

Control Devices and Techniques

302.1 PURPOSE AND SCOPE

This policy provides guidelines for the use and maintenance of control devices that are described in this policy.

302.2 POLICY

In order to control subjects who are violent or who demonstrate the intent to be violent, the Redding Police Department authorizes officers to use control devices in accordance with the guidelines in this policy and the Use of Force Policy.

302.3 ISSUING, CARRYING AND USING CONTROL DEVICES

Control devices described in this policy may be carried and used by members of this department only if the device has been issued by the Department or approved by the Chief of Police or the authorized designee.

Only officers who have successfully completed department-approved training in the use of any control device are authorized to carry and use the device.

Control devices 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 control devices, officers should carefully consider potential impact areas in order to minimize injuries and unintentional targets.

302.4 RESPONSIBILITIES

302.4.1 WATCH COMMANDER RESPONSIBILITIES

The Watch Commander may authorize the use of a control device by selected personnel or members of specialized units who have successfully completed the required training.

302.4.2 SWAT TACTICAL COMMANDER RESPONSIBILITIES

The SWAT Tactical Commander or designee shall control the inventory and issuance of all chemical agents and control devices and shall ensure that all damaged, inoperative, outdated or expended control devices or munitions are properly disposed of, repaired or replaced.

Every chemical agent and all control devices will be periodically inspected by the SWAT Tactical Commander or the designated instructor for a particular control device. The inspection shall be documented.

Redding Police Department

RPD Policy Manual

Control Devices and Techniques

302.4.3 USER RESPONSIBILITIES

All normal maintenance, charging or cleaning shall remain the responsibility of personnel using the various devices.

Any damaged, inoperative, outdated or expended control devices or munitions, along with documentation explaining the cause of the damage, shall be returned to the SWAT Tactical Commander or designee for disposition. Damage to City property forms shall also be prepared and forwarded through the chain of command, when appropriate, explaining the cause of damage.

302.5 BATON GUIDELINES

The need to immediately control a suspect must be weighed against the risk of causing serious injury. The head, neck, throat, spine, heart, kidneys and groin should not be intentionally targeted except when the officer reasonably believes the suspect poses an imminent threat of serious bodily injury or death to the officer or others.

When carrying a baton, uniformed personnel shall carry the baton in its authorized holder on the equipment belt or authorized external body armor carrier. Plainclothes and non-field personnel may carry the baton as authorized and in accordance with the needs of their assignment or at the direction of their supervisor.

Officers shall only carry Department approved batons.

Any suspect struck with a baton shall be transported to a Department approved medical facility for medical treatment prior to booking. Officers shall photograph all visible and complained of injuries, even when no evidence is present.

302.5.1 FLASHLIGHTS

If an officer is forced to strike a suspect with a flashlight, all aspects of this policy apply.

302.6 CHEMICAL AGENTS GUIDELINES

Tear gas may be used for crowd control, crowd dispersal or against barricaded suspects based on the circumstances. Only the Division Commander, Watch Commander, SWAT Tactical Commander, or Incident Commander may authorize the delivery and use of tear gas, and only after evaluating all conditions known at the time and determining that such force reasonably appears justified and necessary.

When practicable, fire personnel should be alerted or summoned to the scene prior to the deployment of tear gas to control any fires and to assist in providing medical aid or gas evacuation if needed.

302.7 OLEORESIN CAPSICUM (OC) GUIDELINES

As with other control devices, oleoresin capsicum (OC) spray may be considered for use to bring under control an individual or groups of individuals who are engaging in or are about to engage in violent behavior. OC spray should not, however, be used against individuals or groups who merely fail to disperse or do not reasonably appear to present a risk to the safety of officers or the public.

Redding Police Department

RPD Policy Manual

Control Devices and Techniques

302.7.1 OC SPRAY

Uniformed personnel carrying OC spray shall carry the device in its holster on the equipment belt or load bearing vest. Plainclothes and non-field personnel may carry OC spray as authorized, in accordance with the needs of their assignment or at the direction of their supervisor.

Non-sworn employees may carry OC spray while on duty as a defensive weapon only. OC shall be used only after a determination that avoidance or escape is not possible. Employees must first successfully complete training as established by the training manager and approved by the Chief of Police. Upon successful completion of training, OC spray and a leather holster will be issued. Pursuant to 12403.7 PC, the maximum size of an OC container shall be 2.5 ounces net weight of aerosol spray.

302.7.2 CLEAR OUT AEROSOL GRENADE

The tactical use of the locking tab aerosol CS/OC (Clear Out) will only be deployed by sworn personnel trained and equipped for the situation. Authorization for the use of Clear Out in such situations shall be by the on-duty supervisor. For further information see Redding Police Training Bulletin #507.

302.7.3 TREATMENT FOR OC SPRAY EXPOSURE

Persons who have been sprayed with or otherwise affected by the use of OC should be promptly provided with clean water to cleanse the affected areas. Those persons who complain of further severe effects shall be examined by appropriate medical personnel.

