



LEON COUNTY SHERIFF'S OFFICE

Standard Operating Procedure 450.F27 Lethal / Less-Lethal Weapons

<i>EFFECTIVE:</i>	<i>REVISED:</i>	<i>RESCINDS:</i>
28 April 2015	21 December 2017	17 February 2017

A. PURPOSE: The purpose of this procedure is to establish guidelines for the carrying and use of Lethal and Less-Lethal Weapons within the Leon County Detention Facility.

B. SCOPE: This procedure shall apply to all Corrections Personnel.

C. POLICY: It is the policy of the Leon County Sheriff's Office and Detention Facility that all members acting within their official capacity may use only the amount of force reasonably necessary to effect lawful objectives. All members shall conform to Sheriff's Office General Orders 1.05 "Use of Force" and provisions of Florida State Statutes. As specified in Sheriff's Office General Orders and Detention Facility Standard Operating Procedures, members shall not carry or use any weapon not authorized by the agency for use. Members shall not be allowed to carry or use agency authorized weapons (lethal or less-lethal), on or off duty, until they have been properly trained and have demonstrated proficiency with the weapon [FMJS 3.03]. Firearms, ammunition, impact, electric and chemical weapons shall not be permitted into the secure areas of the facility except in emergencies, and then only after authorization from the Detention Facility Chief. The only exception to this provision is an ECD and Oleoresin Capsicum (O.C. Agent) as described in procedures for those devices. ECD and Oleoresin Capsicum may be used in the Detention Facility on inmates where there is a need to cause the immediate temporary cessation of aggressive/hostile/violent behavior or active resistance to lawful orders or instruction from correctional staff.

D. DEFINITIONS:

ARMORY – A designated secure location within the Leon County Detention Facility which shall store firearms, and ammunition.

DEADLY FORCE –Any use of force that creates a substantial risk of causing death or serious bodily injury.

ECD (Electronic Control Device) – A device designed to disrupt a subject's central nervous system by means of deploying battery powered electrical energy sufficient to cause uncontrolled muscle contractions and override an individual's voluntary motor responses.

FIREARMS – Agency approved weapons that are secured in the Leon County Detention Facility armory. Firearms shall not be permitted into the secure areas of the facility except in emergencies, and then only after authorization from the Detention Facility Administrator.

LESS-LETHAL FORCE – Force that is neither likely nor intended to cause death or great bodily harm.

LESS-LETHAL WEAPON – Weapons that are not fundamentally designed to cause death or great bodily harm. Some examples of less-lethal weapons include electronic control devices (ECD), expandable or straight batons, baton round launchers, flashlights, chemical agent sprays, or other weapons of opportunity.

OLEORESIN CAPSICUM – A naturally-derived organically-based, Less-lethal aerosol weapon designed to interrupt the intended thought process, and cause loss of coordination and upper body control. O.C. is a pepper extract that acts as an inflammatory agent to the eyes and mucous membranes. The incapacitating effect begins quickly and works on most subjects, including those who may be deranged or intoxicated.

E. PROCEDURE:

1. Firearms:

- a. Firearms and ammunition shall not be permitted into the secure areas of the facility except in emergencies, and then only after authorization from the Detention Facility Chief.
- b. **Inventory Control:** The Locksmith Unit will manage the inventory of firearms and ammunition located in the Leon County Detention Facility Armory. Inventory control duties will include but not be limited to:
 - 1) Coordinate with the agency armor in completing repairs and maintenance of Detention Facility firearms.
 - 2) Maintain the Firearms and Ammunitions on an approved inventory sheet [FCAC 6.24].
 - 3) When firearms and ammunitions are issued, this information will be noted on an approved inventory sheet. This form will record the location and assignment of all issued firearms/ammunitions. It will be capable of tracking all weapons by serial number, Property Control Number, and the name of the person to whom the weapon is issued. Any Leon County Detention Facility firearm not otherwise issued to a member will be secured in the armory. Firearms which are issued to members shall be safely maintained.

