

Cameron Police Department Policy		Policy Title: Use of Force	
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I. PURPOSE

The purpose of this policy is to provide law enforcement officers of this agency with guidelines for the use of deadly and non-deadly force.

II. POLICY

It is the policy of this law enforcement agency that officers use only the force that reasonably appears necessary to effectively bring an incident under control, while protecting the lives of the officer and others. It must be stressed that the use of force is not left to the unfettered discretion of the involved officer. This is not a subjective determination. The use of force must be objectively reasonable. The officer must only use that force which a reasonably prudent officer would

III. USE OF FORCE AND REPORT REQUIREMENTS

- A. This section provides police officers with guidelines on the use of deadly and non-deadly force and to guide officers on the "intervention options". These standards are set to achieve greater accountability of the members of this department to the community.
- B. In addition to an incident report, a written report from the supervisor using a departmental "Use of Force Report" will be required in the following situations:
 1. When a firearm is discharged outside of the firing range. (Destruction of animals only requires an incident report).
 2. When use of force results in death or serious injury.
 3. When a non-lethal weapon is used on a person.
- C. A supervisor will be immediately summoned to the scene and will comply with investigative procedures as required by the Department in the following situations.
 1. When a firearm is discharged outside of the firing range.
 2. When use of force results in death or serious injury.
 3. When a subject complains that an injury has been sustained.
- D. An officer shall only use that amount of force, which is necessary and reasonable in the performance of their law enforcement duties (WSS 66.0511(2), using the "Intervention Options" as a guideline. (See attached chart)

- E. The first level of the Intervention Option involves an officer's verbal command with the intent of obtaining voluntary compliance from the individual.
- F. Should a person offer passive resistance, the officer may respond by the use of grip control.
- G. When an officer is confronted with aggressive resistance the officer may opt to use a control hold such as a come-along, decentralization or O.C. spray and Tasers .
- H. When confronted with an actual physical attack, counter measures such as punches, kicks, or baton, may be used.
- I. Life threatening attacks upon the officer or another may result in the officer's use of deadly force.
- J. It should be noted that an officer may begin at any option they see appropriate, depending on the circumstances confronted.

IV. **USE OF DEADLY FORCE**

- A. When deadly force is used, it is with the realization that death could occur, but the use of deadly force may not, in all situations, be with the intent that such will be the result. Deadly force may only be used in such a manner that there is no substantial risk of harming an innocent bystander.
- B. The necessity to use deadly force arises when all other available means of preventing imminent and grave danger to officers or other persons have failed, or would be likely to fail. Employing deadly force is permissible when there is no safe alternative to using such force, and without it the officer or others would face imminent and grave danger.
- C. Officers are not required to place himself or herself, another officer, a suspect, or the public in the unreasonable danger of death or serious physical injury before using deadly force.
- D. Upon employment and prior to being authorized to carry any firearm, all officers will discuss this chapter in detail with the Department Firearms Instructor and demonstrate their understanding of it, through discussion and firearms training. All use of force restrictions shall apply to both on and off duty personnel.

V. **CIRCUMSTANCES WHERE DEADLY FORCE WOULD BE JUSTIFIED**

- A. Self-defense: When an officer reasonably fears imminent death or great bodily harm.
- B. Defense of Another: When an officer reasonably fears the imminent death or great bodily harm of another.
- C. Arrest: When an officer reasonably believes that a suspect has or is attempting to commit a dangerous crime and the officer reasonably fears death or great bodily harm to another if apprehension is delayed.
- D. Preventing Escape: When an officer is preventing the escape of a person from a federal or state correctional facility and when the officer reasonably fears death or great bodily harm to another if apprehension is delayed (fleeing felon).

VI. WARNING SHOTS

- A. Warning shots, attention shots, or shots to summon aid are generally prohibited and may be utilized only under extremely rare and unusual circumstances and then only when in compliance with all other requirements of this policy.

VII. USE OF LESS THAN LETHAL WEAPONS

Where deadly force is not authorized, officers should assess the incident and determine which non-deadly technique or weapon will best de-escalate the incident and bring it under control in a safe manner.

