



Jacksonville Sheriff's Office

ORDER

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I. Purpose of the Policy

A. Policy [CALEA 4.1.1]

1. It is the policy of the Jacksonville Sheriff's Office (JSO) to allow officers to use only that degree of force which is reasonable and necessary to affect an arrest or to protect themselves or others from personal attack, physical resistance, harm, or death. The decision to use force at any level must be based upon state and federal laws and the circumstances that the officers reasonably believed to exist at that time. Any application of force not covered in training and/or policy will subject the incident to further review based on the reasonableness of the actions taken by the officer.
2. All personnel shall be issued a copy of and be instructed in the Response to Resistance (RTR) policies before being authorized to carry any issued weapons or placed in a position where force may be used. [CALEA 4.3.4]
3. Based on the guidelines established in Order 572 (Professional Oversight) all RTR incidents are reviewed by the Professional Oversight Unit and are subject to further review by the Director of Personnel & Professional Standards, the RTR Review Board, and/or the Internal Affairs Unit, to ensure compliance with JSO policy and training. [CALEA 4.2.2]



4. Medical Evaluation – Officers and supervisors will be required to obtain medical evaluations from the Jacksonville Fire and Rescue Department (JFRD) or a nurse at the Pretrial Detention Facility (PDF), as soon as possible or practical, for individuals: [CALEA 4.1.5]
 - a. Who show signs of any injury as a result of any use of force being applied;
 - b. Who complain about any injury as a result of force being applied;
 - c. Who become unconscious either during or following the application of any force; or
 - d. When the officer or supervisor reasonably believes an individual is in need of a medical evaluation as a result of the application of force.

B. Disclaimer

The RTR Directive is for agency use only. This agency policy should not be construed as creation of higher legal standards of care in an evidentiary sense with respect to third party claims. Violations of this directive will form the basis for agency administrative sanctions.

II. Procedures

A. Definitions – The following definitions apply to all RTR policies. [CALEA 4.1.2]

1. Non-deadly Force: Force which is not likely to cause death or great bodily harm.
2. Deadly Force: Force which is intended to, or likely to, cause death or great bodily harm. Deadly force will only be used in accordance with the procedures described in this order.
3. Great Bodily Harm: Bodily injury that creates a substantial risk of death; causes serious, permanent disfigurement; or results in the long-term loss or impairment of the functioning of any bodily member or organ.
4. Passive Resistance: A subject refuses to comply or respond. He/she does not make an attempt physically to defeat the actions of the officer but forces the officer to employ physical maneuvers to establish control (e.g., A subject may be involved in a demonstration. The subject ignores an officer's requests to move, and the officer must use physical strength to move the subject.)
5. Active Physical Resistance: A subject makes physically evasive movements to defeat an officer's attempt at control. Active physical resistance (taken in the totality of the situation) may be demonstrated by one or more of the following acts by the person subject to being taken into custody:
 - a. Circling the officer;
 - b. Forming a fist;



- c. Verbalization of aggressive intent;
 - d. Becoming increasingly more animated/exaggerated in his/her movement and/or increasing his/her muscular tension (e.g., jaw clenches, neck muscles tighten, etc.);
 - e. "Blading" the body and/or moving the feet into a balanced or fighting stance;
 - f. Rolling up sleeves or removal of clothing or valuables; and/or
 - g. Any other behavior that indicates a likelihood or expectation of violence towards the officers, themselves, or others.
 - h. Failure to obey verbal commands is not considered active physical resistance.
6. Physical Control – There are six classifications of physical control:
- a. Restraint Devices - Mechanical tools used to restrict a subject's movement and facilitate searching, such as handcuffs, flex cuffs, leg irons, belly chains, or nylon restraints.
 - b. Transporters – Techniques used to control and/or move a subject from one location to another with minimum effort by the officer in order to gain and retain control over the subject.
 - c. Pain Compliance – Hand-held aerosol chemical munitions (Defense Technology MK-3) or techniques that force a subject to comply with an officer as a result of the officer deploying the chemical munitions or inflicting controlled pain upon specific points on the subject's body, such as pressure point techniques (e.g., Subject refuses to move, so the officer has the option of applying gradual fingertip pressure to a nerve in order to gain compliance).
 - d. Conducted Energy Weapon [CEW] – Weapons designed to disrupt a subject's motor and sensory nervous systems by means of deploying battery powered energy sufficient to cause uncontrolled muscle contractions and override an individual's voluntary motor responses, thus allowing an officer to capture the person who is resisting being taken into custody (e.g., A subject is notified by the officer that they are under arrest and the subject flees or engages in active physical resistance towards the officer in an attempt to avoid being taken into custody. The officer deploys a CEW and takes the person into custody).
 - e. Takedowns – Techniques that redirect a subject to the ground in a controlled manner in order to limit his/her physical resistance and to facilitate the application of a restraint device.
 - f. Counter Moves – Techniques that impede a subject's movement toward an officer or other individual, such as blocking, striking, distracting, kicking, dodging, weaving, redirecting, and/or avoiding, followed by appropriate controlling techniques (e.g., A



subject is approaching the officer in a threatening manner, and the officer uses a vertical punch to back the subject away. The subject becomes aggressive and throws a punch at the officer which the officer blocks).

