

GENERAL ORDER

JANESVILLE POLICE DEPARTMENT

SUBJECT: **USE OF NON-DEADLY FORCE**

NUMBER: 2.3

SCOPE: All Sworn Personnel

ISSUED: 02/19/2025

REFERENCE: WI State Statutes 66.0511(2), 939.45, and
939.48, 175.44, 165.845

EFFECTIVE: 03/16/2000

DAAT Disturbance Resolution Model

PURPOSE: The purpose of this Order is to establish procedures for the use of less lethal weapons and non-deadly force, and to identify the responsibilities of officers when using such weapons and force, both on and off duty.

This policy is based on the Defensive and Arrest Tactics (DAAT) program established by the Wisconsin Department of Justice – Law Enforcement Standards Board.

This Order consists of the following numbered sections:

- I. POLICY
- II. DEFINITIONS
- III. EQUIPMENT
- IV. USE OF NON-DEADLY FORCE
- V. POLICE BATON
- VI. CHEMICAL RESTRAINT
- VII. ELECTRONIC CONTROL DEVICES
- VIII. SPECIALTY IMPACT MUNITIONS
- IX. PEPPERBALL SYSTEM
- X. CHEMICAL AGENT DEVICES
- XI. PURSUIT INTERVENTION TECHNIQUE (PIT)
- XII. MEDICAL ASSISTANCE
- XIII. DUTY TO REPORT NONCOMPLIANCE
- XIV. DUTY TO INTERVENE

- XV. WHISTLEBLOWER PROTECTION
- XVI. REPORTING THE USE OF NON-DEADLY FORCE
- XVII. SUPERVISORY RESPONSIBILITY
- XVIII. USE OF NON-DEADLY FORCE WHILE EMPLOYED OFF DUTY
- XIX. USE OF NON-DEADLY FORCE DURING DEMONSTRATIONS OR CIVIL DISTURBANCES
- XX. OFF DUTY CARRYING AND USE OF LESS LETHAL WEAPONS
- XXI. ANNUAL TRAINING

I. POLICY

- A. The Janesville Police Department recognizes and respects the value and special integrity of each human life. In vesting police officers with the lawful authority to use force to protect the public welfare, a careful balancing of all human interests is required. Therefore, it is the policy of this department that, when using force, police officers are required to act in good faith to achieve a legitimate law enforcement objective. Officers are only authorized to use force that is objectively reasonable based on the totality of circumstances, as outlined in §175.44(2), Wis. Stats.
- B. The Janesville Police Department's Use of Non-Deadly Force policy adheres to all applicable federal, state, and local laws

II. DEFINITIONS

- A. **ACTIVE RESISTANCE:** Behavior that physically counteracts an officer's attempt to control and which creates the risk of bodily harm to the officer, subject, and/or other person. The act of running away does not in itself constitute active resistance.
- B. **ELECTRONIC CONTROL DEVICE:** Instruments in which a safe amount of electricity is used to affect the sensory and motor nervous system of the body
- C. **NON-DEADLY FORCE:** The use of any weapon or instrument or any other action on the part of the officer that does not fall under the definition of deadly force but which may result in bodily harm or injury to a person. For reporting purposes, non-deadly force is any force greater than compliant handcuffing.
- D. **OFF DUTY:** Anytime an officer is not performing regular police duties under the supervision of a ranking officer on a scheduled tour of duty for the City of Janesville.

- E. REASONABLE FORCE: That force which an ordinary, prudent, and intelligent person with the same knowledge of the particular situation as the officer, would deem necessary.
- F. SPECIALTY IMPACT MUNITIONS: Munitions that can be fired, launched, or otherwise propelled for the purpose of encouraging compliance, overcoming resistance, overcoming assaultive behavior, or preventing serious injury without posing a significant potential of death.
- G. PEPPERBALL SYSTEM: Projectiles with a chemical irritant or marking paint payload that can be launched to encourage compliance, overcome resistance, and overcome violent assaultive behavior.
- H. CHEMICAL AGENT DEVICES: Throwable or launchable device with a CS, OC, or smoke chemical designed to disperse a violent and unruly crowd.
- I. DE-ESCALATION: Taking action to stabilize a situation and reduce the immediacy of a threat so more time, options, and resources become available to resolve the situation with a reduced likelihood that physical force will be necessary.
- J. DEFENSIVE AND ARREST TACTICS (DAAT): A system of verbalization skills coupled with physical alternatives. It is the specific system formulated, approved, and governed by the Wisconsin Department of Justice – Law Enforcement Standards Board.
- K. OBJECTIVE REASONABLENESS STANDARD: The standard established by the U.S. Supreme Court in *Graham v. Connor* is that reasonableness should be judged under the totality of the circumstances from the perspective of a reasonable officer at the scene with similar training and experience. Three elements of the standard are:
 - 1. The severity of the alleged crime at issue.
 - 2. Whether the person poses an imminent threat to the safety of officers and/or others.
 - 3. Whether the person is actively resisting or attempting to evade arrest by flight.
- L. CHOKE HOLD: the intentional and prolonged application of force to the throat, windpipe, or carotid arteries that prevents or hinders breathing or blood flow, reduces air intake, or reduces blood flow to the head.

