



**MARIN MUNICIPAL  
WATER DISTRICT**

**BOARD POLICY**

**No.:** 43

**DATE:** February 15, 2006

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**SUBJECT: USE OF FORCE**

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A. Policy

Watershed Rangers shall use only that amount of physical force that is reasonably necessary to: (1) defend themselves; (2) defend other Rangers or employees; and (3) defend other persons.

B. Purpose

To provide Watershed Rangers with guidelines on the use of force and the use of defensive equipment.

C. Definitions

1. Chemical Agents: Includes Pepper Spray or similar chemical agent approved by the District for such use.
2. Impact Weapons: District approved expandable baton.
3. Personal Weapons: Hands, elbows, knees, and feet, can be considered impact weapons.
4. Drawn: To remove a weapon (chemical agent or baton) from its holster/carrying case and present it in a position ready to use.

D. Procedures

1. Rangers shall not initiate the use of physical force to prevent escape or to enforce District Regulations. Rangers are authorized to use reasonable force solely for defensive purposes, and in doing so shall not be deemed the aggressor. Any other situation requiring the use of physical force or the physical restraint of a person shall be directed to the MCSO Deputies or other Peace Officers as required.
2. For defensive purposes, Rangers have been issued handcuffs, a chemical agent and a baton to be used against an immediate physical assault upon them, another Ranger/employee or member of the public.

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3. Escalation/De-Escalation of Force: Various degrees or levels of force are commonly recognized and practiced by enforcement officers. Sometimes called Force Options, they range from the lowest level to the highest level and are generally grouped in the order of the probability of injury or death to the suspect.
  - a. Low Level: Uniform, presence, verbal commands, demeanor, firm grip or gestures.
  - b. Medium Level: Use of defensive tactic techniques and chemical agents.
  - c. High Level: Use of personal weapons and impact weapons.
  - d. Watershed Rangers are not required to progress through the levels of force one level at a time in order to defend themselves or the public. An assessment of the specifics of each situation may indicate to the Ranger that a particular level of force may be ineffective or inappropriate and another level of force would be more effective or appropriate.
  - e. Watershed Rangers shall assess the incident in order to determine which option will best de-escalate the incident and bring it under control in a safe manner. Rangers shall recognize that reasonable force is legally defined as that minimum amount of force necessary to accomplish the intended objective.
4. Written Reporting of the Use of Force: Watershed Rangers, in the performance of any defensive action or enforcement duty, shall report in writing the use of the following types of force within the required incident report.
  - a. Any physical contact with a watershed visitor/public.
  - b. Use of pain compliance or physical control techniques.
  - c. Chemical agents: Whenever a chemical agent is drawn or its use is necessary in the control of a subject, its use and all surrounding circumstances shall be noted in the narrative of the incident report.
  - d. Whenever impact weapons, including personal weapons, are used or whenever an approved expandable baton is drawn in the ready position or used, all surrounding circumstances shall be noted in the narrative of the incident report.

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### **E. Defensive Tools**

The District authorizes Rangers' use of certain defensive tools as protection against violence or threatened violence to Rangers, other employees, or other persons. Only expandable batons and chemical agents approved and issued by the District shall be used.

#### **1. Pepper Spray**

Pepper Spray should only be used as a defensive weapon in those instances that threaten the safety of a Watershed Ranger or other persons. Pepper Spray may be used only when lesser physical means are deemed impractical or ineffective and a higher level of force (i.e., use of a chemical agent) is needed to subdue and control a combative person or persons.

Pepper Spray shall not be used against compliant and/or non-combative persons or against persons who are confined, handcuffed, or otherwise immobilized unless the subject attempts to assault other persons. Indiscriminate use of Pepper Spray is strictly prohibited.

Pepper Spray must be directed at the subject's face to ensure contact with the mucus membranes of the eyelids, nose and mouth, the only portions of the body where effective.