7. Intermediate Weapons: Weapons primarily used to control a subject, such as a baton or specialty impact weapons.
8. REACT/Band-It: Remote Electronically Activated Control Technology – The device works by causing electro-muscular incapacitation on the appendage it is applied to. This device is activated by remote control.
9. REACT/Band-It Control Officer: This term is used to describe the officer whose sole responsibility is to observe the prisoner and his/her actions. This officer is also the one in possession of the remote activation button. The control officer shall be an officer who has been trained and successfully completed certification in the operation of the device.

B. Non-Deadly Force Policy [CALEA 4.1.4]

1. Non-deadly force may be used to affect arrests or to protect officers or others from personal attack, physical resistance, or injury, provided the force chosen is reasonable based upon the immediate circumstances of the confrontation.
2. Non-deadly force may also be deployed against a subject who is attempting to flee and avoid capture from a lawful arrest. In a corrections environment, non-deadly force may be used against a person who is passively resisting a lawful command that may affect the safety of members and inmates and/or to maintain or restore control and order in a correctional facility. [CALEA 4.1.1]
3. Non-deadly force may involve physical control, intermediate weapons and/or incapacitation techniques. In order to protect the officer or others, an instrument or object that is not necessarily designed for such use or one with which the officer may not have been trained or certified to use, may be used as long as it is used in accordance with the limitation on force contained within this policy.
4. Non-deadly force should only be used when absolutely necessary and only to the degree needed to affect a lawful arrest, overcome resistance, maintain order within the corrections setting, or protect the officer or another person from bodily harm. In doing so, the officer must consider all factors: [CALEA 4.1.1]
 - a. Severity of the crime/situation at issue;
 - b. Whether the person is resisting the officer's attempt to place him/her in custody, or attempting to evade an officer by flight;
 - c. Whether the person poses an imminent threat to the safety of the officer(s) or others;
or



- d. An inmate is attempting to disrupt the care, custody, and control of a correctional facility.
 5. The degree of force shall be consistent with training and the aforementioned factors.
- C. Deadly Force Policy [CALEA 4.1.2, 41.2.3]**
1. The use of deadly force is acceptable only under the following circumstances:
 - a. Officers may use deadly force when the officer reasonably believes such force is necessary to prevent imminent death or great bodily harm to themselves or another person;
 - b. Officers may use deadly force to apprehend a fleeing felon only when:
 - (1) There is probable cause to believe the person fleeing committed a violent felony which involved the infliction or threatened infliction of great bodily harm or death, or the person fleeing escaped while being held in custody as a suspect or prisoner for a violent felony which involved the infliction or threatened infliction of great bodily harm or death; and
 - (2) The officer reasonably believes the use of deadly force is necessary to prevent escape; and
 - (3) The officer reasonably believes the failure to immediately apprehend the fleeing person will place the officer, another law enforcement officer, or any other person in imminent danger of death or great bodily harm.
 - c. The officer's decision to use deadly force against a fleeing felon will be judged by the reasonableness of the officer's actions based upon the facts and circumstances known to the officer at the time the force was deployed.
 - d. If feasible, prior to the use of deadly force, officers shall give some warning of the possible use of deadly force, unless to do so would jeopardize the safety of the officer or any other person.
 2. Officers will not needlessly place themselves in, or remain in, situations of great danger and use this as justification for the use of deadly force. For example, if confronted by a moving vehicle, officers will move out of its path, if possible, rather than firing at the vehicle.
 3. The law, or mutual aid agreements when in place, allows an officer to use deadly force outside of Duval County to defend the officer or another person from what he reasonably believes is necessary to prevent imminent death or great bodily harm to himself or another person.

D. Supervisory Responsibilities



1. First line supervisors are responsible for responding to the scene and ensuring officers properly document qualifying incidents when deploying non-deadly force.
2. The on-scene supervisor and/or the officer's immediate supervisor will review all incidents in which there is an application of non-deadly force to identify any issues and implement solutions.
3. When the situation allows, supervisors will ensure a plan of action is developed and discussed prior to taking action that may require a possible response to resistance.
4. If the supervisor is at the scene when a response to resistance is required, they will be held accountable for controlling the actions of the officers engaged in the application of force.

E. Remote Electronically Activated Control Technology Device (REACT/Band-It)

1. The activation of the REACT/Band-It constitutes a response to resistance. If activated, the officer will check back on the original call for service using the disposition code "RTR" in the primary disposition block and any other applicable codes in the subsequent disposition blocks. If activated, an RTR Report will be completed by the control officer and any witness officer will complete a RTR Witness Report. Any and all applicable RTR Reports will be completed using the originating Central Communication Report (CCR) number.
2. The REACT/Band-It may be activated when lesser force options are ineffective or likely to be ineffective because:
 - a. The prisoner poses a threat, and the officer or others are at risk of injury if attempts are made by the prisoner to becoming increasingly more animated/exaggerated in his/her movement towards the officer or others;
 - b. The prisoner is punching or kicking or threatening to punch or kick;
 - c. The officer reasonably believes the prisoner poses a threat, attempts an escape, or takes any aggressive action;
 - d. The prisoner attempts to disrupt proceedings by threats to do violence to others or self and actually takes some action towards completing those acts; and/or
 - e. The prisoner makes any attempt to remove or tamper with the REACT/Band-It.
3. Upon encountering a situation in which it is determined the REACT/Band-It must be activated, the officer, when feasible, will broadcast a "Band-It" warning. The control officer will summon JFRD to evaluate the prisoner. The control officer will ensure photographs are taken of any injuries once the prisoner is at a secure location. Immediately after activation of the REACT/Band-It, the officer shall notify a bailiff sergeant and will check back on the original call for service using the disposition code "RTR" in the primary disposition block and any other applicable codes in the subsequent disposition blocks. The officer will complete at



a minimum the RTR Report in ARMS and any other applicable report(s). Any and all applicable RTR Reports will be completed using the originating CCR number.

