

HILLSBOROUGH COUNTY SHERIFF'S OFFICE

- I. PURPOSE: The purpose of this Standard Operating Procedure is to establish guidelines governing the carrying and use of the defensive baton by Sheriff's law enforcement deputies.
- II. SCOPE: This Standard Operating Procedure shall apply to all Sheriff's law enforcement deputies.
- III. DISCUSSION: Following training, defensive batons are provided to all law enforcement deputies as an intermediate, less-lethal defensive weapon.
- IV. PROCEDURE:
 - A. Training
 1. Deputies must be certified by the Training Bureau in order to carry and use the defensive baton both in-uniform and not-in-uniform.
 2. Certification requirements shall be established and maintained by the Training Bureau.
 - B. Authorized Baton
 1. The standard issue baton of the Sheriff's Office is the ASP F21C Tactical Baton manufactured by Armament Systems and Procedures, Inc.
 2. Deputies shall carry the issued ASP F21C Tactical Baton at all times while in uniform.
 - a. The baton shall be carried in the issued plain, black leather scabbard attached to the duty belt.
 3. Not-in-uniform deputies shall carry the issued ASP F21C Tactical Baton, or an alternate ASP Baton, at all times while engaged in official duties.
 4. Alternate ASP Batons include the ASP T16, ASP F16 and ASP T21 Tactical Batons.
 - a. These batons may be carried in a scabbard, pocket or purse by not-in-uniform Sheriff's deputies.
 - b. These batons may be carried off duty.
 - c. Training Bureau certification is also required for a Sheriff's deputy to carry any alternate ASP Baton.
 - d. Alternate batons must be manufactured by Armament Systems

and Procedures, Inc., and must be obtained by the individual.

5. Bailiffs may carry an alternate ASP Baton issued by the Sheriff's Office upon approval by the Sheriff and completion of approved training as established by the Training Bureau.

Amends or Supersedes:

HILLSBOROUGH COUNTY SHERIFF'S OFFICE

Number: 500.01

Walter C. Heinrich, Sheriff

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STANDARD OPERATING PROCEDURE

Date: 10/05/81

Rev: 12/01/89

SUBJECT: NON-DEADLY FORCE

INDEX AS: NON-DEADLY FORCE, USE OF FORCE

- I. **PURPOSE:** The purpose of this Standard Operating Procedure is to establish guidelines and reporting requirements for use of non-deadly force by deputies while in performance of official duties.
- II. **SCOPE:** This procedure shall apply to all Sheriff's law enforcement deputies involved in the use of non-deadly force for purposes of overcoming resistance to arrest, defense against physical assault or in performance of official duties. This procedure shall supplement but shall not supercede procedures for use of deadly force.
- III. **DISCUSSION:** The most important purpose of law enforcement is the protection of human life. In order to be consistent with that purpose, the use of non-deadly force must be limited to situations involving resistance to arrest, defense against physical assault or force necessary to perform official duties. The use of force shall be defensive and used in response to the use of overt violent action by a subject confronting a deputy sheriff engaged in the lawful performance of his/her duties.
- IV. **DEFINITIONS**
- A. **Deadly Force.** Force which is likely to cause death or great bodily harm.
- B. **Non-Deadly Force.** Force which is not likely to cause death or great bodily harm.
- C. **Restraining Force.** Force which is limited to holding and restraining persons, which shall include approved escort and take-down techniques, but shall not include pain compliance techniques.
- D. **Physical Force.** Approved pain compliance techniques used to overcome resistance to arrest.
- E. **Defensive Force.** Physical battery with hands or defensive baton to overcome violent resistance or to protect self or others from assault or injury.
- V. **PROCEDURE:** In accordance with Sheriff's Office training in the use of non-deadly force, Sheriff's deputies shall use only that degree of force necessary to overcome resistance and maintain control of a subject and/or situation during the performance of official duties.

The use of non-deadly force shall be based on the actions of the subject involved in the

confrontation, with the degree of force based on the degree of violence used by the subject. The use of non-deadly force shall be defensive, and used only in self defense, defense of another, in overcoming physical resistance to arrest, or in preventing escape.

VI. REPORTING REQUIREMENTS

- A. A supervisor shall be immediately informed of each incident involving the use of non-deadly force by Sheriff's deputies.
- B. Reporting requirements shall be left to the discretion of the arresting deputy and the supervisor when an incident involves the use of Restraining Force.
- C. Each incident involving the use of Physical or Defensive Force shall be reported in an incident report.
 - 1. The incident report shall be completed and delivered to a supervisor as soon as possible after the incident.
 - 2. Each deputy present or assisting in the incident requiring Physical or Defensive Force shall submit a supplement report describing the incident.
- D. Incident reports describing the use of Physical or Defensive Force shall include the following:
 - 1. The number of subjects and the number of deputies involved.
 - 2. Statements made by the subject(s) and statements made by deputies.
 - 3. The number of other persons at the incident scene, as well as their mood and any statements made.
 - 4. What defensive tactics the deputy used and to what part of the subject's body these tactics were applied.
 - 5. What the subject(s) did prior to the use of defensive tactics by the deputy.
 - 6. The names, addresses and telephone numbers of witnesses not involved in the incident.
 - 7. Photographs of the deputy involved if the confrontation resulted in injury or damage to the uniform or equipment.
 - 8. Any special knowledge about the subject and known by the deputy prior to the confrontation, e.g. special martial arts skills, previous resist arrest record, violent behavior in the past.
 - 9. The subject's close proximity to a firearm or weapon.
 - 10. Injury or exhaustion of the deputy during the confrontation, e.g. if the

confrontation involved several subjects.

11. The age, sex and physical size of the subject(s) involved in the confrontation.
12. Documentation of the deputy asking about any injury to the subject after the confrontation and the subject's response to the inquiry.
13. If the subject requires medical treatment, the time frame from the end of the confrontation to the arrival of medical personnel or the subject's arrival at a medical facility shall be documented.

VII. SUPERVISOR'S RESPONSIBILITIES

- A. Upon modification of the use of Restraining Force by deputies, a supervisor shall investigate the incident. When the use of Restraining Force or Physical Force has been necessary because of non-violent resistance, and when there are not significant or non-violent resistance, and when there are no significant injuries, reports of the use of Restraining Force shall not be required, and shall be at the discretion of the deputy and supervisor.
- B. Upon notification of the use of Physical Force with injury or Defensive Force by deputies, a supervisor shall initiate an investigation into the incident.
 1. The supervisor shall respond to the scene, conduct interviews and review the incident report describing the use of force.
 2. The supervisor shall address a memorandum to the Sheriff advising of any facts not covered in the report.
 3. In the absence of any discrepancies or additional facts, the supervisor's memo shall briefly advise that a supervisory investigation has been conducted and the facts are correct as stated in the incident report.
 4. The memo and a copy of the incident report shall be forwarded to the Sheriff through the chain of command without delay. No copies of the memorandum shall be made.
 5. When the memorandum and a copy of the incident report cannot be routed through the chain of command immediately, the memorandum and copy of the report shall be routed directly to the Division/District Commander and the incident shall be reported verbally through the chain of command.
 6. The memorandum shall be titled with the type of force used, e.g. Restraining, Physical etc. followed by the case number.

WALTER C. HEINRICH, Sheriff