2. ECD:

a. Criteria For Deploying a ECD - Detention Facility Supervisors and Correctional Officers trained in the use of the ECD may deploy an issued ECD in a law enforcement role only when:

- 1) An issued ECD may be deployed when a subject, the member has authority to detain, escalates the resistance from passive to active physical and the person;
 - a) Has the apparent ability to physically threaten the member or others; or
 - b) Is preparing or attempting to flee or escape.

b. Approved Use:

- 1) ECD use shall conform to Leon County Sheriff's Office General Order 1.5 and all training requirements must be met prior to use. Members authorized in the use of the ECD shall receive annual refresher training [FCAC 5.04M].
- 2) The ECD may be deployed when a detained person escalates the resistance from passive to active.
- 3) Detention Facility Supervisors and Correctional Officers trained in the use of the ECD may carry the ECD in the Detention Facility as part of their assigned equipment during normal duty hours. ECDs shall not be carried into Inmate Housing areas by Correctional Officers unless approved by the Detention Facility Chief or designee. ECDs will be issued by the training unit/agency armor. ECDs should be checked/tested daily. ECDs that do not function properly shall be reported to the Agency Armorer [FCAC 5.04, FMJS 11.12].
- 4) When a member either intentionally or accidentally deploys the ECD in response to a subject's resistance, even if the subject is not struck, he or she shall prepare a response to resistance form and an offense incident report. These reports shall include the serial numbers of the ECD and spent cartridges.
- 5) All incidents of probe deployment involving striking/penetration shall require medical evaluation. ECD probes that have struck the face, neck, groin or female breasts shall only be removed by medical personnel. All use of force incidents in the Detention Facility shall require medical evaluation [FMJS 3.03]. If injuries exist medical personnel will determine what treatment may be necessary.
- 6) All ECD prongs that have struck a person's body shall be considered a biological hazard and shall be handled in accordance with Sheriff's Office General Order 100.3 (Exposure Control Plan for Blood Borne Pathogens).
- 7) All spent cartridges and used/damaged probes shall be collected as evidence, labeled as a biohazard if they struck a person and handled in accordance with Sheriff's Office General Order 84.1 (Property/Evidence Management and Control).

- 8) Photographs shall be taken of all significant injuries. The photographs shall be placed into evidence according to General Order 84.1. All injuries or the absence of injuries shall be noted on the Response to Resistance Form.
- c. Inventory Control:** The warehouse supervisor or designee will manage the inventory of ECD cartridges. The inventory will be located in a control/storage area at the Leon County Detention Facility. Inventory control duties will include but not be limited to:
- 1) The control/storage area containing the ECD cartridges will be inventoried by the warehouse supervisor or designee. In addition, each time a cartridge is issued or added to the supply, it will be annotated on the ECD cartridge Inventory Log [FCAC 6.24].
 - 2) Maintain the ECD cartridge Inventory Log [FCAC 6.24].
 - 3) When an ECD cartridge has been deployed, replacement cartridges shall be obtained from the designated control area of the facility. The Watch Commander, warehouse supervisor or designee will issue the replacement cartridge to the officer in need of replacement. This will be documented on an approved inventory sheet.

3. Oleoresin Capsicum

a. Deployment:

- 1) Uniformed members shall carry the issued O.C. agent as an essential part of the uniform. The O.C. agent is authorized for use in all areas of the Detention Facility. It shall be carried and/or utilized only as issued and authorized. No changes, alterations, modifications, or substitutions shall be made to the canister or holster [FMJS 11.12].
- 2) When an O.C. agent has been deployed, members shall initiate a Response to Resistance Report, pursuant to G. O. 1.5.
- 3) Each canister of O.C. agent may be deployed more than once. Any time a member feels uncomfortable with the amount of agent left in the canister, he/she is encouraged to replace it.
- 4) At all times, the Response to Resistance continuum will be strictly monitored. The continuum will be escalated only as necessary to control the subject/situation. It is intended to reduce the physical confrontations between subjects and staff, thereby reducing the propensity for injuries.
- 5) If O.C. agent is intended to be used based on the subject's resistance, appropriate back-up personnel shall be notified, if feasible.
- 6) When appropriate (e.g. on a non-combative subject), users will issue verbal warnings prior to administering O.C. agent.

