

# 2009-2010 GRAND JURY REPORT

## Riverside County Sheriff's Department

### Less-Lethal Weapon Devices

#### Background

The Riverside County Sheriff's Department authorizes the use of special weapons that present a formidable psychological advantage to the user and may eliminate the need for the actual deployment of weapon systems. Less-Lethal Weapon systems are to be used when force is necessary in self-defense, defense of another, prevention of escape or serious injury to persons or property. One such Less-Lethal Weapon is the X-26 Taser.

The primary function of the X-26 Taser is to create neuromuscular incapacitation by interrupting the ability of the brain to control muscles in the body. The X-26 Taser fires two small dart-like electrodes, which stay connected to the main unit by conductive wires. This creates an immediate and unavoidable incapacitation that is not based on pain and cannot be overcome, according to the X-26 Taser instruction manual.

Some Taser models, such as the X-26 Taser, also have a "Drive Stun" capability, which is the process of using the X-26 Taser as a pain compliance technique by placing it against an individual's body. This is done by removing the cartridge, then the X-26 Taser is held against the target without firing the projectiles. This causes pain without incapacitating the target.

#### Findings

1. The Less-Lethal Devices Manual Addendum to Department Directive #06-020 II.F.1 states: "Maximum of four effective applications per incident, either drive stun or discharge mode, whether from a single or a combination of multiple Energy Conducted Weapon(s) units." A review of a Taser report provided by the Sheriff's Department shows the Taser was used eight times on the same individual in a span of less than one minute. (See Attachment 1, Lines 0059-0066)

2. The Less-Lethal Devices Manual Addendum to Department Directive #06-020 III.F.1.b states: "When deputies deploy the X-26 Taser they need to remain aware and attempt to limit the time of each discharge to no more than five seconds." The X-26 Taser has a built-in feature that allows the user to keep track of the number of seconds activated. Deputies do not always adhere to the five-second policy. Attachment 1 shows five usages in excess of five seconds on the same individual in a period of less than one minute.
3. There is inconsistency in the use of Less-Lethal Weapons in the Riverside County jails. One facility reported the first option to gain compliance would be the Oleoresin Capsicum (OC) spray (pepper), whereas another facility would rely on the X-26 Taser. The Riverside Sheriff's Department Corrections Division Policy and Procedures does not provide guidance regarding the prioritization of the use of Less-Lethal Weapons.
4. In a review of the Corrections Division Policy and Procedures Manual it was noted section 505.07.5.6 has no designated assignment on Emergency Response Team (ERT) for the use of the X-26 Taser. However, the Less-Lethal Devices Manual section on ERT states "Deploys the X-26 Taser as directed by the ERT Sergeant".

## **Recommendations**

**Riverside County Board of Supervisors  
Riverside County Sheriff's Department**

### The Riverside County Sheriff's Department should:

1. Establish written policy detailing the number of times a X-26 Taser may be used on an individual within a specified time frame.
2. Require sheriff supervisors conduct a detailed review of all X-26 Taser reports. If a report reveals non-compliance with written policies, appropriate disciplinary action should be administered to the violator.
3. Develop realistic training exercises to assist the deputies in determining which is the most appropriate Less-Lethal Weapon rather than relying on the X-26 Taser as the Less-Lethal Weapon of choice.
4. Conduct a thorough review and update of all documentation to ensure consistency.

Seq	GMT Time	Local Time	Duration	Temp	Battery
0042	13:33:41	08:33:41	1	26	26
0043	14:23:38	07:23:28	1	25	26
0046	03:06:23	20:00:23	1	25	26
0047	14:17:06	07:17:06	1	24	26
0048	01:50:10	18:50:10	1	25	26
0049	04:18:06	21:18:06	1	25	25
0050	03:11:20	20:11:20	2	25	25
0051	01:33:24	18:33:24	1	25	25
0052	01:42:01	18:42:01	1	24	25
0053	01:47:52	18:47:52	1	24	25
0054	01:49:35	18:49:35	1	24	25
0055	06:47:14	23:47:14	1	24	25
0056	08:42:09	01:42:09	1	25	25
0057	08:42:15	01:42:15	1	25	25
0058	09:41:44	02:41:44	1	24	25
0059	09:57:32	02:57:32	6	34	24
0060	09:57:40	02:57:40	6	35	23
0061	09:57:46	02:57:46	5	35	23
0062	09:57:59	02:57:59	6	36	22
0063	09:58:09	02:58:09	6	36	22
0064	09:58:18	02:58:18	6	36	21
0065	09:58:24	02:58:24	5	36	21
0066	09:58:30	02:58:30	5	36	21

## Recorded X26 Time Changes

Seq	GMT Time	Local Time	Change	Type
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End of Report

ATTACHMENT 1