



GENERAL ORDERS

THIENSVILLE POLICE DEPARTMENT

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Chapter 5 – Management of Resistance and Aggression

Section 1 – Use of Force

5.1.1 Use of Force

Discussion: The intent and purpose of this directive is to recognize the Thiensville Police Department’s legal and moral responsibility to use force wisely and judiciously. It is the policy of the Thiensville Police Department that force will only be resorted to after officers reasonably believe it is necessary in the performance of legal duties; that deadly force will never be resorted to until an officer reasonably believes that a lesser degree of force would be insufficient to defend the life of the officer, the life of another, or, in limited situations, to apprehend a dangerous felon. This General Order incorporates the requirements of Sec. 66.0511 (2), Wisc. Stats. and recognizes the Wisconsin Department of Justice, Law Enforcement Standards Board document, entitled, Defensive and Arrest Tactics: A Training Guide for Law Enforcement Officers as the department’s guidelines to establish Defensive and Arrest Tactics (DAAT) for this department’s use of force. Defensive and Arrest Tactics is defined as a system of verbalization skills coupled with physical alternatives and reflects the goal of gaining voluntary compliance. This General Order is promulgated pursuant to the U.S. Constitution; Wisconsin Law; Sec. 939.45 through 939.49, Wisc. Stats and Wisc. Stats 174.01(1); Tennessee vs. Garner, 471 U.S. 1, 105 S. Ct. 1694, 85 L. Ed. 2d 1, 1985 U.S. 195, and Graham vs. Conner, 490 U.S. 386,

109 S. Ct. 1865, 104 L. Ed. 2d 443 (1989), state statutes or local ordinances, agency policy, and officer training.

This use-of-force policy shall be made publicly available on the department's website or, if the department does not maintain its own site, on the website maintained by the Village of Thiensville. The website shall display any updated policy as soon as practically possible but no later than one year after a change to the policy is made, prominently display a means of requesting a copy of this policy, and provide, upon request, a copy of the current policy free of charge within three days of the request.

- A. The U.S. Constitution and the U.S. Supreme Court established (*Graham v. Connor*) the standard that any law enforcement use of force must be objectively reasonable, in light of:
 - 1. The severity of the alleged crime at issue
 - 2. Whether the suspect poses an imminent threat to the safety of officers and/or others
 - 3. Whether the suspect is actively resisting or attempting to evade arrest by flight
- B. The Defense and Arrest Tactics is backed by two important concepts that guide Wisconsin law enforcement. These concepts are the *Incident Response Model* and *Disturbance Resolution Model*.
 - 1. **Incident Response - RESPOND Model** is a general framework for how officers should respond to calls.
 - a. **Report** – communicate with subjects, other officers, and with dispatch.
 - (1) Become aware, plan response, arrive/assess, alarm/inform.
 - b. **Evaluate** – the nature of the situation and whether and how you should proceed to intervene.
 - (1) Look for dangers, determine backup needs, enter when appropriate/tactically sound.
 - c. **Stabilize** – the situation and the people involved, so as to prevent further escalation or deterioration.
 - (1) Subject(s), scene.
 - d. **Preserve** – after scene is stable, preserve life and preserve evidence, in that order.

- (1) Conduct an initial medical assessment (as trained), treat to the level of training, continue to monitor the subject(s), preserve evidence.
 - e. **Organize** – team activity to perform all the functions needed.
 - (1) Coordinate additional responding units, communicate with dispatch and others, organize the collection of evidence (if appropriate).
 - f. **Normalize** – control the scene, keep unauthorized people out, and try to get things back to normal.
 - (1) Provide long-term monitoring (as appropriate), restore scene to normal, return radio communications to normal.
 - g. **Document/Debrief** – the event in a report and debrief responding personnel and other persons involved to calm them down and to begin to get back to normal.
 - (1) Debrief self, other responding personnel, subject(s), other personnel, document incident appropriately.
2. **Disturbance Resolution** provides a model for how officers should deal with situations in which they must intervene to resolve a disturbance.