- a. After use, immediately request a sheriff's deputy or other peace officer to respond. Evaluate need for decontamination and/or medical care, whenever possible.
- b. If Pepper Spray is on dry skin, the active ingredients will evaporate within 15 to 30 minutes. The remaining residue can be blown or whisked away.
- c. If, due to sweating, etc., the Pepper Spray is absorbed into the skin and begins to bother the suspect, whenever possible, the area can be gently flushed with cool water, or gently washed with mild soap and cool water. Care must be exercised to ensure that the runoff does not spread the Pepper Spray into wounds or mucus membranes.
- d. If Pepper Spray enters the suspect's eyes, within 30 minutes, whenever possible, flush or have the subject wash the area with cool water (or saline solution), or keep in fresh air and uncovered. Careful irrigation with water (or saline solution) should allow the Pepper Spray not already in contact with the mucus membrane to be washed away. Caution must be used to

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ensure no new Pepper Spray is washed into the eyes. Anyone who has been sprayed in his/her eyes should be taken to a hospital emergency room as soon as practicable for treatment.

- e. If a suspect has inhaled Pepper Spray, if practicable, provide them with fresh air.
- f. Anyone who has been sprayed and is under the control of either a Ranger or a peace officer shall be taken to a hospital emergency room as soon as practicable for evaluation and treatment.
- g. As soon as practicable, a supervisor shall be notified and all details concerning the use of the chemical agent is to be prepared in writing, with a copy sent to the General Manager and General Counsel.
- h. Misuse of Pepper Spray may result in disciplinary action up to and including termination.
- i. Pepper Spray may be used against dogs and other animals when they threaten the safety of the Watershed Ranger, other persons, or animals.

### 2. Baton/Impact Weapons

The baton/impact weapon will only be used as a defensive weapon where a higher level of physical force is needed to stop or prevent a physical assault in order to protect the Ranger or other persons. Within the limits of physical confrontations, the Ranger shall always attempt to avoid strikes and blows to the head and central spine area, as well as the neck, throat, and groin.

The baton/impact weapon, unlike chemical agents, can be used in windy conditions, and the infliction of additional pain can be immediately halted. The baton/impact weapon shall not be used against individuals who are known to have their pain reception seriously impaired, unless other means of control or escape are impractical.

- a. The baton is used only as a defensive tool.
- b. Whenever a baton is drawn, the Watershed Senior Ranger or Ranger Supervisor and Watershed Management shall be notified prior to the Ranger going off duty. Rangers are required to complete an incident report prior to going off duty.

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- c. The defensive techniques will depend upon the Ranger's certified training methods undertaken/instructed for the specific baton.
- d. Misuse of the baton may result in disciplinary action up to and including termination. Examples of misuse could include wild swinging in an incident situation, loan of a baton to a non-certified person or use of batons in an unapproved manner.
- e. Batons may be used against dogs and other animals only when they threaten the safety of the Watershed Rangers, other persons or animals.

### **F. Defensive Tactics and Personal Weapons**

Use of these techniques will be limited to that necessary for defensive purposes while providing necessary safety for Rangers and other persons involved.

### **G. Restraint Devices**

Restraint devices (i.e. handcuffs) approved by the District may be used by Rangers who have been trained in their use to safely control the movements of a subject in the following circumstances: when medical care is needed in response to the use of force, if immediate and direct physical assault on the Ranger or the public is likely to continue if the suspect is left unrestrained or when assisting a peace officer under posse comitatus (Penal Code Section 150).

- 1. Handcuffs are used to restrain a subject when assisting a deputy or other peace officer, for defensive purposes to restrain someone who poses an immediate threat to the Ranger, themselves or the public. Handcuffs should be kept clean and checked for function regularly. Handcuffs, like other tools, shall not be misused.

### **H. Training**

All Watershed Rangers must successfully complete the required training and periodic refresher courses established by the District. See the Training Section of this Manual.