


# MONROE COUNTY SHERIFF'S OFFICE

## General Order

<b>CHAPTER:</b> 031		<b>TITLE:</b> Weapons
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 <b>Sheriff of Monroe County</b>		

- I. **PURPOSE:** The purpose of this directive is to establish guidelines governing the possession of authorized weapons carried by Monroe County Sheriff's Office (MCSO) deputies.

### II. DEFINITIONS

- A. **Double-Action:** A weapon capable of cocking the hammer and firing with a single pull of the trigger. The hammer takes two actions on each trigger pull, the first cocking the hammer to the rear and the second releasing the hammer to go forward and fire the weapon.
- B. **Long Gun:** Any shotgun, carbine, rifle, or other firearm with a barrel length greater than 8 inches or an overall length of 14 inches or more.
- C. **Single-Action:** A weapon, which will not cock the hammer and fire with a single pull of the trigger. It requires manual cocking of the hammer to be ready to fire. The hammer is capable of only a single action or direction when the trigger is pulled, that of firing.

### III. POLICY AND PROCEDURE

#### A. TRAINING

1. Biennially, each deputy authorized to carry less-lethal weapons (e.g., bean bag rounds, baton, OC) is required to receive in-service training and demonstrate proficiency on those less-lethal weapons on the agency's use-of-force policies and demonstrate proficiency with all firearms and Electronic Control Devices (ECD) which the deputy is authorized to carry.
2. All proficiency training shall be monitored and documented by a certified instructor in that particular weapon specific to that training.
3. The training officer shall ensure that, prior to receiving authorization to carry lethal and less lethal weapons, all sworn deputies are given a copy and given instruction on how to access this policy and instructed in the content of this policy and procedure.

#### B. FIREARMS

1. **Authority:** F.S. 790.25 provides the legal authority for sworn deputies to carry and use firearms in the performance of their duties.
2. **Possession**
  - a. While on-duty or in uniform, deputies shall carry an authorized service handgun.

- 1) A concealed weapon may be carried in lieu of the primary service handgun with approval by a Division Commander for a special assignment.
  - 2) Deputies shall maintain current firearms qualification and proficiency with their primary (and alternate, if carried) firearms. Each deputy must qualify with all firearms carried for law enforcement purposes (or during off-duty) through an approved training course within 12 months of the deputy's last qualification date.
- b. Pursuant to Florida Law, deputies who are authorized to carry concealed weapons while off-duty may carry a concealed weapon in lieu of the service handgun while off-duty and not in uniform. In every event, while off-duty, all firearms carried shall be concealed from normal public view unless use of the firearm is necessary in the performance of his/her official duty.
  - c. Prior to carrying any firearm (on-duty or off-duty) the MCSO armorer or designated firearms instructor shall inspect and approve such firearm.
  - d. All weapons shall be inspected at each firearm qualification.
  - e. Defective, unsafe, or unauthorized weapons shall be disapproved for carrying.
    - 1) If the weapon is owned by MCSO, the armorer shall immediately take possession of the defective or unsafe weapon. A safe weapon shall be issued to the deputy upon successful qualification with that weapon.
    - 2) If the weapon is personally owned by the deputy, the deputy will be ordered not to carry the weapon from that point on by the armorer. A memo shall be sent by the armorer to the deputy's commander advising him/her that the weapon did not pass inspection, listing the make, model, and serial number and that the deputy is not authorized to carry that weapon on or off duty. An agency weapon may be temporarily assigned to the deputy upon successful qualification with the temporary weapon.
  - f. Internal or external modifications to any "authorized-to-carry" firearm shall not be made without prior approval and subsequent inspection by the MCSO armorer.
  - g. Ammunition carried by deputies while on or off-duty shall be issued or approved by MCSO.
  - h. Any long gun carried by the deputy shall be those issued or approved by MCSO. A deputy may request to carry a personally owned long gun. However, the gun must be an approved make and model, inspected and approved by an MCSO armorer and final approval granted in writing by the appropriate District Commander. No modifications shall be made to any weapon, unless approved by the MCSO armorer and the Undersheriff for all such weapons. Any such modifications will be made by the MCSO armorer only and inspected for compliance at each qualification. Any deficiencies or unauthorized modifications found shall be reported to the deputy's District Commander and the weapon shall be immediately removed from service.
  - i. Every deputy who carries a long gun shall only do so after successful qualification and training with each weapon carried. The deputy must qualify annually with each weapon approved for carry. Long guns shall be stored in a case approved by MCSO and will be located in the trunk of the deputy's assigned vehicle while on duty.