- 7) The O.C. agent will be directed to the head and face, and dispensed in short bursts.
- 8) The O.C. agent shall never be used as a means of punishment.
- 9) After administering the O.C. agent adequate measures to ensure the safety of the subject and staff should be taken. The subject will be placed in restraints as soon as feasible, and monitored to ensure that medical problems do not arise. Should complications develop, the medical staff shall be notified immediately.
- 10) The subject's demeanor will determine if de-escalation is necessary. Based on the circumstances, the decision to remove restraints will be determined by the officer.
- 11) Members shall articulate their reasons for use of O.C. agent or use of hands on techniques in their response to resistance report.
- 12) Members will not utilize a spit mask or hood on a subject who has been sprayed by a chemical agent IPD until the subject has been properly decontaminated.

b. Decontamination:

- 1) Decontamination is easily accomplished with generous amounts of cool water and flowing air.
- 2) Decontamination for the Booking Area should be accomplished in the Property Room Showers.
- 3) Decontamination for all confinement areas, or any general population pod, should take place in one of the showers in the respective pod or medical unit.
- 4) The affected area shall be completely flushed with running water, away from unaffected areas or sensitive skin areas, particularly the eyes and genital area.

(DO NOT ALLOW THE SUBJECT TO USE SOAP OR LOTIONS AS THEY WILL SEAL IN THE AGENT AND THE DECONTAMINATION PROCESS WILL BE PROLONGED.)

- 5) Upon completion of the decontamination process the subject must be examined by medical staff for a Post Use of Force examination/assessment [FMJS 3.03].

c. Inventory Control: The warehouse supervisor or designee will manage the inventory of O.C. agent. The inventory will be located in a control/storage area at the Leon County Detention Facility. Inventory control duties will include but not be limited to:

- 4) The control/storage area containing the O.C. agent will be inventoried by the warehouse supervisor or designee. In addition, each time a canister is issued or added to the supply, it will be annotated on the O.C. Agent Inventory Log [FCAC 6.24].
- 5) Maintain the O.C. Agent Inventory Log [FCAC 6.24].
- 6) When the O.C. agent has been deployed, replacement canisters shall be obtained from the designated control area of the facility. The Watch Commander, warehouse supervisor or designee will issue the O.C. agent to the officer in need of replacement. This will be documented on an approved inventory sheet.

d. DISPOSAL:

- 1) Disposal of used O.C. agent canisters will be accomplished by the warehouse supervisor or designee.
- 2) The designee will check the inventory in the control/storage area and collect used canisters. The canisters will be emptied of any agent and then disposed of in an area restricted from inmate access.

4. AGENCY TRAINING:

a. Firearms:

- 1) All training shall be conducted accordance with Florida Statutes, General Order 1.4 Firearms and 33.1 Training [FCAC 5.04].

b. ECD:

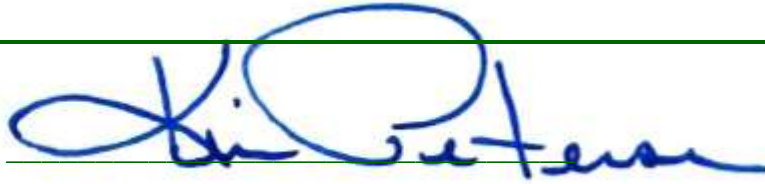
- 1) Prior to carrying a ECD, members shall successfully complete agency approved training in the proper use, handling and care [FCAC 5.04, FMJS 11.12].
- 2) Basic certification for the use of a ECD shall consist of no less than the manufacturer's minimum recommendation and only current ECD Certified Instructors are eligible to instruct in the use of a ECD training shall be conducted in accordance with Florida Statutes, General Order 1.5 Use of Force, and 33.1 Training.
- 3) No changes, alterations, modifications or substitutions shall be made to the ECD. All repairs to ECDs or accessories shall be completed by an authorized vendor or an agency armorer.

c. Oleoresin Capsicum

- 1) All instructions will be provided by a Sheriff's Office chemical munitions instructor.

- 2) Re-certification will be provided by the Sheriff's Office during annual in-service training.
- 3) Sheriff's Office Personnel shall be issued Oleoresin Capsicum agent (O.C.) only after successful completion of a course of instruction in the proper use including the treatment of exposed individuals and carrying of the O.C. agent as a defensive means of control [FCAC 5.04, FMJS 11.12].

APPROVED: _____

A handwritten signature in blue ink, appearing to read "K. Peterson", is written over a horizontal line.

DEPARTMENT OF DETENTION CHIEF