

**BERNALILLO COUNTY SHERIFF'S DEPARTMENT
ALBUQUERQUE, NEW MEXICO**

INTEROFFICE CORRESPONDENCE:

August 22, 2000

TO: SHERIFF JOE BOWDICH

**FROM: D 1/C RONNIE WELLER, ACADEMY COORDINATOR
D 1/C PHIL DURAN, RECRUITER,
SUPPORT SERVICES DIVISION**

SUBJECT: RECOMENDED ELECTRONIC RESTRAINT DEVICE POLICY/ PROCEDURES

On July 26, 2000 we attended the M-26 Advanced Taser Instructor course, at the Albuquerque Police Department, Gerald Cline Memorial Substation

After the course a proposal was introduced to the Department for implementation of the M-26 Advanced Taser. The proposal prompted a request from Captain David Young, Support Services Division Commander, for creation of a Standard Operating Procedures Policy regarding issue and deployment of the M-26 Advanced Taser, (hereinafter referred to as Electronic Restraint Device or ERD). The following are our recommendations for inclusion into the S.O.P. during the next revision.

S.O.P. Section 314.00:

Rules and Procedures: Non Deadly force / use.

Paragraph F:

5. Electronic Restraint Device.

Reporting Uses of Force:

D. In all instances where an Electronic Restraint Device is deployed, (other than during training or for daily test deployment), Deputies shall:

- 1. Immediately notify their supervisor or the next available supervisor in their chain of command.**

2. Complete an Offense and Incident report detailing the date, time, location, and events surrounding the deployment of the ERD.
3. Complete an ERD deployment form.
4. Complete a download of the ERD computer log within five working days of the deployment. (M-26 Taser)
5. Turn in a copy of the ERD Download, Initial Offense and Incident Report, and ERD deployment form to the administration section within five working days.

Use of Force section 314.00 of the Standard Operating Procedures Manual.

ADD: Use of Electronic Restraint Device

- A. In order to determine which technique or weapon will reasonably de-escalate the incident and bring it under control safely, deputies should assess the situations where force is warranted. Deputies shall use only that force which is reasonably necessary to effect lawful objectives.
- B. Deputies will only use the less than lethal force Electronic Restraint Device (ERD) after receiving training and certification in its proper use, and according to departmental and manufacturer training guidelines.
- C. When feasible, every effort will be made by deputies deploying the Electronic Restraint Device, (ERD), to inform other involved deputies that a less than lethal weapon is being deployed.
- D. The use of a less than lethal Electronic Restraint Device (ERD) is authorized:
 1. At the discretion of the Deputy where the continued actions of a suspect places the suspect, citizens, or deputies at risk of injury and where physical contact of the subject would increase the likelihood of injury to the suspect, citizens, or deputies.
 2. In riot or crowd control to control and arrest principle suspects under direct authority of the squad leader or supervisor on the scene.
- E. Whenever possible a warning shall be given to the suspect prior to deployment of the ERD unless such a warning would increase the risk of greater injury to deputies, citizens or the suspect.

F. After deployment of the ERD medical attention shall be immediately provided to the suspect at the scene with follow up medical treatment at an appropriate medical facility.

G. Extreme caution should be used upon deployment of the ERD in areas where there is a potential for fire hazard such as flammable vapors, gases, or electronic spark hazard. The deputy will follow the guidelines as established in departmental training.

Reviewed by:

Sgt. John Harlan

Sgt. Roy Dennis

Lt. Robert Stelzer

Capt. David Young

Chief Worth French

Undersheriff Norbert Montoya

Rlw/Pd:rlw