LITTLE ROCK POLICE DEPARTMENT
GENERAL ORDER

G. O. 303 RESPONSE TO RESISTANCE AND ACTIVE AGGRESSION

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I. Purpose and Scope

A. The policies of the Little Rock Police Department regarding the use of physical force, non-lethal control and compliance devices, deadly force and the discharging of weapons, are set forth in this General Order.

B. This Order governs all personnel who are acting or who may reasonably be expected to act in the capacity of a law enforcement officer, on or off duty. This Order should not be construed as to supersede an employee's legal personal prerogatives, when acting as a private citizen, pursuant to A.C.A. § 5-2-606 "Use of Physical Force in Defense of a Person," § 5-2-607 "Use of Deadly Physical Force in Defense of a Person," § 5-2-608 "Use of Physical Force in Defense of Premises" and/or § 5-2-609 "Use of Physical Force in Defense of Property." However, employees must recognize that actions taken under statutory authority granted private citizens, will be investigated and evaluated as such.

C. Definitions

1. "Deadly Force," as used in this Policy, is defined as that force which creates some specified degree of risk that a reasonable and prudent person would consider likely to cause death or serious physical injury.

2. "Serious Physical Injury," as used in this Policy, is defined as physical injury that creates a substantial risk of death or that causes protracted disfigurement, protracted impairment of health, or loss or protracted impairment of the function of any bodily member or organ (A.C.A. § 5-1-102.(21)).

3. "Physical Force," as used in this Policy, is defined as any bodily impact, restraint, or confinement, or the threat thereof (A.C.A. § 5-2-601(6.A-B)).

4. "Reasonably believe" or "reasonable belief," as used in this Policy, is defined as belief that an ordinary, prudent person would form, under the circumstances in question, and one not recklessly or negligently formed (A.C.A. § 5-1-102 (18)).

5. De-escalation, as used in this Policy, is defined as taking action or communicating verbally or non-verbally during a potential force encounter in an attempt to stabilize the situation and reduce the immediacy of the threat so that more time, options, and resources can be called upon to resolve the situation without the use of force or with a reduction in the force necessary. De-escalation may include the use of such techniques as command presence, advisements, warnings, verbal persuasion, and tactical repositioning. The goal of de-escalation is to gain the voluntary compliance of subjects, when feasible, thereby minimizing the need to use force in response to resistance.

6. De-escalation techniques – Communicative or other actions used by officers, when safe, and without compromising law-enforcement priorities, that are designated to increase the likelihood of gaining voluntary compliance from a non-compliant subject and reduce the likelihood of using force in response to resistance.

7. Exigent circumstances, as used in this Policy, is defined as those circumstances that would cause a reasonable officer to believe that a particular action is necessary to prevent physical harm to an individual, the destruction of relevant evidence, the escape of a suspect, or some other consequence improperly frustrating legitimate law enforcement efforts.

II. Duty to Intercede

A. Any officer who observes another officer, or another agency employee or public safety associate (employee of another agency), using force shall intercede to prevent further harm. If the officer **knows** that the force being used is not reasonable and the officer has a reasonable opportunity to prevent harm, such officers must also promptly report these observations to a supervisor.

III. De-escalation of Potential Force Encounters

A. When safe and reasonable under the totality of circumstances, officers shall use de-escalation techniques to reduce the likelihood of force and increase the likelihood of voluntary compliance. Use of de-escalation techniques may include securing additional resources, tactical repositioning, and employing verbal persuasion. Nothing in this de-escalation policy requires an officer to place themselves in harm's way to attempt to de-escalate a situation. Recognizing that circumstances may rapidly change, officers may need to abandon de-escalation efforts after they have commenced. Understanding that no policy can realistically predict every situation an officer might encounter, the Department recognizes that each officer must be entrusted with well-reasoned discretion in determining the reasonable de-escalation techniques to use in a situation. This de-escalation policy is intended to complement, not replace or supersede, other portions of the LRPD General Orders, Rules and Regulation or specific officer training that addresses de-escalation.

B. Effective communication and de-escalation techniques are developed skills. Some officers will be better at de-escalating a situation than others. Failure of an officer to successfully de-escalate an incident after attempting, should not reflect poorly on the officer. De-escalation requires the cooperation of the subject in question.

IV. Deadly Force

A. Statement of Philosophy

1. The Little Rock Police Department in establishing a philosophy for the use of Deadly Force places the ultimate value on human life, while considering the legal, moral and ethical implications of its application.