III. EQUIPMENT

- A. The following department issued equipment are considered less lethal weapons and may be used in the application of non-deadly force where necessary:
 - 1. Police Baton

2. Chemical Restraint
 3. Electronic Control Device
 4. Specialty Impact Munitions
- B. Any other equipment must be approved by the Chief of Police, or the Chief's designee prior to use by an officer.

IV. USE OF NON-DEADLY FORCE

- A. An officer shall use only the minimum amount of force that is reasonably necessary to perform his/her duties. The amount of force which may be employed is determined by the totality of the circumstances of a situation, including, but not limited to:
1. The nature of the incident or offense.
 2. The behavior of the subject against whom force is to be used, actions by third parties who may be present.
 3. Physical conditions.
 4. The feasibility or availability of alternative actions.
- B. A force decision shall be based on the Disturbance Resolution Model and the Intervention Options incorporated in the DAAT system.
- C. The reasonableness of the force used will be judged in the light of the circumstances as they appeared to the officer at the time he/she acted, and not as they appear from a subsequent, more thorough knowledge of the circumstances.
- D. Under no circumstances may an officer continue to use force (except for physical restraint) against an individual who has ceased to resist, escape, or otherwise violate the law. The officer making an arrest has the right to use only that amount of force that is objectively reasonable to fully control the suspect. Once the suspect is under law enforcement's full control, officers must terminate the use of force. Officers should use trained de-escalation techniques to maintain control of the suspect.
- E. Officers may use reasonable force to:
1. To achieve and maintain control of resistive subjects.
 2. To detain persons reasonably suspected of criminal behavior.
 3. To make a lawful arrest.
 4. To defend themselves or others.
 5. To prevent escape.

- F. When an individual offers only passive resistance to arrest, an officer shall take such person into custody and transport such individual with as much regard to the individual's safety and welfare as is reasonable, practical and possible.
- G. Unless deadly force can be justified, officers shall not apply intentional and prolonged application of force to the throat, windpipe, or carotid arteries that prevent or hinder the breathing or blood flow, reduces the intake of air, or reduces blood flow to the head.
- H. Officers shall not mistreat persons who are in their custody. Officers shall handle such persons in accordance with law and department orders. The use of excessive and unwarranted force or brutality will not be tolerated under any circumstances and may subject the officer to disciplinary action.
- I. Any officer present and observing another officer using force that is clearly beyond that which is objectively reasonable under the circumstances shall, when in a position to do so, safely intervene, without regard for chain of command, to prevent the use of such excessive force. Officers shall report their observations and actions to their immediate supervisor as soon as practicable after the use of such force.
 - 1. Officers must consider numerous factors when determining if it is safe to intervene, some factors may include but are not limited:
 - a) Is the officer in uniform or able to safely identify themselves as law enforcement officers?
 - b) Could an immediate intervention escalate the situation?
 - c) Is this a tactical situation, or is the officer not in the capacity to intervene?
 - 2. Officers involved in the reporting of a noncompliant use of force or intervention are, at a minimum, extended all protection under Wisconsin State Statute 175.44(5).
- J. When time and circumstances reasonably permit, officers shall consider whether a subject's lack of compliance is a deliberate attempt to resist or an inability to comply based on factors including, but not limited to:
 - 1. Medical condition
 - 2. Mental impairment
 - 3. Developmental disability
 - 4. Physical limitations
 - a) Language barrier
 - b) Alcohol/drug-induced impairment

c) Behavioral crisis

K. When officers can reasonably conclude that the lack of compliance is attributed to a condition enumerated in Section J, above, and when deemed safe under the totality of circumstances, officers shall use de-escalation techniques to reduce the need for physical force. Such techniques should not compromise officer or public safety. These techniques may include:

1. Containing the threat;

- a) Placing barriers between the subject and officer;
- b) Creating distance and seeking cover and/or concealment;
- c) Tactical positioning;
- d) Utilizing professional communications, including verbal persuasion;
- e) Requesting additional resources, including additional officers, CIT officers, or less lethal equipment; and/or
- f) Ensuring a proportional response.