F. Intermediate Weapons (Batons and Flashlights)

1. Consistent with training, officers will not intentionally strike anyone with an intermediate weapon on the head, neck, and clavicle unless the circumstance justifies the use of deadly force.
2. Officers will not strike an individual with anything other than an approved intermediate weapon except in extreme circumstances, and officers must justify their actions as outlined in this order.
3. The flashlight is not intended to replace the baton as an intermediate weapon. If it is necessary to use the flashlight as an intermediate weapon, its use will be consistent with impact weapons training and this policy.
4. Anytime an officer uses an intermediate weapon on or against an individual, the officer will check back on the original call for service using the disposition code "RTR" in the primary disposition block and any other applicable codes in the subsequent disposition blocks. The officer will complete an RTR Report in ARMS. Any and all applicable RTR Reports will be completed using the originating CCR number. This form shall be routed through their permanent supervisors or designee.
5. Anytime an officer witnesses the use of an intermediate weapon on or against an individual, a RTR Witness Report must be completed in ARMS. Any and all applicable RTR Reports will be completed using the originating CCR number. Officers shall route the form through their permanent supervisors unless not feasible.

G. Chemical Weapons

1. Prior to a member's decision to deploy the chemical munitions, the following conditions must be met: [CALEA 4.1.1, FCAC 9.07]
 - a. The officer must have legal authority to take the person into custody or the person is already lawfully confined in a Department of Corrections (DOC) facility; and
 - b. The officer (e.g., sworn, corrections, auxiliary, community service officer [CSO], or civilian security officer) is justified in the use of non-deadly force to this degree as set forth in this order.
2. Chemical munitions will not be used on individuals under the following conditions:
 - a. In a punitive manner; or
 - b. On a person secured by handcuffs or other restraint devices, absent Active Physical Resistance.



c. **F.S. 119.071(2)(d); F.S. 119.071(3)(a)**

3. Anytime a person is exposed to a chemical agent, as soon as practical, the person must be: [CALEA 4.1.5, FCAC 9.07]
 - a. Escorted to an uncontaminated environment;
 - b. Exposed to fresh air; and
 - c. Allowed to flush contaminated body areas with water.
4. A person who has been contaminated by a chemical agent will be monitored by JSO personnel throughout the decontamination period. Personnel utilizing a hand held aerosol chemical munition will notify their immediate or on-duty area supervisor as soon as it is safe to do so. [CALEA 4.1.5, FCAC 9.07]
5. All incidents involving exposure to a chemical agent (person or animal) will be documented by checking back on the original call for service using the disposition code "RTR" in the primary disposition block and any other applicable codes in the subsequent disposition blocks. The incident will be documented on a RTR Report and/or a RTR Witness Report in ARMS and an Incident Report (including the Animal Investigation Report for animal attacks) and/or Arrest & Booking Report, when applicable. Any and all applicable RTR Reports will be completed using the originating CCR number. The RTR Report shall be routed through their permanent supervisors unless not feasible.
6. Anytime an officer witnesses an exposure to a chemical agent (person or animal) they will document it on a RTR Witness Report in ARMS. Any and all applicable RTR Reports will be completed using the originating CCR number. The RTR Report shall be routed through their permanent supervisors unless not feasible.
7. In cases when chemical agents have been used on an inmate or on a person arrested, the details of the circumstances surrounding the use of a chemical agent, including the time of exposure, and if the contaminated body areas have been flushed with water, shall be included in the narrative of the Arrest & Booking Report or a RTR Report. Personnel at the PDF will be advised in every instance when a chemical agent has been used on an arrestee/inmate in order to allow the arrestee/inmate to shower if so desired.

H. **Specialty Impact Weapons**

1. Use of specialty impact weapons may occur after other options to control or apprehend a suspect have been exhausted and the suspect has resisted at a minimum with active physical resistance. Specialty impact weapons may be utilized to neutralize a significant immediate threat, which may otherwise justify the use of deadly force. Also, based on the totality of circumstances, specialty impact munitions may be utilized by SWAT Unit members as directed by their supervisor and/or part of an apprehension plan.