Approach Considerations

Decision-Making

- Justification
- Desirability

Tactical Deployment

- Control of Distance
- Relative Positioning
- Relative Positioning with Multiple Subjects
- Team Tactics

Intervention Options

Mode

A. Presence

B. Dialog

Purpose

To present a visible display of authority

To verbally persuade

C. Control Alternatives	To overcome passive resistance, active resistance, or their threats
D. Protective Alternatives	To overcome continued resistance, assaultive behavior, or their threats
C. Deadly Force	To stop the threat

Follow-Through Considerations

A. Stabilize	Application of restraints, if necessary
B. Monitor/Debrief	
C. Search	If appropriate
D. Escort	If necessary
E. Transport	If necessary
F. Turn-Over/Release	Removal of restraints, if necessary

C. Use of Necessary Force

1. Officers may use force legitimately when it is needed to achieve control in the following lawful objectives:
 - a. To achieve and maintain control of resistive subjects
 - b. To detain persons reasonably suspected of criminal behavior
 - c. To make lawful arrests
 - d. To defend themselves or others
 - e. To prevent escape
2. The purpose for use of force is to gain control in pursuit of a legitimate law enforcement objective. Control of an individual through officer presence and/or verbal persuasion is the preferred alternative to the use of physical force alternatives, less-lethal weapons, and/or lethal force. It is recognized that this method(s) is not always effective or appropriate in gaining compliance, and it then becomes necessary to escalate the degree of force. When it is determined that verbal commands are either

ineffective or inappropriate, an officer may escalate the degree of force based on the actions of the individual he is attempting to control.

3. If the level of force that is being used is not effective to gain control, officers may disengage and/or escalate to a higher level of force. The concepts of escalating/de-escalating modes of force are based on an officer's intervention to a specific action of the individual the officer is attempting to control.
 - a. Escalate/De-escalate is to increase/decrease the intensity or move to a higher/lower level of force or control.
 - b. De-escalation is an officer's use of time, distance and relative positioning in combination with Professional Communication Skills to attempt to stabilize a situation and reduce the immediacy of threat posed by an individual.
4. It is expected that officers can and will maintain a "position of advantage" in use of force situations. Officers are not required to escalate step-by-step through the Intervention Options. As the situation dictates, officers may move from any mode to any other if that officer reasonably believes that a lower level of force would be ineffective. Once an individual is under control, officers are required to revert to the lowest mode of force necessary to maintain that control and begin follow-thru procedures.

5.1.2 Deadly Force

Definitions:

Deadly Force: The intentional use of a firearm or other instrument that creates a high probability of death or great bodily harm.

Great Bodily Harm: Bodily injury which creates a substantial risk of death, or which causes serious permanent disfigurement, or which causes a permanent or protracted loss or impairment of the function of any bodily member or organ or other serious bodily injury.

Imminent Threat (about to happen): The person to whom the officer is intending to use deadly force must have:

1. the displayed or indicated intent to cause great bodily harm or death to the officer or another person; and
2. a conventional or unconventional weapon capable of inflicting great bodily harm or death; and
3. the capacity for the use of a weapon; delivery system.

Reasonable Belief: Facts or circumstances the officer knows, or should know, are such to cause an ordinary and prudent officer to act or think in a similar way under similar circumstances.

- A. The purpose of deadly force is to *stop the threat*.
- B. Using deadly force in the absence of significant threat would not be reasonable.
- C. Use of deadly force to prevent suicide and solely to protect property is prohibited.
- D. Officers are permitted to use deadly force for the following situations:
 - 1. Defense of Self or Others pursuant to Wisc. Stats. 939.48(4). The use of deadly force is permissible under the following circumstances:
 - (a) As a last resort and in the defense of oneself, when the officer reasonably believes he is imminently threatened with death or great bodily harm;
 - (b) As a last resort and in the defense of another person or persons, who the officer reasonably believes is imminently threatened with death or great bodily harm and who the officer reasonably believes is entitled to defense.
 - 2. Defense of Society at Large pursuant in Tennessee v. Garner:
 - (a) Against a “fleeing felon” [defense of society at large] only when the officer reasonably believes that the action is within the circumstances of this directive. In Tennessee v. Garner, the U.S. Supreme Court sanctioned the use of deadly force when necessary for self-defense, defense of others, or to prevent the escape of a person who committed a crime involving the infliction or threatened infliction of serious bodily injury or death. The Court said:

“where the officer has probable cause to believe that the suspect poses a threat of serious physical harm, either to the officer or to others, it is not unconstitutionally unreasonable to prevent escape by using deadly force. Thus, if the suspect threatens the officer with a weapon or there is probable cause to believe that he has committed a crime involving the infliction or threatened infliction of serious physical harm, deadly force may be used if necessary, to prevent escape and if, where feasible, some warning has been given.”
 - (b) An officer may use deadly force to apprehend a criminal suspect who has used or threatened to use deadly force against someone, and presents a continued threat to the public, and the officer

reasonably believes there is no other way to make the arrest or retain custody of the person once arrested.

3. After the officer has identified themselves as a police officer, ordered the suspect to stop the unlawful activity in which use of deadly force would be justified, and stated his or her intent to use deadly force if the lawful order is not obeyed, whenever possible, unless it is not feasible to do so under the circumstances.
 - a. Preclusion is the concept that an officer can use deadly force when the officer reasonably believes that all other options have been exhausted or would be ineffective. Deadly force is always a last resort.
 - b. If the decision is made to use deadly force, the officer must still fulfill the following three target requirement's:
 - (1) Target Acquisition
 - (2) Target Identification
 - (3) Target Isolation
 - (a) The one exception to the requirement for target isolation is called the "greater danger exception." Essentially, this exception allows you to shoot without target isolation if the consequence of not stopping the threat would be worse than the possibility of hitting an innocent person. For example, if a deranged subject were randomly shooting people, you might be justified in firing without target isolation because if not stopped, the suspect could be expected to continue shooting. The chance that your bullet might strike an innocent person is preferable to the likelihood of the suspect killing or injuring many others.
4. Pursuant to Wisc. Stats. 174.01(1), an officer may kill a dog if threatened with serious bodily harm by the dog and:
 - a. other restraint actions were tried and failed; or
 - b. immediate action is necessary
5. As a last resort to destroy an animal so seriously injured that humanity dictates its removal from suffering, but only after careful consideration is given to the public's safety and whether other dispositions may be feasible.

6. Prior to being authorized to carry any firearm, all sworn personnel shall receive a copy and demonstrate their understanding of this directive (5.1.2, Deadly Force).

5.1.3 Warning Shots

- A. Warning shots pose a danger to officers as well as citizens and are prohibited.

5.1.4 Use of Less Lethal Weapons

- A. Authorized Less-Lethal Force: Officers are authorized to use department approved less-lethal force techniques and equipment that they believe are necessary to control a subject(s).
- B. Encountered Resistance: When force is used by an officer, it must be in direct relationship to the amount of resistance given by the individual. Resistance is an action by an individual, toward an officer, and can be characterized as:
 1. Passive Resistance: Refers to non-compliant, and non-threatening behavior. Individuals who are not fighting but are also not complying with the officer's orders are displaying passive resistance.
 2. Active Resistance: Behavior which physically counteracts an officer's control efforts and which creates a risk of bodily harm to the officer, subject, and/or persons.
- C. Approach Considerations: Confrontation is dynamic and reactive, not static. It is usually not just a word, a shove, a grab, or a punch. It is often a combination of the above, in a random, rapidly moving chain of events. To describe resistance or control as a "level," is to be specific and offers an inaccurate picture. Resistance and control are better described as "constantly changing variables" that are identifiable by an officer trained in threat assessment.
 1. Decision Making: An officer should first survey the situation before making contact with a subject or entering the situation. Officers should attempt to determine:
 - a. whether legal justification exists to make contact; and
 - b. whether it is wise, desirable and possible to control the situation at the moment.