V. POLICE BATON

A. Officers shall receive training in the proper use of the police baton. Training shall be done by a trained instructor in defense and arrest tactics minimally every two years.

B. The police baton may be used by an officer only when it is reasonably apparent that a lesser degree of force would be inadequate to control the situation. The baton may be used by an officer to subdue a violently resisting subject or in self-defense or in defense of a third person if lesser methods have failed, or if circumstances warrant the immediate use of the baton.

C. It is recommended that uniformed officers have the department issued police baton on their duty belt. Uniformed officers must have the baton on their duty belt in the unlikely event a TASER is unavailable. If officers do not have the baton on their duty belt they shall have a department issued baton immediately available to them during their tour of duty. Immediately available means on their person or accessible in their patrol car. This rule shall not apply to administrative personnel, sworn employees in civilian attire, and other officers assigned duties within the police department.

D. Use of the Police Baton

- 1. The proper use of the baton is to impede a subject, not to cripple, maim or kill. The baton shall not be used as a club or bludgeon and shall not be raised above the head to strike a blow except with the departmental approved and trained methods.

2. Blows delivered with a baton shall be delivered only to the vulnerable areas of the body which will render the offender temporarily incapacitated, as instructed in the departmental authorized method on the use of the baton.
3. An officer shall not strike an individual above the shoulders unless such action is justified under deadly force. This section is intended to prohibit the intentional striking of an individual above the shoulders; it is not intended to apply to an accidental striking.
4. In less lethal force situations, when possible, officers should avoid using the baton on:
 - a) Pregnant women.
 - b) People with apparent debilitating illness.
 - c) Elderly persons.
 - d) Children 12 years or younger.

VI. CHEMICAL RESTRAINT

- A. The aerosol chemical restraint authorized by the Janesville Police Department contains oleoresin capsicum (O.C.). No other aerosol chemical restraint is authorized or allowed without prior approval from the Chief of Police or the Chief's designee.
- B. Officers must be trained and certified in the use of O.C. aerosol. Training shall be done by an O.C. aerosol trained instructor for a period of not less than four hours. Officers shall re-certify every two years.
- C. Uniformed officers are required to carry O.C. aerosol while on duty. This rule shall not apply to administrative personnel, sworn employees in civilian attire, and other officers assigned duties within the police department.
- D. Use of the O.C. Aerosol
 1. The proper use of O.C. aerosol is to overcome active resistance or its threat. The best target area for the aerosol is the face.
 2. Officers must consider the disturbance resolution model, officer subject factor, and the threat assessment to determine if the use of O.C. aerosol is appropriate.
 3. O.C. aerosol will be used consistent with the training provided by the Janesville Police Department.
 4. Officers will take into consideration the position of police officers assisting and other people before using O.C. aerosol. O.C. aerosol is not to be used once an individual is under control and is no longer a threat to the officer.

E. After-Action Care

1. Once the offender is under control, the officer must offer to apply the following decontamination/first aid procedures.
 - a) Expose the offender to fresh air.
 - b) Flush the offender's face and other affected areas with water.
 - c) Transport the offender to a medical facility for treatment if necessary.
 - d) Ask the offender if they are wearing contact lenses. If they are, provide an opportunity to remove the contact lenses as soon as possible.
 - e) Officers must monitor the offender for any signs of additional medical attention until the effects subside.
 - f) Offenders will not be forcibly decontaminated.
2. Subjects that are exposed to O.C. aerosol and must be incarcerated shall be held at the Rock County Jail Facility. Jail staff shall be informed that the subject has been exposed to O.C. aerosol.

