



Title: Core General Order
COMPLIANCE TECHNIQUES

Number: 016.000

Issued Under Authority Of:
SHERIFF RICHARD KIRKLAND

Approval:

Effective Date:
02/03/98

Distribution:
All Commissioned Personnel

References: Graham v. Conner, 490 U.S. 386, 104 L.Ed.2d443, 109 S.Ct. 1865 (1989); Tennessee v. Garner, 471 U.S. 1,85 L.Ed.2d 1, 105 S.Ct. 1694 (1985); Nevada Revised Statutes 171.1455, 200.120, 20.140, 200.160, and 200.200.

Special Instructions: Supersedes General Orders 016.000, 260.050, 265.125, 320.000, and 320.050

I. PURPOSE

The purpose of this policy and procedure is to provide deputy sheriffs with guidelines on the use of techniques which are designed to allow them to defend themselves against physically aggressive subjects or to compel uncooperative subjects to obey a legal order.

II. DEFINITIONS

- A. Compliance Techniques - Techniques or devices which are designed to compel or constrain uncooperative subjects. These techniques or devices can include but are not limited to: officer presence, verbal commands, defensive tactics, impact weapons, Oleoresin Capsicum, electronic devices and less than lethal munitions.
- B. Deadly Force - Force which a person would reasonably believe could cause death/serious bodily harm.

016.001 POLICY

- A. The Sheriff's Office recognizes and respects the value and special integrity of each human being. However, there are individuals in our society who do resist our lawful actions. They may avoid arrest by flight, and/or resort to force or violence to commit their crimes, or harm the innocent and weak to further their illegal activities. Therefore, it is the policy of the Sheriff's Office that deputy sheriffs may use certain types of compliance techniques in order to overcome the efforts of these individuals.

The type of technique used must be reasonable in light of the circumstances known to the deputy at the time the technique is used. Deputies may use compliance techniques to make an arrest, to overcome resistance to their lawful actions, to prevent an escape or to retake an escaped or rescued prisoner, to defend themselves or another from an unlawful attack, to prevent a crime, and/or to maintain or restore order.

- B. Deputy Sheriffs shall use compliance techniques in accordance with constitutional law, the Nevada Revised Statutes, and their Nevada P.O.S.T. certified training. Deputy Sheriffs may not use force or any techniques that they have not been trained to use, unless they can specifically articulate a need that should only exist, in the most dangerous of situations.

016.002 AUTHORIZED WEAPONS AND TECHNIQUES

- A. Deputy sheriffs may carry and/or use those weapons and techniques for which they have received Sheriff's Office training.
- B. When a Deputy is faced with what he/she reasonably believes to be an imminent threat of death or serious bodily injury to the Deputy or to another person, the Deputy may use the weapons, techniques, and training mentioned above. If those weapons and/or techniques are not sufficient and the threat of death or serious bodily injury still exists, Deputies may use whatever means are available for the protection of themselves and/or others, and to perform or complete their sworn duties.
- C. As in all cases of individual action by a Deputy, particularly in cases of use of compliance techniques, it will always be the sole responsibility of the involved Deputy to explain, in specific detail, why a particular action or set of actions was utilized by the Deputy and how that action or actions are related to their training.
- D. Deputies are given discretion in the use of compliance techniques based upon their training; however, in no case may any compliance technique be used, which is more than is reasonably necessary to compel an individual to follow a deputy's legal directives.

016.003 REPORTING THE USE OF COMPLIANCE TECHNIQUES

- A. The immediate supervisor (or first available supervisor) will be summoned, as soon as reasonably practical, to the scene of an incident where a compliance technique has been used and where an injury or complaint of injury has occurred and assume control of command of the incident.

1. The Supervisor will be responsible for ensuring that all actions required by policies, procedures, laws, notifications, contractual concerns and whatever else common sense and the circumstances of the case dictate are accomplished in a timely manner.
- B. The Supervisor will not end his/her shift until ensuring that all requirements have been met.

016.004 **INVESTIGATING INCIDENTS INVOLVING COMPLIANCE TECHNIQUES**

- A. Supervisors will, as soon as reasonably practical, investigate incidents where compliance techniques have been used and have resulted in an injury or complaint of injury has occurred. They will complete a **Form S-261** and submit it to their supervisor by the end of shift.
- B. Officer involved shootings and the use of compliance techniques and/or weapon resulting in death or serious bodily harm will be investigated, as soon as reasonably practical, in accordance with the **Officer Involved Fatal Incident Protocol**.

ORDER OF **RICHARD KIRKLAND, SHERIFF**