

Control Devices and Techniques

301.1 PURPOSE AND SCOPE

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

301.2 POLICY

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

301.3 RESPONSIBILITIES

301.3.1 SHIFT SERGEANT RESPONSIBILITIES

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

301.3.2 RANGEMASTER RESPONSIBILITIES

The Rangemaster/Armorer shall control the inventory and issuance of all control devices and shall ensure that all damaged, unsafe, inoperative, outdated or expended control devices or munitions are properly disposed of, repaired or replaced. The Rangemaster/Armorer shall review, inspect and approve all authorized control devices prior to issuance/departmental use.

Every control device will be inspected annually by the Rangemaster/Armorer or the designated instructor for a particular control device. This safety inspection shall be documented.

301.3.3 USER RESPONSIBILITIES

All normal maintenance, charging or cleaning shall remain the responsibility of personnel using the various devices. When not carried in a duty gear holster or otherwise readily available while on-duty, all control devices shall be safely stored in the member's assigned locker.

Any damaged, unsafe, inoperative, outdated or expended control devices or munitions, along with documentation explaining the cause of the damage, shall be removed from service and returned to the Rangemaster/Armorer for disposition. A damage to State property memo shall also be prepared and forwarded through the chain of command, when appropriate, explaining the cause of damage/reason for removal.

301.4 CONDUCTED ENERGY DEVICE

Refer to the Conducted Energy Device policy for guidelines related to Department issued TASER devices. The department approved Taser currently issued for patrol use is the Taser 7.

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301.5 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 vest. 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.

The department approved baton currently issued for patrol use is the 26" friction lock Monadnock Expandable Baton (MEB). The department also issues a 36" straight Monadnock wooden baton to officers for use as directed during a crowd control situation.

301.6 OLEORESIN CAPSICUM (OC) GUIDELINES

As with other control devices, oleoresin capsicum (OC) spray and pepper projectiles 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. Pepper projectiles and 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.

The department approved OC spray canister currently issued for patrol use is the First Defense MK-4 (.4% formulation).

301.6.1 OC SPRAY

Uniformed personnel carrying OC spray shall carry the device in its holster on the equipment belt or 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.

301.6.2 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.

301.7 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. Such notice should include advisement that clean up will be at the owner's expense. Information regarding the method of notice and the individuals notified should be included in related reports.

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301.8 TRAINING FOR CONTROL DEVICES

The Training Sergeant shall ensure that all personnel who are authorized to carry a control device have received documented training from a certified weapons instructor and have demonstrated proficiency before being issued the specific control device. In addition authorized personnel shall complete documented refresher training every year.

- (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.

301.9 REPORTING USE OF CONTROL DEVICES AND TECHNIQUES

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