VII. ELECTRONIC CONTROL DEVICES

- A. Electronic control devices are designed to restrain violent or potentially violent individuals.
- B. The primary purpose for employing electronic control devices is to reduce injuries and save human lives.
- C. Officers must be trained and certified in the use of electronic control devices. Training shall be done by a Janesville Police Department-approved instructor for a period of not less than five hours. Officers are required to re-certify every two years. Re-certification training will be for a period of not less than two hours.
- D. Officers shall carry and use only the makes and models of electronic control devices that have been approved by the Chief of Police.
- E. Electronic control devices and cartridges shall only be carried in department approved holsters or pouches. They may not be carried loosely in officers' pockets or in any other insecure fashion.
- F. Electronic control devices shall be carried on the side of the uniform opposite the officers' firearm.
- G. Uniformed officers are required to carry an electronic control device while on duty, if available. This rule shall not apply to administrative personnel, sworn employees in civilian attire and other officers assigned duties within the police department.

H. Use of Electronic Control Devices on Persons

1. Officers must consider the disturbance resolution model, officer subject factor, and the threat assessment to determine if the use of electronic control device is appropriate.
2. Trained officers may only use an electronic control device on a person when that person is threatening to actively resist or is actively resisting an officer OR the subject poses an articulable threat of harm to an officer or another person, OR the subject poses a threat of harm to himself or herself such as a self-inflicted injury or suicide attempt.
3. An electronic control device will not be pointed at any individual unless an officer reasonably believes it will be necessary to use the device. The device should never be aimed at the head, face, or neck.
4. If practical, officers shall announce their intent to use an electronic control device before deployment.
5. An electronic control device **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) On a handcuffed/secured prisoner, absent continued assaultive behavior that cannot be reasonably dealt with in any other less intrusive fashion.
 - e) As a general rule, on fleeing subjects.
 - (i) If a subject actively resists and subsequently breaks away from an officer, the officer may deploy an electronic control device early in a foot pursuit to bring the subject under control.
 - f) As a general rule, for performing drive stuns.
 - (i) Officers will be required to articulate a higher level of justification for performing a drive stun than will be required for deploying probes.
6. In less lethal force situations, when possible, officers should avoid using an electronic control device on:
 - a) Persons in control of a vehicle.
 - b) Pregnant women.
 - c) People with apparent debilitating illness.

- d) Elderly persons.
- e) Children 12 years or younger.

I. After-Action Care

1. Generally, probes that have penetrated the skin can be removed by a trained 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 disposed of in the container.
2. If a person requests that the probes be removed by medical personnel, officers will honor the request.
3. Probes that are embedded in sensitive areas such as the breast of a female, or the face, neck, or groin shall be removed by medical personnel.
4. When monitoring a subject who has been exposed to an electronic control device, officers should consider the potential for injuries sustained in an uncontrolled fall.

J. Use of Electronic Control Devices on Animals

1. The use of an electronic control device on an animal should be based on the intent to provide a safer, more humane, and less traumatic conclusion to the incident.
2. Electronic control devices may be used on an animal 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 reasons of public peace or safety, preservation of property, or other legitimate purpose, and the animal poses an active threat to officers in their efforts to perform their duties.
3. Officers should be prepared to use other justified force if necessary.
4. Officers should be prepared to apply conventional controls once the electronic control device has subdued the animal.

VIII. SPECIALTY IMPACT MUNITIONS

- A. The Janesville Police Department recognizes that combative, non-compliant, armed and/or violent subjects cause handling and control problems that require special training and equipment. Thus, the department has adopted specialty impact munitions, or SIMS, to assist with de-escalating these potentially violent confrontations.

- B. Only officers who have been trained on the use of SIMS are authorized to use such munitions. In order to maintain proficiency, officers are required to re-certify every two years.
- C. All 40mm launchers will be inspected, and the sights zeroed, by a range officer on an annual basis.
- D. SIMS will be delivered to a suspect target area based on the circumstances, the established safety priorities, and the level of force authorized.
- E. Only those munitions authorized by the Chief of Police will be used during deployment and such munitions will only be deployed from department authorized firearms. SIMS will be fired from weapons dedicated for the sole purpose of deploying SIMS. Weapons dedicated for SIMS will be marked to identify them as single use weapons and will be loaded only with SIMS.
- F. Suspects struck by SIMS shall be examined by medical personnel, if necessary.

