

RESOLUTION NO 1861

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SOLEDAD
ESTABLISHING A POLICY FOR THE USE OF THE
'NOVA XR-5000 STUN DEVICE'

BE IT RESOLVED by the City Council of the City of Soledad that the Mayor and City Council approve a policy for the use of the "Nova XR-5000 Stun Device" in the form of the document hereunto attached, marked "Exhibit A," and by reference made a part hereof.

PASSED AND ADOPTED by the City Council of the City of Soledad at a regular meeting held on the 22nd day of June, 1988, by the following vote:

AYES, and in favor thereof, Councilmembers Campos, Ledesma, Untalan, Mayor Pro Tem Slaughter, Mayor Ortiz
NOES, Councilmembers None
ABSENT, Councilmembers: None

[Handwritten Signature]

MAYOR OF THE CITY OF SOLEDAD

ATTEST
[Handwritten Signature]

CITY CLERK OF THE CITY OF SOLEDAD

EVERY EMPLOYEE ASSIGNED TO CARRY THE SHUN DEVICE WHILE ON DUTY, A POLICE OFFICER FOR THE POLICE DEPARTMENT

TRAINING

WHO SHALL CARRY AND USE THE CONTACT DEVICES? REGULAR AND SPECIAL OFFICERS WHEN WORKING ON DUTY AS A POLICE OFFICER. WHEN IN "NO-CAD" IS CARRIED AND USED, THE SHUN DEVICE SHALL BE KEPT IN THE SHUN BATTERY IN THE SHUN UNIT. OFFICERS WITH SHUN DEVICES ON THE BATTERIES IN THE SHUN UNIT SHALL BE KEPT IN THE SHUN BATTERY IN THE SHUN UNIT. OFFICERS WITH SHUN DEVICES ON THE BATTERIES IN THE SHUN UNIT SHALL BE KEPT IN THE SHUN BATTERY IN THE SHUN UNIT. OFFICERS WITH SHUN DEVICES ON THE BATTERIES IN THE SHUN UNIT SHALL BE KEPT IN THE SHUN BATTERY IN THE SHUN UNIT.

CARRY AND USE

EVERY SHUN DEVICE WILL BE CHECKED BEFORE GOING ON THE SHUN UNIT BY STATION IN 1/4 TO 1/2 SECOND BUSES. THE SHUN DEVICE SHALL BE KEPT IN THE SHUN BATTERY IN THE SHUN UNIT. OFFICERS WITH SHUN DEVICES ON THE BATTERIES IN THE SHUN UNIT SHALL BE KEPT IN THE SHUN BATTERY IN THE SHUN UNIT. OFFICERS WITH SHUN DEVICES ON THE BATTERIES IN THE SHUN UNIT SHALL BE KEPT IN THE SHUN BATTERY IN THE SHUN UNIT.

WHEN THE UNIT IS NOT USED, THE BATTERY WILL BE CHARGED AT LEAST ONCE EVERY SEVEN (7) DAYS. WHEN THE "NO-CAD" BATTERY IS USED, THE BATTERY CAN BE PUT INTO THE CHARGER UNIT. THE BATTERY SHALL BE KEPT IN THE SHUN BATTERY IN THE SHUN UNIT.

IT SHALL BE THE RESPONSIBILITY OF THE OFFICER THAT IS ASSIGNED A SHUN GUN TO KEEP IT IN PROPER OPERATING CONDITIONS AND TO KEEP THE BATTERY CHARGED TO FULL CHARGE. THE CHARGE OF MAINTENANCE IN THIS UNIT IS A SHUN BATTERY.

NOTE: A FULLY CHARGED BATTERY WILL LOSE ABOUT 2% OF ITS POWER EACH 24 HOURS. WHEN A BATTERY FAILS BELOW 75% OF ITS FULL CHARGE, IT MUST BE RECHARGED AS SOON AS POSSIBLE.

THE 9 VOLT RECHARGEABLE BATTERY IS THE ONLY BATTERY WHICH MAY BE USED IN THIS UNIT. A FULLY CHARGED "NI-CAD" BATTERY SHOULD DELIVER SIX (6) APPLICATIONS OF FROM 3 TO 5 SECOND BUSES BEFORE RECHARGING IS NECESSARY.

TO KEEP THIS UNIT IN TOP OPERATING ORDER, SIMPLY WIPE THE UNIT WITH A SOFT CLOTH AT THE END OF EACH SHIFT.

MAINTENANCE AND BATTERY CARE

THE NOSE UNIT OF THE AIRCRAFT IS A VITAL PART OF THE
SYSTEM AND MUST BE MAINTAINED IN A STATE OF
READINESS AT ALL TIMES. THE OPERATOR CAN
NOT AFFORD TO TAKE HIS EYES OFF THE
INSTRUMENTS AT ANY TIME.