2. The employment and the use of specialty impact weapons are aggressive and decisive actions, which may assist in achieving the goal of protection of life and property and/or restoring order. They may be considered whenever the use of non-deadly options would assist in enabling an arrest, restoring order, and/or reducing the risk of more serious injury. Circumstances justifying the use of specialty impact weapons include, but are not limited to:
 - a. Restoration or maintenance of order during jail or civil disturbance;
 - b. Safely overcoming violent prisoners;
 - c. Subduing vicious animals; and
 - d. Situations wherein the authorizing person believes deadly force would be otherwise justified in the absence of a non-deadly option (e.g., in the face of imminent death or grievous bodily harm to self or others).
 3. Only in extreme circumstances, will any officer deploy specialty impact weapons without cover officers and a tactical cover plan in place.
 4. Officers deploying specialty weapons shall not intentionally target a subject's head or neck, unless the circumstances justify the use of deadly force.
 5. Photographs will be taken by the crime scene detective or on-duty supervisor of all injuries to persons struck by specialty impact munitions.
 6. Qualified medical personnel shall inspect all persons struck by specialty impact munitions for injury. Those persons not transported by rescue will be transported to UF Health Jacksonville by the reporting officer to be examined by emergency room personnel. [CALEA 4.1.5]
 7. Anytime a specialty impact weapons firearm is discharged, other than for training purposes, the officer will check back on the original call for service using the disposition code 'RTR' in the primary disposition block and any other applicable codes in the subsequent disposition blocks. A RTR Report and/or a RTR Witness Report in ARMS must be completed. Any and all applicable RTR Reports will be completed using the originating CCR number. Officers shall route the form through their permanent supervisors unless not feasible.
 8. Anytime an officer witnesses a specialty impact weapons firearm being discharged, other than for training purposes, a RTR Witness Report in ARMS must be completed. Any and all applicable RTR Reports will be completed using the originating CCR number. The RTR Report shall be routed through their permanent supervisors unless not feasible.
- I. Conducted Energy Weapon (CEW) Deployment Situational Factors and Assessment**
1. CEW deployment/use must be consistent with applicable federal and/or state laws and agency orders dealing with RTR. Agency members shall not use CEWs when such use would



violate applicable federal and/or state laws or JSO policies and is not consistent with an officer's training. Officers may utilize a CEW in the following ways:

- a. CEW Displayed – The CEW is withdrawn from the holster and visible to the suspect/inmate. The suspect/inmate complies without further use of the CEW.
 - b. CEW Laser Painted (Red Dot Compliance) – The CEW is armed, and the laser is activated and pointed in the direction of the suspect. In response to the laser painting, the suspect complies without further use of the CEW.
 - c. CEW Deployed – The CEW probes contact the suspect's/inmate's body or clothing and/or a touch stun is used to attempt to gain compliance and/or control of the suspect/inmate that is resisting. The two deployment modes are:
 - (1) Probe Deployment or Probe mode; or
 - (2) Touch Stun or Drive Stun mode.
2. Prior to the deployment of a CEW, the officer deploying the CEW has the responsibility to reasonably visually and physically confirm that the response to resistance tool selected is in fact a CEW and not a firearm in order to avoid confusion about which weapon they intend to deploy. Officers will not arm themselves with a firearm and a CEW simultaneously.
 3. The CEW, in Probe Deployment mode, provides a response to resistance option which aids officers in maintaining distance from perceived threats and provides a means for responding to resistance from individuals being taken into custody or the lawful commands of a corrections officer. The use of CEWs in either mode may also prevent officers and subject injuries caused by subject's resistance or non-compliance. Using CEWs may reduce the need for other types of physical force by the agency members which could foreseeably result in potentially more serious or deadly injuries to the subject, agency members, and/or others.
 4. Officers' decisions to deploy the CEW are subject to the criteria for the use of non-deadly force stated in this order and are dependent upon both the officers' reasonable belief of the actions of the subject(s) or threat(s) facing the officers and the totality of the circumstances surrounding the incident. Prior to an officer's decision to deploy the CEW; the following conditions must be met: [CALEA 4.1.1]
 - a. The officer must have legal authority to take the person into custody or the person is already lawfully confined in a DOC facility; and
 - b. The person is, at a minimum, exhibiting active physical resistance; or
 - c. The subject is an immediate threat to the officer or others; or
 - d. The person is preparing or attempting to flee in order to resist/avoid being taken into or remaining in lawful custody.



- e. Also, based on the totality of circumstances, the CEW may be utilized by SWAT Unit members as directed by their supervisor and/or part of an apprehension plan.
5. Other factors to consider when deploying the CEW (Probe Deployment) include:
- a. Potential for Injury – CEW are non-deadly capture devices. However, CEWs, like any RTR tool or technique, can foreseeably create physical and/or muscle stress and/or exertion or other unexpected, unforeseen or unanticipated primary and secondary injuries;
 - b. Subject Warning of CEW Application – When reasonable to do so, an officer may give a warning of the imminent application of CEW in an attempt to cause the subject to comply with officer's lawful orders. However, if the officer reasonably believes the giving of such warning may escalate the risk and/or danger of the incident or diminish the officer's or others' safety, then the officer is not required to give a warning. It is foreseeable the officer's announcement of imminent CEW deployment may cause the subject to attack the officer, flee, inflict self-injury, attempt to injure others, etc.; [CALEA 4.1.1]
 - c. Notification of CEW Imminent Use – Notifying Other On-Scene Officers – The CEW deploying officer may notify any on-scene, assisting officers they intend to deploy a CEW. Prior to deploying a CEW the deploying officer should consider announcing, if reasonably safe and feasible, "TASER! TASER! TASER!" The announcement should be made only if it would not reasonably further endanger any officers, other persons, or the suspect. (e.g., a knife-wielding person heard the word "TASER" and immediately charged and attacked the officer.);
 - d. CEW Target – Because of the larger muscle groups, the preferred target zone is on the back beginning just below the neck and extending all the way down the legs. When targeting the front, aim for the lower torso; this increases the dart to heart safety margin and also increases the potential for Neuromuscular Incapacitation (NMI) by splitting the hemispheres. Officers encountering subjects wearing heavy or loose clothing on the upper body may consider targeting the legs. The head, face, genitals, and female's breasts must not be intentionally targeted unless absolutely necessary and there is no other reasonable alternative and this elevated level of force can be legally justified under the totality of the circumstances reasonably known to the officers at the time the CEW is deployed;
 - e. CEW Distance – The CEW in probe deployment mode has a normal effective F.S. 119.071(2)(d); F.S. 119.0

