



Subject: Less Than Lethal Force Options	POLICY NO: 404.1- 404.6
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EFFECTIVE DATE: February 23, 2021 REVISION DATE: February 23, 2021	
SPECIAL INSTRUCTIONS: None	

404.1 PURPOSE:

The purpose of this policy is to provide guidelines for the safe and proper use of less than lethal force options by peace officers and detention officers of the Yuma County Sheriff's Office ("Office").

404.2 POLICY:

It is the policy of the Yuma County Sheriff's Office that officers use only the force that is reasonably necessary to effectively bring an incident under control, while protecting the lives of the officer and others.

404.3 DEFINITIONS:

Carbon Monosulfide Gas (CS Gas): CS gas is a non-lethal synthetic inflammatory agent deployed in a grenade-like canister.


Chemical Agents: A substance produced to cause changes to a person's eyes or respiratory passages, e.g. Oleoresin Capsicum Spray (OC), Carbon Monosulfide Gas (CS).

Control: Neutralizing the actions of a person or to protect the person from injury to self or others by an officer utilizing verbal and/or physical techniques.

Conducted Electrical Weapons (CEW): An electro-muscular disruption device that disrupts the body's ability to send and receive messages from the brain to the muscles causing temporary motor skill dysfunction to a person, e.g. Taser weapons.

Impact Weapons: Objects and instruments that are used, or are designed to be used, to apply force to the person by coming into physical contact with that person, e.g. expandable baton, and straight handle batons, extended range impact weapons / impact munitions (less than lethal shotgun / 40mm launcher).

Less Than Lethal Weapons: Devices used to stop, control, and restrain individuals while causing less harm than deadly force.

Approved: 
Leon N. Wilmot, Sheriff
Date: February 23, 2021

Less Than Lethal Force: The degree of force that, when properly applied, is not intended to, is less likely to and has minimal risk of causing death or serious bodily injury.

Oleoresin Capsicum Aerosol (OC spray): OC aerosol spray is a naturally occurring inflammatory agent which is derived from cayenne pepper and mixed with other non-toxic materials for use in aerosol form.

404.4 ISSUING, CARRYING and USING LESS THAN LETHAL WEAPONS

Less Than Lethal Weapons described in this policy may be carried and used by officers only if the device has been issued to them or approved by the Sheriff or Sheriff's designee.

Only officers who have successfully completed Office approved training in the use of any less than lethal weapon are authorized to carry and use the device.

Less than lethal weapons may be used when a decision has been made to control, restrain or arrest a subject who is violent or who demonstrates the intent to be violent, and the use of the device appears reasonable under the circumstances. When reasonable, a verbal warning and opportunity to comply should precede the use of these devices.

When using less than lethal weapons, officers should carefully consider potential impact areas and avoid serious injury anatomical points in order to minimize injuries and unintentional targets.


404.5 PROCEDURE:

A. Parameters for Use of Less Than Lethal Force: Officers are authorized to use less than lethal weapons in order to:

1. Protect themselves or others from an immediate threat of harm;
2. Restrain or subdue a resistant subject;
3. Bring an unlawful situation safely and effectively under control;
4. Against aggressive animals that threaten the safety of an officer or the public;
5. A lawful reason for custodial or defensive control **must** exist.
6. The subject must have the physical ability to resist.
7. The subject must fail to comply with custodial directions given by an officer.

B. Procedures for Use of Impact Weapons (Baton):


1. Warn the subject, if possible and circumstances permit, advise the subject that you intend to use an impact weapon.

Approved: 
Leon N. Wilmot, Sheriff
Date: February 23, 2021

2. After utilizing an impact weapon, verbal commands should be used in conjunction with physical control tactics to subdue the subject.
3. If verbal commands, use of an impact weapon, and control holds are ineffective to gain compliance, the officer may escalate force pursuant to Office policy.
4. The following serious injury anatomical points **shall not** be targeted unless the suspect poses an imminent threat of serious bodily injury or death to the officer or others:
 - a. Head
 - b. Neck
 - c. Throat
 - d. Spine
 - e. Heart
 - f. Kidneys
 - g. Groin

C. Procedures for Use of Extended Range Impact Weapons / Impact Munitions:

1. Warn the subject, if possible and circumstances permit, advise the subject that you intend to use an impact munition.
2. After utilizing an impact munition, verbal commands should be used in conjunction with physical control tactics to subdue the subject.
3. If verbal commands, use of an impact munition, and control holds are ineffective to gain compliance, the officer may escalate force pursuant to Office policy.
4. The officer administering the impact munition shall advise Dispatch/Master Control of its use by use of the term "Code Bravo" via the radio.
5. On-scene personnel in the immediate area shall be notified of the impending use of an impact munition by use of the term "Bag, Bag, Bag."
6. The following serious injury anatomical points **shall not** be targeted unless the suspect poses an imminent threat of serious bodily injury or death to the officer or others:
 - a. Head
 - b. Neck
 - c. Throat
 - d. Spine
 - e. Heart
 - f. Kidneys
 - g. Groin
7. The administering officer shall place the spent less than lethal munition(s) and expended cartridge(s) in evidence packaging and submit them into evidence.


Approved: 
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Date: February 23, 2021

8. NO LETHAL SHOTGUN AMMO:

- a. There shall be **NO** lethal shotgun ammo (lead shot, birdshot, buckshot, slugs, etc.) authorized for patrol use/carry.
- b. The exception to this shall be only for SRT for the use of frangible breaching rounds and the Firearms Team for sighting in and troubleshooting shotguns.