2. Tactical Deployment: An officer should try to assess the threat potential and determine if safe and efficient tactics can be used. Tactical deployment is concerned with making decisions about locating yourself and your partners in relation to the subject or situation. The officer's assessment may include the following:
 - a. control of distance of someone standing too close or too far away;
 - b. relative positioning in relation to a subject(s) may put you at an advantage or disadvantage;
 - c. coordinating team tactics if more than one officer is available;
 - d. awareness of previous contacts, or knowledge of the individual(s);
 - e. level of familiarity with physical surroundings;
 - f. existence of a reported crime or disturbance;
 - g. does the officer have a plan of action;
 - h. possession of the proper equipment;
 - i. proximity to "cover";
 - j. does the officer have a position of advantage;

3. Tactical Evaluations: An officer should attempt to determine the extent or degree to which the subject presents a threat to the officer(s). In tactical evaluation an officer should assess the potential hazards in the contact and decide how to minimize them. The officer's evaluation should fall into the following four categories:
 - a. Threat Assessment, includes behaviors and actions by the subject(s) which give the officer an opportunity to assess the threat potential which the subject(s) present. Behaviors and actions include:
 - (1) level of resistive tension - the level of agitation or tension in the subject's body;
 - (2) early warning signs of danger, such as:

- (a) conspicuously ignoring the officer;
 - (b) excessive emotional attention;
 - (c) exaggerated movement;
 - (d) ceasing of all movement; and
 - (e) known violent history of the subject(s).
- (3) pre-attack postures - that is, physical posturing or positioning which indicates that a subject may be imminently ready to attack, such as:
- (a) boxer stance;
 - (b) arms set, clinched fists;
 - (c) shoulder shift, or rolling of shoulders forward as though ready to attack;
 - (d) target glance - that is, looking at a potential target; and
 - (e) the “thousand yard” stare - that is, a direct and continuing, but unfocused stare.
- (4) indications that the person is emotionally disturbed, mentally ill, in a crisis and out of control, and/or appears to be under the influence of alcohol and/or drugs:
- (5) indications that the person is displaying medically significant behavior include, but are not limited to:
- (a) abrupt onset, agitation or excitement;
 - (b) agitation or excitement;
 - (c) confusion and impaired thinking and perception;
 - (d) bizarre, often violent behavior directed at objects;
 - (e) superhuman strength and insensitivity to pain;

- (f) profuse sweating and clothing removal.
- (6) weapon control factors, such as:
 - (a) cannot see the subject's hands, particularly the palms;
 - (b) the subject is armed;
 - (c) subject positioning to control the officer's weapon; and
 - (d) assess what other instruments or weapons are available.
- b. Officer - Subject Factors, include any differences between the subject(s) and the officer(s), which may affect threat assessment. Factors to consider are:
 - (1) number of subjects, compared to the number of officers;
 - (2) individual factors between officer(s) and subject(s) such as age, sex, size, skill level and relative strength.
- c. Special Circumstances include any information the officers have or special circumstances which they become aware of which affect threat assessment and tactical evaluation. Special circumstances are factors or situations which may justify a rapid escalation or force, or selection of higher force options. Circumstances to consider are:
 - (1) reasonable perception of a threat, or potential threat - that is, the presence of an object that appears to be a weapon;
 - (2) the officer's special knowledge of the subject's history or tendencies to behave violently;
 - (3) sudden assaults - that is, upon an officer or another person;
 - (4) subject's ability to escalate the officer's assessment - that is, the officer's previous knowledge, subject's physical abilities, and relative positioning to the officer;

- (5) the officer's physical positioning - that is, a physical position which is disadvantageous, in relation to the subject's, thereby elevating the officer's threat assessment;
- (6) officer injury or exhaustion - that is, if the officer is injured or exhausted, the subject presents a greater potential threat, because the officer is less able to use force effectively;
- (7) other special circumstances, including:
 - (a) equipment and training;
 - (b) availability of backup;
 - (c) presence of innocent people; and
 - (d) any information not listed above which affect threat assessment and tactical evaluation.

d. Level/Stage/Degree of Stabilization refers to the subject's ability to use force. The less ability a suspect has to fight or flee, the more they are stabilized. The less stabilization, the greater the threat.

D. Intervention Options: The following list of officer interventions is not intended to be in any specific order, but reflects on the amount of resistance encountered. Which mode an officer chooses in a given situation depends on the officer's tactical evaluation and threat assessment

- 1. If an individual offers compliance to include: recognizing or acknowledging an officer, and/or quitting, ceasing, and discontinuing any illegal or questionable activity:
 - a. the officer may engage the following intervention options:
 - (1) Presence – the officer provides a visible display of authority using one of the following tactical stances:
 - (a) an open stance;
 - (b) a ready stance; or
 - (c) a defensive stance.