F.S. 119.071(2)(d); F.S. 119.071(3)(a)

F.S. 119.071(2)(d); F.S. 119.071(3)(a) Also, point blank probe deployments have been demonstrated not to create any unreasonable additional risk of injury to the subject. Officers must account for arm length in close proximity deployment.



- f. The application of a CEW causes physical exertion, and each successive CEW applications/discharges will likely continue to cause physical exertion. If an officer discharges a CEW several times, the officer needs to be aware of, and monitor, the subject's condition for signs of severe physical distress.

J. Conducted Energy Weapon (CEW) Deployment Parameters

1. When it is necessary to gain control of an arrestee/inmate/prisoner, voluntary compliance by the arrestee/inmate/prisoner is the optimal desired outcome. Officers may "paint" an arrestee/inmate/prisoner with the CEW's laser in an attempt to gain voluntary compliance where active physical resistance, assault, and/or violence is reasonably anticipated (e.g., An officer tells a subject they are under arrest, and the subject takes a fighting stance or an officer needs to facilitate a physical search of a resisting inmate/prisoner). Officers must meet the criteria described in this order prior to deploying the CEW.
2. When feasible, an officer deploying a CEW against a subject should have backup officers attempt to restrain the subject while they are under power on the initial deployment. If this is not practical or possible, the officer should, while deploying the CEW, reasonably direct (order) the suspect as the incident mandates. Such verbal commands may include: "Stop resisting," "Lie flat," "Put your hands behind your back," etc.
3. If the subject of a CEW application continues actively resisting, the officer may reapply (discharge) the CEW. Each reapplication of the CEW must be in response to active physical resistance and justification must be communicated in the RTR Report specifically as the cause for its continual use.
4. If an officer is alone and submission/compliance cannot be achieved through a minimal number of activation cycles, the officer shall attempt to secure the non-compliant person using an escalation of force consistent with federal and/or state laws, JSO policy, and the officer's training. If after two applications of the CEW, the officer does not gain the needed compliance, the officer should consider the following:
 - a. Whether the CEW is functioning properly;
 - b. Whether the suspect/inmate/prisoner is exhibiting behaviors associated with an extreme medical condition; and
 - c. Whether other responses would be appropriate.
5. Officers shall use a CEW the least number of application cycles and for the shortest duration of time necessary to end the resistance and gain compliance from a person who meets the criteria as outlined in this order. Once the subject of the CEW application is restrained and/or controlled, the CEW is to be turned off.
6. Repeated, prolonged, and/or continuous exposure(s) to the CEW energy discharge may cause strong muscle contractions which may impair breathing and respiration, particularly when the probes are placed across the chest or diaphragm. Officers must avoid prolonged



- or extended uninterrupted discharges or extensive multiple discharges in order to minimize the potential for overexertion of the subject and to guard against the potential impairment of the full ability to breathe over a protracted exposure time period.
7. Absent exigent circumstances, simultaneous CEW deployments on a single suspect/inmate/prisoner by multiple officers should be avoided.
 8. A CEW shall only be used against an animal during preplanned tactical situations, as outlined in this order.
 9. Elevated CEW Application Risk Factors – The following factors, where apparent to involved officers, require greater justification of CEW application. Under the following conditions, the risks of foreseeable direct or secondary injuries are greater, thus officer's justification(s) for CEW application are also elevated. These elevated risk factors can only be given consideration when the factors are reasonably perceived by the officer:

F.S. 119.071(2)(d); F.S. 119.071(3)(a)



F.S. 119.071(2)(d); F.S. 119.071(3)(a)

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F.S. 119.071(2)(d); F.S. 119.071(3)(a)

10. Touch-Stun Mode – The use of a CEW in touch-stun mode will not reliably or foreseeably incapacitate the subject. Therefore, when a CEW is used in touch-stun mode, it will only cause discomfort.
 - a. Officers shall not use CEWs in touch-stun mode if the officer reasonably believes discomfort will not cause the subject to be compliant with the officer. (e.g., on a drug induced highly pain resistant subject).
 - b. The CEW shall not be used in the Touch-Stun Mode:



- (1) Punitively;
- (2) As a prod or escort device;
- (3) To force a passive resistant inmate into the safety restraint chair;
- (4) To rouse unconscious, impaired, or intoxicated individuals;
- (5) In any unprofessional manner;
- (6) To experiment on a person or allow a person to experience the CEW, even if the person requests it, when use of the CEW would not otherwise be allowed by this policy. This CEW experience does not apply to voluntary CEW training exposures or CEW demonstrations as authorized by the Agency; or
- (7) For illegal purposes of coercion.

