



Charleston County Sheriff's Office Policy and Procedures Manual

Sheriff Carl Ritchie

7-01 Use of Force

- ☐ NEW
- ☒ REVISED
- ☒ REVIEWED

ACA Standards Reference: 2B-01, 02, 11; 7B-17
CALEA Standards Reference: 1.2.10, 4.1.1, 4.1.4, 4.1.6, 4.1.7
NCCHC Standards Reference:
SCLEA Standards Reference:
SC Minimum Standards: 1021

This policy dated 1/28/2025 replaces prior policies cited above and supersedes all previously issued directives.

I. Purpose:

To provide deputy sheriffs and detention deputies of the Charleston County Sheriff's Office with guidelines in making critical use of force decisions.

II. Policy:

- A. Charleston County Sheriff's Office deputy sheriffs will use only the force reasonably necessary to accomplish lawful objectives. (Ref: CALEA 4.1.1)
- B. Deputies shall use only the amount of force which is reasonable, given the facts and circumstances known at the time of the event, to effectively bring an incident under control. "Reasonableness" of the force used shall be judged from the perspective of a sensible deputy, on the scene, at the time of the incident. (Ref: SC Min. 1021, 5-ALDF-7B-17)
- C. Given that no policy can realistically predict and address every possible situation a deputy might encounter, each deputy must determine the appropriate use of force necessary to control the situation. While it is the ultimate objective of every encounter involving use of force to minimize injury to persons, property, agency staff, inmates of the Sheriff Al Cannon Detention Center (SACDC), and prevent escapes, no deputy is required to sustain physical injury before using reasonable force. However, physical force will not be used as punishment. (Ref: 5-ALDF-2B-01)

III. Definitions:

- A. For purposes of this procedure, the word "deputy" applies to all agency employees with a certification classification of Class I, Class II, Class III, or Reserve Deputy as defined by the South Carolina Criminal Justice Academy.

The following terms are used interchangeably; however, they carry guidance to specific employees based on usage of the term:

- 1. Deputy, deputy sheriff, detention deputy, sworn employee, uniformed sworn employee, sworn administrative employee, etc., and
 - 2. civilian, non-sworn employee.
- B. *Employee*: When used without further clarification, the term employee is inclusive of all agency members (sworn and non-sworn).
- C. *Force*: Conduct on the part of a deputy that is designed to assist the deputy in controlling a situation or the actions or behavior of a person or persons.

- D. *Force Continuum:* The escalation of force used by a deputy in order to control a situation or the actions of persons, from minimum to maximum, (i.e., verbal control, intermediate force, to deadly force).
- E. *Deadly Force:* Any use of force that is likely to cause death or serious physical injury.
- F. *Less Lethal Weapon:* Weapon designed to incapacitate a subject or gain compliance from a subject to affect a safer transition of the subject into custody.
- G. *Serious Physical Injury:* Any bodily injury that creates a substantial risk of death; causes serious, permanent disfigurement; or results in long-term loss or impairment to any bodily member or organ.
- H. *Show of Force:* Force shown by a deputy by unholstering/removing a firearm or an intermediate weapon and presenting it towards a subject; in an attempt to gain compliance or continued control of the situation at hand.

IV. Procedure:

- A. Levels of Resistance:
 - 1. *Non-Verbal and Verbal Non-Compliance:* The subject demonstrates non-compliance through verbal and non-verbal means. Statements by a subject ranging from pleading to physical threats may be encountered. This also includes physical gestures, stances, and observable mannerisms.
 - 2. *Passive Resistance:* The subject does not cooperate with a deputy's commands by non-compliant inaction. An example of this would be a protestor who lies down in front of a doorway and must be carried away upon arrest.
 - 3. *Defensive Resistance:* The subject engaging in defensive resistance takes action to prevent being taken into custody. The goal of this action is escape, but not injury to the deputy. This action may include twisting, pulling, or running away.
 - 4. *Active Aggression:* The subject is overtly attempting to injure the deputy. This aggression may manifest itself through punching, kicking, biting, or pushing.
 - 5. *Aggravated Active Aggression:* Includes actions that are likely to result

in the death or serious bodily injury to a deputy or another person. These actions may include the discharge of a firearm, use of a blunt or bladed weapon or extreme physical force.

