meth labs.

### 3. DEPUTY RESPONSIBILITY

- a. The Deputy shall:
  - (1) Complete a pre-shift inspection/function test prior to each tour of duty; ensure the batteries of the Taser are charged.
  - (2) Upon encountering a situation in which it is determined that a Taser may be required, broadcast code "TASER" warning.
  - (3) If the Deputy is not equipped with a Taser, request a Taser-equipped unit, equipped backup unit, if available, and a supervisor. (Code "TASER")
  - (4) Request the response of a supervisor if not in-route or on-scene. (Code "TASER")
  - (5) Prior to the use of the Taser, if practical, request a Fire/Rescue unit respond to the scene.

### 4. METHODS OF USE

- a. Use verbal commands and point laser at subject prior to firing.
- b. The following common terms are to be used when engaging a Taser:
  - Display – To take Taser out of the holster
  - Deploy – To use the Taser on a suspect/subject
  - Contact Stun – To deploy the Taser while in physical contact with the subject
  - Probe – The projectile that strikes the suspect/subject
  - Taser – The term to be used by Deputy prior to deployment, also to be used by other deputies on scene who are requesting a Taser to be deployed.
- c. *Example: Deputy Smith displayed the Taser to the suspect. The suspect continued to resist the deputies as they attempted to handcuff him. Deputy Smith gave a verbal warning of "Taser" at which time the deputies released the suspect and Deputy Smith deployed the Taser. Both probes struck the suspect in the back.*

**OR**

- d. *Deputy Smith gave a verbal warning of "Taser" at which time the deputies released the subject and Deputy Smith deployed the Taser as a contact stun.*
- e. Deputies should use the Taser for one standard 5-second cycle and then evaluate the situation to determine if subsequent cycles are necessary.
  - (1) The Volusia Sheriff's Office recognizes that in certain circumstances it may become necessary for the Deputy to hold the Taser trigger beyond the 5 second cycle, or deliver additional 5 second cycles in order to effectively gain and maintain control of a violent subject so that the individual may be secured and placed in custody as quickly and safely as possible. In these situations, Deputies are authorized to extend the trigger hold or apply additional 5 second cycles and shall document the action and number of cycles in their Volusia Sheriff's Office Incident Report.

- (2) Personnel should consider that exposure to the Taser for longer than 15 seconds (whether due to multiple applications or continuous cycling) may increase the risk of death or serious injury.
- (3) Any subsequent Taser applications [beyond 15 seconds] should be independently justifiable, and the risks should be weighed against other force options.
- f. Have a second cartridge present or a second Taser ready to fire in case probes miss the target, or a malfunction occurs.
- g. In cases involving suspects with heavy and/or loose clothing, aim at center mass of the subject. Attempt to avoid heavy/loose clothing, if possible; the electrical current only penetrates from a maximum of two inches away.
- h. Use cover and distance to ensure officer safety.
- i. Use to avert violent confrontation.
- j. If the suspect runs, the Deputy must run also to prevent the probe wires from breaking.
- k. Avoid use on slanted rooftops or on edge of tall buildings.
- l. The contact stun feature may be used as a secondary, backup method in situations where multiple subjects exist, or a restrained suspect continues to actively resist by damaging property and other attempts to subdue have failed.
- m. Do not place cartridges near static electricity.

#### 5. MEDICAL ATTENTION AFTER USE

- a. Persons who have been subjected to the Taser, or the probes, shall be treated as follows:
  - (1) Once in custody, the arresting Deputy shall advise EMS personnel or if transported to the hospital, advise the Emergency Room Staff, that the person has been subjected to the Taser and relate the approximate time the action occurred.
  - (2) If the probes have penetrated the skin, the puncture sites shall be brought to the attention of the on duty supervisor, EMS personnel or Emergency Room Staff.
  - (3) After EMS personnel have examined the affected person(s), the EMS personnel will make the determination if the person(s) should or should not be transported to the hospital. Transportation to a medical facility shall be by law enforcement unless an ambulance is more appropriate.
- b. Deputies are prohibited from removing embedded probes from a subject's body. The removal of probes from a subject on-scene shall be evaluated and conducted by EMS personnel.
- c. Only Emergency Room Staff may remove Taser probes that are embedded in soft tissue areas such as the face, neck, breast/areola and groin.
- d. Removal from other areas, that have not penetrated the subject's body, such as heavy clothing, will be at the discretion of the on-scene supervisor.
- e. If the probes used are no longer impaled in the skin, and EMS personnel release the subject on-scene, the subject may be transported to the Detention Facility.
- f. If the subject has been treated in the Emergency Room, the arresting Deputy shall obtain a medical release from the Emergency Room Physician before transporting a subject shot by a Taser to a Detention Facility.

