

Electronic Control Devices

304.1 PURPOSE AND SCOPE

This policy provides guidelines for the issuance and use of Electronic Control Device (ECD)s.

304.2 POLICY

The ECD is intended to control a resistive or potentially violent individual, while minimizing the risk of serious injury. The appropriate use of such a device should result in fewer serious injuries to deputies and subjects.

304.3 ISSUANCE AND CARRYING ECDS

Only members who have successfully completed agency-approved training may be issued and carry the ECD.

Deputies shall only use the ECD and cartridges that have been issued by the Agency. Deputies who have been issued the ECD shall wear the device in an approved holster on their person.

Members carrying the ECD should perform a spark test on the unit prior to every shift.

When carried while in uniform, deputies shall carry the ECD in a reaction-side holster on either the Sam Browne belt or load-bearing vest carrier.

- (a) Whenever practicable, deputies should carry two cartridges on their person when carrying the ECD.
- (b) Deputies shall be responsible for ensuring that their issued ECD is properly maintained and in good working order.
- (c) Deputies should not hold both a firearm and the ECD at the same time.

304.4 VERBAL AND VISUAL WARNINGS

A verbal warning of the intended use of the ECD should precede its application, unless it would otherwise endanger the safety of deputies 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 ECD may be deployed.

The aiming laser should never be intentionally directed into the eyes of another as it may permanently impair his/her vision.

304.5 USE OF THE ECD

304.5.1 APPLICATION OF THE ECD

The ECD 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:

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- (a) The subject is physically resisting.
- (b) The subject has threatened to physically resist, 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 ECD to apprehend an individual.

304.5.2 SPECIAL DEPLOYMENT CONSIDERATIONS

The use of the ECD on certain individuals should generally be avoided unless the totality of the circumstances indicates that other available options reasonably appear ineffective or would present a greater danger to the 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.
- (b) Elderly individuals or obvious juveniles.
- (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 capicum (OC) spray.
- (f) Individuals whose position or activity may result in collateral injury (e.g., falls from height, operating vehicles).

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

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

304.5.3 TARGETING CONSIDERATIONS

Reasonable efforts should be made to target lower center mass and avoid the head, neck, chest and groin. If the dynamics of a situation or officer safety do not permit the deputy to limit the application of the ECD 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.

304.5.4 MULTIPLE APPLICATIONS OF THE ECD

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

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Deputies should generally not intentionally apply more than one ECD at a time against a single subject.

304.5.5 ACTIONS FOLLOWING DEPLOYMENTS

Deputies shall notify a supervisor of all ECD discharges. If there is a serious or unexpected injury or death, AFID tags should be collected and the expended cartridge, along with both probes and wire, should be submitted into evidence.

304.5.6 DANGEROUS ANIMALS

The ECD 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.

304.6 DOCUMENTATION

Deputies shall document all ECD discharges in the related arrest/crime report and the records management system (RMS). Notification shall also be made to a supervisor in compliance with the Use of Force Policy. Unintentional discharges will also be documented in RMS.

304.7 MEDICAL TREATMENT

Probes may be removed by a deputy if they are lodged in non-critical areas. If probes cannot be easily removed or are in critical areas (e.g., head, neck, chest, groin), only appropriate medical personnel should remove the probes. Used ECD 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 ECD probes or who have been subjected to the electric discharge of the device shall be medically cleared prior to booking.

Any individual exhibiting signs of distress or who is exposed to multiple or prolonged applications (i.e., more than 15 seconds) shall be transported to a medical facility for examination or medically evaluated prior to booking.

If any individual refuses medical attention, such a refusal should be witnessed by another 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 ECD.

304.8 TRAINING

Personnel who are authorized to carry the ECD shall be permitted to do so only after successfully completing the initial agency-approved training.