- A. Defensive and Arrest Techniques (DAAT)
 1. This is a system designed for all police officers for the primary purpose of self-defense. This system includes the intervention option, which provides general guidelines that define the degree and type of force to be used in controlling suspects and the use of (and) application of handcuffs, or other police equipment.
 2. AN OFFICER SHALL ONLY USE THAT AMOUNT OF FORCE, WHICH IS NECESSARY AND REASONABLE IN THE PERFORMANCE OF THEIR DUTY.
 3. Police officers are authorized to use Department approved non-deadly force techniques and issued equipment for the resolution of an incident, as follows:
 - a. To protect themselves or another from physical harm, or,
 - b. To restrain or subdue a restraint individual; or,
 - c. To bring an unlawful situation effectively under control.
 4. Use Of Pepper Spray
 5. Officers who have been trained in the use of pepper spray are permitted to carry and use the spray on duty under the following circumstances:
 - a. A person acts aggressively towards the officer.
 - b. After an officer has indicated to the subject that the officer intends to detain or arrest the subject, and the subject by words or actions intends to physically resist arrest efforts or intends to harm the officer.
 - c. The officer reasonably believes, from all information available, including prior law enforcement documented history and statements of the subject, that mere physical restraint would be ineffective or subjects the officer to bodily harm.
 6. Use of pepper spray is not permitted when:
 - a. The subject simply offers passive resistance (such as failing to acknowledge verbal commands) and does not by words or actions intend to resist arrest or harm the officer.
 7. Actions to be followed after use of pepper spray:
 8. The officer shall notify a supervisor and the officer shall complete a detailed report of the incident.
 9. The subject sprayed shall be decontaminated as soon as practical after the person has been subdued. Minimally, the officer will:

- a. Expose the subject to fresh air and flush affected areas with water when water is reasonably available.
- b. Notify jail personnel that pepper spray has been used so they can monitor the subject and take proper safeguards regarding affected clothing articles.
- c. If there is an unexpected adverse reaction, or if requested by the subject, transportation to a medical facility shall be arranged.

VIII. **USE OF BATON**

Officers have been trained in the use of batons and receive training in defensive tactics.

- A. Use of Baton is permitted when:
 1. An authorized baton (straight wooden baton or expandable straight baton) may be withdrawn from its ring holder or holder and held in the approved manner if the officer either is, or feels threatened or confronted with bodily harm. Baton strikes should be directed to areas below the chest.
 2. The officer reasonably believes mere physical restraint would be ineffective, or subject the officer to bodily harm.
- B. Actions to be followed after use of baton:
 1. The officer shall notify a supervisor. The officer shall complete a detailed report of the incident. The report will be given to the Chief, upon completion prior to the end of the supervisor's tour of duty.
 2. In the event that the Chief is absent, the next designated supervisor shall receive the copy. A copy shall be placed upon the Chief's desk regardless of his availability.

IX. **DISCONTINUING THE USE OF FORCE**

1. Under no circumstances shall an officer continue to use force against an individual who has ceased to resist.
2. When an individual only offers passive resistance to arrest, the officer shall bodily remove and transport such an individual as safely as is reasonably practical and possible.

X. **MEDICAL AID**

- A. After the use of any lethal weapons and the suspect has been safely secured, Emergency Medical Service (EMS) shall be called to the scene to assess the patient. If the suspect is to be transported for medical attention or clearance, minimally one officer shall accompany the ambulance personnel to the hospital. The officer should be in the patient compartment of the ambulance for security purposes.
- B. After using less than lethal weapons and the suspect has been safely secured, minimally, the officer will :
 1. In the event of physical or baton contact, apply appropriate first aid to affected area(s).

2. In the event of OC or CS use, expose the suspect to fresh air and flush the affected area(s) with water when water is available.
3. Notify jail personnel of the kind of force used so they can monitor the subject and take proper safeguards regarding affected body and clothing areas.
4. If there is an unexpected adverse reaction, or if requested by the subject, transportation to a medical facility shall be arranged.

XI. FIREARMS DISCHARGE

- A. A written report is required whenever an employee:
 1. Discharges a firearm other than training, or for lawful recreational purposes or the humane destruction of an animal; or
 2. Takes an action that results in or allegedly results in the injury or death of another; or
 3. Applies force to the person of another through the use of a lethal or less than lethal weapon.
 4. Applies weaponless physical force at a level as defined in Section III. (Use of Force).
- B. The purpose of this standard is to provide an effective review and analysis system. This review will help identify trends, improve officer safety and training, and provide timely information for the agency in addressing use of force issues to the public.
- C. The agency shall immediately treat the incident as an internal affairs matter and conduct an investigation as outlined in Chapter 52.
- D. The involved employee(s) shall be required to verbally report their involvement to the shift supervisor, upon request. The verbal report shall then be dictated by the involved employee(s) on a priority tape, and completed prior to the end of the shift, with a copy directed to the Chief of Police. The shift supervisor shall minimally complete a Supervisor Use of Force Report and contact the chief, or his designee.