#### 6. EVIDENCE SUBMISSION

- a. The cartridge and probes used shall be tagged into evidence:
  - (1) Since the probes will probably have blood on them (biohazard) the Deputy's shall wear protective latex gloves when handling.
  - (2) The wires shall be wound around the cartridge.
  - (3) The probes shall be inverted into the portals they originally were deployed from.
  - (4) Tape shall then be placed over the portals to secure the probes in the cartridge.
  - (5) Place into an evidence envelope and mark as "Biohazard"/"Sharps".

## **G. SHERIFF'S OFFICE K-9 TEAMS**

### **1. AUTHORIZED USE**

- a. The use of K-9 teams and the deployment of a trained and certified K-9 to physically apprehend a subject via a bite are considered less-lethal force and shall be in accordance with general order 41.9 K-9 Units.
- b. If a K-9 bites a suspect, the handler will ensure proper medical attention is promptly provided. This medical attention may be provided by the following as is appropriate and prudent under the circumstances:
  - (1) Emergency medical personnel summoned to the scene in the field.
  - (2) Medical treatment in a hospital emergency room.
- c. **Training** – All K-9 teams' must satisfactorily complete required K-9 training and certification in accordance with general order 41.9 K-9 Units.
- d. All reporting and administrative review requirements apply, as noted herein and in accordance with general order 1.1 Use of Force Guidelines.

## **H. IMPACT WEAPON – ASP**

### **1. AUTHORIZED USE**

- a. The ASP shall be issued, worn and used only by those Deputies trained by certified instructors in the use of said weapon.
- b. Deputies shall use said weapons in accordance with the training provided by the Volusia Sheriff's Office.

### **2. METHOD OF USE**

- a. Intentional strikes to the head, face, and neck are prohibited.
- b. Techniques taught in ASP training coupled with dialogue make the impact weapon a very forceful tool.

### **3. MEDICAL ATTENTION AFTER USE**

- a. Deputies must ensure prompt, appropriate medical attention is provided to and/or summoned for any injured subject/arrestee, including those subjects reasonably suspected of sustaining an injury even if not visible.
- b. If the subject/arrestee has no visible signs of injury and does not complain of injury when asked, but was rendered unconscious for any length of time or displays any signs of a medical stress condition, including extreme influence of drugs or alcohol, EMS shall be summoned for evaluation and/or transport to the hospital.

## **I. IMPACT WEAPON – DEFENSIVE TOOLS OF CONVENIENCE**

### **1. AUTHORIZED USE**

- a. The Volusia Sheriff's Office recognizes that Deputies must sometimes make force decisions in situations that are tense, uncertain, and/or rapidly evolving. In such situations, the agency realizes that members may have to utilize tools of convenience to protect themselves or others.

### **2. METHOD OF USE**

- a. In the hands of a professionally trained deputy and in keeping with the concepts and principles taught in training, readily available objects (e.g. flashlight, radio, clipboard, etc.) become defensive tools of convenience.
- b. These items should not be used as a defensive tool of choice, but rather as a defense choice when exigent circumstances exist that make their use reasonably necessary for the protection of the Deputy and/or others.
- c. If a defensive tool of convenience is used in a less-lethal situation, strikes or pressure should only be directed at the same areas of the body and in the same manner as taught in impact weapon training. As soon as the situation safely permits, the Deputy shall transition to agency issued weapons and or restraints.

- d. Nothing in this general order shall prevent a Deputy from utilizing any and all available objects or techniques as a tool in situations that justify the use of deadly/lethal force.