- j. Regardless of the inspection procedures described above, it is the personal responsibility of every deputy to regularly inspect and maintain his/her firearm, ammunition and related equipment to ensure that those items are capable of functioning safely and properly. Any observed or suspected malfunctions shall be promptly repaired by an MCSO-approved gunsmith or the MCSO armorer, and defective equipment shall not be used or carried until it is completely operable and safe and re-inspected.
  - k. The Training Division shall maintain a record of each weapon approved by the agency for official use.
- C. AUTHORIZED FIREARMS AND AMMUNITION:** All service handguns shall be double-action only. No single action handguns are allowed. All weapons will be carried in the double-action mode, which is decocked and requiring the hammer to travel in two different directions when the trigger is pulled to fire. On semi-automatic pistols, the weapon will be carried with a round chambered and all external safety or decocking levers will be left in the firing position so that the only action necessary to fire the weapon will be to pull the trigger.
- 1. Deputies are authorized to carry;
    - a. 9MM, .40 or .45 caliber semi-automatic pistol with a barrel length of not less than 2.5 no more than 5.5 inches and a cartridge capacity of not less than seven (7) rounds. Authorized manufacturers are:
      - 1) Beretta
      - 2) Glock
      - 3) H & K
      - 4) Kimber
      - 5) Ruger
      - 6) Sig Sauer
      - 7) Smith & Wesson
    - b. .380 caliber semi-automatic pistol (for plainclothes, off-duty, or back-up to duty weapon) with a barrel length of not less than 1.75 inches and not more than four (4) inches and a cartridge capacity of not less than five (5) rounds. Authorized manufacturers are:
      - 1) Beretta
      - 2) Glock
      - 3) H & K
      - 4) Kimber
      - 5) Sig Sauer
      - 6) Smith & Wesson
      - 7) Walther
    - c. Pistol Mounted Optics (PMO)
      - 1) Deputies wishing to carry a Pistol Mounted Optic (PMO) system on their service weapon handgun must first complete an approved in-house or other department-approved PMO-specific training course and qualify with their duty weapon using the PMO and co-witnessed suppressor height Back-Up Iron Sights prior to carrying the weapon.
      - 2) These may be issued to members at the Sheriff's direction. All other members who wish to carry a PMO may do so at their personal cost.
      - 3) The only approved weapon systems with modular slide mounted cut-out mounting systems and PMO shall be Glock manufacture.

- 4) Suppressor height iron sights must co-witness through the optic window and be useable in the event of an optic or battery failure.
- 5) The training division shall maintain a list of approved PMO sights and maybe amended by the SWAT Commander.
- 6) Duracell is the only authorized battery and will be changed out-at least once a year at the range prior to annual qualifications
- 7) All holsters shall be a Level III Retention

d. Weapon Mounted Lights

- 1) Deputies are authorized to mount a flashlight on the factory pistol rail system.
- 2) At no point shall a weapon be displayed and used for the sole purpose of using the weapon mounted light solely for illumination.

2. MCSO will issue a semi-auto pistol; authorized personnel may purchase a semi-auto pistol for duty use.

3. The only authorized holsters for uniform or plain clothes use are those of a SS III standard or above. Any deputy desiring to carry an alternate approved service sidearm is required to purchase the approved holster for that weapon.

4. The authorized duty shotgun is the Remington 870 pump 12 gauge shotgun with an 18 inch barrel for patrol with or without an extended magazine.

5. Authorized semi-automatic patrol rifles and accessories.

a. Patrol Rifles: .223 caliber or 9mm of the Colt AR-15 style, with a barrel length of not less than 16 inches, semi-auto only, no Class B weapons. Flash suppressors are not used to calculate the length of a barrel. Authorized manufacturers are:

- 1) Bushmaster
- 2) Colt
- 3) Daniel Defense
- 4) Rock River Arms
- 5) Sig Sauer
- 6) Smith & Wesson

b. Accessories

- 1) Sights from the approved list as in (C 5) above. No telescopic sights are permitted. Must maintain a rear sight (flip up) for use in the event the holographic sight system fails.
- 2) Lights: attachments intended to illuminate the target or area as long as they do not interfere with the sight system

c. Restrictions

- 1) Ammunition: No tracer or armor piercing ammunition is allowed
- 2) Laser aiming devices are not permitted
- 3) Sound suppression devices are not allowed

6. SWAT-Only Authorized Long Guns

- a. Full Automatic M16 style .223 rifle
- b. .308 caliber police marksman rifles

c. HK MP5, 9mm sub-machine gun

7. Only weapons meeting MCSO-authorized specifications shall be used in the performance of duty.
8. Only ammunition issued by and/or approved by MCSO is authorized to be carried on or off duty in any firearm used in the performance of duty.