IX. PEPPERBALL SYSTEM

- A. The PepperBall System represents a less-lethal force option available for use by trained officers to help defend themselves or to gain compliance of resistant or violent subjects.
- B. PepperBall projectiles are frangible spheres that are filled with powdered Oleoresin Capsicum (OC) or colored paint designed to break apart into multiple pieces and release the OC or marking paint upon striking a person or object.
- C. The projectiles can also deliver a low degree of kinetic energy, which may aid in gaining compliance from a resistant or violent subject.
- D. After-Action Care
 - 1. Once the offender is under control, the officer must offer to apply the following decontamination / first aid procedures.
 - a) Expose the offender to fresh air.
 - b) Flush the offender's face and other affected areas with water.
 - c) Transport the offender to a medical facility for treatment if necessary.
 - d) Ask the offender if they are wearing contact lenses. If they are, provide an opportunity to remove the contact lenses as soon as possible.
 - 2. Officers must monitor the offender for any signs of additional medical attention until the effects subside.
 - 3. Offenders will not be forcibly decontaminated.

X. CHEMICAL AGENT DEVICES

- A. Chemical agent devices represent a less-lethal force option available for use by trained officers to help defend themselves or gain compliance of resistant or violent subjects.
- B. Chemical agent devices are commonly thrown or launchable pyrotechnic grenades containing a payload of CS (2-chlorobenzylidene malononitrile) gas, OC (Oleoresin Capsicum) gas, or a chemical smoke concentration.
- C. The incident command or supervisor in charge should authorize the use of chemical agents during crowd control situations.
- D. After-Action Care
 - 1. Once the offender is under control, the officer must offer to apply the following decontamination / first aid procedures.
 - a) Expose the offender to fresh air.
 - b) Flush the offender's face and other affected areas with water if impacted by OC.
 - c) Transport the offender to a medical facility for treatment if necessary.
 - d) Ask the offender if they are wearing contact lenses. If they are, provide an opportunity to remove the contact lenses as soon as possible.
 - 2. Officers must monitor the offender for any signs of additional medical attention until the side effects subside.
 - 3. Offenders will not be forcibly decontaminated.

XI. PURSUIT INTERVENTION TECHNIQUE (PIT)

- A. The pursuit intervention technique (PIT) is a controlled intentional contact between a police vehicle and a pursued vehicle intended to cause the vehicle operator to lose control of the vehicle and for the vehicle to become disabled.
- B. Officers shall receive training to perform the PIT maneuver. Only those officers that have received the PIT training are authorized to use the maneuver.
- C. Use of the PIT maneuver will follow the guidelines set forth in General Order 16.2, Vehicle Pursuits.

XII. MEDICAL ASSISTANCE

- A. All sworn department personnel who engage in the use of non-deadly force shall:

1. Check the subject for injuries and administer first aid if required.
2. Summon appropriate medical aid if necessary.
3. Maintain close personal observation and physical contact with the subject while continuing to provide first aid until relieved by appropriate medical personnel.
4. When medical personnel arrive at the scene, officers shall provide as much "handoff information" regarding possible injuries, the subject's condition, any known alcohol or controlled substances they may have recently consumed, as well as any charges or warrants. (This information is consistent with the information contained on the JPD Police Notification form)

XIII. DUTY TO REPORT NONCOMPLIANCE

- A. If, during his or her duties, an officer witnesses another officer use force that does not comply with the standards outlined in §175.44(2)(b) or (c), Wis. Stats. in the course that officer's official duties, the witnessing officer shall report the noncompliant use of force to their immediate supervisor as soon as is practicable after the occurrence of the use of force.

XIV. DUTY TO INTERVENE

- A. An officer shall, without regard for chain of command, intervene to prevent or stop another officer from using force that does not comply with the standards outlined in §175.44(2)(b) or (c), Wis. Stats. in the course of that officer's official duties if all of the following apply:
 1. The officer observes the use of force that does not comply with §175.44(2)(b) or (c), Wis. Stats.
 2. The circumstances are such that it is safe for the officer to intervene.
- B. An officer who intervenes shall report the intervention to his or her immediate supervisor as soon as is practicable after the occurrence of the use of force.

XV. WHISTLEBLOWER PROTECTION

- A. Officers are entitled to all whistleblower protections afforded under §175.44(5), Wis. Stats.

XVI. REPORTING THE USE OF NON-DEADLY FORCE

- A. As soon as practical, an officer shall report his/her use of non-deadly force to a supervisor.