- (2) Dialogue – Wisconsin DAAT system is defined as “a system of verbalization skills coupled with physical alternatives.” Verbalization should be used throughout an officer’s interaction with subjects, even at very high levels of force.
 - (3) The verbal tactic used should be consistent with your physical presence. Types of dialogue include:
 - (a) search talk;
 - (b) persuasion:
 - (c) light control talk; and
 - (d) heavy control talk.
2. If an individual displays passive resistance, as defined in this policy:
 - a. the officer may engage in the following control alternatives:
 - (1) escort holds; and
 - (2) compliance holds:
 - (a) Come alongs
 - (b) Pressure points (Mandibular angle, Hypoglossal)
3. If an individual displays active resistance, or the threat of, as defined in this policy:
 - a. the officer may engage in the following control alternatives:
 - (1) Oleoresin Capsicum;
 - (2) Electronic Control Device; and
 - (3) use of passive countermeasures;
 - b. Continued resistance is defined as maintaining a level of counteractive behavior that is not controlled with the officer’s current

level of force. If an individual displays continued resistance, assaultive behavior, or the threat of, as defined in this policy.

- (1) the officer may engage in the following protective alternatives:
 - (a) active countermeasures;
 - (b) incapacitating techniques; and
 - (c) use of intermediate (impact) weapon
 - (1) baton;
 - (2) or Specialty Impact Munitions (SIMS)
4. If an individual offers life threatening resistance as defined in this policy:
 - a. the officer may engage in the following intervention option:
 - (1) Deadly force:
 - (a) the intentional use of a firearm; or
 - (b) other instrument that creates a high probability of death or great bodily harm.
5. The use of neck restraints and/or choke holds is prohibited, unless used in accordance with Chapter 5.1.2, Deadly Force.
 - a. Choke holds are defined to include not only force that prevents or hinders breathing or air flow, but also force that hinders blood flow, such as carotid restraints.
6. Dynamic Situations
 - a. Medically significant behavior (example: Excited Delirium) cannot be precisely defined. It includes a variety of behaviors that indicate a serious and potentially life-threatening medical condition. If a person is experiencing Excited Delirium or some other medical problem that is contributing to violent behavior; response tactics should try to accomplish the following:

- (1) avoid increasing the subject's agitation or excitement;
- (2) minimize physical struggles with the subject;
- (3) minimize the use of restraints; and
- (4) get medical care for the subject as quickly as possible.

7. Ground Defense and Escapes

a. An officer on the ground or other horizontal flat surface is at a significant tactical disadvantage. The force response that an officer may utilize can vary widely, based on the totality of circumstance. Officer responses can range from a simple ground defense technique that allows an officer to get up safely to a dynamic assault that forces an officer to use deadly force.

- (1) Officers on the ground with a suspect have several options:
 - (a) Stabilize and handcuff.
 - (b) Utilize a Protective Alternative from that relative/physical position.
 - (c) Escape from a disadvantageous ground position.
 - (d) Defend against a more dangerous ground position.
 - (e) Disengage and/or Escalate through the application of a self-defense technique or apply deadly force if appropriate.

E. Follow-thru Considerations after Control has been Established

1. Control is a perception based on the officer's training, experience, and fact situation. Once an officer has gained control of a resistive subject through any of the specific modes in the Disturbance Resolution Model, the officer must initiate follow-through procedures, such as:

a. Stabilizing subject - application of restraints, if appropriate:

- (1) stabilize the subject, so that he remains under control; and

- (2) use handcuffs at any point along the Disturbance Resolution Model, for temporary mechanical control.
- b. Monitoring - debriefing procedures: Once the subject is stabilized, and an initial search completed the officer must conduct an initial medical assessment and determine if medical care is needed. After the subject has been treated, officers shall continue to monitor the subject for medical issues and for indications of mental illness, emotional disturbance, or medically significant behavior.
- c. Frisk and/or Search when appropriate: Once the subject is stabilized and controlled, the officer may:
 - (1) Frisk – when an officer reasonably suspects, based on articulable facts, that a subject is committing, has committed, or is about to commit a crime, an officer may conduct a limited search (frisk) for weapons or objects that could be used as weapons.
 - (2) Search – when a subject is in custody and prior to transporting or turning the subject over to jailers, other authorizes, or when a handcuffed subject is to be released and any time that an officer accepts custody of a subject from another agency.
- d. Escorting, if necessary: An officer must escort the subject to a designated area, such as a patrol vehicle and transport to an appropriate location, if necessary. Depending on the circumstances, any of the following may be appropriate:
 - (1) Blanketing the arm, rear escort position, rear compliance hold
- e. Transporting: An officer must transport the subject to an appropriate destination, in accordance with the directives, via patrol vehicle, ambulance, etc., if necessary;
- f. Turn-Over and release: When appropriate, a subject may be turned over to jailers or other authorities, booked and released, or issued a citation and released.
- g. Documentation: Use of Force reports should follow the following format:

- (1) Describe the physical and environmental; factors that you observed.
- (2) Identify what your trained observations told you. Use DAAT terminology.
- (3) Explain your trained forced action(s). What trained technique or dynamic application did you use.

F. Electronic Control Device (ECD)

1. A (ECD) may be used to overcome active resistance or its threat. It may also be used when the subject poses a threat of harm to himself or herself such as self-inflicted injury or a suicide attempt.
2. Only officers trained by a certified (ECD) Instructor are authorized to carry or use an ECD.
3. People Who Are Running Away
 - a. Before deploying a control device during a foot pursuit, ask yourself, "What will the suspect force me to do when I catch him?" If the subject would force you to decentralize him or her during initial physical contact, using a (ECD) might be a better choice, as the risk of injury to the officer and subject would be less with a (ECD) as opposed to a passive countermeasure. On the other hand, if you don't think the subject would require you to immediately take him or her to the ground, then a (ECD) would probably not be the best choice. In that case you could safely respond with a lower level of force. Another way to think about the situation is to apply the three criteria from *Graham v. Connor* to determine whether using a control device would be reasonable:
 - (1) The severity of the alleged crime at issue: Is it a retail theft or a substantial battery?
 - (2) Whether the suspect poses an imminent threat to the safety of officers and/or others: What is the suspect doing when you decided to use force?

- (3) Whether the suspect is actively resisting or attempting to evade arrest by flight. Is the suspect able to offer active resistance and/or flee?
4. An ECD shall not be used:
 - a. In obvious proximity to flammable liquids, gases, or any highly combustible materials that may be ignited by the device.
 - b. When it is reasonable to believe that incapacitation of the subject may result in serious injury or death.
 - c. Punitively or for purposes of coercion.
 - d. Once an individual is subdued and under control, nor shall it be used against subjects who are offering passive resistance.
 - e. On subjects appearing to be under the age 12, female subjects who appear pregnant, and individuals who appear frail, unless extraordinary or life-threatening circumstances exist.
5. In each instance when a (ECD) is deployed a determination shall be made regarding the need for a cover officer with a lethal force weapon.
 - a. A cover officer armed with a lethal force weapon shall be required in all cases in which the subject possesses a weapon.
6. The use of a (ECD) on an animal should be based on the intent to provide a safer, more humane and less traumatic conclusion to the incident. A (ECD) may be used when:
 - a. A vicious animal is threatening or attacking a person or other animal and the use of other force is not reasonable, or may not be desired given the situation.
 - b. An animal needs to be controlled for the reason of public peace or safety, preservation of property, or other legitimate purposes; and the animal poses an active threat to officers in their efforts to perform their duties.
 - c. When possible, officers should be prepared to apply conventional controls once the (ECD) has subdued the animal.

- d. Officers shall use reasonable care when deploying a (ECD) when a police K-9 is near the subject targeted for deployment.
7. All officers of the Department who have a (ECD) assigned to them are responsible for the safe and secure storage of that weapon when not worn on the officer's person.
- a. When not worn or in direct possession of the assigned officer, department issued (ECD) shall be stored in a department approved holster within a locked cabinet, safe, or other locked device sufficiently designed for that purpose.