**D. AUTHORIZED DUTY USE AMMUNITION: Federal Ammunition (State Bid Pricing)**

- |                          |  |                                  |
|--------------------------|--|----------------------------------|
| 1. .380 cal              | 90-95 grain  | Hydra Shock Hollow Point (HSJHP) |
| 2. 9 mm                  | 124 grain  | Speer Gold Dot hollow point      |
| 3. .40 cal               | 180 grain  | "Tactical HST"                   |
| 4. .45 cal               | 230 grain  | "Tactical HST"                   |
| 5. .233 cal<br>(5.56mm)  | 55 grain tactical urban rifle ballistic tip.<br>(Issued to Road Patrol personnel authorized to carry patrol rifles.)       |                                  |
| 6. .223 cal<br>(5.56mm)  | 55 grain ballistic tip<br>(Issued for SWAT/Sniper applications only)   |                                  |
| 7. .308 cal<br>(7.62 mm) | 168 grain ballistic tip, hollow point<br><br>180 grain Black Hill Nosler Accubond<br>(Issued for Sniper applications only) |                                  |

Note: MCSO will make every effort to use Federal Ammunition as outlined in the state bid pricing. However, deviations from the state bid pricing may occur due to ammunition shortages. In those cases, the single source bid policy of MCSO may be followed as recommended by the MCSO lead firearms instructor and approved by the Undersheriff.

**E. FIREARMS PROFICIENCY**

1. Deputies, on and off duty, shall carry only those firearms for which current proficiency and successful qualification has been demonstrated and recorded. Carrying sport firearms for hunting or other lawful sports, pursuant to Florida law, is exempt from this procedure.
2. All firearms qualification and training scores shall be kept as part of the deputy's official training file.
3. The official qualification records shall include:
  - a. The deputy's name;
  - b. The date of qualification;

- c. A description of the weapon, as to make, model, caliber or gauge, and serial number;
  - d. The type of ammunition used to qualify; (i.e. dirt range ammo or duty brand ammo)
  - e. A notation of which courses of fire were passed or failed; and
  - f. The signatures of the deputy and firearms instructor attesting to the qualification score.
4. Firearms instructors shall have the duty and responsibility to disqualify any deputy for substandard firearms proficiency on the basis of unsafe handling or insufficient weapons orientation regardless of proficiency score..
  5. Failure to maintain firearms proficiency: Employees authorized to carry firearms are required to maintain competence and to demonstrate proficiency with their service firearms within 12 months of the member's last qualification date.
  6. If a deputy fails to show proficiency at the time of a firearms qualification attempt the following will occur:
    - a. The firearms instructor shall:
      - 1) Immediately contact the Training Director and the deputy's commander.
      - 2) Immediately give the deputy a direct order that they are to not carry their firearm and not to take any law enforcement action.
      - 3) Instruct the deputy that they are to wait at the range until a commander arrives.
    - b. The deputy's commander or their designee shall:
      - 1) Respond to the firearms range.
      - 2) Issue the deputy a written order that the deputy is not to carry their firearm and, in the case of office-issued firearms, relieve the deputy of that firearm. The order shall include that the deputy is not to take any law enforcement action.
      - 3)
      - 4) Take possession of the deputy's issued vehicle due to his/her inability to take necessary law enforcement action that may require the use of a firearm.
      - 5) Reassign the deputy to a position not requiring any law enforcement action.
      - 6) Return the department firearm to the Training Division as soon as practical.
      - 7) Ensure the deputy is scheduled for proficiency remediation training.
    - c. Remediation:
      - 1) Training will provide up to 16 hours of classroom and range remediation training.
      - 2) If the deputy fails to demonstrate proficiency the firearms instructor will immediately notify the deputy's commander and reschedule the deputy for a second remediation training session of up to 16 hours.
      - 3) If the deputy fails to demonstrate proficiency following the second remediation, the deputy's commander will be immediately notified
    - d. The deputy's commander will consult with the Major, Bureau of Law Enforcement (BLE) as to what further action should be taken, which may include reassignment to a non-law enforcement position until the deputy can demonstrate firearms proficiency.
  7. Deputies shall not be assigned to duties requiring firearms unless firearms proficiency requirements are met and demonstrated.