K. Conducted Energy Weapon (CEW) Post-Deployment Procedures

1. After an officer has deployed the CEW, the following procedures will apply:
 - a. Once the person who has been impacted by the CEW is handcuffed and in custody, the officer will advise his immediate supervisor, or an on-duty supervisor, who will respond to the scene;
 - b. The Officer will request JFRD/ the DOC Contracted Health Services Provider (CHSP) to respond to the scene. If safety circumstances reasonably dictate moving the suspect to another location, the officer may arrange to have JFRD/CHSP meet the officer and the suspect/inmate at another location to assess the suspect/inmate and render care. Medical treatment will not be refused for anyone who requests it. [CALEA 4.1.5]
 - c. The supervisor shall respond and review with the officer the circumstances under which the CEW was used.
 - d. A person impacted by the CEW shall not be left unattended by JSO personnel until the person is released to appropriate medical personnel or accepted by personnel at the PDF.
 - e. Officers shall address the following concerns when transporting a suspect/inmate who has been subjected to a CEW deployment:
 - (1) Avoid Face Down Transport – Officers should avoid transporting any suspect/inmate who has been controlled by the use of a CEW face down; and



(2) Avoid Transporting on Probes – If the probes are still in the suspect, avoid transporting the suspect in a position that would foreseeably further embed the probes in the suspect.

f. Personnel at the PDF shall be notified of CEW use on an arrestee/inmate.

2. Probe Removal

- a. Some probes will simply fall out. If a subject, who has a probe embedded in his/her body, requests the probe be removed by medical personnel, then the officer shall arrange for medical personnel to remove the probes. [CALEA 4.1.5]
- b. Medical personnel shall remove probes located in sensitive areas such as the face, neck, groin, female's breast, and tops of the hands and feet. [CALEA 4.1.5]
- c. Removal of probes in non-sensitive areas may be done by an officer. The officer or other trained personnel will provide first aid following removal of the probes by applying iodine or alcohol wipes, and bandages to the probe sites as needed. The officer should inspect the probes after removal to see the entire probe and probe barb has been removed. In the event a probe, or probe barb, has broken off and it is still embedded in a subject's skin, the subject shall be provided appropriate medical attention to facilitate the removal of the object. [CALEA 4.1.5]
- d. The used probes and safety gloves will be treated as biohazard material. Probes will be inserted point first back into the ports of the air cartridge. The cartridge will be sealed by covering it with the safety gloves, per training, and both will be placed in a biohazard bag.
- e. If the incident is non-routine, or if a serious injury is alleged, the probes and the expended air cartridge(s), as well as the Anti-Felon Identification Devices (AFIDS) if possible to collect them, shall be maintained as evidence appropriately secured and marked as biohazard and placed in the Property & Evidence Facility.
- f. Officers intentionally deploying a CEW air cartridge(s) at a person or animal, whether or not the intended target is struck by the CEW probes, will check back on the original call for service using the disposition code "RTR" in the primary disposition block and any other applicable codes in the subsequent disposition blocks and be required to complete a RTR Report in ARMS. Any and all applicable RTR Reports will be completed using the originating CCR number. Officers accidentally deploying a CEW air cartridge will also complete a RTR Report regardless if anyone or any object is struck. Any and all applicable RTR Reports will be completed using the originating CCR number.
- g. Anytime an officer witnesses the deployment of a CEW air cartridge(s) at a person or animal, whether or not the intended target is struck by the CEW probes, they shall be required to complete a RTR Witness Report in ARMS. Any and all applicable RTR Reports will be completed using the originating CCR number.



L. Firearms Policy

1. Officers and authorized members may only discharge their firearms:
 - a. When using deadly force as authorized by this order;
 - b. To kill seriously injured or dangerous animals when other less-lethal options are not feasible, as outlined in this order;
 - c. When participating in approved training or firearm qualification testing; or
 - d. When conducting ballistics tests in a laboratory environment or attempting to verify a weapon is in working order at an authorized firing range.
2. Members shall always handle firearms with strict adherence to the techniques taught by certified firearms training personnel assigned to the Training Academy and JSO Firing Range, and in accordance with the provisions outlined in this order.
3. When discharging a firearm for any reason, members must take all reasonable measures to avoid endangering the lives of bystanders. Members shall give consideration to the backdrop, bystanders, and location when discharging a firearm.
4. Members shall not unnecessarily un-holster or display their weapons.
5. The firing of warning shots is absolutely prohibited. [CALEA 4.1.3]
6. Firearms may be drawn whenever members have an articulable reason to fear for their safety or the safety of others (i.e., felony take downs, building searches, high-risk traffic stops).
7. Firearms shall NOT be discharged from or at a moving vehicle except as a last resort, when all other opportunities have been exhausted:
 - a. To prevent death or great bodily harm to himself or others; or
 - b. To prevent the escape of a fleeing felon who poses an imminent threat of death or great bodily harm to the community.
8. Tactical firearms flashlights are to be used only in cases where pointing the firearm at a person, object, or area would be consistent with the RTR policy and agency training. A tactical firearm flashlight will not be used for routine illumination purposes.