D. Procedures for Use of Chemical Agents:


1. Warn the subject, if possible and circumstances permit, advise the subject that you intend to use chemical. The chemical agent should be applied pursuant to the officer's training. The officer will observe the results and evaluate the effects.
2. If the officer believes that an additional application of a chemical agent will cause the subject to comply with the officer's instructions, an additional application should be administered in accordance with the officer's training.
3. After administering a chemical agent, verbal commands should be used in conjunction with physical control tactics to subdue the subject.
4. If verbal commands, the chemical agent, and control holds are ineffective to gain compliance, the officer may escalate force pursuant to Office policy.
5. After administering a chemical agent, the subject should **not** be placed face-down on their stomach or chest, or restrained in a manner inhibiting their ability to sit or stand upright to limit the possibility of positional asphyxiation.
6. Officers **must** advise their immediate supervisor as soon as possible that a chemical agent has been administered.
7. The officer administering the chemical agent shall advise Dispatch by using the term "Code Sierra" via the radio.
8. On-scene personnel in the immediate area shall be notified of the impending use of a chemical agent by using the term "OC Clear."
9. Ventilation and Decontamination:
 - a. If the chemical agent is used indoors, the immediate area should have adequate ventilation.
 - b. After use of OC Spray, a "**Notice of Decontamination**" and instructions should be provided to occupants of the building. If no occupants are present, a "**Notice of Decontamination**" should be posted on the building in plain view. (See, OC Notice, attached hereto as Exhibit "A")
 - c. After use of CS Gas, the property owner or responsible party shall be notified of the presence of CS Gas and advised the building should be decontaminated by qualified personnel due to the synthetic nature of the CS Gas.

Approved: 
Leon N. Wilmot, Sheriff
Date: February 23, 2021


- d. Expose the subject to fresh, ventilating air if possible. The exposed person should flush their facial area with water. If decontamination procedures are not effective on the subject, or the subject complains about a reaction, officers should request emergency medical services (EMS).
- e. Officers should be alert for any unusual reactions or complaints by the subject. Officers should continue to monitor the subject. The subject should be removed to an **uncontaminated** area. If the subject is booked, the officer must advise the booking officers that a chemical agent was administered to the subject.

E. Procedures for Use of CEW (Taser):

1. The Taser may be used on subjects who are using passive resistance, active aggression, present a threat to themselves or others, or a threat to the officer. Prior to use, an officer should consider the totality of the circumstances; some factors to be considered are:
 - a. Does the suspect pose a current threat to the safety of the officer or others?
 - b. What is the severity and violence level of the crime?
 - c. Does the subject have a history of violent behavior?
 - d. Do the factors of potential escape increase the danger to public safety?
2. If the Taser is used on an individual that is running from officers, where probable cause to arrest exists, the deploying officer shall detail the circumstances justifying the use of the device in the incident report and the Use of Force report.
3. Only under exigent circumstances may a Taser be utilized on a handcuffed subject.
4. A Taser **shall not** be used
 - a. For coercion of any type;
 - b. For intimidation by reckless display;
 - c. For waking unconscious or intoxicated individuals;
 - d. On an individual holding a firearm without appropriate backup able to deploy an immediate level of force equal or greater to the threat.
 - e. In drive stun mode
 - 1) The exception to this would be to complete a 3-point contact of the probes and the Taser itself or a 2-point contact if one of the probes failed to penetrate effectively.
5. **CEW holsters shall be worn on the opposite side of the primary handgun.**
6. A CEW **shall not** be carried in a pocket or wedged into waistband.
7. A warning **must** be given to the subject prior to using the Taser if such a warning does not aggravate or further incite the situation.

Approved: 
Leon N. Wilmot, Sheriff
Date: February 23, 2021

8. On-scene personnel in the immediate area shall be notified of the impending use of a CEW by use of the term "Taser, Taser, Taser."
9. Advise Dispatch/Master Control via radio that a "Code Zebra" exists at your location. The announcement should be made prior to the use of the CEW, if possible.
10. The primary target area is the front or back with the probes splitting the belt line. Secondary target areas shall be consistent with the situation and/or training. Non-target areas are head, neck and groin.
11. Assess the Situation:
 - a. If the desired reaction is obtained by the end of the first five (5) second cycle, apply restraints.
 - b. If the desired outcome is not obtained, escalate force in accordance with the Office Use of Force policies.
12. After administering a CEW, an examination of the probe contact points shall be made by personnel qualified to deploy the device. **Personnel may remove probes based on their level of training.** The exception would be if the probes have penetrated a sensitive area of the body, i.e., groin, face, neck or breast. In those instances, EMS or medical personnel **shall** be asked to remove the probes and examine the subject if there is any indication of serious secondary injury.
13. Officers shall continue to monitor the subject and shall be alert to any unusual complaints or reactions by the subject.
14. Officer administering the Taser shall photograph any visible injuries, whether from probes or secondary injuries, incurred as a result of the incident.
15. Advise Booking/Processing Officers that a CEW has been used on the subject.
16. The administering officer shall place the probes and cartridge in evidence packaging and submit them into evidence.
17. The Office shall maintain a central inventory log for Office issued and personally owned Tasers. The inventory shall include:
 - a. The Model and Serial Number of the Taser;
 - b. The name of the officer to whom the Taser is assigned/who owns the Taser.
18. Tasers will be subject to random inspections by Supervisors or Taser instructors.
19. Tasers will be randomly downloaded and a log maintained.
20. Personally owned Tasers shall be approved by a Taser Instructor and are subject to the above-listed inspections.
21. A log of issued Taser cartridges shall be maintained, **any** discharge of a cartridge **shall** be documented in a Use of Force report.


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F. After Action Reports:

The officer who employed any less than lethal weapon **shall** complete and submit a use of force form to his/her immediate supervisor, as well as document the force used within the incident report.

404.6 AMENDMENT:

This policy is subject to amendment, revision or rescission, as requir

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