8. Failure to demonstrate competence with service firearms shall be cause for disciplinary action up to and including withdrawal of appointment.

#### **F. DISCHARGE OF FIREARMS:**

1. Deputies are authorized to discharge their firearms under the following conditions:
  - a. When there is a reasonable belief that such force is necessary to
    - 1) prevent imminent death or great bodily harm to the deputy or another individual
    - 2) apprehend the perpetrator of a felony, which involved the use or threatened use of deadly force and the individual who is sought, poses an immediate threat to the life and/or safety of the deputy or other individuals.
  - b. To kill seriously injured or dangerous animals when any other disposition is impractical, or other means have failed, and only if it is safe to do so.
  - c. When a deputy is abandoned or so isolated that his or her only hope of being found is by someone hearing his/her gunshot.
  - d. During official MCSO training sessions where so authorized by an instructor.
  - e. During qualification.
2. Deputies who discharge firearms in the line-of-duty or while acting in an official capacity while off-duty, other than for training or qualification purposes, shall submit a written report of the incident to the Sheriff via the chain-of-command.

#### **G. RESTRICTIONS**

1. Certain courts, correctional facilities, and medical facilities prohibit the carrying of firearms on their premises. Deputies are required to be familiar with all institutional restrictions concerning firearms. Questions concerning the legitimacy of institutional restrictions shall be referred to the deputy's supervisor.
2. The discharge of warning shots by a deputy is strictly prohibited.
3. Commercial airlines restrict the carrying of firearms. When it is not essential that a deputy carry a firearm on board a commercial aircraft, firearms shall be unloaded and secured with checked luggage prior to the flight.
4. When it becomes necessary for a deputy on official business to carry a firearm on board a commercial aircraft, deputies shall adhere to the following procedures:
  - a. A memorandum must be sent to the Sheriff outlining the purpose for flying while armed. The memorandum must provide the name of the airline and the itinerary. If the Sheriff approves the itinerary a National Law Enforcement Telecommunication System (NLETS) message will be sent to the Federal Air Marshal's (FAM) office in Atlantic City, New Jersey. FAM personnel will send a confirmation NLETS message authorizing the deputy to fly while armed.
  - b. At the airport, the deputy will tell airline ticket counter personnel that he/she is flying armed. The deputy will present his/her badge and issued MCSO identification.

- c. At the security checkpoint, the deputy will ask to talk with a Transportation Security Administration (TSA) supervisor.
- d. The deputy will tell the TSA supervisor that he/she is flying armed. The deputy will again present his/her badge and identification. The TSA supervisor will ask about the NLETS message and may ask to see the message.
- e. The deputy will show the TSA supervisor the NLETS message. However, the deputy will retain the NLETS message.
- f. The TSA supervisor will escort the deputy through the security checkpoint.
- g. The deputy will pre-board the plane and meet with the Captain of the plane.
- h. The deputy will present his/her badge and identification to the Captain and meet with any other law enforcement officer who is flying armed.
- i. The Captain of the plane has the final authority to determine if the deputy will fly while armed. The Captain may require the deputy to surrender his/her weapon while aboard the aircraft.
- j. The deputy may choose to not fly on a flight if the Captain of the plane requires the deputy to surrender his/her weapon while aboard the aircraft. However, the deputy will have to send another NLETS message requesting permission for a new itinerary.