302.8 POST-APPLICATION NOTICE

Whenever tear gas or OC has been introduced into a residence, building interior, vehicle or other enclosed area, officers should provide the owners or available occupants with notice of the possible presence of residue that could result in irritation or injury if the area is not properly cleaned. Information regarding the method of notice and the individuals notified should be included in related reports. The supervisor should notify RISK Management and advise of the incident.

302.9 KINETIC ENERGY PROJECTILE GUIDELINES

This Department is committed to reducing the potential for violent confrontations. Kinetic energy projectiles, when used properly, are less likely to result in death or serious physical injury and can be used in an attempt to de-escalate a potentially deadly situation.

302.9.1 DEPLOYMENT AND USE

Only Department-approved kinetic energy munitions shall be carried and deployed. Kinetic energy munitions utilized in the Field Operations Division and Investigations Division are identified by a bright orange stock and fore-end. Kinetic energy munitions used by SWAT are not identified with orange markings.

Approved munitions may be used to compel an individual to cease his/her actions when such munitions present a reasonable option.

Redding Police Department

RPD Policy Manual

Control Devices and Techniques

The locking device for holding the kinetic energy munitions in patrol cars is the electric solenoid type or rear lock box. The kinetic energy munitions will be carried in the lock with four bean bag rounds in the magazine and six additional bean bag rounds in the side pack, chamber empty, the action un-cocked and the safety on. Vehicles with kinetic energy munitions will have an orange/white target sticker in the bottom right-hand rear window for identification.

Officers are not required or compelled to use approved munitions in lieu of other reasonable tactics if the involved officer determines that deployment of these munitions cannot be done safely. The safety of hostages, innocent persons and officers takes priority over the safety of subjects engaged in criminal or suicidal behavior.

Circumstances appropriate for deployment include, but are not limited to, situations in which:

- (a) The suspect is armed with a weapon and the tactical circumstances allow for the safe application of approved munitions.
- (b) The suspect has made credible threats to harm him/herself or others.
- (c) The suspect is engaged in riotous behavior or is throwing rocks, bottles or other dangerous projectiles at people and/or officers.
- (d) There is probable cause to believe that the suspect has already committed a crime of violence and is refusing to comply with lawful orders.

302.9.2 DEPLOYMENT CONSIDERATIONS

Before discharging projectiles, the officer should consider such factors as:

- (a) Distance and angle to target.
- (b) Type of munitions employed.
- (c) Type and thickness of subject's clothing.
- (d) The subject's proximity to others.
- (e) The location of the subject.
- (f) Whether the subject's actions dictate the need for an immediate response and the use of control devices appears appropriate.

Except in exigent and extraordinary circumstances, officers should avoid using the less lethal devices on:

- (a) Obviously pregnant women.
- (b) Elderly or otherwise physically frail people.
- (c) Pre-adolescent children.
- (d) A person who could fall from a significant height
- (e) A person operating a moving vehicle or dangerous machinery
- (f) A handcuffed or similarly restrained person unless the actions of the restrained person present violent resistance to officers or an immediate threat of physical injury to officers, the restrained person, or to other people present.

Control Devices and Techniques

A verbal warning of the intended use of the device should precede its application unless it would otherwise endanger the safety of officers or when it is not practicable due to the circumstances. The purpose of the warning is to give the individual a reasonable opportunity to voluntarily comply and to warn other officers and individuals that the device is being deployed.

Officers should keep in mind the manufacturer's recommendations and their training regarding effective distances and target areas. However, officers are not restricted solely to use according to manufacturer recommendations. Each situation must be evaluated on the totality of circumstances at the time of deployment.

The need to immediately incapacitate the subject must be weighed against the risk of causing serious injury or death. The head and neck should not be intentionally targeted, except when the officer reasonably believes the suspect poses an imminent threat of serious bodily injury or death to the officer or others.

Any person struck by a kinetic energy projectile shall be transported to a hospital for examination and to obtain a medical clearance. Upon receiving medical clearance, the officer shall notify the jail staff of the use of the projectile and the subsequent medical clearance.

302.10 TRAINING FOR CONTROL DEVICES

The Training Sergeant shall ensure that all personnel who are authorized to carry a control device have been properly trained to carry the specific control device.

- (a) Proficiency training shall be monitored and documented by a certified, control-device weapons or tactics instructor.
- (b) All training and proficiency for control devices will be documented in the officer's training file.
- (c) Officers who fail to demonstrate proficiency with the control device or knowledge of this agency's Use of Force Policy will be provided remedial training. If an officer cannot demonstrate proficiency with a control device or knowledge of this agency's Use of Force Policy after remedial training, the officer will be restricted from carrying the control device and may be subject to discipline.

302.11 REPORTING USE OF CONTROL DEVICES AND TECHNIQUES

Any application of a control device or technique listed in this policy shall be documented pursuant to the Use of Force Policy.