XII. POST SHOOTING REVIEW

The Cameron Police Department recognizes the importance of reviewing reports submitted under **Section XI.** to determine if there are policy, training, weapon/equipment, or discipline issues to be addressed.

- A. Permissible Discharge of a Firearm:
 1. When in the performance of his/her duty, after all options have been or would prove to be ineffective and only when deadly force is otherwise authorized by this policy.
 2. For the purpose of training, or the humane destruction of an injured animal.
- B. Prohibited Discharge of a Firearm:
 1. Indiscriminate firing through doors or walls or into darkness, at targets that are not clearly defined.

2. Firing from or at a moving vehicle is generally prohibited and may be utilized only in extremely rare and unusual circumstances and then only when in compliance with all other requirements of this policy.
- C. Action that Results in Injury or Death of Another Person:
1. Any reported allegation regarding the injury or death of another may be investigated either under the direction of the Chief of Police, and/or the Office of the District Attorney.
 2. Internal investigations into the uses of force such as the potentially unlawful or inappropriate discharge of a weapon (other than training, humane disposal of an animal or lawful recreational purposes), shall be handled by the Chief Of Police
 3. Situations that may be sensitive if handled by our department inclusively may be investigated by an outside law enforcement agency. These contingencies would hold true for allegations stemming from the use of force whether lethal or less than lethal force is applied.
 4. The Cameron Police Department provides a standard procedure for investigating incidents of police use of force: Shooting where injury or death occurs and incident involving great bodily harm or death.
 5. Role of officer(s) involved:
 - a. Officer(s) involved in an incident of police use of force such as shootings where injury or death occur or an incident involving great bodily harm or death shall immediately:
 - i. Secure the area
 - ii. Call for/render medical assistance
 - iii. Call for a supervisor
 - b. Officer(s) involved in the use of force where great bodily harm or death has occurred will be placed on administration leave, pending a departmental investigation. The officer shall keep the department apprised of his/her location and hold himself/herself available between the hours of 8:00 a.m. -4:00 p.m., Monday through Friday.
 - c. Officer(s) may be required to file a written report for the investigation and may have legal representation present when being interviewed.
 6. Role of supervisor:
 - a. The supervisor at the scene of the incident will attempt to stabilize situation as quickly as possible, protect the scene and secure witnesses until the Chief or an assigned person arrives to conduct the investigation.
 - b. The supervisor at the scene should not be concerned with determining whether the incident is an internal investigation or a criminal investigation. The supervisor shall manage and secure the scene and assist the investigator upon arrival. If a firearm was used, the supervisors should take possession and handle it as evidence. The Chief or designated supervisor will decide if another weapon will be issued.
 - c. The supervisor will notify the Chief as soon as possible and if not available, the next highest ranking management officer will be notified. The Chief may request assistance

from an outside agency to conduct an investigation of the incident when warranted.

- d. If the supervisor receives information pertinent to the incident, the supervisor will be asked to file a report or provide a statement to the investigators.

7. Investigation:

- a. An agency from outside of the County will investigate all police- related shootings where injury/death occurs, and all instances of great bodily harm or death to persons resulting from police action.
- b. The only incident report filed regarding the officer'(s) statement(s) will be the written summary filed by the investigator concerning their interviews with the police officer(s) involved in the incident.
- c. As soon as practical, the investigation personnel will examine the equipment, firearm(s), ammunition, or weapon(s) used in the incident. Weapons having evidentiary value will be recovered and processed as evidence.

8. Administrative Review:

- a. All incidents of police use of force where injury or death occur will be reviewed by the appropriate departmental authority to determine whether:
 - i. Departmental rules, policy or procedures were followed.
 - ii. The relevant policy was clearly understandable and effective to cover the situation.
 - iii. Department training was adequate to cover the situation.
 - iv. All findings of policy violations or training inadequacies shall be reported to the appropriate unit for resolution and/or discipline.
 - v. All use of force incident reports shall be retained as required by state law.
 - vi. There will be a regular review of uses of force incidents by the appropriate departmental authority to ascertain training and policy needs.