#### **H. ASSIGNMENT OF SHERIFF'S OFFICE FIREARMS AND CARE**

- 1. Deputies assigned a weapon shall be personally responsible for its safekeeping both on-duty and off-duty.
- 2. All deputies who possess issued or personally owned firearms shall keep the firearms in a securely locked box or container or in a location which a reasonable person would believe to be secure or shall secure it with a trigger locking device to prevent it from being discharged.
- 3. Deputies, while off-duty, shall not store firearms inside their issued vehicle unless the firearm is secured with a locking device/container mounted to the inside of the vehicle.
- 4. Deputies, while off-duty shall not store issued laptop computers, ballistic vests and any clothing with police identifiers in their issued vehicle.
- 5. Issued weapons may not be loaned by assigned deputies.
- 6. Upon termination from MCSO, all issued weapons and ammunition except for Tasers will be returned to the Training Unit.
- 7. Upon assignment to MCSO, all issued weapons and ammunition except for Tasers will be issued by the Training Unit.
- 8. Training will provide an executed receipt for issued, returned and transferred weapons. Training will then forward this information to the inventory specialist in Finance who shall keep a permanent file of these records.



9. Issued firearms shall remain the property of MCSO and shall be available for inspection and inventory during each annual inventory period. The Sheriff may award a Deputy his/her firearm upon retirement.
10. Issued firearms shall only be used for law enforcement purposes.
11. MCSO long guns shall be carried when issued by the office. Only armorer-approved shotguns are authorized. Permission from the Sheriff is required to carry models other than those issued by MCSO.
12. Issuance of firearms for use during emergencies or civil disorders may be by verbal approval from a Division Commander.

## **I. FIREARMS SAFETY**

1. Holsters shall not be unsnapped nor shall sidearms be removed from the holster unnecessarily.
2. Loaded long guns shall not be brought inside any MCSO building unless a deadly-force emergency exists within the structure.
3. Long guns shall be carried perpendicular (muzzle up) to the floor by the grip with no fingers in the trigger guard. These weapons will be carried with the slide back, safety on, and chamber and magazine empty. Other items of equipment shall not be carried at the same time in the hand carrying the weapon. Gas guns should be carried and action open, thus, it may not be practical for the weapon to be carried vertically.
4. After a situation has arisen requiring a round to be chambered in a shotgun and the situation no longer requires a chambered round, it should be removed as soon as practical. The incorrect way to unload the shotgun is to cycle rounds through the action. The correct way to unload is to open the action and drop any rounds that were in the chamber into your hand (not a hard surface), then push the Shell Lifter up and release any remaining rounds from the magazine tube. To release rounds from the magazine Tube, simply depress the Shell Stops.
5. Shotguns shall be carried when ready for duty with the magazine full and the chamber empty, the action will be closed and the safety in the "ON" and safe position with the weapon in a condition ready for use where the action may be worked without utilizing the Action Bar Lock. To place the weapon in this mode, when it has been absolutely assured that the chamber is, in fact, empty, point the muzzle in a safe direction and pull the trigger and then return the safety to the "ON" and safe position.
6. Deputies shall store firearms in their care in a safe and secure area.
7. All personnel utilizing the shotgun should be aware of an extremely important fact. In all Crossbolt Safety Weapons, the Safety engages the Trigger of the weapon. That is, when the weapon is in battery or cocked, the Trigger Sear is actually holding the Hammer to the rear. The Safety is not blocking the Hammer. If the weapon is dropped or receives a strong jarring action, the Hammer may fall or the firing pin may move forward with enough kinetic energy, causing an accidental discharge.

- J. WEAPONS SELECTION AND DEPLOYMENT OF THE LONG GUN:** The primary purpose of the deputy's handgun is to provide short range defensive actions that occur spontaneously. It is always available on their person for this reason. When proceeding to an incident where a known suspect weapon is involved or other situation that has a high index of probability of a firearms engagement, a long gun should be employed. Long guns offer much greater accuracy, more effective incapacitation probability, greater range, increased penetration for suspects utilizing cover or body armor, and a higher level of presence, which alone may be enough control to stop the suspect's resistive behavior. The greater accuracy of the rifle helps to reduce the risk of unintended injuries to innocent bystanders. The deployment of a long gun may also be advised on high-risk responses such as felony vehicle stops and guarding a perimeter from a position of cover at a distance. In addition, the use of a shotgun provides access to less lethal munitions, such as beanbag rounds, that may incapacitate a suspect from a distance who has a close range threat such as an edged weapon.

