

Gilbert Police Department BolaWrap Policy Manual

Remote Restraint Device

309.1 PURPOSE AND SCOPE

This policy provides guidelines for the issuance and use of BolaWrap™ 100 devices in order to minimize injury to suspects, subjects, and officers.

309.2 POLICY

The BolaWrap™ 100 device is intended to immobilize and control resistive/non-compliant persons and persons with known or suspected mental health issues. The BolaWrap™ 100 is a hand-held remote restraint device that discharges an eight-foot bola style Kevlar tether to entangle an individual at a range of 10-25 feet.

309.3 ISSUANCE AND CARRYING BOLAWRAP 100 DEVICES

The following guidelines shall be adhered to:

- (a) Only a department-approved BolaWrap™ 100 device that has been issued by the Department shall be utilized by personnel.
- (b) Only members who have successfully completed department-approved training may be issued and carry the BolaWrap™ 100 device.
- (c) All BolaWrap™ 100 devices shall be clearly and distinctly marked to differentiate them from the duty weapon and any other device.
- (d) Uniformed officers who have been issued the BolaWrap™ 100 device may wear the device in an approved holster on their person or secure in squad.
- (e) Non-uniformed officers may secure the device in the driver's compartment of their vehicle.
- (f) Officers shall be responsible for ensuring that their issued BolaWrap™ 100 device is properly maintained and in good working order.
- (g) Officers should not hold both a firearm and the BolaWrap™ 100 device at the same time.

309.4 VERBAL AND VISUAL WARNINGS

A verbal warning of the intended use of the "less lethal" device should precede its application, unless it would otherwise endanger the safety of officers or when it is not practicable

Remote Restraint Device

due to the circumstances. The purpose of the warning is to:

- (a) Provide the individual with a reasonable opportunity to voluntarily comply.
- (b) Provide other officers and individuals with a warning that the BolaWrap 100 device may be deployed.

The aiming laser should never be intentionally directed into the eyes of another as it may permanently impair his/her vision.

The fact that a verbal or other warning was given or the reasons it was not given shall be documented by the officer deploying the BolaWrap™ 100 device in the related report.

309.5 USE OF THE BolaWrap™ 100 DEVICE

The BolaWrap™ 100 device has limitations and restrictions requiring consideration before its use. The device should only be used when its operator can safely approach the subject within the operational range of the device. Although the BolaWrap™ 100 device is generally effective in controlling most individuals, officers should be aware that the device may not achieve the intended results and be prepared with other options.

309.5.1 APPLICATION OF THE BolaWrap™ 100 DEVICE

The BolaWrap 100 device may be used in any of the following circumstances, when the circumstances perceived by the officer at the time indicate that such application is reasonably necessary to control a person:

- (a) The subject is violent or is physically resisting.
- (b) The subject has demonstrated, by words or action, an intention to be violent or to physically resist, and reasonably appears to present the potential to harm officers, him/herself or others.

Mere flight from a pursuing officer, without other known circumstances or factors, is not good cause for the use of the BolaWrap™ 100 device to apprehend an individual.

309.5.2 SPECIAL DEPLOYMENT CONSIDERATIONS

The use of the BolaWrap™ 100 device on certain individuals should generally be avoided unless the totality of the circumstances indicates that other available options reasonably appear ineffective or would present a greater danger to the officer, the subject or others, and the officer reasonably believes that the need to control the individual outweighs the risk of using the device. This includes:

- (a) Individuals who are known to be pregnant.
- (b) Elderly individuals or obvious juveniles.
- (c) Individuals who are handcuffed or otherwise restrained.
- (d) Individuals detained in a police vehicle.
- (e) Individuals in danger of falling or becoming entangled in machinery or heavy equipment, which could result in death or serious bodily injury.
- (f) Individuals near any body of water that may present a drowning risk.

Remote Restraint Device

- (g) Individuals whose position or activity may result in collateral injury (e.g., falls from height, operating vehicles).

The BolaWrap™ 100 device shall not be used to psychologically torment, elicit statements or to punish any individual.

309.5.3 TARGETING CONSIDERATIONS

Reasonable efforts should be made to target lower extremities or lower arms. The head, neck, chest and groin shall be avoided. If the dynamics of a situation or officer safety do not permit the officer to limit the application of the BolaWrap™ 100 device to a precise target area, officers should monitor the condition of the subject if it strikes the head, neck, chest or groin until the subject is examined by paramedics or other medical personnel.

309.5.4 MULTIPLE APPLICATIONS OF THE BolaWrap™ 100 DEVICE

If the first application of the BolaWrap™ 100 device appears to be ineffective in gaining control of an individual, the officer should consider certain factors before additional applications of the device, including:

- (a) Whether the Kevlar cord or pellets/barbs are making proper contact.
- (b) Whether the individual has the ability and has been given a reasonable opportunity to comply.
- (c) Whether verbal commands, other options or tactics may be more effective.

309.5.5 ACTIONS FOLLOWING DEPLOYMENTS

Following the use of the BolaWrap™ 100 device:

- a) Personnel shall request a supervisor to the scene.
- b) The supervisor shall determine whether transporting the person to a medical facility is necessary to remove the pellets/barbs.
- c) If the supervisor determines that removal of the Kevlar cord is appropriate at the scene, the supervisor or officer shall remove the Kevlar cord using the department issued BolaWrap™ 100 cutter.
- d) The expended cartridge, pellets/barbs and Kevlar cord should be collected and submitted into evidence.

