

POLICY AND PROCEDURES

NUMBER: 817

SUBJECT: Taser/REACT BAND-IT Policy

ACA STANDARDS: 4-ALDF-2B-04, 05

ACTING DIRECTOR: *Julia Childrey*

EFFECTIVE DATE: 11/03

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I. POLICY

The St. Louis County Department of Justice Services shall use the *X26 or X2* Advanced Taser exclusively as a control agent for inmates who pose a serious physical threat to staff or other inmates, inmates who pose a serious threat to the safe, secure and orderly operation of the facility or as a tactical agent in quelling a riot situation. This policy shall define under what circumstances the use of the Taser will be deployed and what actions will be followed during and after the use of the Taser.

II. RESPONSIBILITIES

All St. Louis County Department of Justice Services' staff trained to use the Taser are responsible for the following procedures. All supervisors and managers are to ensure the following procedures are administered accordingly.

III. DEFINITIONS

X26 or X2 Advanced Taser: A laser-sighted stun type device that fires two (2) probes up to twenty-one (21) feet from a replaceable cartridge. The probes are connected to the device by high voltage insulated wire. When the probes are discharged and make contact with the human body, they transmit a twenty-six (26) watt, (50,000 volt) electrical signal that overrides the body's central nervous system to cause an uncontrollable contraction of muscle. The effect is to physically debilitate a subject regardless of pain tolerance or mental focus. The device operates on replaceable air cartridges and rechargeable nickel metal hydride batteries.

Active Resistance: Any overt act that resists the order or directive of staff, e.g., combative stance, refusal to surrender objects that could be used as weapons, attempting to strike or struggle with staff or fighting with other inmates.

Passive Resistance: Any covert act such as verbally resisting an order or directive made by staff; a mere refusal to obey a directive, e.g., verbally refusing to enter a cell or verbally refusing to be frisked or strip searched or verbally stating he/she will fight.

REACT BAND-IT System: The REACT BAND-IT System is a remotely activated electronic restraint device which produces an electric shock that can disorient, temporarily immobilize and stun a person without causing permanent injuries. The REACT BAND-IT system consists of a discrete system of bands that are applied around the upper arm, calf or thigh, concealed under the clothing.

Control Officer: The Transportation officer assigned to operate the remote control device.

High Risk Transportation Detail: Any inmate placed on the Secure Move/Hot sheet and/or any inmate believed by custody to pose a greater risk of potential violent/ aggressive behavior.

IV. PROCEDURES

A. General Information

- 1.** The decision to use the Taser will rest with the Watch Commander, Intake Service Center Supervisor and Transportation Supervisor and Transportation Officers who have been trained and authorized to carry and use the Taser.

NOTE: Officers will receive re-certification training on the use of the taser on an annual basis.

- 2.** The Taser will be used as a control agent only, never as punishment.
- 3.** The use of the Taser will follow the use of pepper spray in the “Use of Force” continuum. There may be circumstances which preclude the use of pepper spray first, e.g, the inmate may have a medical condition, etc. The Watch Commander, Intake Service Center Supervisor, Transportation Supervisor or Transportation Officers will use his/her discretion based on each individual

circumstance and any available medical information in making his/her decision.

NOTE: The Taser will not be used on women who are known to be pregnant.

4. A Watch Commander will carry the Taser on his/her person in its protective holster during each shift. Additional Tasers will be carried by the Intake Service Center Supervisor and one will also be located in the Armory. The Taser in the Armory will be used by Transportation Officers on the bus. Additional cartridges will be stored in a locked area in the Command Center.
5. The use of the Taser, as with any 'Use of Force' situation, will be justified in writing. All officers involved shall complete an Incident Report when the Taser is used. The Watch Commander shall be responsible for completing the Use of Force Report (See Attachment 1). The Watch Commander or the other trained staff who used the Taser will complete the Supervisory Taser Use Report (See Attachment 2).
6. Prior to the deployment of the Taser, the Watch Commander, Intake Service Center Supervisor, Transportation Supervisor or Transportation Officers shall ensure all available means to resolve the situation peacefully have been exhausted, unless the rapid development of the situation requires immediate deployment of the Taser.
7. Once the decision has been made to use the Taser, it will be used in accordance with product instructions and training techniques.
8. The Taser may only be used in instances where physical force is imminent. Whenever possible, the Taser shall be utilized before any physical contact.