### **Shotgun**

1. **Less Lethal Munitions:** By loading the Remington 870 pump shotgun with bean-bag rounds or other approved less lethal munitions, a deputy may engage a suspect who is armed with a short range threat, such as a blunt striking object or an edged weapon, from a position of safety without the necessity to employ lethal controls of resistive behavior.
  - a. Prior to being issued or using less lethal munitions, a deputy will be required to take a specialized course in their use and pass a proficiency test.
  - b. A primary shooting deputy with a gun will be identified and put into place before deploying less lethal munitions, in case the less lethal munitions fail or if the threat escalates to imminent danger to either deputies or the public.
  - c. The deputy who will employ the less lethal munitions will completely empty the shotgun
  - d. All shotguns will be equipped with a sling and additional shell carrier.
2. **Lethal Ammunition:** The standard loading of the Remington 870 is .00 Buck ammunition. It consists of 9 pellets of approximately .32 caliber and is effective out to 15 yards with an approximate 15 inch pattern at that distance.

### **K. AUTHORIZED LESS LETHAL/ INTERMEDIATE WEAPON**

1. All Less Lethal/Intermediate Weapons used for duty shall be issued by MCSO and the deputy must have successfully completed certified training in and show proficiency in the use of each particular weapon carried. They are:
  - a. OC aerosol gas
  - b. Expandable Straight Baton
  - c. Electronic Control Device Taser
  - d. All Munitions (SWAT only)
  - e. Bean-Bag Munitions
2. All officers while in uniform, regardless of duty assignment, are required to maintain certification and carry at least one less lethal/intermediate weapon as part of their duty belt.

3. In addition to the above, all uniformed officers with the rank of Sergeant and below, who are engaged in working a standard patrol shift are required to maintain certification and carry a Taser. This is in addition, to one other less lethal/intermediate weapon such as an expandable straight baton or OC aerosol gas.
4. While deputies are trained to carry less lethal/intermediate weapons for duty, they are not directed to do so while off duty.
5. Inspection
  - a. All less lethal/intermediate weapons will be inspected annually to ensure a safe and functional condition before use, during the period recommended by the manufacturer and/or during the required certification and re-certification training sessions.
  - b. All weapons found to be unsafe, defective or expired shall immediately be removed from service by the instructor.
  - c. The instructor/armorer shall make arrangements to have a safe, functional and current weapon issued to the deputy.
6. Training/Proficiency
  - a. For weaponless control techniques and less-lethal weapons other than the Taser, each deputy shall receive biennial in-service training. Each deputy shall receive annual in-service training on the Taser.
  - b. This proficiency training shall be monitored by a certified weapons or tactics instructor.
  - c. This training and each deputy's proficiency shall be documented in the deputy's training record.
  - d. If a deputy fails to establish proficiency in a specified technique or with a specific less lethal/intermediate weapon:
    - 1) The instructor will:
      - a) Immediately give the deputy a direct order that they are to not carry the specific weapon or not use the specific technique.
      - b) Further order the deputy to report immediately to their commander for direction and possible temporary non-disciplinary reassignment.
      - c) Will immediately notify the deputy's commander and Training Commander that the deputy failed to demonstrate the specific proficiency.
      - d) Prepare a memo to the Undersheriff through the chain of command outlining the deputy's failure to establish efficiency as well as instructions, direction and notification.
    - 2) The deputy's commander will:
      - a) Issue the deputy a written order that the deputy is not to carry the specific weapon or use the specific technique and, if department owned, relieve the deputy of that weapon.
      - b) Ensure the deputy is scheduled for proficiency remediation training.

3) Remediation:

- a) The Training Division will provide classroom and practical remediation training until the deputy demonstrates proficiency or the instructor determines that further remediation would be futile.
- b) If the deputy fails to demonstrate proficiency following the remediation the deputy's Commander will be immediately notified by the Training Division.
- e. The deputy's commander will consult with the Major, BLE as to what further action should be taken, which may include reassignment to a non-law enforcement position until the deputy can demonstrate proficiency.