2. The citizens of Little Rock have vested their police officers with the responsibility to protect life and property, and to apprehend criminal offenders. The apprehension of criminal offenders and protection of property must, at all times, be secondary to the protection of life. Therefore, the use of Deadly Force is not allowed to protect property interests.

3. Police Officers are confronted daily with situations where control must be exercised to effect arrests and to protect the public safety. The officers may achieve control of situations by the use of verbal warnings or the use of reasonable physical force. The use of any reasonable physical force must be based on reasonable alternatives that have been considered and would be ineffective. The use of Deadly Force shall be the last alternative, and the officer's responsibility to protect human life must include their own.

B. Purpose

1. This Order states the Department's policy regarding a police officer's use of Deadly Force; and,

2. Establishes policies under which the use of Deadly Force by police officers is permissible.

C. Avoiding the Use of Deadly Force

1. Regardless of the nature of a crime or the justification for directing Deadly Force at a suspect, officers must remember that their basic responsibility is to protect life. Officers shall not fire their weapons under conditions that would unnecessarily subject bystanders or hostages to death or possible injury, except to preserve life or to prevent serious physical injury. Deadly Force is an act of last resort and will be used only when other reasonable alternatives are impractical or have failed.

2. Officers will plan ahead and consider alternatives, when possible, which may reduce the possibility of needing to use Deadly Force.

D. The Authorization to Use Deadly Force - Officers may only use Deadly Force to protect themselves or others from what they reasonably believe to be an immediate threat of death or serious physical injury.

E. Choke holds, vascular compression holds or other control and compliance techniques that restrict the airway or blood flow of an individual are prohibited by this order. Use of a choke hold, vascular compression holds or any other airway or blood flow restriction hold is considered a use of deadly force and must be investigated as such regardless of the injury to the individual.

1. "Vascular Compression Holds" are considered Deadly Force under this policy and may be used to control Active Aggression where there is a risk of death or serious physical injury to the officer or another individual. Any application of a Vascular Compression Hold will require an Internal Affairs review of the related Use of Force file.

2. Definition of Vascular Compression Hold:

a) A technique used to compress the carotid arteries and other vascular arteries located on the side of an individual's neck. The proper use of this technique may cause a brief moment of unconsciousness depending on length and amount of compression.

3. Any officer who applies a Vascular Compression Hold to an individual, regardless of whether the subject was rendered unconscious, shall have the subject evaluated by MEMs personnel or any other qualified medical personnel.

4. The use or attempted use of a Vascular Compression Hold shall be reported to a supervisor promptly afterward.

5. The officer shall notify any person receiving custody, or any person placed in a position of providing care, that the individual was placed in a Vascular Compression Hold and whether the subject lost consciousness as a result.

6. It is understood Vascular Compression Holds do not include the compression of the Trachea and/or air way. All Vascular Compression Holds, and training given on such techniques shall emphasize the protection of the Trachea and air way.

F. Discharging Firearms at Moving Vehicles or into Structures

1. Discharging firearms at a moving or fleeing vehicle is prohibited, unless it is necessary to prevent imminent death or serious physical injury to the officer or another person.

2. Officers will not voluntarily place themselves in a position in front of an oncoming vehicle where Deadly Force is the probable outcome. When confronted by an oncoming vehicle, officers will move out of its path, if possible, rather than fire at the vehicle.

3. Officers will not fire into a building or through doors, unless the officer or someone else is drawing fire and the suspect can be identified and is clearly visible.

4. Officers will not voluntarily place themselves inside a vehicle occupied by a driver during the course of a traffic stop or self-initiated investigation where the vehicle becomes mobile and where Deadly Force is the probable outcome. When confronted by a driver who flees, the officer will move away from the vehicle, if possible, rather than enter the vehicle.

G. Drawing, Displaying Weapons and Warning Shots

1. Officers will not fire warning shots.

2. Officers may draw or display firearms when there is a threat or reasonable belief that there is a threat to life, or when they have a reasonable fear for their own safety and/or the safety of others. *Firearms shall not be displayed in a manner which make direct physical contact with the head or body of an individual unless it is objectively reasonable and is necessitated by a clear and articulable threat.*

3. The carbine rifle is authorized as an additional force option for officers when faced with incidents posing a higher degree of danger where a long-range weapon or tactical weapon to meet comparable resistance is needed. The carbine rifle is available as a supplement to the officer's primary weapon.

a) Officers shall only deploy the carbine rifle in the following circumstances:

(1) At the direction of a supervisor, or

(2) When officers can clearly articulate the need for deploying the rifle. Examples of such situations may be but are not limited to:

(a) The officer reasonably believes a suspect(s) may be armed with or have immediate access to a high-powered weapon, or to a weapon that exceeds the capability/capacity of the officer's primary weapon;

(b) The officer reasonably believes a suspect(s) maybe wearing protective body armor;

(c) An active shooter incident; or,

(d) An armed barricaded suspect. (Once SWAT has arrived and the officer is relieved on the inner perimeter, the rifle will be secured).

b) Use or display of the rifle for routine building searches, routine traffic stops or during any other routine police action is strictly prohibited. Violation of these guidelines may result in disciplinary action and prohibition from carrying the carbine rifle.

c) When an officer deploys a carbine rifle, they will make a radio broadcast on the primary radio channel for that incident to notify responding officers and supervisors that a carbine rifle has been deployed. Supervisors will monitor the deployment of the carbine rifle and will take appropriate actions where needed.

d) Non-uniformed officers may deploy the carbine rifle only when they have donned apparel which causes them to be readily identified as a police officer from the front and rear.

V. Use of Physical Force and Non-Lethal Control and Compliance Devices/Techniques

A. This Section establishes the type and degree of force which may be used to overcome a level of resistance or aggression, to control persons who are in custody and/or to prevent escape. Officers will only use the type and degree of force which is reasonable and necessary based on the circumstances. Unreasonable or unnecessary force is a violation of this policy.

B. The type and degree of force used by the officer will be based on the amount of resistance or aggression the subject displays and the amount of reasonable force needed to control persons who are in custody, to place persons into custody, to prevent escape of the subject, and/or to prevent bodily harm or loss of human life. Nothing in this order requires an officer to use any type or

degree of force in any certain order. There are so many variables pertaining to using force that it is difficult to establish "absolutes," especially in the case of non-lethal force. For example: the type of crime committed or attempted; relative size/stature of the officer and the subject; exigent circumstances; number of officers involved in the incident; number of subjects involved; availability of backup; reaction time; relative strength; subjects' access to weapons; subjects under the influence of alcohol or drugs; exhaustion or injury of the officer; weather or terrain condition; immediacy of danger; distance from the subject; and special knowledge (e.g. subjects' prior history of violence, etc.) are just a few of the variables that will impact an officer's selection of a specific force response. Officers should use, control and compliance devices/techniques and weapons for which Departmental training has been given. Officers shall use de-escalation techniques consistent with their training whenever possible and appropriate before resorting to force and to reduce the need for force.

C. Any use of force determined to be excessive in type or degree constitutes a serious violation of these General Orders and may result in severe disciplinary action.

D. Types of Resistance and Aggression

1. Psychological Intimidation: Non-verbal clues indicating subject's attitude, appearance, and physical readiness. (e.g., blank stare, clenching of fist(s), tightening of jaw muscles, etc.)

2. Verbal Non-compliance: Verbal responses indicating subject unwillingness to obey commands of detainment, arrest, or to stop unlawful or dangerous behavior.

3. Passive Resistance: Any type of resistance where the subject does not attempt to defeat the officer(s) attempt to touch or control them but refuses to actively comply with the officer(s). (e.g., dead weight, does not react to verbal commands, etc.)

4. Defensive Resistance: Any action that attempts to prevent an officer from gaining control of the subject (e.g., pulling/pushing away to defeat the escort position and fleeing). It is not an attack on the officer, but a physical act designed to prevent the officer from gaining control.

5. Active Aggression: Includes physical actions/assaults against the officer or another person with less than deadly force (e.g., advancing, challenging, punching, kicking, grabbing, wrestling, etc.)

6. Deadly Force Assault: Any force used against an officer and/or another person that may result in great bodily harm or the loss of human life. It is important to note that a subject's use of deadly force does not require the use of a weapon against the officer. Deadly force is any force that the officer reasonably believes could result in serious injury or death.

E. The type and degree of levels of control that may be used to overcome resistance, to control persons who are in custody, and to prevent escape, are:

1. Level 1 - Officer Presence - The identification of police officer's authority, either by the uniformed police or the verbal indication of being a police officer.