**3. MEDICAL ATTENTION AFTER USE**

- a. Deputies must ensure prompt, appropriate medical attention is provided to and/or summoned for any injured subject/arrestee, including those subjects reasonably suspected of sustaining an injury even if not visible.
- b. If the subject/arrestee has no visible signs of injury and does not complain of injury when asked, but was rendered unconscious for any length of time or displays any signs of a medical stress condition, including extreme influence of drugs or alcohol, EMS shall be summoned for evaluation and/or transport to the hospital.

**J. SPECIALTY IMPACT MUNITIONS – 12 GA. LESS-LETHAL IMPACT MUNITION**

**1. AUTHORIZATION**

- a. The 12-GA less-lethal impact munition is the only authorized impact round to be used by Volusia Sheriff's Office Deputies. The impact round shall be issued and used only by those Deputies trained in the use of said weapon (SWAT Personnel are trained and authorized in additional specialized weapons).

**2. PROTOCOL**

- a. The impact round will be used in a dedicated shotgun; the shotgun will have the following equipment and markings to change its appearance:
  - (1) AAD sighting system
  - (2) A band of yellow tape around stock
  - (3) A band of yellow tape around pistol grip
  - (4) A band of yellow tape around barrel
  - (5) Sling attached
  - (6) Light attached if issued
- b. The 12-GA less-lethal impact round is deployed as an additional law enforcement less-lethal weapon and is not intended to replace firearms or self-defense techniques. The 12-GA less-lethal impact round may be used to control a non-compliant aggressive subject when attempts to subdue the subject by other conventional tactics have been, or will likely be, ineffective in the situation or there is reasonable expectation that it will be unsafe for Deputies to approach within contact range of the subject.
- c. Techniques taught in the 12-GA less-lethal impact round training coupled with dialogue make the impact round a very forceful tool.

**3. SUPERVISOR'S RESPONSIBILITIES**

- a. LIEUTENANTS shall be responsible for ensuring that all Shotguns are properly marked and are in good working order.
- b. SERGEANT'S shall ensure the use of the 12-GA less-lethal Impact round is delegated only to deputies trained in the use of 12-GA less-lethal impact round.

**4. DEPUTY RESPONSIBILITY**

- a. Deputies shall:
  - (1) Ensure the only rounds carried in the dedicated shotgun are 12-GA less-lethal impact rounds prior to each tour of duty.
  - (2) Upon encountering a situation in which it is determined that a 12-GA less-lethal impact round will be used, broadcast code "Impact Round" warning.
  - (3) If the Deputy is not equipped with a 12-GA less-lethal impact round, request a Deputy equipped with 12-GA less-lethal impact round respond as backup, if available, and a supervisor. (Code "IMPACT ROUND")
- b. Deputy's discharging a 12-GA less-lethal impact round shall:

- (1) Request the response of a supervisor if not enroute or on-scene. (Code "IMPACT ROUND")
- (2) Prior to the use of the 12-GA less-lethal impact round, if practical, request a Fire/Rescue unit respond to the scene.
- (3) Announce to other law enforcement officers on the scene the intended use of the impact round.

**5. METHODS OF USE**

- a. Use verbal commands.
- b. Required backup/arrest team (depending on situation possibly with lethal force option)
- c. Aim at the legs or buttocks of the subject.
- d. Use cover and distance to ensure Deputy safety
- e. Use to avert violent confrontation

**6. MEDICAL ATTENTION AFTER USE**

- a. Persons who have been subjected to the 12-GA less-lethal impact round shall be treated as follows:
  - (1) Once in custody, the arresting Deputy shall advise EMS personnel or if transported to the hospital, advise the Emergency Room staff, that the person has been subjected to the Impact round and relate the approximate time the action occurred.
  - (2) After EMS personnel have examined the affected person(s), the EMS personnel will make the determination if the person(s) should or should not be transported to the hospital. Transportation to a medical facility will be by police transport unless an ambulance is more appropriate.
  - (3) If the subject has been treated in the Emergency Room, the arresting Deputy shall obtain a medical release from the Emergency Room Physician before transporting a subject shot by 12-GA less-lethal impact round to a detention facility.