B. Levels of Control:

1. *Professional Presence:* The display of visual images of authority as well as a professional manner is present at every level of resistance. This includes all symbols of law enforcement authority including the badge, uniform, and marked law enforcement vehicle.
2. *Verbal Dialogue and Commands:* Communication is critical to any potential use of force situation. This level of control includes any verbal requests, directions, or commands from the deputy to a subject. Verbal interaction is present at every level of resistance.
3. *Soft Empty Hand Control:* These techniques are not impact oriented, and include pain compliance pressure points, takedowns, joint locks or simply grabbing onto a subject. However, the use of improvised soft empty hand control (i.e., chokehold, neck hold, stranglehold, Lateral Vascular Neck Restraint, Carotid Restraints, or any other tactic that restricts oxygen or blood flow to the neck or head) is prohibited unless the use of deadly force is justified. (Ref: CALEA 4.1.6 and 4.1.7)
4. *Hard Empty Hand Control:* These techniques are impact oriented and include knee strikes, elbow strikes, punches, and kicks. Control strikes are used to get a subject under control. Defensive strikes are used by deputies to protect themselves from attack.
5. *Intermediate Weapons:* Intermediate Weapon Control is the application or use of any weapon or object that is not part of the human body to control resistance or an assault. This includes chemical agents, impact weapons or emergency/improvised impact weapons (flashlight, radio, broomstick, etc.) and Taser energy weapons (TEW). The use of an intermediate weapon is justified when lower forms of empty hand control have failed or when the deputy believes that their skill in empty hand control will be insufficient, and the use of deadly force is not justified. Intermediate weapons are used only with the intent to temporarily disable a subject and never with the intent to cause permanent injury. Current intermediate weapons are:
 - a. *Oleoresin Capsicum (OC) Spray:* An agency authorized and issued handheld chemical agent (non-alcohol based) that

emits a chemical solution composed of oleoresin capsicum, a natural oil of pepper, and a carrier agent, which is designed to incapacitate an aggressive or resistant subject with no lasting after-effects. See also [Policy 7-07 Oleoresin Capsicum](#).

- b. *Taser Energy Weapon (TEW)*: The TEW is a handheld electronic control device manufactured by AXON Enterprises. The device fires a single probe each time the trigger is pulled. The probe is connected to the weapon by an insulated wire. Electrical pulses are sent along the wire to the probe with the intended effect of temporarily incapacitating the targeted subject. To temporarily incapacitate the targeted subject, the trigger must be pulled twice to fire another probe. See also [Policy 7-06 Taser Energy Weapon](#).
 - c. *Impact Weapon Strikes (Baton)*: Non-deadly impact weapon strikes are targeted towards major muscle groups and are used to get a subject under control. The common peroneal nerve on the side of the leg is the primary target for impact weapon strikes. (Ref: CALEA 4.1.4)
- 6. *Show of Force*: The act of removing a firearm or an intermediate weapon from it's holster and only presenting it towards a subject to assist the deputy, or assisting deputies to gain compliance of an incident. A Show of Force will be documented in an incident or supplemental report but not on a Use of Force Report Form. A Show of Force will not be reviewed as a Use of Force.
- C. The Use of Force Continuum is not designed to be a step-by-step progression. Therefore, the escalation and de-escalation by the deputy or the subject may not be sequential. More than one level of response may be appropriate for a particular level of resistance, depending on the circumstances.
- D. Both State and Federal law require that all force be reasonable. In *Graham v. Connor*, the United States Supreme Court stated, "*the test of reasonableness under the Fourth Amendment is not capable of precise definition or mechanical application, however, its proper application requires careful attention to the facts and circumstances of each particular case including the severity of the crime at issue, whether the suspect poses an immediate threat to the safety of the deputy sheriffs or others and whether he is actively resisting arrest or attempting to evade arrest by flight*". In addition, deputies should consider their own abilities and limitations.

- E. Justifications for the Use of Force and Force Options:
1. Use of force by an employee against a subject, inmate of the SACDC, or any other person, is justified when acting employees reasonably believes such force is necessary to:
 - a. prevent death or injury to themselves, subject, inmate, or others;
 - b. prevent escape;
 - c. recapture an escapee;
 - d. to gain control of an incident or disturbance;
 - e. protect property from damage or destruction;
(Ref: 5-ALDF-2B-01)
 - f. enforce compliance with laws, rules, regulations, and orders when other methods of control have proven insufficient; and
 - g. to assist in the administration of medical treatment, in accordance with established procedures.
 2. Force will be applied in compliance with the force continuum. deputies will:
 - a. use the least amount of force reasonably necessary to achieve the authorized purpose;
 - b. de-escalate and then immediately stop the use of force once control is achieved and the situation/incident is secured;
 - c. never authorize force as a means of punishment or retaliation;
(Ref: 5-ALDF-2B-02)
 - d. never authorize the use of restraints as a means of punishment; and
(Ref: 5-ALDF-2B-02)
 - e. document and review all incidents of the use of force.
 3. Justification for the level of force needed in a situation is determined based upon consideration of the force required and the individual circumstances. Factors that must be taken into consideration while

determining how much force is needed are:

