

E. Medical treatment will not be refused for any individual who requests it.

F. If safety circumstances reasonably dictate moving the subject to another location, officers may have emergency medical personnel meet the officers at a nearby location to assess the subject and render aid.

### **08 Use of Force Incidents and Reporting:**

#### **A. Officer Responsibilities:**

When in the performance of his/her duties an officer uses any level of force above a hand control and routine handcuffing technique, or makes a clear threat to use force above that level, or points a weapon (firearm, ECD/Taser, or FN303) in the clear direction of an individual and targets that individual, the officer will:

1. Summon medical assistance as necessary;
2. Notify the working patrol shift supervisor as soon as possible (or the Duty Commander if the involved officer is the working patrol shift supervisor);
3. **Do not** reload or tamper with his/her weapon unless such action is reasonably necessary due to the specific tactical situation;
4. Identify potential witnesses if possible; and
5. Before the end of the officer's current shift, shall complete any required event reports, including documentation of the use of force.

#### **B. Supervisor Responsibilities:**

Upon notification by the involved officer, the supervisor shall:

1. Promptly respond to the scene and notify the Duty Commander therefrom.
2. Offer assistance to the officer, keeping in mind that a use of force incident may have serious psychological ramifications. The supervisor should be cognizant that comments from the public or other officers may be inappropriate for the mental well-being of the involved officer, and should guard against this, to the extent possible, by restricting access to the involved officer.
3. Investigate the use of force incident. In the event any of the following circumstances are determined or alleged, the supervisor shall submit a Use of Force Report (Form 600-038) to the Patrol Operations Commander before the end of the supervisor's current shift:
  - a. non-deadly force without a weapon that results in apparent physical injury or a purported claim of physical injury;
  - b. a secondary weapon or any physical strike technique;
  - c. deadly force;
  - d. any intentional or unintentional discharge of a firearm, ECD/Taser or FN303 Launcher, other than in the course of approved training that is in the general direction of an individual;
  - e. a department canine inflicts injury on any individual in conjunction with a search, arrest, or attempted apprehension.

f. there is a material difference between the description of the force reportedly used by the officer and the description of the force reported by the subject upon whom the force was used.

g. an officer is assaulted or ambushed.

4. In all other use of force scenarios reported to the supervisor, he/she will still have the discretion to submit a Use of Force Report if, in his/her opinion, the use needs further investigation, counseling of the involved officer is required, or a policy or training issue is identified that needs to be brought to the attention of the Department for correction. If, on the other hand, the supervisor finds that there are no problems or issues with the use of force, he/she will then submit a memorandum to the Patrol Operations Commander advising of such a finding.

5. Whenever multiple officers use force in the same incident a separate Use of Force Report Form shall be submitted for each officer.

6. The investigation should include at least a visual inspection of the officer, a visual inspection and interview of the person upon whom force was used, inspection of any secondary weapon employed, and identification and interview of all known witnesses. The report should clearly and separately detail the accounts provided by each party to the incident, i.e., officer(s), victim(s), and witness(es), as to what occurred. No conclusions should be drawn or inferred in this report

7. In the event it is a use of deadly force (including an accidental discharge of a firearm in the direction of a person), immediately notify the Duty Commander, and either CIS (who will respond and initiate an investigation), or if it is a use of deadly force incident occurring outside the City Limits, the appropriate jurisdiction to initiate an investigation.

8. In a firearms related use of force incident, take physical custody of the involved officer(s) firearm. The weapon should be turned over in an "as is" condition to the CIS investigator handling the investigation involving an injury. If there was no injury involved, the weapon should be inspected and conditions noted by the supervisor, who will be responsible for maintaining custody of the weapon until it is turned over to appropriate departmental firearms staff.

9. If an officer and/or prisoner is injured as a result of an arrest or transport, photos will be taken whenever they can adequately identify the injury.

10. An injured prisoner will receive medical treatment within a reasonable length of time, depending on the seriousness of the injury.

11. In the event the supervisor determines that a discharge of a firearm, ECD/Taser, or Less Lethal Launcher was accidental and not in the direction of any person, this will be reported via memorandum, prior to the end of the shift, to the Patrol Operations Commander for review.

12. Any and all ECD/Taser discharges require prompt notification to the Chief of Police.

**09 Administrative Leave and Counseling:**

An officer who discharges a firearm, uses a secondary weapon, or otherwise uses force, which results in the death or serious injury of another person will:

A. Be placed on administrative leave with pay, pending an investigation. However, the Chief of Police or designee may temporarily reassign that officer to administrative duties in lieu of administrative leave. While on administrative leave, or performing administrative duties, an officer will not conduct police duties other than court appearances. He/she may take action only in emergency situations.

B. Routinely undergo counseling with a psychologist selected by the Chief of Police or designee.

**10 Administrative Review:**

A. The Patrol Operations Commander will review all use of force incidents to determine if Department procedures were followed.

B. He/she will make a determination as to whether use of force was justified. He/she will forward those findings, along with any recommendation, to the Chief of Police within 15 days. Simultaneously, a copy will be forwarded to the Professional Standards Manager.

C. Within 15 days of receipt of the Patrol Operations Commander's recommendations, the Chief will determine if further investigation is required or if review of the incident will be discontinued. If further investigation is required, the case will be assigned for an internal investigation, and notification to the officer will be conducted by the assigned investigator, in accordance with General Order 635 - Complaints/ Internal Affairs. If review of the incident is to be discontinued, then notification to the officer will be made within five days by the Patrol Operations Commander, at the direction of the Chief.

D. The Patrol Operations Commander will conduct an annual analysis of use of force incidents, so as to identify any patterns or trends, as well as the need for policy modification and/or training.

E. Use of Force reports will be maintained separate from any internal affairs records or employee personnel records. Use of Force Reports shall be kept for a minimum period of five years.

**11. External Review:** In the case of death that results from a use of force, the investigation and/or administrative review may be referred to the State's Attorney's Office by the Chief of Police or designee for review.

**12 Applicability to Mutual Aid Requests:** All required notifications under this general order shall also apply in the event that an officer of another jurisdiction uses force of any level while operating under mutual aid to this agency, whether formally requested or not.