**K. DEPUTY REQUIRED REPORTING – INCIDENT REPORT**

1. The Volusia Sheriff's Office Incident Report shall be completed and delivered to the supervisor as soon as possible after the incident.
2. Each Deputy present or assisting in the arrest, or incident requiring force shall submit a Volusia Sheriff's Office Supplement Report describing the incident. When possible, the Volusia Sheriff's Office Incident Report shall include:
  - The number of subjects and Deputies involved
  - Statements made by those involved
  - The number of other persons at the scene, as well as their mood and any statements made
  - The defensive tactics the Deputy used, and to what part of the body these tactics were applied
  - The names, addresses and telephone numbers of witnesses not involved
  - Photographs of the Deputy involved if the incident resulted in injury to the Deputy or damage to the uniform
  - The age, sex and physical size of the suspect(s) involved
  - The suspect's proximity to weapons
  - Medical treatment required and the offer of medical treatment
  - All injuries **shall** be photographed if possible and described in the report
  - Nature of the post arrest restraint procedures; how long the subject was face down or restrained?
  - How was the subject transported and in what position?

- In cases involving the use of a Taser, include the number of verbal “Taser” warnings issued prior to deployment/use.

#### **L. SUPERVISOR NOTIFICATION**

1. Deputies involved in any use of force incident, to include restraining force and the use of less-lethal weapons and devices, shall report the incident to an on-duty supervisor as soon as practicable. The Deputy will complete a Volusia Sheriff’s Office Incident Report in accordance with general order 1.1 Use of Force Guidelines, Section V,B,10 Required Reporting. [EXCEPTION: Excludes Deputy Involved Shootings - Refer to general order 1.1 Use of Force Guidelines, Section 6,B,5]

#### **M. SUPERVISOR’S RESPONSIBILITIES**

1. Supervisors are required to respond expeditiously to all reports of use of force.

#### **N. ADMINISTRATIVE REVIEW: RESPONSE TO RESISTANCE REPORTS**

1. Any restraining force or physical force resulting in injury, or a complaint of injury (whether or not visible), shall require a Response to Resistance report and Administrative Review through the chain of command.
2. Each use of Freeze +P, R.E.A.C.T./BAND-IT, Taser, ASP, BolaWrap, available defensive tool of convenience, or less-lethal munitions shall be documented in an Incident Report and shall require a supervisory Response to Resistance report and Administrative Review through the chain of command to the Sheriff
3. The Sheriff may call his Command Staff for a final review. All completed reviews will be forwarded to the Internal Affairs Section for inclusion in the administrative data base management system as part of the agency’s review, tracking and analysis process/Personnel Early Warning System
4. The Command Staff Review will include the following members of the Sheriff’s Command Staff:
  - a. Chief Deputy
  - b. Law Enforcement Operations Division Chief
  - c. Support Operations Division Chief
  - d. District Captain(s)
  - e. Investigative Services Captain
  - f. Narcotics Investigations Captain
  - g. Training Captain
  - h. Internal Affairs Commander
  - i. Volusia Sheriff’s Office Legal Advisor
5. The Sheriff’s Command Staff may call detectives, specialists or technicians required to present evidence and facts concerning any use of force incident.
6. The Command Staff shall review any facts and pertinent testimony, and forward findings and recommendations to the Sheriff for final disposition. The report shall include the relevant facts and circumstances surrounding the incident and a conclusion as to whether the use of force violates Volusia Sheriff’s Office general orders.
7. In those incidents resulting from the exercise of poor judgment, where no violations of law, policy, or procedures are involved, Command Staff may note the exercise of poor judgment and make recommendations for remedial training or corrective action.
8. In those instances where exceptional judgment and exemplary action is involved, Command Staff may recommend a commendation be issued.
9. The Professional Standards Section shall complete an annual analysis of all use of force to include use of deadly force and less-lethal force policies and practices. This analysis shall be used to address training deficiencies, potential policy modifications, use of force trends among Deputies, and for protection of the Deputy, the Volusia Sheriff’s Office, and citizens.