NOTE: Examples of situations that may call for the use of the Taser are described in the Use of Force Policy # 823.

9. The Taser will not be used until an inmate displays some form of active resistance. The mere refusal to obey a directive is passive resistance and force will not be used until the inmate commences to physically resist.
10. Officers will be prepared to immediately enter the area to restrain or assist the inmate. Action of the Taser may cause an inmate to

fall immediately to the floor and officers will be ready to prevent the inmate from injuring himself/herself.

11. Inmates not involved will be moved from the area of the disturbance, in order to isolate the inmate(s) involved. This will be completed prior to the use of the Taser to avoid involvement of other inmates or secondary injuries from an inmate falling to the floor.
12. Any unauthorized or unreported use of the Taser is prohibited and will subject the user to disciplinary action.
13. It is the decision of the Department of Justice Services to allow police officers to carry tasers on their person within the secure perimeter of the Intake Service Center Law Enforcement Lobby Only. Signs will be posted at the entrance of the Intake Service Center within the secure sallyport tunnel. Tasers or pepper spray will not be allowed anywhere else in the secure perimeter and must be secured in lockers.

B. Instructions for Use of the X26 or X2 Advanced Taser.

- 1-14. Portions of this record are closed pursuant to Section 610.021 (19) (21) RSMo and Section 114.020 (18) (20) SLCRO because public disclosure of such portions would threaten public safety by compromising the safe and secure operation of the Jail, and the public interest in nondisclosure outweighs the public interest in disclosure of the portions of such records.

C. Reports

1. A Use of Force Report will be completed by the Watch Commander whenever the Taser is used. (See Policy # 823 Use of Force)
2. The Watch Commander or other trained staff who used the Taser will complete a Supervisory Taser Use Report.
3. All officers involved in the incident will complete an Incident Report when the Taser is used.
4. Reports shall be completed prior to the end of the shift.

D. Instructions For Use of the Taser On the Bus

1. Transportation Officers are only authorized to use the Taser when it is reasonable and necessary to protect themselves or another from an immediate threat of physical force or to bring a volatile situation safely and effectively under control. When “Use of Force” is necessary; officers will consider and employ all control options by following the “Use of Force” guidelines prior to employing the Taser; unless it is determined that all other options would not be appropriate.

NOTE: The threat of violence or verbal abuse will not justify the use of the Taser.

2. Each situation is unique. Good judgment and the circumstances of each situation will dictate the level on the “Use of Force” continuum at which the officer will begin. Officers should avoid using pepper spray on the bus; pepper spray could injure inmates who are not actively involved in the situation. Pepper spray could also contaminate the atmosphere in the bus; preventing officers from operating the vehicle safely for an extended period of time.
3. The Taser will be checked by an officer trained in use of the Taser to ensure the Taser is fully charged, prior to placing the Taser on the bus.
4. Use of the Taser on the Bus

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E. Care of the Taser

1. The Taser is a sensitive electronic product and costly device that will be encased in its protective holster when not in use. Care must be taken to avoid dropping the unit and to assure that it is adequately secured at all times.
2. Always replace air cartridges by the expiration date and use expired cartridges for training purposes only.

F. The Remote Electronic Activated Control Technology (REACT) Band-It System

1. The REACT Band-It System has been adopted to provide a safe, effective restraint device for use on inmates during trials, and with “High Risk Transportation Details”. The REACT Band-It System is a less-than-lethal way to maintain courthouse security and it is designed to protect everyone involved in the transport of prisoners – Transportation Officers, judges, court officers, medical personnel, the public and the defendants themselves. This device can reduce the physical force needed to effectively control inmates who become combative, hostile or attempt to escape. During high risk trials, the REACT Band-It System will be used in conjunction with the leg brace. The REACT Band-It System can also be used in combination with other restraints during “High Risk” transportation details.