309.5.6 REPORTING THE USE OF THE BolaWrap™ 100

- a) The deployment of the BolaWrap™ 100 shall be documented by the officer and/or supervisor using the department approved BolaWrap™ 100 Evaluation form.
- b) The supervisor shall determine whether further documentation of the incident is necessary, in accordance with department policy.
- c) The supervisor shall also determine whether the barbs/pellets, cartridge case, or Kevlar cord should be collected as evidence, in accordance with department policy.

Remote Restraint Device

309.5.7 OFF-DUTY CONSIDERATIONS

Officers are not authorized to carry department BolaWrap™ 100 devices while off-duty.

Officers shall ensure that BolaWrap™ 100 devices are secured while in their homes, vehicles or any other area under their control, in a manner that will keep the device inaccessible to others.

309.6 DOCUMENTATION

Officers shall document all BolaWrap™ 100 device discharges in the related arrest/crime report, in a Use of Force Form and body camera video. Notification shall also be made to a supervisor in compliance with the Use of Force Policy. Unintentional discharges, pointing the device at a person and laser activation will also be documented on the report form.

309.6.1 BolaWrap™ 100 DEVICE FORM

Items that shall be included in the BolaWrap™ 100 device report form are:

- (a) The BolaWrap™ 100 device & cartridge serial numbers.
- (b) Date, time and location of the incident.
- (c) Whether any display or laser deterred a subject and gained compliance.
- (d) The number of BolaWrap™ 100 device activations and the duration between activations, and (as best as can be determined).
- (e) The range at which the BolaWrap™ 100 device was used.
- (f) Location of any deployments impact.
- (g) Description of where missed deployments went.
- (h) Whether medical care was provided to the subject.
- (i) Whether the subject sustained any injuries.
- (j) Whether any officers sustained any injuries.

The Training Sergeant should periodically analyze the report forms to identify trends, including deterrence and effectiveness. BolaWrap™ 100 device information and statistics, with identifying information removed, should periodically be made available to the public.

309.6.2 REPORTS

The officer should include the following in the arrest/crime report:

- (a) Identification of all personnel firing BolaWrap™ 100 devices
- (b) Identification of all witnesses
- (c) Medical care provided to the subject
- (d) Observations of the subject's physical and physiological actions
- (e) Any known or suspected drug use, intoxication or other medical problems

309.7 MEDICAL TREATMENT

All persons who have been struck by BolaWrap™ 100 device pellets/barbs shall be medically assessed prior to booking. Additionally, any such individual who falls under any of the following

Remote Restraint Device

categories should, as soon as practicable, be examined by paramedics or other qualified medical personnel:

- (a) The person is suspected of being under the influence of controlled substances and/or alcohol.
- (b) The person may be pregnant.
- (c) The person reasonably appears to be in need of medical attention.
- (d) The BolaWrap™ 100 device pellets/barbs are lodged in a sensitive area (e.g., groin, female breast, head, face, neck).
- (e) The person requests medical treatment.

If any individual refuses medical attention, such a refusal should be witnessed by another officer and/or medical personnel and shall be fully documented in related reports.

If a recording is made of the contact or an interview with the individual, any refusal should be included, if possible.

The transporting officer shall inform any person providing medical care or receiving custody that the individual has been subjected to the application of the BolaWrap™ 100 device.

309.8 SUPERVISOR RESPONSIBILITIES

When possible, supervisors should respond to calls when they reasonably believe there is likelihood the BolaWrap™ 100 device may be used. A supervisor should respond to all incidents where the BolaWrap™ 100 device was activated.

A supervisor should review each incident where a person has been exposed to an activation of the BolaWrap™ 100 device. Photographs of should be taken, including if the skin is penetrated, and witnesses interviewed.

309.9 TRAINING

Personnel who are authorized to carry the BolaWrap™ 100 device shall be permitted to do so only after successfully completing the initial department-approved training. Proficiency training for personnel who have been issued BolaWrap™ 100 devices should occur every five years. A reassessment of an officer's knowledge and/or practical skill may be required at any time if deemed appropriate by the Chief of Police. All training and proficiency for BolaWrap™ 100 devices will be documented in the officer's training file.

Officers who do not carry BolaWrap™ 100 devices should receive training that is sufficient to familiarize them with the device and with working with officers who use the device.

The Chief of Police is responsible for ensuring that all members who carry BolaWrap™ 100 devices have received initial and annual proficiency training. Periodic audits should be used for verification.

Application of BolaWrap™ 100 devices during training could result in injury to personnel and should not be mandatory for certification.

The Chief of Police should ensure that all training includes:

Remote Restraint Device

- (a) A review of this policy.
- (b) A review of the Use of Force Policy.
- (c) Target area considerations, to include techniques or options to reduce the unintentional application of pellets/barbs near the head, neck, chest and groin.
- (d) Handcuffing a subject during the application of the BolaWrap™ 100 device and transitioning to other force options.
- (e) De-escalation techniques.
- (f) Restraint techniques that do not impair respiration following the application of the BolaWrap™ 100 device.