G. Specialty Impact Munitions - (SIMS)

- 1. The Thiensville Police Department recognizes that combative, non-compliant, armed and/or violent subjects cause handling and control problems that require special training and equipment. Therefore, the department has adopted the use of Specialty Impact Munitions, or SIMS, to assist with the de-escalation of these potentially violent confrontations.
- 2. SIMS shall be considered an extension of an officer's baton and placed within the Disturbance Resolution Model at the level of Protective Alternatives.
- 3. Guidelines for the use of SIMS:
 - a. Only officers trained by a certified SIMS instructor are authorized to carry or use such weapon.
 - b. SIMS shall be delivered to a suspect target area based on the circumstances, the established safety priorities, and the level of force authorized.
 - c. SIMS will only be fired from weapons dedicated for the sole purpose of deploying less lethal munitions. Weapons dedicated for specialty impact munitions will be marked to identify them as single use only weapons.
 - d. Officers are prohibited from using SIMS on subjects appearing to be under the age of 12, or elderly subjects that appear frail, unless extraordinary or life-threatening circumstances exist.

- e. In each instance when a SIMS is deployed a determination shall be made regarding the need for a cover officer with a lethal force weapon.
 - (1) A cover officer armed with a lethal force weapon shall be required in all cases in which the subject possesses a lethal weapon.
- 4. As soon as practical, a supervisor shall be notified when SIMS is deployed (hit or miss). Any specialty impact munition shooting that results in great bodily harm to or the death of a subject should be treated as an officer involved shooting in accordance with Chapter 1.3.8, Death or Critical Incident Involving a Police Officer.

Section 2 – Rendering Aid

5.2.1 Medical Aid

- A. The use of lethal or less-lethal weapons may result in injury to the individual involved. The use of any force on an individual may require that the officer summon emergency medical services (EMS) personnel, and that first aid be rendered until such time as EMS crews arrive. Typically, most injuries are treatable using basic first aid techniques. Whenever there is doubt concerning the need for medical attention, it should be resolved through the examination of the subject by an appropriate medical facility.
- B. Treatment guidelines for oleoresin capsicum (OC) chemical agent spray are as follows:
 - 1. individuals sprayed with OC should be monitored and verbally reassured that they are safe and that their breathing will return to normal;
 - 2. individuals who are sprayed should, as soon as reasonably possible, be removed to fresh air and faced into the wind. They may be allowed to use cool water, preferably from a running tap or hose to rinse the OC from their face, while encouraging them to open their eyes and flush with water. Make every effort not to allow them to rub their face. If persons sprayed are wearing contact lenses, they should be permitted to remove them. Using soap and water will remove the resin from the skin which will assist in the recovery process; and

3. individuals who are sprayed and complain of continued pain or problems after the affected areas have been flushed with water will be afforded medical treatment, or in any case when symptoms persist beyond 45 minutes.
- C. Officers should ensure that the individual sprayed with OC has recovered, and to the extent possible is dry before any transport is attempted. When appropriate, Jail personnel will be informed that an individual sprayed with OC is enroute prior to the actual transport being initiated. Once the transport is completed, officers will wipe down the back-seat area of the transporting vehicle with soap and water. This should be accomplished in a well-ventilated area and the officer should wear protective rubber gloves.
- D. Medical Aid after the use of an Electronic Control Device (ECD).
1. Trained officers who use a (ECD) against an individual shall ensure the person is monitored for injury as soon as practical after control is established. Generally, probes that have penetrated the skin can be removed by a trained police officer. Once the probes have been safely removed, the puncture site can be treated with a sanitizing element and a band-aid. Spent probes and cartridges will be handled as a bio-hazard and will be disposed of in conformance with training methods.
 - a. If an individual request that the probes be removed by medical personnel, officers shall honor the request. Whenever there is doubt concerning the need for medical attention, it should be resolved through the examination of the subject by an appropriate medical facility.
 - b. Probes that appear too deeply embedded or are embedded in sensitive areas such as the breast of a female, or the face, neck, or groin shall be removed by medical personnel.
 - c. When monitoring an individual who has been exposed to a (ECD) officers should consider the potential for injuries sustained in an uncontrolled fall.
 - d. Photographs shall be taken of any obvious marks, scratches, or scarring resulting from a drive stun application.