2. General Information for the REACT BAND-IT System

- a. No officer will operate the REACT BAND-IT System unless that officer has completed the departmental training on the use of the REACT BAND-IT System. At no time will the REACT BAND-IT system be relinquished to untrained personnel.
- b. AT no point will the REACT BAND-IT System be used as a form of punishment.
- c. The REACT BAND-IT System will not be used on women who are known to be pregnant or any inmate known to have heart disease, multiple sclerosis or muscular dystrophy.

NOTE: The Transportation Supervisor will ensure the Control Officer will contact the Corrections Medicine staff to determine if the inmate is known to be pregnant or known to have a heart disease, multiple sclerosis or muscular dystrophy.

- d. Any unwarranted or unreported use of the REACT BAND-IT System is prohibited and will subject the user to disciplinary action and/or criminal charges.

3. REACT BAND-IT System Pre-Use

- a. The Control Officer will complete the REACT System Implementation Form and checklist #91-01, in its entirety, every time the REACT BAND-IT System is applied to a subject.

- b. All inmates wearing the REACT BAND-IT System are to be informed in advance that the device will be activated, if they attempt an assault or make any hostile movements during the court proceeding, or if the inmate attempts to escape custody or tamper with the REACT BAND-IT System. After the REACT BAND-IT system is applied, the Inmate Notification Form #91-02 will be completed by the Control Officer and the inmate. If the inmate refuses to sign, the Control Officer will have a Transportation Officer sign as a witness that the inmate refused.

NOTE: Only one initial form is needed when an inmate is on trial.

- c. The Transportation Supervisor will ensure all completed forms are kept and filed in the Transportation Department due to potential litigation.

4. Appropriate Use of the REACT BAND-IT System

- a. The REACT BAND-IT System may be placed on an inmate to provide added security and restraint during high risk trials and when dealing with a “High Risk Transportation Detail”.

NOTE: Prior to a proceeding (e.g., trial, hearing, etc) the Judge, Prosecuting Attorney and Defense Attorney will be notified that the REACT BAND-IT system has been placed on the defendant.

- b. The REACT BAND-IT System will only be activated under the following circumstances:
 - (1) Any outburst or sudden movement
 - (2) Any hostile act
 - (3) Any tampering with the REACT BAND-IT System
 - (4) Any attempt to escape custody
 - (5) Any overt act against any person
- c. Immediately after the REACT BAND-IT System has cycled, secure the inmate with the appropriate restraints in order to fully control the inmate.

- d. In the event the inmate is able to resist being immobilized after a single use, a second activation may be initiated.
 - e. Subsequent activations will be used only if the inmate is still actively attempting assault or escape. If the inmate's actions are limited to resistance to being secured, other physical restraint techniques will be attempted.
 - f. Before activating the REACT BAND-IT System, and only if possible, verbal warnings will be given. Use of the systems audible tone as a warning will be used as a last opportunity for the inmate to cease and desist. However, acts of aggression or escape will warrant an immediate response.
5. The Transportation Supervisor or Watch Commander will be notified in a timely manner after the REACT Band-It System has been activated. If the REACT Band-It System is activated in the courtroom, the Director, Assistant Director and Superintendent II of Security will be notified by the Transportation Supervisor or Watch Commander.
6. The Transportation Supervisor or Watch Commander will notify the Corrections Medicine staff so the inmate can be seen upon the inmate's return to the facility.
7. Reports
 - a. All officers involved in the incident will complete an Incident Report when the REACT BAND-IT System is used.
 - b. A Use of Force Report will be completed by the Transportation Supervisor or Watch Commander whenever the REACT BAND-IT System is used. (See Policy #823 Use of Force)
 - c. On every occasion that the REACT BAND-IT System is activated, a written report will be completed by the activating officer before he/she goes off duty. The report will include:
 - (1) The observed action of the inmate prior to activating the REACT BAND-IT System

- (2) The observed reaction of the inmate at the time of activation
 - (3) Description of any observable marks or injuries to the inmate.
- d. All other reports will also be completed prior to going off duty.