2. Level 2 - Verbal Direction - Verbal commands of direction or arrest.

3. Level 3 - Empty Hand Control

a) Soft Empty Hand Control - Techniques that are designed to control Passive or Defensive Resistance, used when verbal direction/commands are not effective and there is non-compliance with lawful orders. They include strength techniques, joint locks, pressure points, or a Knee-Strike/Distraction Technique to the subject's thigh (to prevent resistance from the escort position). These techniques have little or no potential for injury.

b) Hard Empty Hand Control - Techniques that are designed to control Active Aggression but can be used to control Defensive Resistance when lower forms of control have failed or when the officer believes lower forms of control will fail. These techniques include Defensive Counterstrikes. These techniques have a probability of injury in the form of bruises, contusions, or lacerations.

4. Level 4 - Intermediate Weapons – Intermediate Weapon level of control is the application/use of any weapon/object that is not part of the human body to control resistance or an assault. Examples include any form of chemical agent, impact weapons (flashlight, radio, broomsticks, etc.) and conducted electrical weapons (Taser). The use of an Intermediate Weapon is justified when lower forms of empty hand control have failed, or when an officer believes that their skill level in empty hand control will be insufficient, and the use of Deadly Force is not justified. They are used with the intent to temporarily disable the subject and never with the intent to cause permanent injury.

5. Level 5 - Deadly Force – Any force used by an officer that may result in great bodily harm or the loss of human life. Officers may only use Deadly Force to protect themselves or others from what they reasonably believe to be an immediate threat of death or serious physical injury.

F. Under normal circumstances, the type of control and compliance devices/techniques that may be used to overcome resistance or aggression, are listed below in alphabetical order:

1. Baton and Impact Devices (long, short, side-handle, expandable);

2. Canine;

3. Chemical Spray (Oleoresin Capsicum (OC) Spray, o-chlorobenzylindenene malononitrile (CS),) and Extended Range Chemical Devices;

4. Control Tactics (Holds, Strikes, Takedowns, Pressure Points, Joint Locks);

5. Flashlight;

6. Less Lethal Launcher;

7. Pepper Ball Launcher; and,

8. TASER.

G. Oral Concealment of Evidence by Suspects

1. When an officer witnesses a suspect conceal evidence in their mouth, the officer will not use force to remove the evidence.

2. The officer will order the suspect to remove the evidence from their mouth so the officer can take possession of the evidence.

3. If the suspect fails to comply with the officer, the suspect will be taken into custody for Tampering with Physical Evidence.

   a) If the evidence is believed to be an illegal drug, the officer shall transport the suspect to the University of Arkansas Medical Center for treatment. Any visible residue on the suspect's lips which the officer believes to be an illegal drug/narcotic, may be swabbed by the officer to be forwarded to the State Crime Laboratory. A Narcotics Detective will be notified to process and charge the subject on the felony charge.

   b) If the suspect is believed to have ingested a large amount of drugs/narcotics, the officer shall notify their supervisor and a Narcotics Detective. It will be the responsibility of the Narcotics Detective to process the suspect and consult with a prosecutor in reference to a search warrant for stomach content.

H. Authorized Control and Compliance Devices/Techniques (Listed in alphabetical order)

1. Batons - A police baton may be used when the use of other tactics are not appropriate or available. The baton permits an officer to defend himself/herself or others and control resisting subjects, in situations where the use of firearms may not be necessary or justified.

   a) When the use of the baton is warranted, officers will attempt to strike the suspects' arms or legs. Officers should not attempt to strike suspects on the head, neck, sternum, spine, groin or kidneys unless Deadly Force is authorized.

   b) Jabs to the body with the baton should be used under circumstances that inhibit the officer's ability to strike the suspect in the arms or legs (e.g. crowded areas, other officers in the area, etc.).

   c) Straight Baton - Officers may carry straight batons, at their discretion, after receiving departmental training. When carried, the only authorized baton will be the Departmentally issued straight baton.

   d) Expandable Straight Baton – The expandable straight baton is issued to recruits and officers who have received training in its use. When carried, the only authorized expandable baton will be the Departmentally issued ASP or Monadnock expandable baton.

   e) Side Handle Baton - Officers may carry the side handle baton, either collapsible or non-collapsible, at their discretion, after receiving current departmental training and certification in its use. When carried, the only authorized side handle baton will be the Departmentally issued side handle baton. Officers who have not completed the training are not authorized to carry a side handle baton.

2. Canines - The use of a police canine to search for or apprehend suspects will be considered a use of force when the canine inflicts injury to any person.

