3-14/020.20 - R.E.A.C.T. Belt (Court Services not currently authorizing the use of the R.E.A.C.T. Belt)

The R.E.A.C.T. Belt System (the Belt) is a less lethal, remotely operated electronic restraint device. It produces an electrical shock for eight (8) continuous seconds that can disorient, temporarily immobilize, and stun a person without causing permanent injuries. It is activated by a small radio transmitter with a range of up to 300 feet. The Belt is a low profile security device and may be combined with other approved security restraint devices.

No deputy shall be assigned to operate the R.E.A.C.T. Belt unless that deputy has successfully completed the Departmental approved basic R.E.A.C.T. Belt Training Course. Required qualification before deployment of R.E.A.C.T. Belt.

The defendant must be identified as a threat to courtroom security or pose an escape risk. This identification will be based on the defendant’s past behavior, classification and departmental employee's personal knowledge, which may include the following:

- Documented attempts or actual escape from custody
- Documented violent or assaultive behavior while in custody
- A history of prior attacks or assaults on peace officers, corrections officials, court staff, judges, attorneys, or courtroom occupants
- Threats of violence toward any victim, witness, court employee, or any courtroom occupant

Inmates Exempt from Use

The Belt will not be used on inmates having the following physical conditions:

- Pregnant women
- Those known to have heart disease or any muscular disease affecting mobility such as Multiple Sclerosis
- Any persons suffering from a mental illness, unable to comprehend the Belt’s possible affect, or understand the Belt admonishment

Deployment of the Belt by Transportation Bureau

Deployment of the R.E.A.C.T. Belt shall be approved by a Watch Commander prior to being placed on any person. The supervisor shall ensure the defendant meets the criteria outlined for its use and ensure a notification and waiver form has been completed. The Bureau Commander shall be notified of all deployments.

Deployment on Defendants Appearing in Court before a Jury

When branch supervisors or a trial judge believes a defendant fits the above criteria and would pose a threat to courtroom security and/or courtroom occupants, the branch supervisor shall follow the below procedures prior to its application in any court:

- Complete a memo addressed to the Unit Commander requesting the use of the R.E.A.C.T. Belt. The memo will include the following:

  - The defendant’s name and booking number

  - Charges pending

  - Court of appearance and date

  - The judge's name, if known

  - Factual justification for the use of the Belt, including copies of all supporting documentation

- Complete a copy of the form, Court Declaration for Restraint Purposes, (Refer to CSDNet, "Forms")
- The factual justification that is needed to obtain judicial authorization for use of the Belt in a courtroom must be based upon specific and verifiable facts that reasonably establish that the defendant is a threat or risk to courtroom security. The factual justification cannot be based upon a mere hunch, suspicion, or speculation, but must be based upon either known or documented prior acts, conduct, threats, or behavior of the defendant.

Submit the request and supporting documentation to the Area Lieutenant, who will forward it to the Unit Commander with a cover memo to the County Counsel's office. The cover memo will request the declaration be presented to the trial judge for approval via a court order. The trial judge will conduct a hearing, in the presence of the defendant, to determine whether the placement of the Belt on the defendant while in court is appropriate.

Once the court order approving or rejecting the use of the Belt has been issued, a copy will be placed in the defendant’s jail file and a copy sent to the concerned lockup. The lockup will create a file on each defendant where a request was made, regardless if approved or rejected, and kept on file for at least five years. In either case, the Area

Commander will be notified of the outcome of the judicial request. Once a judge has rejected the use of the Belt, a second request may not be resubmitted on that defendant unless new and additional factual information has been obtained that would support reconsideration. This would require a new declaration and supporting documentation.

When the lockup supervisor receives the court order approving the use of the Belt, they will identify deputies trained in the Belt’s use, assigning the responsibility for operation and control of the device.

Minimally, two (2) deputies will be assigned to escort and maintain security of the defendant. The court bailiff will be one of the two deputies assigned and will be responsible for handling the inmate. The second deputy will have the sole responsibility for operating the remote transmitter.

A Belt control log will be established at the branch for the device. It will be signed when checked out and upon its return.

Subject Notification Check off Form

The presentation of the "Subject Notification" form to the defendant and the installation of the Belt will be videotaped in the presence of a supervisor.

The "Subject Notification" form shall be completed prior to the installation of the Belt. In the event the defendant refuses to sign the form, the assigned deputy and branch supervisor shall sign the form, noting the refusal to sign. All notification forms shall be kept on file in the defendant's court lockup file with a copy sent to IRC, Bureau Headquarters and the Court Services Training Unit.

Only one "Subject Notification" form is required for each court day, as long as the defendant is handled by at least one deputy who was present during the presentation of the "Subject Notification" Form to the defendant.

Installation of the Belt

The Belt will be installed in compliance with the manufacturer's recommended procedures.

NOTE: No inmate will be left unattended with a device installed on their person.

Activation of Belt

The Belt may only be activated under the following situations listed below and must be used in compliance with the Department's Use of Force Policy. The deputy controlling the device will have the sole discretion on when to use the Belt, unless ordered to do so from a Sheriff's Department sworn supervisor. It may be used under the following conditions, actual or threatened acts of violence. This may include but is not limited to:

- An overt act or movement that could reasonably be interpreted as an assault or attack on another person
- If the defendant attempts escape
- Any tampering with the device that could reasonably be construed as to trying to disable or remove it

Non-Activation of Belt

The Belt shall not be activated due to any of the following events or reasons:

- Any verbally disruptive outbursts
- Solely upon comments made by the defendant, even if it is inappropriate or disruptive
- To punish or torture the defendant
- Anything that is prohibited by this policy

Once the device has been activated, and the activation cycle has stopped, assisting deputies shall handcuff the inmate and remove them from the court, where they will install waist and ankle chains. If the inmate is not cooperative or shows no signs of submission, other means of control should be considered before a second activation is made. The Department's Use of Force reporting procedures will be followed when it becomes necessary to activate the Belt to subdue the defendant. The activation of the Belt is considered "significant"

and all notifications for this classification shall be made.

In all situations where this device is used, the defendant shall be examined by a doctor or qualified EMT specialist and approved for the appropriate custody housing.

The on-site supervisor shall initiate a Use of Force Investigation and make all necessary notifications. In all cases, the Bureau Commander and Division Area Commander shall be notified.

Maintenance Responsibilities

The branch supervisors shall be responsible for the upkeep and maintenance of the equipment. The branch supervisor may assign a deputy, hereafter designated as the "control deputy" to maintain the equipment.

The control deputy responsible for maintaining the equipment, will exercise due care and diligence in making sure the batteries are charged and serviced as necessary.

No deputy will attempt to repair or alter the units without first consulting with factory personnel.

The equipment will be kept in a secure location when not in use.

Refer to CSDM, 1-04/050.00-Weapon and Safety Equipment Storage and Control.