**L. USES AND CARRYING OF IMPACT BATONS**

1. Impact weapon: The MCSO-approved baton is a tool that can provide a means by which a deputy can defend himself/herself or another person from injury and a means of controlling subjects when a deputy is facing resistance. The policies of the carrying and use of impact weapons are as follows:
  - a. Deputies shall be issued a baton only after the successful completion of a course of instruction in the proper use and carrying of the baton as a defensive means of control, and must qualify biennially with it.
  - b. The defensive baton will be carried and/or utilized only as issued and authorized. No changes, alterations, modifications or substitutions to the baton may be made.
  - c. When utilizing the defensive baton, deputies shall use only that degree of control, which is necessary to protect civilians and law enforcement personnel from physical attack.
  - d. No deputy may carry an impact weapon with which he/she has not had initial training and Biennial Training thereafter.
  - e. The impact weapon should be carried in the baton holder, or in a low profile position, when the baton is not being used.
  - f. At no time shall a deputy unnecessarily brandish or use the impact weapon as an intimidation device unless the deputy is attempting to prevent the further escalation of resistive behavior.
  - g. All strikes with an impact weapon should be delivered to the following areas as appropriate to the level of resistance encountered:
    - 1) Primary Targets: Major muscle masses, such as the forearms, thighs or calves. These locations should be primary targets because of the low implications for subject injury. Impact weapon strikes to these locations normally create severe muscle cramping which inhibits a subject's ability to continue aggression.
    - 2) Secondary Targets: Joints or bones. These targets—the elbows, wrists, clavicle and knees—have a high probability of creating soft or connective tissue damage or bone fractures when struck with an impact weapon.

- 3) Final Target Areas: Head, neck and throat. Impact weapon strikes to these areas shall not be used unless the deputy is justified in the use of deadly force. These striking points have high implications of creating severe injury in the forms of great bodily harm or death.
  2. Any time a deputy finds it necessary to strike a subject with an impact weapon for purposes of control, the deputy will immediately contact a supervisor and inform the supervisor of the incident.
- M. MEDICAL AID:** Following the use of lethal or less lethal weapons on a subject, appropriate medical aid shall be provided to that subject.
- N. CHEMICAL AGENTS/OLEORESIN CAPSICUM (OC) SPRAY:** The MCSO-approved chemical agent is a tool that can provide a means by which a deputy can defend him/herself or another person when facing resistance in the form of active aggression. The policies of carrying and using MCSO-approved chemical agents are as follows:
1. No deputy shall carry any chemical agent in which he/she has not had initial training and biennial training thereafter.
  2. Oleoresin Capsicum (OC) spray may be carried as optional equipment on the utility belt.
  3. The chemical agent should be carried in an appropriate pouch and never displayed or pointed at another individual in horseplay.
  4. At no time is a deputy to unnecessarily brandish or use the chemical agent as an intimidation device unless the deputy is attempting to prevent escalation of force.
  5. Application of chemical agents against large groups of people will be at the command of the Sheriff or the designated second in command.
  6. Any time chemical agents are used for controlling a subject, the application of the chemical agent will end when the subject discontinues resistance or aggression.
  7. Chemical agents are irritating to the eyes, nose and skin. Any time a deputy uses a chemical agent for the purposes of subject control, the deputy will ensure that the subject receives adequate medical attention as soon as possible. If OC spray is used to affect an arrest, the arrestee must be allowed to flush his/her face with water as soon as possible. If the pain persists for more than 45 minutes, the arrestee must be transported to a medical facility for treatment.
  8. When a deputy books a subject who has been exposed to chemical agents, the deputy will advise the jail personnel to prevent unnecessary contamination of other jail personnel or occupants.
  9. Any time a deputy finds it necessary to use a chemical agent for subject control, the deputy will immediately contact a supervisor and advise him of the nature of the incident.
- O. HANDCUFFS AND RESTRAINTS:** The purpose of handcuffs, flex-cuffs, or transport handcuffs is to restrain the movements of a subject in a manner that provides a means of transportation for deputies. Restraints also prevent further physical resistance from subject. The MCSO policies for the use of restraints are as follows:
1. All subjects taken into custody should be handcuffed behind their back. This is to ensure the safety of the deputy or other citizens. The exceptions to this rule are:

- a. When the subject has an injury that does not permit his/her arms to move behind the back.
  - b. When the subject's age, physical condition, or physical limitations may also indicate a change in this procedure.
2. All subjects taken into custody should be hand cuffed behind their back and the cuffs double-locked. The exception to this rule is when the arrest environment is tactically unsafe for the deputy to double-lock the handcuffs.
3. If the subject complains that the handcuffs are too tight, the transporting deputy is to ensure that unnecessary tightness, which may prevent proper blood circulation, has not occurred and does not occur.
4. To ensure proper safety for deputies, all subjects will be handcuffed before being searched.
5. Except under exceptional circumstances, deputies should not handcuff a subject to fixed objects such as posts, buildings, etc. Under no circumstances; is an arrestee/inmate to be handcuffed to a vehicle.
6. It is not uncommon for deputies to arrest a subject, place them in restraints, and then have the subject start to resist. If the deputy does encounter this type of resistance, the deputy should utilize control techniques to prevent injuries to the deputy, property or the subject. The control techniques, however, should be limited to those that would not be construed as excessive.