THE AIRCRAFT IS A COMPLEX MACHINE AND THE
OPERATOR MUST BE AWARE OF THE
LIMITATIONS OF THE AIRCRAFT AND THE
WEATHER CONDITIONS AT ALL TIMES.

OPERATIONAL PROCEDURES

THE AIRCRAFT IS A COMPLEX MACHINE AND THE
OPERATOR MUST BE AWARE OF THE
LIMITATIONS OF THE AIRCRAFT AND THE
WEATHER CONDITIONS AT ALL TIMES.

- 1. CHECK THE AIRCRAFT'S STATUS BEFORE TAKEOFF.
- 2. MAINTAIN A CONSTANT ALTITUDE AND SPEED.
- 3. MONITOR THE WEATHER CONDITIONS.
- 4. BE AWARE OF THE AIRCRAFT'S LIMITATIONS.
- 5. FOLLOW THE OPERATIONAL PROCEDURES.

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1. THE SHUN DEVICE WILL NOT INTENTIONALLY BE USED ON OR AGAINST AN INDIVIDUAL OR ANIMAL.
2. THE SHUN DEVICE SHALL NOT BE INTENTIONALLY PLACED DIRECTLY ABOVE THE HEAD.
3. EXCESSIVE TEST FIRING OR PLAYING WITH THE UNIT CAN DAMAGE THE UNIT. IT IS PROHIBITED.
4. THE DEVICE SHALL NOT BE USED FOR HORSEPLAY, OR FOR PLAYING OR PRANKS ON ANYONE OR ANYTHING.
5. THE DEVICE SHALL NOT BE USED TO THREATEN OR ATTEMPT TO CAUSE INJURY.
6. THE DEVICE SHALL NOT BE USED AGAINST A PERSON IN A MANNER THAT COULD BE OVERCOME.
7. THE DEVICE SHALL NOT BE USED TO MAKE UP A PERSON EXCEPT AS A MEANS OF IDENTIFICATION.
8. THE DEVICE SHALL NOT BE USED AGAINST A FIREARM OR AMMUNITION.
9. THE DEVICE SHALL NOT BE USED AS A PROD.
10. THE DEVICE SHALL NOT BE INTENTIONALLY USED ON A PERSON.

UNAUTHORIZED USE OF SHUN DEVICE

1. THE SHUN DEVICE IS TO BE USED ONLY AS A MEANS OF IDENTIFICATION.
2. PROTECTION OF CITIZENS OR OTHER OFFICERS.
3. PERFORMING AN ARREST OR A COMBATIVE OR RESISTING OFFICER.
4. FOR CONTROL WHEN THE OFFICER OR CITIZENS ARE IN IMMEDIATE DANGER OF PHYSICAL DANGER.
5. TO BREAK RESISTANCE IN AN ARREST SITUATION.
6. AGAINST A VIOLENT ANIMAL OR PERSON.
7. TO BREAK RESISTANCE WHEN OR DURING A PHYSICAL SEARCH.
8. WHEN THE USE OF A SHUN DEVICE IS PERMISSIBLE, THEN THE SHUN DEVICE IS TO BE USED ONLY AS A MEANS OF IDENTIFICATION.

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- 11 THE DEVICE SHALL NOT BE INTENTIONALLY USED OVER AN OPEN WOUND ON THE BODY.
- 12 THE DEVICE SHALL NOT BE USED WHERE NATURAL GAS, BURNING GASOLINE, OR OTHER EXPLOSIVE FLAMES MAY BE PRESENT.
- 13 THE DEVICE SHALL NOT BE INTENTIONALLY USED ON A MINOR UNLESS A DOCTOR IS AVAILABLE TO PROTECT A SUSPECT OR OFFICER FROM A SUITABLE SUITABLE MEDICAL ATTENTION AND IN THE EVENT OF SUICIDE MUST BE SUICIDED.