- B. Whenever an officer uses non-deadly force in the performance of his/her duty, he/she shall indicate in the report of the incident the use of the force and the circumstances and justification for its use.
- C. Copies of the incident report shall be forwarded to the Chief of Police or the Chief's designee for review.
 - 1. For incidents where an electronic control device was used, the Chief of Police or the Chief's designee will download a report from the device's data port to attach to the incident report. The download should include at least one deployment prior to the reported usage and information from the date following the reported usage.
- D. With the exception of deliberate discharges for training purposes, all deployments of O.C. aerosol are required to be documented in a police incident report and will include;
 - 1. All circumstances surrounding the use of the aerosol, including the officer's justification of its use.
 - 2. Effects on the offender that were caused by the aerosol.
 - 3. First aid measures given to, or offered to, the offender to neutralize or alleviate the effects of the O.C. aerosol.
- E. With the exception of deliberate discharges for training purposes, all deployments of electronic control devices are to be documented in a police incident report.
 - 1. If the deployment occurs in a tactical situation, officers will include in their report:
 - a) The Date and approximate time of the deployment.
 - b) The duration or number of cycles deployed.
 - c) The approximate distance from which it was deployed.
 - d) The points of impact and a description of the reaction of the subject exposed.
 - e) A description of any injuries. Officers should consider photographing affected areas.

XVII. SUPERVISOR RESPONSIBILITY

- A. When possible, supervisors shall respond to the scene where officers have reported the use of non-deadly force.
- B. Supervisors shall insure that appropriate medical attention is rendered for injured persons, when medical attention is necessary.

- C. Supervisors will review the incident with the involved officers to insure the force used was in compliance with department policy.
- D. Supervisors shall provide investigative direction to the involved officers.
- E. Supervisors will investigate and document any use of non-deadly force. The supervisor will determine if the force used was appropriate.
- F. The Chief of Police or the Chief's designee will submit Use of Force and Arrest-Related Death Data (UFAD) to the Wisconsin Department of Justice through TraCS and complete an annual analysis of use-of-force incidents to identify trends that could reveal the need for training, equipment, or policy modifications.

XVIII. USE OF NON-DEADLY FORCE WHILE EMPLOYED OFF DUTY

- A. When an officer, while working Extra-Duty Employment as defined by General Order 8.2; Off-Duty Employment, uses non-deadly force to make an arrest, under the identity of a Janesville police officer, he/she shall request an on-duty supervisor to be sent to the scene. The officer shall be required to follow all the procedures set forth in this General Order as though he/she were on duty.
- B. The officer involved shall complete a full report of the incident for department records. A copy of the incident report shall be forwarded to the Chief of Police or the Chief's designee for review.

XIX. USE OF NON-DEADLY FORCE DURING DEMONSTRATIONS OR CIVIL DISTURBANCES

- A. The use of non-deadly force, as outlined in this general order, shall also apply to situations that occur during a demonstration or civil disturbance so as it satisfies the objective reasonableness standard. Officers or crowd control units may be faced with dynamic and quickly changing events that may require them to defend themselves or other, and to protect property.
- B. Every attempt shall be made to isolate and target the individual deemed to be the threat.
- C. Law enforcement agencies assisting in a mutual aid capacity shall abide by the tenants of this policy but their method of use of non-deadly force shall be consistent with their own agency's policy, training, and equipment.
- D. Non-deadly force to be used to move a crowd as a result of an unlawful assembly shall only be used at the direction of the incident commander and after clear and audible warnings to cease the activity have been conveyed.
- E. All personnel involved in the decision and use of non-deadly force shall complete a report documenting its use.

XX. OFF DUTY CARRYING AND USE OF LESS LETHAL WEAPONS

- A. Except when working Extra-Duty Employment, the police department and the City prohibits officers from carrying department issued less lethal weapons off-duty. This includes while working Off-Duty Employment as defined by General Order 8.2; Off-Duty Employment. Any officer who carries or uses personally obtained less lethal weapons while off-duty does so at their own risk. The officer is accountable for the responsibilities and liabilities associated with such action.

XXI. ANNUAL TRAINING

- A. Officers shall receive annual training on the department's General Orders pertaining to the use of force and related legal updates.



Chad A. Pearson
Chief of Police

This Order cancels and supersedes any and all previous Orders and directives relative to the subject matter contained herein.

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|----------|------------|----------|------------|
| Initial | 01/21/2000 | Reviewed | 12/13/2017 |
| Amended | 09/05/2003 | Amended | 08/17/2020 |
| Amended | 03/07/2005 | Amended | 12/31/2020 |
| Amended | 10/18/2005 | Amended | 10/01/2021 |
| Reviewed | 10/15/2007 | Amended | 03/18/2022 |
| Amended | 11/20/2008 | Amended | 07/29/2022 |
| Amended | 09/14/2010 | Amended | 10/03/2022 |
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| Reviewed | 10/12/2012 | Amended | 07/06/2023 |
| Amended | 12/20/2013 | Amended | 02/19/2024 |
| Amended | 02/25/2016 | Amended | 02/19/2025 |
| Amended | 12/15/2016 | | |

DISTURBANCE RESOLUTION

APPROACH CONSIDERATIONS

Decision-Making

- ☐ Justification
- ☐ Desirability

Tactical Deployment

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

Tactical Evaluation

- ☐ Threat Assessment Opportunities
- ☐ Officer/Subject Factors
- ☐ Special Circumstances
- ☐ Level/Stage/Degree of Stabilization

INTERVENTION OPTIONS

MODE PURPOSE

- A. Presence To present a visible display of authority
- B. Dialog 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
- E. 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

INTERVENTION OPTIONS

MODE

PURPOSE

A. Presence

1. Open Stance
2. Ready Stance
3. Defensive Stance

To present a visible display of authority

B. Dialogue

1. Search Talk
2. Persuasion
3. Light Control Talk
4. Heavy Control Talk

To verbally persuade

C. Control Alternatives

1. Escort Holds
 - Blanket the Arm
 - Escort Position
2. Compliance Holds
 - Come Along
 - Pressure Points
 - Mandibular Angle
 - Hypoglossal
3. Control Devices(OC/ECD)
 - Oleoresin Capsicum
 - Electronic Control Devices
4. Passive Countermeasures
 - Secure the Head
 - Hug Yourself
 - Lower Your Center
 - Pull in-Push Down

To overcome passive resistance, active resistance, or their threats

To safely initiate physical contact

To overcome passive resistance

To overcome active resistance or it's threat

To Decentralize

D. Protective Alternatives

1. Active Countermeasures
 - Vertical Stuns
 - Focused Strikes
 - Reaction Hand Strike
 - Reaction Forearm Strike
 - Strong Hand Strike
 - Strong Forearm Strike
 - Reaction Front Kick
 - Reaction Knee Strike
 - Strong Angle Knee Strike
 - Strong Angle Kick
2. Incapacitating Technique
 - Diffused Strike from the front
 - Diffused Strike from the rear
3. Intermediate Weapons
 - Baton
 - Baton Jab
 - Baton Jab-Multiple Strikes
 - Angle Strike
 - Angle-Cross Strike
 - Multiple/Overload Strikes
 - 40mm/12g Impact Munitions

To overcome continued resistance, assaultive behavior, or their threats

To create dysfunction

To cause immediate temporary cessation of violent behavior

To impede

E. Deadly Force

To stop the threat

REACT

- Request Cooperation
- Explain Reason
- Allow Choice
- Check Decision (Is there anything I can say to?)
- Take Action

DONE

- Danger
- Overriding Concern
- No Progress
- Escape

Passive Resistance: Non-threatening and non-complaint behavior

Active Resistance: Behavior which physically counteracts an officers control efforts and which creates risk of bodily harm to the officer, subject and/or other person.

Continued Resistance: Maintaining a level of counteractive behavior that is not controlled by an officers current efforts.

Fighting Rules:

- Be effective from the beginning.
- Never spar with anyone.
- Hit as hard as you can.
- Attempt to create a dysfunction.
- Get the confrontation over quickly.

Assaultive Behavior: Direct actions or conduct that generate bodily harm

Deadly Force Definition: The intentional use of a firearm or other instrument, the use of which would result in a high probability of death.

Deadly Force Justification: Behavior which has caused or imminently threatens to cause death or great bodily harm to you or another person or persons.

Great Bodily Harm: Bodily injury that 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.

Target Requirements:

- **Acquisition:** The process of locating your adversary.
- **Identification:** The process of recognizing the subject as the adversary placing you/others in "Imminent Danger".
- **Isolation:** The process of separating the subject from innocent persons.

Imminent Threat Criteria/Attack Theory:

Imminent means "About to Happen" Suspect displays:

- Weapon
- Intent
- Delivery System

Greater Danger Exception: Exception to Isolation Rule.

Preclusion: The elimination of all other viable alternatives.

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 |

STABILIZE

- Presence stabilization
- Verbal stabilization
- Standing stabilization
- Wall stabilization
- Ground stabilization
- Special restraints

Monitor/Debrief

- Calm self and partner
- Calm subject
- Provide initial medical assessment
- Reassure the subject
- Rebuild subjects self esteem

Defensive and Arrest Tactics (DAAT): A system of verbalization skills coupled with physical alternatives.

DAAT Concepts:

- Control is a perception based on an officer's training, experience and the fact situation.
- Control is not a 50/50 proposition.
- Proper police action balances safety and efficiency.

DAAT Rules:

- No officers are injured.
- No suspects are injured needlessly.
- No one is accepted/detained or released improperly.

Safety Priorities:

- You.
- Fellow Officers.
- Civilians.
- Criminals.

When Can Officers Use Force?

- To achieve and maintain control of resistive subjects.
- To detain persons reasonably suspected of criminal behavior.
- To make lawful arrests.
- In defense of self or others.
- To prevent escapes.

Key Rules for Use of Force:

- The purpose is control.
- You can always disengage and/or escalate.
- Escalation does not need to follow step by step through options.
- Once control is achieved, you must reduce the level of force to that needed to maintain control.
- You must always maintain a position of advantage.

Categories of Force:

- A trained technique.
- A dynamic application of a trained technique.
- Not trained by justified under the circumstances.

INCIDENT RESPONSE (RESPOND)

REPORT

- Become aware
- Plan response
- Arrive/Assess
- Alarm/Inform

EVALUATE

- Look for Dangers
- Determine back up needs
- Enter when appropriate/tactically sound

STABILIZE

- Subject/s
- Scene

PRESERVE

- Life
 - Conduct an initial medical assessment
 - Treat to level of training
 - Continue to monitor subject
- Evidence

ORGANIZE

- Coordinate additional responding units (if necessary)
- Communicate with dispatch and others
- Organize the collection of evidence (if appropriate)

NORMALIZE

- Provide for long term monitoring (as appropriate)
- Restore scene to normal
- Return radio communications to normal

DOCUMENT/DEBRIEF

- Debrief self, others, subjects
- Document incident appropriately

DISTURBANCE RESOLUTION

1. APPROACH CONSIDERATIONS

A. Decision-Making

- Justification
- Desirability

B. Tactical Deployment

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

C. Tactical Evaluation

- Threat Assessment Opportunities
- Officer/Subject Factors
- Special Circumstances
- Level/Stage/Degree of Stabilization

CONTROL OF DISTANCE

- Public >12 ft
- Social 4-12 ft
- Personal 1.5-4 ft
- Intimate 0-1.5 ft

THREAT ASSESSMENT OPPORTUNITIES

- Resistive Tension (Level of agitation in a person's body)
- Early Warning Signs
- Pre-attack Postures
- Indications of mental illness, emotional disturbance, or medically significant behavior
- Weapon Control Factors

OFFICER/SUBJECT FACTORS

- Age
- Size
- Relative Strength
- Skill Level

SPECIAL CIRCUMSTANCES

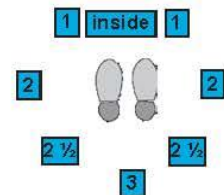
Factors or situation that may justify rapid escalation of force or selection of higher force options

- Reasonable perception of threat
- Special knowledge of subject
- Sudden assault
- Subject's ability to escalate force rapidly
- Your physical positioning
- Injury or exhaustion
- Equipment or training
- Availability of backup
- Other special circumstances

LEVEL/STAGE/DEGREE OF STABILIZATION

- Presence stabilization
- Verbal stabilization
- Standing stabilization
- Wall stabilization
- Ground stabilization
- Special restraints

Positioning



EARLY WARNING SIGNS

Signals or certain behaviors provided by the subject that are often associated with a high level of danger to officers

- Conspicuously ignoring
- Excessive emotional attention
- Exaggerated movement
- Ceases all movement
- Known violent behavior

PRE-ATTACK POSTURES

Behaviors that may indicate imminent danger of physical assault

- Boxer Stance
- Shoulder Shift
- Hand set
- Target Glance
- Thousand Yard Stare

2. INTERVENTION OPTIONS

3. FOLLOW THROUGH CONSIDERATIONS