XIII. POST SHOOTING REMOVAL FROM DUTY

The Cameron Police Department shall remove from line duty assignment, pending administrative review, any employee whose actions or use of force results in a death or serious physical injury to another.

Removing an involved officer from line duty may shield the officer from confrontations from other members of the community or the department. Another purpose for the removal from line duty is to protect the community's interest when officers may have exceeded the scope of authority in their actions or in their use of force. Another reason

to remove the officer from line duty is to shield officers who have not exceeded their scope of authority from possible confrontations with the community.

The Chief of Police may consider removing from the line of duty all officers involved in a critical or traumatic incident, not limited to shootings, including incidents such as a fatal motor vehicle accident involving an employee.

During the period of administrative leave, the agency may require provisions for post incident debriefing and/or counseling for those employees involved. The department, in some critical incidents, may offer counseling options to the employee's family. Additional requirements are detailed in Section XII.

XIV. FIREARMS AND AMMUNITION

- A. The Cameron Police Department, through the Firearms and DAAT Instructor, conducts quarterly review, inspection, and qualification with all officers, on all lethal and less than lethal weapons intended for use by Cameron officers. The approval to use such weapons by the officer's is ultimately approved by the Chief based upon the recommendations of the instructors.
- B. Officers are required to understand Use of Force (Section III.), Use of Deadly Force (Section IV.), and Use of Less Than Lethal Force (Section VII.) in addition to this standard. Officers also must meet all training standards set forth in Annual Training/Qualification (Section XVIII.).
- C. During each training session, the instructor shall complete a qualification form that shall be signed by the instructor and officer. The form shall be forwarded to the chief.
- D. All weapons that are inspected and found to be faulty shall be removed from use. A memo of the unsafe condition(s) shall be given to the chief who may authorize the item to be repaired by an authorized gun smith or to be destroyed.

XV. FIREARMS AND AMMUNITION (ON DUTY)

- A. Handguns:
 - 1. The department does not issue firearms to its full-time officers.
 - 2. An officer's handgun must meet the following requirements and be approved by the Chief of Police and a Firearms Instructor.
 - 3. Permitted caliber on-duty:
 - a. 357 Magnum, 9mm, 10mm, .40, .44 spl, and .45 ACP.
 - 4. Permitted caliber for on-duty/back up: (In addition to those above)
 - a. 32, .32 Magnum, .32 ACP, .380 and .38 SPL.
 - 5. No single action pistols or revolvers will be permitted.
 - 6. A record indicating the handgun serial number and type of ammunition will be kept by the Chief of Police.
 - 7. The Firearms Instructor and the Chief of Police will approve ammunition, be it departmental issue or officer purchased off- duty, backup.

B. Shotgun, (on-duty):

1. A loaded shotgun with 12 gauge and kept in each squad car, with slug and buckshot rounds available, if needed.
2. While on duty, police officer(s) shall carry only weapons and ammunition authorized by, and registered with this Department.
3. Authorized weapons are those with which the officer has qualified and received departmental training on proper and safe usage, and that are registered in compliance with departmental specifications Specialized Firearms:

C. Ammunition:

1. The Department issues 50 rounds of duty ammunition per year and 50 rounds of practice for each quarterly shoot for the weapon carried on duty by the officer.
2. Additional ammunition may be purchased by the officer. The ammunition will be clean fire or total metal jacket. Any ammunition purchased by the officer must meet Department standards and be approved by the Chief of Police and a Firearms instructor.

XVI. FIREARMS AND AMMUNITION (OFF DUTY)

Officers are allowed, but not required, to carry a handgun when off duty. An officer who is not carrying a handgun while off duty will not be subjected to disciplinary action should an occasion arise where the officer could have taken action if armed.

A. Requirements:

1. Once an officer elects to carry an off duty handgun the officer must meet certain requirements to meet the final approval of the Chief of Police.
2. The handgun, if not department issued, must be approved by a firearm instructor and the Chief of Police. The only calibers allowed will be: .32 Magnum, .32 ACP, .380, .38 SPL, .357 Magnum, 9mm, 10mm, .40, .44 SPL, and .45 ACP.
3. Ammunition for these handguns will be provided by the officer and must be approved by the firearms instructor and Chief of Police. The handgun will be carried in a suitable holster, which will provide satisfactory retention of the handgun while keeping it concealed.
4. A record indicating the handgun serial number and type of ammunition will be kept by the Chief of Police.
5. The officer will carry an authorized police identification badge and keep the off duty handgun concealed at all times.
6. No alcohol will be consumed while carrying an off duty weapon.

7. Officers will adhere to the deadly force policy and procedure of this department, remembering that the safest action to take in an off duty incident is to be an excellent witness.

B. Reporting use of deadly force:

1. If an off duty officer is involved in a shooting incident they will immediately call for assistance and make their identity known to the police units. The officer will also cooperate with the responding officers in the investigation of the incident. If the incident occurs outside of Cameron's jurisdiction, the officer shall inform the Chief immediately.

C. OC Spray

1. Each Cameron officer has been trained in and may carry OC Spray. The Cameron Police Department provides BG-X in the 52 gram or 85 gram size. The DAAT Instructor provides training in the use of OC Spray. Further discussion on this is found under Use of Force (Section III.) and Use of Less Than Lethal Weapons (Section VII.).

D. BATON

1. Each Cameron officer has been trained and may carry a baton. The department allows officers to carry conventional, wooden straight batons or expandable straight batons, of either 20 or 26 inch size. The DAAT Instructor provides training in the use of batons. Further discussion on use of batons is found under Use of Force (Section III.) and Use of Less Than Lethal Weapons (Section VII.).

XVII. FIREARMS PROFICIENCY

- A. The police department shall schedule training and qualification sessions for duty, off duty, and specialized firearms. The firearm instructor determines the course of fire, grades shooting on a pass/fail basis, and maintains the officers course records.
- B. PROFICIENCY: "Well advised in the art, occupation or branch of knowledge, adept, skillful." WEBSTER Prior to any use or possession of a firearm, the officer must demonstrate proficiency in handling the firearm.
 1. All officers will qualify during at least three quarterly qualifications
 2. with their issued and/or officer owned handguns.
 3. All officers will show proficiency with a duty shotgun biannually.
 4. All officers will qualify with their off duty and/or backup firearms annually. Proficiency shall be:
 - a. Reasonable and Consistent Shot Placement. Officers of the Cameron Police Department will show reliable shot accountability when firing their weapons to insure the safety of the public and fellow officers if ever involved in a shooting incident.
 - b. Proper Officer Survival Tactics Officers will display proper survival tactics to keep themselves, other officers and the

public in the least amount of danger when involved in a shooting situation or when the potential of a deadly force situation could arise.

- c. Safe Gun Handling Skills Officers will at all times display and use safe gun handling practices.
 - 5. Police officers who fail to qualify with their duty weapon(s) in accordance with departmental testing procedures shall receive immediate remedial training and shall be subject to suspension or termination if unable to qualify.
 - 6. A police officer shall not be permitted to carry an off duty weapon or ammunition which has not been approved by the Chief and on which the officer has not been able to qualify during the most recent qualification.
 - 7. A police officer who has taken extended leave or suffered an illness or injury that could affect his or her use of firearms ability will be required to re-qualify before returning to enforcement duties.

XVIII. ANNUAL TRAINING/QUALIFICATION

As provided in Firearms Proficiency (Section XVII), the Cameron Police Department requires all officers to attend all qualification sessions. The officer must successfully qualify in each of the training sessions to be authorized to carry a weapon.

- A. Officers shall receive in-service training on:
 - 1. Use of Force (Section III.)
 - 2. Use of Deadly Force (Section IV.)
 - 3. Use of Less Than Lethal Weapons (Section VII) as conducted by the Firearms and/or DAAT Instructors. Officers shall demonstrate proficiency, as described and defined in (Section XVII.), with all approved lethal and less than lethal weapons the employee is authorized to use.
- B. Proficiency training must be monitored by a certified firearms or DAAT instructor.
- C. All training and proficiency shall be documented and retained by the instructor. The instructor shall notify, in writing, the secretary maintaining overall training records of officer training, the number of hours attended
- D. Pursuant to Section XVII. at the discretion of the Chief, based on report from an instructor, any officer who fails to qualify using an authorized weapon shall receive immediate remedial training and shall be subject to additional schooling, administrative leave, suspension, or termination if unable to qualify.