- E. Medical Aid after the use of Specialty Impact Munitions (SIMS)
 - 1. Individuals who are struck with a specialty impact munition will be restrained and evaluated with respect to possible injury, and will receive medical treatment at a medical care facility. Medical staff will receive full disclosure on impact areas and other applied force so that an accurate medical assessment may be conducted. Photographs shall be taken of any apparent injuries sustained by the individual.

Section 3 – Reporting and Review

5.3.1 Use of Force Reporting (In-House)

- A. Officers shall intervene and report to their supervisor or the Chief of Police as soon as feasible after an officer observes another officer using force that the reporting officer reasonably believes to exceed the authorized level of force.
- B. The Use of Force Report will be completed in all instances where an officer resorts to the use of physical force at a level of Compliance Hold or above. This does not include handcuffing and searching where no physical resistance occurred. This Use of Force Report is an addendum to the offense/incident report. All required narrative reports should be contained in the offense/incident report concerning the incident.
- C. Any time an officer utilizes physical force at a level of Compliance Hold or above; a supervisor should be notified and respond to the scene of the incident. In the event the supervisor cannot respond to the scene, the officer shall advise the supervisor of the circumstances surrounding the use of force. This will be accomplished at the earliest possible time.
- D. The following situations shall require the completion of a Use of Force Report:
 - 1. any action resulting in the discharge of a firearm, except for training or for lawful recreational purposes;
 - 2. any action involving the pointing of a firearm at a person;
 - 3. any action that results in, or is alleged to have resulted in, injury or death of another person;
 - 4. any force applied through the use of lethal or less-lethal weapons;

5. any action involving the pointing of a (ECD) at a person or the use of a (ECD) which contributes to the control of the subject. If a (ECD) is deployed at a person the serial number of the (ECD) shall be documented in the officer's report;
 6. any action involving weaponless physical force at a level of compliance holds and above pursuant to the Disturbance Resolution Model.
- E. Use of Force/Arrest Related Death (UFAD) Reporting via TraCS (National)
1. All Use of Force and Arrest Related Death incidents shall be reported and submitted via Badger TraCS when one of the following occurs:
 - a. Any time that an officer uses force that results in the death of a person, or any time that a person dies while arrested, detained, or in the course of being arrested.
 - b. Any time that an officer uses force that results in the great bodily harm of a person.
 - c. Any time that an officer discharges a firearm at or in the direction of a person.
 2. The Chief of Police, or designee shall be responsible for completing all UFAD *Summary Report* submissions via BadgerTraCS.
 3. The Lieutenant, or designee shall be responsible for all UFAD *Zero Report* submissions via BadgerTraCS.
 4. All UFAD incident submissions are due by the 15th of the following month of each incident.

5.3.2 Post Use of Force Incident Review

- A. After the Use of Force report has been completed by the officer; a copy shall be submitted to the Chief of Police and to the Lieutenant.
- B. The Lieutenant, upon receipt of a Use of Force report, has seven (7) working days to start a formal review of the incident describing the facts, circumstances and disposition of the use of force incident. In order to standardize use of force reviews, the Lieutenant shall use the "Use of Force Review Form" as a guide in the review process. Upon completion, the review shall be forwarded to the Chief of Police for further review.

- C. When the review is completed, the Chief of Police or the Lieutenant will see that the officer(s) involved receive the review and go over it if needed. The Lieutenant will ensure that the recommendations of the review are implemented, if necessary. If the review reveals possible violations of officer(s) action(s), law or policy the Lieutenant will make the appropriate recommendations to the Chief of Police.

5.3.3 Post Use of Force Removal from Duty

- A. An employee's actions or use of force that results in a death, great bodily harm or serious bodily injury shall be removed from his or her line of duty assignment pending administrative review in accordance standard 6.3.8, Officer Involved Critical Incidents.

5.3.4 Annual Use of Force Analysis

- A. On an annual basis, the Chief of Police, or designee, will conduct a documented analysis of reports generated in accordance with Chapter 5, Section 3, Reporting and Review. The purpose of such review is to reveal patterns or trends that could indicate training needs, equipment, and/or policy modifications.

Curtis J. Kleppin, Chief of Police

Date