I. USE OF THE XR-1500 STUN DEVICE AFTER AN INCIDENT:

1. AFTER EACH CONTACT OR USE OF THE STUN DEVICE THE SUSPECT SHALL BE RESTRAINED AND ARRESTED.
2. IF THE OFFICER FEELS THAT THERE IS ANY UNUSUAL REACTION TO THE SUSPECT, THE OFFICER SHALL OBTAIN MEDICAL ATTENTION FOR THE SUSPECT AS SOON AS POSSIBLE FOLLOWING THE USE OF THE STUN DEVICE, INCLUDING ARRANGING MEDICAL TRANSPORT AND TO OBTAIN MEDICAL OPINIONS OF THE MEDICAL PHYSICIAN.
3. COLOR PHOTOGRAPHS SHALL BE TAKEN OF THE SUSPECT'S BODY WHERE THE PRODS ON THE UNIT STRUCK THE SUSPECT. A DRAWING OF THE POINT OF CONTACT OF THE PRODS WITH THE SUSPECT'S BODY AND SHOW ALL LOCATIONS OF PROD MARKS SHALL BE MADE BY THE OFFICER USING THE STUN DEVICE.
4. EACH TIME THE STUN DEVICE IS USED ON A SUSPECT, THERE WILL BE A WITHIN REPORT (OFFENSE REPORT) MADE ON THE PART OF THE OFFICER EXPLAINING THE INCIDENT TO THE DUTY OFFICER. ALSO, THERE SHALL BE AN INCIDENT EVALUATION REPORT FILLED OUT AND A BODY APPLICATION COMPLETED.
5. IF A STUN DEVICE IS FOUND NOT TO BE WORKING PROPERLY, IT SHALL BE IMMEDIATELY REPORTED TO THE SUPERVISOR AS NOT WORKING.

J. GENERAL INFORMATION

1. EACH TIME THE STUN DEVICE IS USED, OTHER THAN AS A DETERRENT, A REPORT SHALL BE MADE OUT AND PROPER MEDICAL ATTENTION GIVEN, IF REQUIRED. THE STUN DEVICE IS ONLY USED TO PREVENT

10. AT NO TIME WILL AN OFFICER RENDER AN OPINION AS TO THE RESPONSIBILITY OF THE USER OF THE DEVICE FOR THE PUBLIC, MEDIA, WITNESS OR CONSENT OF THE OFFICE OF POLICE.
9. THERE WILL BE NO LEGAL LIABILITY IF THE DEVICE WAS USED ACCORDING TO THE ESTABLISHED GUIDELINES SET FORTH.
8. THERE ARE NO KNOWN MEDICAL IMPLICATIONS IN THE USE OF THE DEVICE.
7. ALL SAFETY PRECAUTIONS RELATIVE TO RELEASE, MEDICAL APPLICATION, AND STORAGE SHALL BE OBSERVED.
6. UNAUTHORIZED USE OF THIS DEVICE WILL SUBJECT THE OFFICER TO DISCIPLINARY ACTION INCLUDING WRITTEN REPRISALS, SUSPENSION, AND TERMINATION.
5. IF A STUN DEVICE IS FOUND NOT TO BE WORKING PROPERLY, WHEN SHOWN SHALL BE TURNED IN FOR REPAIR AS SOON AS POSSIBLE.
4. EACH TIME THE STUN DEVICE IS USED ON A SUSPECT, THERE WILL BE A WRITTEN REPORT (OFFENSE REPORT) MADE ON THE ADDRESS OF THE OFFICER AND A WRITTEN REPORT OF THE INCIDENT TO BE FILED IN THE INCIDENT REPORT SHALL BE COMPLETED. A BODY APPLICATION FORM SHALL BE COMPLETED. ALSO, AN INCIDENT EVALUATION REPORT SHALL BE COMPLETED. A BODY APPLICATION FORM SHALL BE COMPLETED.
3. COLOR PHOTOGRAPHS SHALL BE TAKEN OF THE SUSPECT'S BODY WHEN THE STUN DEVICE IS USED ON THE SUSPECT. A DRAWING OF THE POINT OF CONTACT OF THE PRODS WITH THE SUSPECT'S BODY AND ALL LOCATIONS OF PRODS MARKS SHALL BE MADE BY THE OFFICER USING THE STUN DEVICE.
2. THIS UNIT IS ANOTHER TOOL FOR THE OFFICER TO USE AND IS DESIGNATED TO PREVENT INJURY TO SELF OR OTHERS WHEN USED IN ACCORDANCE WITH THE PROPER USE IN PROPERLY.
1. AN ASSAULT, OR DISPLAY OF AN "ABC", THEN JUST A WRITTEN REPORT IS REQUIRED. IN A STUN DEVICE IS USED ON A SUSPECT DURING AN ASSAULT, SAID INDIVIDUAL MUST BE APPROPRIATELY AND A REPORT MADE.

ELECTRONIC DEFENSE WEAPON REPORT

CASE # _____

MARKING / /
LOCATION / / / / /
AGE SEX RACE

LOCATION OF INCIDENT DATE / TIME / NUMBER OF CALL

WHERE APPLIED ON BODY, POSITION / RESULTS / RPT CHECK

DID SUSPECT RECEIVE MEDICAL ATTENTION? YES /

LOCATION

WITNESSES

- 1 _____
- 2 _____
- 3 _____

COMMENTS

OFFICER'S SIGNATURE _____

SUPERVISOR'S SIGNATURE _____