#### **P. SPECIAL WEAPONS AND DEVICES**

1. In special unusual circumstances and situations, such as barricaded subjects and hostage incidents, certain weapons and devices must be utilized to bring the critical situation to a successful conclusion. In these situations, deputies trained in the use of special weapons and devices must be able to respond effectively and use the weapons or devices at their disposal. It shall be the policy of MCSO to use only OC or CS gas against barricade suspects or in hostage situations;
2. Prior to the delivery of any pyrotechnic gas, a fire department vehicle equipped to extinguish blazes and an emergency services vehicle with Emergency Medical Technicians (EMT) on board will be available.
3. The gas will be delivered by a deputy specifically trained in the gas; its dosage, and proper delivery systems.
4. The Deputy delivering the gas will select the most efficient delivery system (37-mm gun, 12 ga. "Ferret" or "hand-ball" grenade), which provides for adequate dispersal of gas and maximum safety of the Deputy.
5. The amount of gas to be delivered will be in accordance with standards set forth according to size of the structure to be gassed, and the welfare of those inside the structure (e.g., children, elderly persons with respiratory difficulty, etc.)
6. A de-contamination area will be established for the welfare of deputies, subjects/suspects, and/or hostages. The decontamination area will treat for exposure to the gas, and will offer water to flush eyes, skin, etc.
7. All personnel will wear gas masks when entering a contaminated structure.

#### **Q. DIVERSIONARY DEVICES**

1. In certain situations, stun devices may be used by trained personnel for the following purposes:
  - a. Diversion: To distract the subject's attention;
  - b. Signaling: To allow other Sheriff's Office employees to respond on cue;
  - c. Disorientation: The activation of a stun or "flash bang" devices in a room will serve to temporarily disorient a subject because of its intense light and noise.
2. Stun devices will not be used to inflict any injury to a subject or hostage. They will not be thrown at a subject in an attempt to harm with the explosive charge.
3. Stun devices will not be thrown at a subject except where lethal controls would be authorized. Stun devices will not be used in situations in which the potential injury to hostages, particularly juveniles or the elderly, out-weighs the benefit possibly created by the use of the device.
4. Deputies deploying stun devices will ensure that fellow deputies are not positioned in such a way as to be damaged by the concussion or outward flying glass or other debris.
5. In certain situations, in which the only alternative would be to destroy the animal, stun devices can be used to deter attacks from dogs or other animals.

#### **R. SMOKE**

1. In certain situations, smoke-emitting canisters and projectiles may be used by deputies specifically trained in their use. MCSO will not use smoke designed to emit a toxic product; it should be kept in mind, however, that all smoke devices can be fatal if used improperly. Smoke should not be deployed inside any structure due to a fire hazard. Deputies should realize that any burning agent uses the oxygen in the air and that inhalation of the smoke/fumes is not healthy and can cause respiratory difficulties and/or anoxia.
2. Smoke can be deployed:
  - a. To cover a deputy's advance to a target or retreat from a site;
  - b. To signal a group's advancement or retreat.
3. Fire/rescue units will be on hand to extinguish any fire created by the incendiary device. EMTs will be available to treat any smoke inhalation difficulties.

#### **S. PROHIBITED WEAPONS**

1. The carrying or use of any weapon not issued or not authorized by MCSO, whether on or off-duty, is strictly prohibited.
2. Prohibited weapons include, but are not limited to, the following:
  - a. Brass knuckles;
  - b. Nunchaku;
  - c. Non-approved nightsticks, batons or "billy clubs";

- d. Weighted gloves, or saps, including flat, leather-bound style, and spring loaded "slap jacks";
  - e. Non-issued electronic or impact weapons;
  - f. Any type of non-authorized or non-issued chemical gas or liquid delivery system.
- T. ANIMAL SHOOTING:** In the absence of an immediate danger to a deputy or others, the shooting of an animal will require the presence of the deputy's supervisor. The supervisor of the deputy involved shall conduct a thorough investigation of the incident and file the appropriate report