M. Officer-Involved Shootings and Deadly Force Incidents

1. The Homicide Unit is responsible for conducting a criminal investigation when any member, acting in his official JSO capacity: [CALEA 4.2.1, 11.3.4]



- a. Intentionally discharges a firearm at a person;
 - b. Unintentionally discharges a firearm that results in a person being shot;
 - c. Takes any action against another person that results in the death or life-threatening injury of that person; or
 - d. Is killed, shot, or the victim of a life-threatening injury inflicted by criminal means (applies to JSO canines as well).
2. For RTR incidents requiring a criminal investigation by the Homicide Unit:
- a. The Patrol commanding officer shall: [CALEA 11.3.4]
 - (1) Ensure the Homicide Unit has been notified of the incident via the Investigative Police Emergency Communications Officer (PECO);
 - (2) Manage the scene in the same manner as any other major case crime scene, which would include:
 - (a) Establishing an outer perimeter, an inner perimeter with an investigative staging area, and a media staging area;
 - (b) Ensuring witnesses are separated until they can be interviewed by the Homicide Unit;
 - (c) Ensuring a neighborhood canvass is conducted outside the inner perimeter to identify any potential witnesses; and
 - (d) Not disturbing the scene or handling any potential evidence without being directed to do so by the Homicide Unit.
 - (3) Assign a "buddy officer" to standby with the involved officer(s) to monitor their wellbeing.
 - b. The Homicide Unit shall: [CALEA 11.3.4]
 - (1) Ensure the on-call Homicide Assistant State Attorney (ASA) is notified of all officer-involved shootings and RTR incidents that result in life-threatening injury or death so that they can respond to the scene to conduct their independent investigation; [CALEA 11.3.4]
 - (2) Coordinate with the Homicide ASA when taking sworn statements from witnesses; [CALEA 11.3.4]
 - (3) Complete a separate Incident Report for the officer-involved shooting or deadly force incident;



- (4) Obtain the statements of any member directly involved in the incident;
 - (5) If during the course of the investigation it is determined criminal charges may be filed against a member, advise the member of his Miranda Warnings and complete a Constitutional Rights Form (P-0378);
 - (6) Inspect all weapons used by members during the incident and have a Crime Scene Unit (CSU) detective take possession of those weapons for processing;
 - (7) Place the disposition code "RTR" in the **Computer Aided Dispatch (CAD)** primary disposition block and all other applicable disposition codes in the subsequent blocks; and
 - (8) Ensure the Office of General Counsel (OGC) is notified of the incident.
- c. The member(s) who used deadly force shall:
- (1) Be given the opportunity to request legal counsel or union representation prior to making any statement; and
 - (2) Upon request, be required to provide information specifically, narrowly, and directly related to his official duties, which might include identifying suspects, witnesses, evidence, and other members involved.
- d. The Chief of Investigations or his designee shall: [CALEA 11.3.4]
- (1) Coordinate with the Public Relations & Information Unit to provide a public statement to the media at the scene; and [CALEA 11.3.4]
 - (2) In accordance with Order 513 (Compensation and Leave), ensure the members who used deadly force are placed on Administrative Leave pending a review by the Sheriff or his designee regarding their ability to safely and effectively return to their duty assignments. [CALEA 4.2.3]
- e. All responding personnel (excluding any member who used deadly force) shall, within no more than 24 hours of the incident, complete a major case addendum to document their involvement. The Homicide Unit may extend this deadline for any member based the member's physical and/or mental condition following the incident.
3. Any weapon, including one that is personally owned, that was discharged during a deadly force incident will be retained as evidence.
- a. Replacements for seized issued handguns will be provided by the Homicide Unit at the scene. Prior to returning to duty, the member shall report to the JSO Firing Range to test fire the weapon.



- b. Replacements for seized issued rifles will be provided by the JSO Firing Range. The member is responsible for making arrangements to obtain a replacement rifle.
 - c. Gun lights will be removed from seized weapons and returned to members at the scene.
 - d. Once the criminal and administrative investigations have concluded, the member will be notified when his firearm is able to be returned. Upon receiving this notification, the member shall report to the JSO Firing Range to return the temporary firearm he was issued and retrieve his original firearm. JSO Firing Range personnel will arrange for the member to test fire the firearm prior to leaving the JSO Firing Range.
4. Once the Homicide Unit and State Attorney's Office (SAO) criminal investigations have concluded, the Homicide Unit shall notify the Professional Oversight Unit, who shall coordinate the administrative review of the incident by the RTR Review Board, in accordance with Order 572 (Professional Oversight). [CALEA 11.3.4]

N. Unintentional Firearm Discharges

1. An unintentional discharge of a firearm that results in a person being shot shall be investigated as an officer-involved shooting, as outlined in this order. [CALEA 4.2.1]
2. An unintentional discharge of a firearm that occurs during approved training at the JSO Firing Range shall be handled by JSO Firing Range personnel.
3. All other unintentional discharges of firearms shall be investigated by the Professional Oversight Unit. The Supervisor of Professional Oversight Unit shall respond to the scene to conduct the administrative investigation.