- a. the number, size, strength, and behavior of the subject(s);
 - b. the number, size, and strength of deputies involved;
 - c. the location of the incident;
 - d. how time critical the situation is; and
 - e. type of restraints utilized on the subject or inmate.
4. The use of deadly force against a subject or inmate is justified only when the acting deputy reasonably believes such force is necessary, and that a lesser degree of force will be insufficient to prevent death or serious bodily harm to themselves or others (see [Policy 7-02 Use of Deadly Force](#)).
- F. A planned use of force for the Sheriff Al Cannon Detention Center will be coordinated by the Tactical Operations Department Lieutenant and/or Sergeant or a housing/processing supervisor, who will:
1. provide direction to SACDC staff identifying the force options and security equipment that will be used to accomplish the objective;
 2. direct application of the force needed to gain and maintain control;
 3. ensure the body camera is activated to provide complete coverage of the incident as outlined in [Policy 9-23 Mobile and Body Worn Video/Audio Recording Equipment](#);
 4. notify SACDC medical staff and make sure they are staging in a safe area; and
 5. provide written documentation of the incident by all staff involved.
- G. Reporting of Use of Force:
1. Whenever a deputy uses physical force against another person, they will notify a supervisor immediately following the incident. The supervisor will evaluate the information and respond to the scene of all significant use of force incidents. The deputy shall document the incident on the *Use of Force Report Form* ([CCSO form-311](#) or [SACDC form-352](#)) and an Incident Report in the appropriate records

management System (i.e., EIS or JMS) as soon as possible, but prior to the end of tour of duty. (Ref: 5-ALDF-2B-11)

2. The responding supervisor will compile copies of the Use of Force Report along with the Incident Report and create a Use of Force packet. The supervisor will then forward the Use of Force packet through their chain of command up to the captain for review. In the event the SACDC Emergency Response Team (ERT) is involved, the division lieutenant will then forward the Use of Force packet to the SACDC Tactical Operation Department chain of command for review. This package shall include the following but not limited to:
 - a. incident report;
 - b. supplemental report(s);
 - c. statements (victim, witness, deputy, etc.);
 - d. medical reports noting any injuries;
 - e. use of force report (with Supervisor's TEW report if applicable)
 - f. observation log (SACDC);
 - g. notice of disciplinary violations;
 - h. audio, video recordings or photographs;
 - i. Consolidated 9-1-1 Center's CAD report (if applicable); and
 - j. any other pertinent information.
3. Once the captain has approved the Use of Force packet, it will be forwarded to the Office of Professional Standards.
4. All reports should be written in a manner to include all facts, circumstances, acts, and conduct that interfere with a deputy's lawful exercise of authority and support the level of the use of force. It is imperative that the reporting deputy carefully articulate whether the subject(s)' actions were essentially a continuous act of resistance, and when the deputy's use of force occurred and concluded.
5. If any level of Use of Force is used on a SACDC inmate, the inmate will be seen by SACDC Medical immediately after the incident. When

impact weapons are deployed, and/or injuries occur, a photograph will be taken for evidence. Documentation of any injury and/or medical assistance shall also be included on the appropriate report form(s).

- H. Use of Force incidents will be reviewed at different levels through the chain of command. These levels are not intended to identify a force continuum, but to review each Use of Force for effectiveness, training purposes, and/or policy revision, if applicable.

- I. Allegations against SACDC Employees:

The SACDC Major will initiate an investigation to be completed after notifying the Office of Professional Standards. If the Office of Professional Standards determines the allegation is criminal in nature, the Criminal Investigations Division (CID) will be notified.

- J. Duty to Intervene:

1. Refer to [Policy 2-06 Duty to Intervene](#) for complete procedure.
2. Employees of the Charleston County Sheriff's Office have an obligation to protect all citizens as well as other law enforcement and public safety officials.
3. Any employee present at any scene where physical force is being applied, who reasonably believes the applied force to be in violation of law or agency policies, has a duty to intervene and prevent, stop, or attempt to stop another deputy, law enforcement or public safety official, regardless of rank, when force is being inappropriately or unlawfully applied, or the force is no longer necessary. This may be accomplished by any means reasonable once it is safe and possible to do so, given the circumstances presented. (Ref: CALEA 1.2.10)

- K. Training:

All employees will be made aware of the contents of this policy through pre-service training, initial policy issuance, and annually thereafter during the normal training cycle. (Ref: 5-ALDF-7B-17)