



2000 USE OF FORCE

2010 GENERAL POLICY [CALEA 1.3.1; 1.3.5]

It is the policy of the Tucson Police Department to treat all members of the public with respect and in adherence with the rights afforded by the United States Constitution and the Constitution and laws of the State of Arizona.

In the course of their duties, officers of the Department may find it necessary to use force to overcome resistance, protect property and defend themselves or another person. In any encounter where the use of force becomes necessary, only reasonable force will be used. Under no circumstances will the force used be greater than necessary to achieve lawful objectives and to conduct lawful public safety activities.

It is neither the policy of the Department, nor the intent of these *General Orders*, that officers unnecessarily or unreasonably endanger themselves or others. It is not possible for any written statement concerning an officer's use of force to cover all of the fact scenarios that may occur within an officer's tour of duty. Therefore, the use of force model discussed in *General Orders* is recognized, and is to be used, as a general guide to using force when necessary. Officers must understand that situations may occur in which the escalation and/or de-escalation of resistance or aggression is sudden. Consequently, an officer's response may appropriately occur anywhere along the force model, as long as the response is an objectively reasonable response to the actual, or reasonably perceived, threat being presented by the subject.

Officers will be held accountable for their action, as well as inaction, when using physical force in the execution of their duties. Officers are expected to comply with all legal and Department standards. Officers are expected to ensure appropriate medical aid is rendered in all incidents involving the use of force.

Before carrying any weapon or applying any technique, members shall be instructed in the proper use and application of the weapon or technique. The member shall be provided the Department Use of Force Policy and all other policies applicable to the weapon or technique (these can be found in General Orders on the Intranet site).

2020 FORCE MODEL [CALEA 1.3.12, 1.3.4]

The force model has been developed for illustrative purposes, to explain the various levels of resistance and force that may take place during a use of force incident. The model is based on the concept that, as the resistive individual(s) increases the level of resistance or threat to the officer, the officer may increase the level of force necessary to overcome the resistance. Conversely, the officer may decrease the level of force as compliance is attained.

When applying the concept of a force model, the totality of the circumstances involved in the incident must be considered. Officers may initiate the use of force at any level of the force model that is appropriate under the circumstances. Circumstances that may influence the level of force used by the officer may include, but are not limited to:



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- The nature of the offense
- The behavior and actions of the subject, such as resistive actions, aggressive acts, *etc.*
- Physical size and conditioning of the subject and the officer
- The feasibility and availability of alternative responses
- The availability of additional officers

The levels of resistance by a subject include:

- Psychological Intimidation: Includes non-verbal cues indicating the subject's attitude, appearance and physical readiness.

This is often referred to as the "body language" of the subject, which influences an officer's decisions on how to approach a subject, or what level of force to use if the subject starts to resist a detention or an arrest. Non-verbal intimidating actions may include, but are not limited to: clenching the fists; widening the foot stance; or wearing a blank expression, which may warn officers of an individual's emotional state. These non-verbal actions often warn an officer of a subject's potential for violence when the subject has offered no verbal threats. A subject's non-verbal intimidation should be used as information to mentally prepare officers for attack, not as justification for the use of force.

- Verbal Non-Compliance: Verbal responses indicating the subject's unwillingness to comply with direction; may include verbal threats made by the subject.

A person has a constitutionally protected right to express verbal protest to an officer. As a general rule, speech directed at an officer is protected by the First Amendment. In addition, as a general rule, fighting words are not protected speech. The appropriate reaction to verbal threats made by a subject will depend on the specific facts faced by an officer. An officer's decision regarding the level of force necessary to control the subject will be based in part on the officer's perception of the verbal threat and the subject's apparent ability and willingness to carry out that threat. An additional factor is the officer's knowledge of his or her own capabilities to manage the threat presented.

- Passive Resistance: Physical actions that do not directly prevent the officer's attempt at control.

At this level, the offender never makes any attempt to defeat the physical actions of the officer. Passive resistance is usually in the form of a relaxed or "dead weight" posture intended to make the officer lift, pull or muscle the subject to establish control.

- Defensive Resistance: Physical actions that attempt to prevent the officer's control, but make no directed attempt to harm the officer.

At this level of resistance the offender attempts to push or pull away in a manner that does not allow the officer to establish control. However, the subject never attempts to strike the officer.



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- Active Aggression: Behavior that is a physical assault on the officer where the offender prepares to strike, strikes or uses techniques in a manner that may result in injury to the officer.
- Aggravated Active Aggression (deadly force): Assaultive acts of aggression directed towards an officer or another that are likely to cause serious injury or death.

The levels of force are:

- Officer Presence: the officer is clearly identified as an officer and his/her authority is established, by presence in uniform, or by clearly displaying a badge or identification.

It is at this initial stage of police/subject contact that the officer uses presence, to the greatest extent possible, to take control of the situation and avoid escalation. The first aspect is non-verbal communication skills, starting with the officer's facial expressions. The officer should consciously attempt to maintain eye contact with the subject. This is not only a tactically sound action but will show the officer's concern and interest.

The second form of non-verbal communication skill is body language. This may range from the officer being very relaxed in the upper body in an effort to calm the subject or showing strong muscle tension in the arms and hands in an effort to convince the subject to comply with the officer's request without physically touching the subject.

In the event that the presence of the officer does not curb or decrease the amount of resistance, or stop the violation of law, the officer must be prepared to escalate the use of force.

- Verbal Direction: Communication directed toward controlling the actions of a subject, including direction or commands.

The majority of situations can be resolved by good communication skills and verbal direction. In any verbal confrontation, fear and threat must be defused so the subject can better understand the officer's commands. This requires good communication skills and patience.

Voice control will often indicate emotional control. The slow, soft and deliberate voice of the officer will usually convey control, diffusing the hostile, verbally aggressive subject. The officer should remember that it takes a great deal of physical energy for a subject to maintain a high emotional level. The officer should attempt to maintain a lower emotional state, as the subject will often tire emotionally.

Successful communication skills may prevent many physical confrontations from escalating to higher levels. However, if resistance continues after using proper verbal and non-verbal skills, the officer must be prepared to further escalate the use of force.

- Empty Hand Control: techniques that cover a number of subject control methods.

These may be as simple as gently guiding a subject's movement or more dynamic techniques such as strikes. They are divided into two (2) categories:



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- "Soft" control techniques that present a minimal risk of injury. Generally, these techniques are used to control passive or defensive resistance. However, soft control techniques can be utilized for any level of resistance if tactically possible and legally permissible. Examples of soft empty hand control include standard handcuffing, wrist locks, arm bar control holds, and touch pressure points.
- "Hard" control techniques that might cause minimal injury, i.e. striking techniques using the hands or feet. "Take-downs," that is the forceful direction of the suspect to the ground, are also considered under this use of force category. Generally, these are used to counter defensive resistance, active aggression, or aggravated active aggression (deadly force). These techniques are applied when lesser forms of control have failed or are not applicable because the subject's initial resistance is at a heightened level. In such situations, officers may risk injury to themselves or may have to utilize higher levels of force (such as intermediate weapons) if hard empty control techniques are not used.
- Intermediate Weapons: The use of authorized less lethal weapons, including canines, impact weapons, chemical and OC agents, flex-batons, and other specialized less lethal munitions.

These provide a method of controlling subjects when deadly force is not justified and when empty hand control techniques are either not sufficient or not tactically the best option for the safety of others, the suspect and/or officer. When intermediate weapons are used, injury is likely and appropriate medical care shall be provided.

The following are types of intermediate weapons:

- Oleoresin Capsicum (OC) Spray – OC spray can provide a means of defense when the officer is facing resistance at the level of defensive resistance or greater.
- Impact Weapons – A straight or expandable baton can provide a means of protecting the officer or others from injury. Escalating to an impact weapon is a means of controlling subjects when the officer is facing defensive resistance, and the officer's empty hand control is insufficient to overpower the resistance or, when the officer is facing active or aggravated active aggression (deadly force). The impact weapon may be used in lieu of chemical agents when appropriate, given the limitations on the use of the spray and the time available to the officer.
- Taser – the Taser is a less lethal conducted energy weapon that deploys an electromuscular disruption charge that affects the sensory and motor functions of the central nervous system.
- Less Lethal Munitions/CN CS Gas – These include Department approved flex batons and other specialized less lethal munitions (such as pepper balls) and the use of CN (chloroacetophenone) and CS (Orthochlorobenzalmononitrile) gas.

The goal of deploying CN or CS gas is to temporarily incapacitate the subject to attain compliance and control. Officers may utilize CN or CS gas when no other means of subject control may be asserted without endangering the life or safety of the officers or others.



The use of kinetic energy impact rounds (flex baton) is restricted to instances of subject resistance at the active aggression or aggravated active aggression (deadly force) level. These may also be used in instances where a subject is physically causing serious or life threatening injury to him or herself or is threatening to cause such injury.

- Deadly Force: A use of force that is likely to cause serious injury or death. Use of a firearm is not the only means of employing deadly force. It may become necessary for officers to protect themselves or others with means other than a firearm.

Officers may employ all the techniques outlined in this General Order, and others that may be available under the circumstances of the particular situation, including those considered deadly force, in order to protect themselves or others from the use of deadly force.

2030 NON-DEADLY PHYSICAL FORCE [CALEA 1.3.4]

Non-deadly physical force includes tactics and intermediate weaponry that, when properly applied, have a minimal risk of causing serious injury or death.

Non-deadly physical force and intermediate weapons may be used in instances where an officer reasonably believes that it is immediately necessary to take action, such as:

- Protecting the officer or another person
- Preserving the peace
- Preventing the commission of an offense
- Making a lawful arrest
- Preventing a person from harming themselves

2040 DEADLY FORCE [CALEA 1.3.2; 1.3.8]

Deadly force may only be used when an officer reasonably perceives an imminent threat of serious physical injury or death to the officer or another person. When feasible, officers will attempt to utilize lesser means of force prior to using deadly force.

Except when faced with deadly force, officers are not authorized to independently use deadly force during a barricaded subject or hostage situation to terminate the incident. The Incident Commander of the rank of Lieutenant or above must authorize any advanced or planned use of deadly force during an ongoing barricaded/hostage situation. The commander authorizing use of deadly force must issue clear and specific instructions. Any Officer receiving such authorization shall refrain from the use of deadly force if, in the opinion of the officer receiving the authorization, the use of deadly force is no longer justified and /or practical.

The discharge of a firearm, other than in a training capacity, in the tactical situations referenced in *General Orders* 2041, or when testing the firearm, will be considered to be use of deadly force. The use of a firearm in a situation that does not warrant a deadly force response will be presumed to be a deviation from policy.

In cases where an officer has used or attempted to use deadly force by discharging a firearm, the supervisor shall initiate the appropriate response pursuant to *General Orders* 2500 for Major



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Incident Response and shall ensure proper written documentation is completed. Such incidents shall be reviewed pursuant to *General Orders* 3200, Boards of Inquiry.

Officers who have used deadly physical force shall be removed from active duty for their well-being, and for administrative and investigative purposes, while the circumstances surrounding the use of deadly force are investigated. Officers shall be debriefed and assisted by BSU as necessary prior to return to full duty.

2041 Use of Firearms [CALEA 1.3.3, 1.3.6]

The use of firearms by officers shall be consistent with Department standards and training. Officers may discharge a firearm under the following circumstances:

- At Department qualifications or firearms training,
- At an approved range,
- When test fired by the Crime Lab,
- To kill dangerous animals in an emergency,
- To kill a seriously injured animal, and
- In circumstances justifying the use of deadly force.

In certain limited circumstances firearms may be used for tactical purposes when other reasonable alternatives are not available. For example, trained SWAT personnel may be authorized by a supervisor to shoot out a street light at a scene to protect police personnel. Such uses are rare, however, and will be carefully evaluated by the chain of command.

Officers shall not handle a firearm in a careless or reckless manner. Officers shall not discharge a weapon:

- As a warning shot [CALEA 1.3.3]
- At a moving vehicle unless deadly force, is being used against the officer or a third party. In such cases, the deadly force shall be directed at the driver or occupant using the deadly force. There is no presumption that a moving vehicle constitutes deadly force. Officers will attempt to use tactics that will not put them in harms way and will make every reasonable effort to move out of the path of a moving vehicle.
- From a moving vehicle, unless deadly force is being used against the officer and the use of force is otherwise reasonable and necessary.

In any circumstance where a Department weapon is discharged, with the exception of qualification, at the practice range, and at the Crime Lab, a supervisor shall be notified immediately and a written report generated. [CALEA 1.3.6]

2042 Discharging Weapons at Animals

When dealing with a dangerous animal, deadly force shall not be used unless the animal represents an immediate danger to the officer or a third party. When an officer comes in contact with a seriously injured or dangerous animal, the officer will attempt to notify the appropriate



agency e.g., Animal Control, Livestock, etc. In any instance in which an animal is shot, the officer's supervisor will review the incident to determine if the shooting was in policy. In the case of the shooting of a seriously injured animal, the officer shall first notify a supervisor for approval and then thoroughly document the circumstances of the incident in a *Multi-Purpose Report*.

2043 General Provisions

2043.1 Use without Training Prohibited

Except in cases of extreme emergency in which there are no viable alternatives, no officer is permitted to use any empty hand control technique, intermediate weapon or restraint device of any type, or firearm, without first being trained in the use of that technique, weapon or restraint device.

2043.2 Training Center, Training and Documentation

Except where otherwise indicated in these *General Orders*, all training of officers on any empty hand control techniques, firearms, intermediate weapons or restraint devices shall be approved and/or performed by the Training Center. The Training Center is responsible for establishing accepted methods for use of the techniques, firearms and equipment addressed in this section and for maintaining documentation related to those methods. The Training Center shall keep complete files on the training received by all officers.

Officers are responsible for notifying their supervisors if certifications or qualifications need to be updated or renewed.

2043.3 Department Issued Equipment

Except where otherwise indicated in *General Orders*, only Department-issued and Training Center-approved restraint systems and intermediate weapons and firearms may be carried.

2043.4 Personally-Owned Equipment and Firearms

In those situations where personally-owned equipment, including firearms, is permitted to be carried, the Department assumes no responsibility for loss or damage that may occur to that equipment.

2050 FIREARMS

2051 On Duty Weapons [CALEA 1.3.9 a, 1.3.9c]

Sworn members, regardless of assignment, shall be armed at all times while on duty with a semiautomatic pistol of a make and model approved by the Chief of Police. A list of authorized weapons shall be maintained by the Training Center. The Department shall issue each sworn member a pistol authorized for their assignment. The issued pistol is equipped with a flashlight



(tac light) mounted to the underside of the frame. Sworn members will be issued a holster for wear with the uniform, designed to accommodate the weapon with the tac light mounted.

Sworn members working in a uniform capacity shall carry a Department issued handgun as their primary duty weapon with the tactical light mounted.

Members assigned to plainclothes assignments may carry the issued pistol or an alternate pistol approved for their assignment and shown on the approved weapon list maintained by the Training Center. Members choosing to carry the alternate plainclothes weapon shall be responsible for the purchase, maintenance and replacement of that weapon as needed. Those plainclothes members who carry the issued duty weapon shall either carry the weapon with the tac light mounted or, if detached, the light shall be kept where it can be accessed in a manner similar to keeping such elementary equipment as their handcuffs.

While on duty, sworn members in plainclothes shall also carry a fully loaded spare magazine of ammunition.

Exceptions may be granted on a limited basis when specific circumstances require sworn members to carry a weapon other than the issued or authorized weapon while on duty. Those exceptions, which must meet the minimum requirements for an auxiliary weapon shown in GO 2051.1, will be granted on a case by case basis, and may only be granted by the sworn member's Division Commander.

All weapons that are authorized for on duty use shall, at a minimum, meet the requirements established for auxiliary weapon (see *General Order 2051.1*). The Department Armorer shall maintain a list of all firearms that have been authorized for use by particular officers or units, or under specified circumstances.

2051.1 Auxiliary Weapons

Auxiliary firearms are weapons that a sworn member may carry while on duty as a backup to the primary duty weapon. An auxiliary weapon must:

- Be inspected by the Armorer.
- Have at least a five round capacity.
- Be at least a .380 caliber or greater.
- Be carried in an approved carry system.

If a weapon using other than a .40 caliber, 9mm or .38 caliber ammunition is approved the member shall be responsible for supplying the appropriate ammunition consistent with Department standards set forth in GO 2051.4.

2051.2 Undercover Assignments

Because of the nature of undercover assignments, exceptions to the *General Orders* pertaining to on duty weapons may need to be made. Should specific needs arise pertaining to these types of assignments, the following are minimum standards and requirements for undercover officers:



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Weapons carried as the primary duty weapon and the ammunition to be used with the weapon must be approved by the Commander of the member's respective Division and inspected by the Armorer. All such approvals shall be in writing and shall be maintained by the Armorer.

The weapon must meet the minimum standards of an auxiliary weapon found in GO 2051.1.

When in tactical situations, such as raids, the undercover officer shall carry the Department issued duty weapon.

2051.3 Off Duty Weapons

Sworn members shall qualify, through the off duty weapons qualification course, with any handgun carried off duty.

While off duty, a sworn member may carry any handgun with which the member has qualified. The member shall provide the handgun and appropriate ammunition, ensure that it is in serviceable condition and properly maintained.

All use of force policies, and officer involved shooting review policies, contained in General Orders shall apply to the use of a firearm while taking police action, whether on or off duty.

2051.4 Authorized Ammunition [CALEA 1.3.9 b]

Ammunition carried shall not be altered in any way from its original condition. Officers shall not carry, in a duty, off duty or auxiliary firearm, any explosive or incendiary loads, armor-piercing bullets, KTW types of ammunition, or pre-fragmented bullets, e.g., "Glaser Safety Slug." Only authorized ammunition shall be carried in a duty weapon. The Department Armorer shall maintain a list, and specifications for all approved duty ammunition.

SWAT personnel may carry special types of ammunition, as approved and authorized by the SWAT commander.

The Training Academy Firearms Staff (Department Armorer) shall be responsible for recommending the number of duty rounds to be carried in a department approved weapon after conducting testing and evaluation for effectiveness.

2051.5 Firearms Carrying

Weapons shall be carried in a safe fashion, consistent with approved and authorized carrying systems. Members carrying their weapon while in plainclothes shall do so in an approved carrying system. Purses may be used but they must be designed specifically for the use of carrying a firearm. "Fanny-pack" carry systems are not authorized for on duty use. Officers must qualify with their firearms while using an authorized carrying system. All members shall maintain a clean, charged and fully loaded firearms, as



directed by the Training Academy Firearms Staff, to include all magazines carried while on duty.

2052 **Firearms Qualification**

2052.1 **General** [CALEA 16.3.5]

All sworn members, including reserves and marshals, unless otherwise excused in advance by the Chief of Police, are required to attend regularly scheduled Department Firearm Training and Qualification exercises, and to achieve a qualifying score at all such exercises. If a sworn member fails to achieve a qualifying score, the procedure outlined in G.O. 2052.3 shall be adhered to.

2052.2 **Qualifications Sessions** [CALEA 1.3.10; 1.3.11 a, b]

Firearms qualification is part of mandatory advanced officer training held on an annual basis as directed by the Chief of Police. Training sessions may include a duty weapon qualification course and tactical courses of fire. AZPOST standard qualification courses will be utilized for all qualification shoots. Qualification course will be conducted under the supervision of an AZ POST qualified firearms instructor. Qualification shoots will be documented in the officer's training file.

Off-duty, shotgun qualification, FATS scenarios and tactical firearms training will be scheduled throughout the calendar year.

The qualification exercises are intended to ensure that all sworn members meet established standards of accuracy, and will be monitored by certified firearms instructors.

2052.3 **Failure to Qualify** [CALEA 1.3.10; 1.3.11 c]

Officers on duty shall carry only weapons with which they have qualified.

Officers who fail to achieve a qualifying score shall attend remedial firearms training. Failure to achieve a qualifying score after attending remedial firearms training may result in discipline up to and including termination.

Officers who fail to achieve a qualifying score during a Department qualification shoot shall not carry that weapon on or off duty. If an officer fails to qualify with their duty weapon during a qualification shoot, the Training Center will provide remedial training and a second opportunity to achieve a qualifying score the same day. If an officer still does not qualify with their duty weapon, the officer shall not carry that weapon other than to transport it to and from an approved range for firearms practice.

The Training Division, in conjunction with the affected officer's Division, will arrange remedial training at the next available opportunity, usually within 48 hours. Before attending remedial training, the officer will be put on a temporary assignment that does not require the officer to carry the weapon with which they did not qualify. This issue will be specifically addressed in the officer's performance evaluation.



After the remedial training, if an officer still fails to qualify, the officer will be considered ineligible for duty (including Special Duty) and shall be placed on leave without pay. At the officer's discretion, available vacation or compensatory time may be used in lieu of leave without pay. The officer shall have a maximum of four weeks to demonstrate firearm proficiency by shooting a qualifying score at the Department range in the presence of a firearm instructor selected by the Training Center commander. It will be the officer's responsibility to make the necessary arrangements to complete the required qualification.

An officer who fails to qualify after the four-week period shall be terminated.

2053 Carrying of Firearms while Traveling

Federal law allows certified peace officers the right to carry firearms throughout the United States. Sworn members who are traveling outside of Arizona may carry a weapon subject to the following considerations.

Carrying or use of a firearm in another state will be subject to any applicable local laws, ordinances and regulations. Any use or carrying of Department firearms remains covered under all provisions of *General Orders* at all times.

Members shall be responsible for the safety of their weapon at all times while traveling, whether in transit or otherwise, including any loss or damage.

2053.1 Traveling on Department Business

Sworn members traveling on Department business may bring their Department issued weapon with them out-of-state as they deem appropriate.

When traveling by air on a commercial carrier, the weapon shall only be carried in the member's checked baggage unless authorized as noted below. When checking a firearm in baggage the member shall be responsible for knowing and complying with all current restrictions and requirements imposed by the airline and government regulations.

If the travel is for enforcement purposes, such as transporting a prisoner, the involved member may request permission to carry their firearm in the passenger compartment of the aircraft. Such a request must be approved in advance by the Chief of Police, and requires that the member be issued a letter of authorization and receive proper training prior to a flight. Authorization will only be issued on a case by case basis after the need for the weapon is demonstrated. A member given such authorization shall comply with, and be subject to, all restrictions and requirements of the airline, FAA, TSA and other applicable authorities regarding carrying of the weapon.

Travel for business purposes other than enforcement, such as conferences, assessment centers, training, etc., will not be eligible for on-board carrying of a weapon. Sworn members traveling for such purposes may only transport the weapon in checked luggage as noted above.



2053.2 **Traveling for Personal Purposes**

Sworn members traveling for any personal purpose may take their Department issued weapon with them out-of-state subject to the provisions of *General Orders* and any applicable local laws, ordinances and regulations.

When traveling by air on a commercial carrier for personal purposes, a sworn member shall only transport the weapon in checked baggage. When checking a firearm in baggage the member shall be responsible for knowing and complying with all current restrictions and requirements imposed by the airline and government regulations.

2054 **Shotguns**

2054.1 **Department Owned Shotguns**

Department-owned shotguns may be carried by those officers who have qualified with a shotgun in the Department's Shotgun Qualification Course.

2054.2 **Personally Owned Shotguns** [CALEA 1.3.9c]

Officers who wish to carry personally owned shotguns while on duty may do so upon complying with the following:

- The officer must meet Department qualification standards with the shotgun to be carried.
- The officer's Division Commander must approve the carrying of the shotgun by the officer.
- The shotgun to be carried must be inspected by the Department Armorer and be certified to be within Department standards.
- The ammunition to be carried must be Department authorized.

If a personally owned shotgun is to be stored at a police facility, it must be unloaded and stored with other Department weapons.

2055 **Rifles**

2055.1 **Approval to Carry a Rifle** [CALEA 1.3.9c]

With the approval of the Chief of Police and the officer's chain of command, SWAT officers and patrol officers who meet the requirements of *General Orders* may carry approved Department-issued rifles or personally owned rifles.

2055.2 **Definition** [CALEA 1.3.9a]

A rifle is defined as any shoulder-fired weapon with a rifled bore capable of firing a single projectile per cartridge. A shotgun does not meet this definition.



2055.3 **Training**

The Training Division will develop and maintain a training program to certify officers in the tactical use of rifles. SWAT officers carrying rifles in the field shall adhere to the regulations articulated in the SWAT operations manual. All original records relating to training and the training program shall be maintained by the Training Academy.

2055.4 **Qualifications to Carry a Rifle**

Before a rifle can be carried in the field, the officer must successfully complete the Rifle Proficiency Course and qualify in the Rifle Qualification Course. Officers shall be trained to effectively engage the standard Department qualification target out to a range of 200 yards. Subsequent re-qualification shall be on a bi-annual basis.

The Proficiency Sergeant will annually provide all Commanders with a list of officers qualified to carry rifles. The list shall be updated after each qualification shoot.

2055.5 **Carrying the Rifle**

Officers shall carry the rifle as configured at the time the officer qualified in the Rifle Qualification Course. Rifles shall not routinely be carried in the passenger compartment of a police vehicle. Routine carry of the rifle shall be in the trunk of the police vehicle. When circumstances, including the type of vehicle being driven, require that the weapon be carried in the passenger compartment, prisoners or other persons shall not be placed in the same vehicle. This is true whether or not the vehicle is equipped with a prisoner screen.

Officers are responsible for the condition and security of rifles as they are for other issued equipment. The AOT Supervisor will provide supervisors with guidelines for security and deployment of the rifles. Supervisors shall ensure that carrying systems and security measures are adequate and consistent with training guidelines and Department policies.

2055.6 **Rifle Accessories**

The Department Armorer shall approve any after-market accessories placed on the weapon. The officer must qualify with the weapon with any such accessories installed before it is deployed.

2055.7 **Repair and Maintenance** [CALEA 1.3.9c]

The Department Armorer shall be trained and authorized to evaluate repair needs and conduct repairs of Department rifles. With the Department Armorer's approval, manufacturer authorized agents may conduct repairs outside the Armorer's scope. No repairs shall be performed by anyone other than the Department Armorer or a manufacturer authorized agent approved by the Department Armorer.



2055.8 Inspection of Rifles [CALEA 1.3.9c]

The Department Armorer shall inspect rifles that undergo repairs or modifications before the rifle is carried in a police capacity. Each rifle will be inspected annually at a qualification shoot. A record of the rifle inspection will be kept on file.

2055.9 Deployment of Rifles

The deployment of rifles is limited to situations in which greater range and/or accuracy is needed.

2055.10 Personally Owned Rifles

Officers wishing to carry personally owned rifles while on-duty may do so upon complying with the following:

- The officer must meet Department qualification standards with the rifle to be carried.
- The officer's Division Commander must approve the carrying of the rifle by the officer.
- The rifle to be carried must be inspected by the Department Armorer and be certified to be within standards.
- The ammunition to be carried must be Department authorized.
- If a personally owned rifle is to be stored at a police facility, it must be unloaded and stored with other Department weapons.

2060 PHYSICAL RESTRAINT DEVICES

2061 General

Restraint devices are used to prevent a person from:

- Leaving the scene of a detention or arrest
- Initiating or escalating violence against the officer, another person and/or themselves
- Destroying evidence or property

Unless circumstances reasonably preclude the officer from placing a person in a restraining device, officers will restrain individuals as necessary and appropriate.

As soon as practical, a restrained person shall be placed in an upright position. The only exception is for transportation by a medical unit.

2061 Handcuffs

2061.1 General [CALEA 70.2.1]

Handcuffs shall be issued to officers through Department Supply. Only those handcuffs authorized by the Department may be used to restrain a person. Issued handcuffs, and any spare sets an officer may choose to carry, will be carried on the duty belt in the prescribed holder and shall not be draped on or over the duty belt.



2061.2 Utilization

Barring exceptional circumstances, a person will be restrained with the person's hands behind the back with the palms of the hands facing out. The handcuffs shall be double-locked.

2062 Alternative Restraint Devices

2062.1 General [CALEA 70.2.1]

Only those devices issued by the Department shall be used. Alternative restraint devices may be carried in a holder on the duty belt. The carrier shall protect the device(s) from someone easily grabbing it or from inadvertently hooking on an object. In any event, the device will be readily available for use.

2062.2 Utilization

These devices may be used in situations where conventional restraint methods are not suitable. Officers will use the device in the manner prescribed in training. Only officers who have successfully completed training in their use are authorized to use these devices.

Use of an alternate restraining device shall be reported to a supervisor as soon as possible. Should the person be booked into jail, correctional personnel shall be notified as well.

2070 INTERMEDIATE WEAPONS [CALEA 1.3.5]

Intermediate weapons include canines, impact weapons, OC spray, CN and CS agents, flex-batons, and other specialized less lethal munitions.

2071 Impact Weapons

2071.1 General

The Training Center shall be responsible for maintaining a list of authorized weapons. The weapons shall not be altered in any manner, e.g., weighted, knurled.

2071.2 Straight Baton

An impact weapon made of a 20 to 26 inch solid polycarbonate or wood baton that is black in color. Officers will be issued a straight baton through Supply for use in Mobile Field Force situations. Expandable batons are not appropriate for such use.



2071.3 Side Handle Baton

This specialized baton will be of similar configuration to the Monadnok PR-24 baton, and may be individually purchased by the officer. The type of side handle baton must be authorized by the Training Center to assure that it complies with Department standards. Side handle batons will not be equipped with what is commonly known as a "spinner handle."

2071.4 Expandable Baton

This is a baton that is capable of being expanded from a more compact, retracted status. Specifications on currently approved models of expandable batons for use by officers are maintained by the Training Center.

2072 Chemical Agents and OC (Oleoresin Capsicum) Spray

2072.1 General

Chemical agents and OC sprays are non-lethal weapons utilized in a variety of tactical situations ranging from dispersing an unruly gathering to subduing a resisting person. These agents are generally deployed when lesser means of controlling a situation have failed or would be ineffective and an escalation of force is necessary. The active ingredient in OC is non-chemical and thus is less likely to cause injury. Therefore, OC is considered a lesser degree of force, within intermediate weapons, than is CN or CS gas.

2072.2 Types

- **Chemical Agents**
These are specialized agents and munitions such as CN and CS gas that are deployed by SWAT and other specially trained units as deemed appropriate. These agents may be used only upon approval by a commander.
- **OC Spray**
This agent is dispensed in an aerosol form. OC Spray will be carried in an issued holster on the duty belt of all authorized personnel when in uniform.

2072.3 Training [CALEA 1.3.10]

- **Chemical Agents**
All training for the deployment of these specialized agents will be the responsibility of the SWAT Unit. The training will include prescribed first aid measures for any person exposed to chemical agents. The SWAT Unit will maintain records of those members trained and authorized in the use of chemical agents.
- **OC Spray**
All authorized personnel will receive training in the use of OC spray from the Training Center. The Training Center will document such training in a member's training files.



The training will include prescribed first aid measures for any person exposed to OC spray.

2072.4 Utilization [CALEA 1.3.5]

Chemical Agents and OC Spray

When it is both practical and possible to do so, any persons exposed to chemical agents or OC spray will receive first aid/decontamination care.

2072.5 Pepper Ball Guns

Properly trained officers may deploy and utilize the compressed air powered "Pepper Ball" less lethal weapon system under the same guidelines for the use of force as contained in *General Orders* 2030. These guns produce a low level kinetic energy impact, in some cases with the release of powdered OC. All uses of the system outside of training situations shall be documented in the same fashion as other less lethal weapons systems. In addition, documentation for OC exposure shall be conducted in the same manner as required for aerosol utilization.

2073 Flex Baton

The flex baton is a less lethal kinetic energy impact device fired from a specially identified shotgun.

2073.1 General

The flex baton shotgun is a 12-gauge shotgun, specially identified with a green colored stock and fore-end, and a fluorescent green band around the grip area. It shall be used only for firing the flex baton round and shall not be loaded with any other type of round. It shall be carried in an identifiable hard carrying case at all times until deployed.

2073.2 Flex Baton Ammunition

The flex baton round is a specialized impact round encased in a shotgun shell. The round will only be fired from one of the specially identified flex baton shotguns.

The Training Division Armory will be responsible for maintaining an adequate supply of the flex baton rounds, as well as for establishing and monitoring distribution procedures throughout the agency.

2073.3 Training [CALEA 1.3.10]

All personnel utilizing the flex baton must have successfully completed the Department's qualification course with a 12-gauge shotgun and the four-hour flex baton training course. Qualified officers must attend yearly refresher training and shotgun qualification. The Training Center will be responsible for providing authorized personnel with training in the use of the flex baton and will document such training in their training file.



All field Sergeants, LPOs, SWAT officers and Service Dog Unit officers shall be trained in the use of the flex baton. Only those who qualify following training may use the flex baton.

2073.4 **Utilization** [CALEA 1.3.5, 1.3.4]

The flex baton is available for use in situations where officers are confronted with a dangerous situation where there is a high potential for injury to the suspect, officer or to an innocent third party. While the flex baton is meant to be a less lethal device, it is important to remember that it can be lethal. Officers firing the round at a person shall be aware of the current guidelines pertaining to acceptable target areas and distance.

At least one flex baton shotgun will be deployed in each field division 24 hours a day. The flex baton shotgun shall be loaded with flex baton ammunition only, and must be unloaded each time the weapon is passed from one user to another. It is the responsibility of each officer loading the weapon to examine each round to ensure that the round loaded is a flex baton round. When loaded, the chamber will be kept empty.

In all cases when an individual is struck by a flex baton round appropriate medical care will be provided and an required documentation will be completed.

2074 **Taser**

2074.1 **General**

The Taser is a less lethal conductive energy weapon that deploys an electro-muscular disruption charge that affects the sensory motor functions of the central nervous system. The Taser is considered to be a less lethal device as it has a low potential for serious injury when deployed to control resistive or combative individuals. The Taser may be used in situations where an officer encounters **Active Aggression** resistance as defined in General Orders. However, any use of the Taser shall be reasonable and based on the totality of the circumstances.