O. Animal RTR Incidents

1. When handling an aggressive or dangerous animal, officers are required to use non-lethal options when feasible, including, but not limited to:
 - a. Retreating from the animal;
 - b. Obtaining assistance from the owner;
 - c. Barricading the animal; and/or
 - d. Using intermediate weapons or oleoresin capsicum (OC) spray.
2. Due to the extreme difficulty in hitting a small, fast moving target with both probes from a CEW, the CEW shall not be deployed against an animal, except during a preplanned tactical situation when:
 - a. A confined animal poses a danger to officers (e.g., an aggressive dog in a fenced back yard);



- b. A commanding officer has approved the use of the CEW on the animal; and
 - c. A plan to safely secure the animal has been established so as to limit the energy exposure to the animal.
 3. When feasible, members shall request approval from a commanding officer to use deadly force on an animal.
 4. After an officer uses deadly force on an animal, the commanding officer who authorized the use of deadly force or the most appropriate Patrol commanding officer shall immediately respond to the scene and conduct an administrative investigation.
 - a. Using the original CCR number, the commanding officer shall complete an RTR Report and submit it to the appropriate assistant chief within 24 hours of the incident. At a minimum, the narrative shall include: [CALEA 4.2.1]
 - (1) The facts and circumstances surrounding the shooting of the animal;
 - (2) The danger the animal posed to officers and/or the community;
 - (3) Description of the shooting backdrop;
 - (4) Description of any damaged property;
 - (5) Witness information and statements; and
 - (6) Issues related to training or potential violations of policy.
 - b. The investigating commanding officer shall also:
 - (1) Have the scene processed by a CSU detective, which will include photographs being taken and a sketch being completed;
 - (2) Ensure an Animal Investigation Report is completed in ARMS;
 - (3) Ensure Animal Control is notified via the National Crime Information Center (NCIC) PECO for purposes of removing the dead animal, if necessary; and
 - (4) Place the disposition code "RTR" in the CAD primary disposition block and all other applicable disposition codes in the subsequent blocks.

P. Reporting Requirements for RTR Incidents

1. RTR Reports and RTR Witness Reports [CALEA 4.2.1, 82.2.1]



- a. When a firearm is discharged, all witness statements shall be included in the RTR Report; no RTR Witness Reports are required. The RTR Report for a firearm discharge shall be completed:
 - (1) For officer-involved shootings, by the Professional Oversight Unit and Homicide Unit after the criminal case has been completed;
 - (2) For unintentional discharges outside of approved training at the JSO Firing Range, by the Professional Oversight Unit; and
 - (3) For animal shootings, by the investigating commanding officer, within 24 hours of the incident.
- b. Members are required to complete RTR Reports or RTR Witness Reports after engaging in or observing any of the following RTRs: [CALEA 4.2.1]
 - (1) An intermediate weapon was used on or against an individual or animal;
 - (2) A person or animal was exposed to a chemical agent;
 - (3) A SWAT member used a specialty weapon in a non-SWAT incident;
 - (4) A CEW was deployed in Probe or Touch-Stun mode;
 - (5) Physical force was used on a subject and the force resulted, or was alleged to have resulted, in any injury, regardless of the severity;
 - (6) An injury was observed on a subject following the use of any RTR, to include loss of consciousness;
 - (7) An arrestee was rejected admission to the PDF and directed to the hospital due to alleged injuries sustained from a member's RTR;
 - (8) After an arrestee was granted admission to the PDF, the arrestee alleged an injury was sustained from a member's RTR (In these cases, the PDF will notify the approving supervisor listed on the Arrest & Booking Report about the allegation); or
 - (9) A supervisor determines an RTR Report is appropriate.
- c. Members shall submit all RTR Reports and RTR Witness Reports within 24 hours of the RTR incident.
- d. RTR Reports are not designed to capture all of the information from an incident or investigation. These reports should only be used to document the details specifically related to a member's RTR. All other incident details should be articulated in the report being completed to document the incident (e.g., Incident Report, Supplemental Report, Arrest & Booking Report, etc.).



- e. With the exception of officer-involved shootings and deadly force incidents, RTR Reports shall be written using the CCR number of the original incident.
 - f. Members shall place the disposition code "RTR" in the CAD primary disposition block and all other applicable disposition codes in the subsequent blocks.
2. Other Reporting Requirements [CALEA 82.2.1]
- a. In addition to being included in an RTR Report, any injury resulting from, or that was alleged to have resulted from, a JSO member must be included in the narrative of the report being used to document the incident.
 - b. When a CEW is used to gain compliance by activating the laser and pointing it in the direction of a subject, details of such compliance will be articulated in the report being completed to document the incident.
3. As outlined in Order 572 (Professional Oversight), all finalized RTR Reports will be reviewed by the Professional Oversight Unit for potential gaps in training and/or policy, as well as for violations of current policy. [CALEA 4.2.2, 82.2.1]

A handwritten signature in black ink that reads "Mike Williams".

Mike Williams
Sheriff

References: