

SOCORRO COUNTY
BOARD OF COUNTY COMMISSIONERS
RESOLUTION № 2009-69

ELECTRONIC RESTRAINT DEVICE POLICY

I. PURPOSE

It is the purpose of this policy to provide deputies with guidance on when and how to use the Taser electronic restraint device.

II. POLICY

The County authorizes the use of the Taser electronic restraint device (ERD) by designated units within the Sheriff's Department and Detention Center for use only when that level of force reasonably appears necessary to control or otherwise subdue violent or potentially violent individuals. The primary purpose for employing the ERD is to save human lives. The ERD is viewed as "high" on the continuum of non-lethal force and is authorized as an alternative to employing deadly force in situations where time and circumstances exist for ERD use. It is not intended to be used as a general substitute for other non-lethal force options.

III. PROCEDURES

A. Discussion

1. ERDs are designed to restrain violent individuals, where alternative restraint tactics have been or are reasonably likely to fall and/or where it would be unsafe for deputies or officers to approach a subject to apply restraints.

2. The ERD fires two darts connected to the device by fine wires. Once in place, electricity can be discharged into the subject at the control of the ERD operator. The subject should normally be immobilized and dazed by the electricity long enough for officers to apply restraints. Manufacturers claim that no permanent damage is caused by the ERD under normal conditions; however, precautions in its use shall be followed in accordance with provisions of this policy.

B. Training

1. Only deputies and officers who have successfully completed the Socorro County Sheriff's Department's or Socorro County Detention Center's approved course of instruction on the ERD are authorized to use it ^{during} tactical situations.

2. Officers of these agencies shall receive refresher training in use of the ERD on an annual basis or in accordance with the manufacturer's recommendations.

C. Usage and Handling

1. The ERD may be used when other less-than-lethal force options have been ineffective or when it reasonably appears that such options will be ineffective in subduing the subject.
2. Examples of situations in which the ERD may be used include, but are not limited to, the following:
 - a. Dealing with the mentally ill subject who is perceived to be violent.
 - b. Armed subjects.
 - c. Warrant service where the subject is perceived to be violent.
 - d. Violent persons under the influence of drugs and/or alcohol.
 - e. Persons expressing the intent and having the means to commit suicide.
 - f. When deemed a reasonable alternative to lesser force options that will likely be ineffective or greater force options that may be inappropriate given objective circumstances.
3. Where possible, the ERD operator should consult with a supervisor prior to ERD use.
4. The ERD should not be pointed at any individual unless the officer involved reasonably believes it will be necessary to use the device.
5. The ERD shall not be used
 - a. when the operator cannot, for safety or other reasons, approach the subject within effective range of the device;
 - b. in proximity to flammable liquids, gases, blasting materials or any other highly combustible materials that may be ignited by use of the device, including but not limited to any subject who may have been contaminated with combustible liquids.
 - c. when it is reasonable to believe that incapacitation of the subject may result in serious injury or death (e.g., incidents as noted in item C.7., and situation where the suspect's fall may result in injury or death); or
 - d. in conjunction with another ERD or any other electrical restraint device that may collectively exceed electrical power levels or the subject.
6. For maximum effectiveness, ERDs should be fired at the center of the body.
7. In non-lethal force situations, when possible officers should avoid using the ERD on
 - a. persons in wheelchairs or in control of a vehicle;

- b. pregnant women;
 - c. people with known heart problems;
 - d. people with apparent debilitating illness or the elderly;
 - e. children or those under 80 pounds;
 - f. individuals with known neuromuscular disorders such as muscular sclerosis, muscular dystrophy or epilepsy; or
 - g. persons known to be wearing pacemakers or other biomedical devices sensitive to electrical current.
8. ERD cartridges shall not be carried loosely in pockets or in similar fashion as static electricity may cause discharge and serious injury. All ERD cartridges shall be stored in their shipping boxes until deployed for discharge.
9. Darts or cartridge packs used against individuals shall be submitted to the Socorro County Sheriffs Department's evidence and property authority and held in accordance with the Sheriffs Department's policy on evidence control and storage. Darts that have been removed from suspects shall be placed in sharps storage containers and treated in accordance with the applicable policies on the handling and storage of biohazardous materials.

D. Dart Removal

- 1. ERD darts that penetrate an individual's skin shall only be removed by medical personnel.
- 2. Persons shot with ERD darts shall be transported to a designated medical facility for evaluation. Medical examinations should determine if the individual has suffered any injury directly from the ERD electrical charge or any indirect injury as a result of ERD use (e.g., such as by a fall after incapacitation).

E. After-Action Reporting

- 1. Use of the ERD is considered a use of force and is subject to the same reporting requirements as other uses of force required by these Agencies.
- 2. With the exception of training, all instances or ERD usage, including accidental discharges, shall be reported on the Agency's applicable use-of-force reporting document.
- 3. The investigating authority shall indicate in its report, in addition to other requested information, the serial number of the unit used, the distance from the

subject from which the ERD was fired, locations of impact on the subject and an evaluation of the effectiveness of the device.

F. Maintenance


1. Testing and maintenance of the ERD shall be consistent with manufacturer's specification.
2. After each discharge, the firing bay shall be cleaned with an alcohol-treated cotton swab to prevent buildup of carbon residue and potential firing complications.
3. After each use, the ERD battery shall be replaced with a fully charged battery. (Note: Batteries can be adversely affected by exposure to high temperatures and should not be stored in a vehicle.)
4. Ammunition should be stored in a cool, dry environment and should normally be replaced after two years.
5. ERD's should not be left in direct sunlight due to the possible adverse effects on plastic parts.
6. A member of each agency, designated by the Sheriff and Detention Administrator, shall develop a testing and maintenance schedule for all Department ERDs and their component parts.

IV. CONFLICT WITH OTHER POLICIES, RULES AND RESOLUTIONS


All other resolutions and policies, relating to the use of electronic restraint devices in conflict with the above are hereby repealed by the adoption of this Resolution.

APPROVED, ADOPTED, AND PASSED on this 13th day of October, 2009.

BOARD OF COUNTY COMMISSIONERS


ROSALIND F. TRIPP, CHAIR


PHILLIP ANAYA

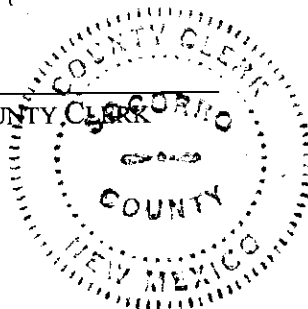

DANIEL P. MONETTE, VICE-CHAIR


RUMALDO J. GRIEGO


JUAN JOSE GUTIERREZ

ATTEST BY:


REBECCA (BECKY) VEGA, COUNTY CLERK



RECEIPT OF
ELECTRONIC RESTRAINT DEVICE POLICY

I _____ (print employee/deputy name) hereby
acknowledge that I have received a copy of the Socorro County Electronic Restraint
Device Policy, and that this receipt will be placed in my personnel file.

Signature

Date