2074.2 **Devices**

Only those devices that have been authorized by the Department are to be utilized. The Training Division shall maintain an inventory of all Tasers and their distribution. All Tasers and supporting equipment shall be maintained and issued by the Armory.

2074.3 **Training**

The Training Division shall be responsible for all training that is associated with the Taser. Members must successfully complete the prescribed training to be authorized to carry and deploy the weapon in the field. The Training Division shall maintain records of those members who have been trained to use the Taser. Qualified members must attend yearly refresher training and qualification to retain their certification. Members who fail to retain certification shall not be allowed to carry the device.



2074.4 Utilization

The Taser may be utilized in two modes; either by firing the projectiles (probes) or by the contact method known as drive stun. In either case, the Taser shall be used in a manner consistent with training, General Orders, and directives pertaining to its use. Instances when a Taser shall not be used on a person include:

- Women known to be pregnant
- To gain compliance when attempting to gather physical evidence such as blood, buccal cells, hair samples, etc.
- When conditions exist that would create an undue hazard to the targeted subject, officers or other persons involved.

Particular discretion shall be used when considering the use of a Taser on handcuffed prisoners and on juveniles.

Field supervisors will ensure that at least one Taser is deployed within their squad each shift. Specialty units or members working in a non-uniform capacity who are assigned a Taser shall have the Taser available in their Department vehicle. A minimum of two cartridges shall be carried with the Taser at all times.

Only officers who are currently authorized to carry the Taser shall be allowed to carry the weapon in the field.

Subsequent to the use of the Taser on an individual the following steps shall be taken:

- Summon medical assistance if the person received a charge.
- Notify a supervisor who will respond to the scene.
- Remove the cartridge from the Taser and then remove the probes from the individual. An exception to the removal of the probes will be when the probes have imbedded in the subject's eyes, face, neck, and groin, in which a medical professional shall remove the probes.

2074.5 Documentation

After each use or threatened use of the Taser, a Use of Force Incident report shall be completed in AIM and forwarded through the chain of command. For purposes of this section, the term "use or threatened use" means displaying the Taser in a manner designed to gain voluntary compliance prior to actual use, discharging the Taser by firing the projectiles (probes), or using the drive stun technique. . See *General Order 2080* Use of Force Reporting and Review for Use of Force reporting requirements.

All Divisions that deploy Tasers will have the following responsibilities:

- Each Division shall maintain a Taser log that corresponds with each Taser assigned.
- The Taser automatically records data each time the trigger is pulled. Each time the trigger is pulled the officer shall document this in the Taser Deployment log. The Division Taser Coordinator shall be responsible for downloading the data and printing



a report on a quarterly basis. Copies of the report and Taser Deployment log shall be forwarded to the Operations and Standards Section Commander. The original report and Deployment log will be maintained within the Division for a period of three (3) years.

- The Taser log and a random sampling of six (6) Tasers shall be inspected monthly by the Division Taser Coordinator.

2075 **Additional Specialized Intermediate Weapons**

The Department currently maintains a number of specialized intermediate weapons for use by the Specialized Response Division. These devices are considered to be less lethal munitions and are used in specific tactical situations. All training, inventory management, and deployment guidelines for such equipment will be the responsibility of the Specialized Response Division commander.

2076 **Canines** [CALEA 1.3.4]

The proper use of a canine to subdue a combative or fleeing subject is considered an intermediate level of force. Operational guidelines for the training and deployment of canines are detailed in *General Orders* 2442 and in the operations manual of the Tactical Support Section.

2080 **USE OF FORCE REPORTING AND REVIEW** [CALEA 1.3.6, 1.3.7, 1.3.8, 1.3.13]

A supervisor shall be notified as soon as possible regarding the use of force in two situations: the use of force at the level of hard empty hand control or above as defined within this General Order and/or if injury is sustained by the officer or by the person on whom the force was used. The contacted supervisor shall complete the Use of Force Incident Report in AIM within twenty-four (24) hours, and shall assign the Use of Force Incident Report to the involved officer's chain of command. Notification of the incident and the Use of Force Incident Report number shall be made to the involved officer's immediate supervisor. The officer's chain of command shall complete their review of the incident within thirty (30) days of the creation of the Use of Force Incident Report. Upon completion of the review, the Use of Force Incident Report shall be assigned to the Office of Internal Affairs Administrative Officer for closure through the AIM tracking procedure.

In the event of a firearm discharge (other than during training, qualification or weapon testing in the Crime Lab), a Use of Force Incident Report shall be completed. This includes all Officer Involved Shootings and discharging of a firearm to dispatch an animal. Use of Force Incident Reports generated under these circumstances do not require chain of command approval if an internal investigation (including a Board of Inquiry) is being conducted and shall be assigned to the Office of Internal Affairs (OIA) Administrative Officer for closure.

It shall be the responsibility of The Office of Internal Affairs to ensure that all Use of Force Incident Reports are complete and accurate, and that they are reviewed by the appropriate chain of command for adherence to policy. OIA shall produce and disseminate both a quarterly report and annual report based on the information provided in the Use of Force Incident Reports.