3. Chemical Spray/Extended Range Chemical Devices Oleoresin Capsicum (O.C.) - O.C., an inflammatory agent, may be used in defense against combative, resisting, and/or otherwise violent individuals. O.C. is not necessarily a replacement or substitute for other Control and compliance devices/techniques or Control tactics and, therefore, should only be used when it is determined to be the best available enforcement tool or tactic under the given circumstances. Similarly, O.C. is not intended to be an alternative to the use of Deadly Force, when such is clearly authorized and is necessary, as described in this General Order.

a) O.C. may be used when an officer must use physical force, and verbal direction is ineffective or inappropriate; or when an officer perceives any reasonable actions that threaten the officer's safety. The use of O.C. is not authorized on subjects displaying passive resistance alone.

b) O.C. may also be used to affect the removal of a person from an automobile or from an enclosed area, when it becomes apparent that physical force will be necessary to otherwise accomplish this.

c) O.C. will only be used as a control and compliance measure against violent and/or resisting individuals and will never be used for retaliation or for any illicit or unlawful purposes.

d) Officers will use only the amount of O.C. reasonably needed to achieve the desired enforcement results. Officers will discontinue the use of O.C. when it becomes apparent that a suspect may otherwise be taken into custody, or whenever the O.C. appears to disable the suspect.

e) After control has been established and/or resistance has ceased, officers will make reasonable efforts to allow the O.C. affected individual relief from the discomfort associated with the application of O.C. Water and sufficient ventilation will reduce the effects of the O.C.

f) Authorized officers will at all times conform to training provided by the Department in the use of O.C. and will carry and use only the authorized O.C. issued by the Department.

g) The use of O.C. against any person will be considered a use of physical force and each incident will be documented as detailed in this General Order. Following the use of O.C. spray upon any person, a Use of Force report will be completed in the Blue Team program.

h) O.C. spray canisters will not be defaced or altered in any way other than by normal use. Expended canisters of O.C. will be replaced by the Training Division Quartermaster; the expended canister must be turned in prior to receiving a new canister.

i) O-chlorobenzylindenene malononitrile (CS) will be utilized by SWAT and the Special Response Unit (SRU) who have received specialized training in its use. Use of CS will be limited to special threat situations and will typically require the approval of the Incident Commander.

4. Control Tactics (Examples: Holds, Strikes, Takedowns, Pressure Points, Ground Control Techniques) Control tactics may be effective in controlling a passive or actively resisting individual. Officers may only apply control tactics for which the officer has a reasonable belief that the use of such techniques appears necessary to further a legitimate law enforcement purpose. The application of any control tactic shall be discontinued once the officer determines that compliance has been achieved or other more appropriate alternatives can reasonably be utilized.

   a) Officers should consider the following when using control tactics:

      (1) How serious is the offense which is suspected;

      (2) Is the subject attempting to resist or evade arrest by flight; and,

      (3) Is the subject posing a threat to the officer or some other person at the scene.

5. Flashlights - In the event it becomes necessary to use a flashlight as a control device, officers will use it in the same manner as the baton.

   a) Only departmental issued flashlights or other flashlights with similar size and weight will be carried by employees.

   b) Officers may purchase and use, at their own expense, a flashlight of similar size, material, and weight of those issued by the Department.

6. Less Lethal Launchers (i.e. Less Lethal Shotguns) - These devices are an option in dealing with situations where an individual may be intent on harming themselves or others.

   a) These situations must require that the suspect be incapacitated and taken into custody under circumstances that would:

      (1) Otherwise require a justified use of deadly force as described in this General Order or;

      (2) Require the immediate intervention of an officer under circumstances that requires the officer to place themselves in immediate danger of death or injury unless a less lethal device is deployed.

   b) The use of the less lethal launcher is a decision that must be made by the individual officer considering the specific tactics and resources immediately available to them. Under no circumstances should an officer attempt to use less lethal weapons on a suspect who is capable of using deadly force on the officer or another person unless supported by officers armed with deadly force.

c) Only officers that have been trained in the use of less lethal launchers shall check out a less lethal device at the start of their shift. These devices are maintained by each of the Field Services Divisions for issue to trained personnel. The procedure for maintaining these devices shall be as follows:

(1) Less lethal launchers shall be carried unloaded in the patrol vehicle trunk, and in the provided carrying case at all times when not in use;

(2) While outside, prior to securing the device in the trunk, the issued officer shall be responsible for inspecting the device. Special attention should be made to assure that the breech and barrel are clear and that the device is unloaded;

(3) The issued officer shall assure that serviceable less lethal ammunition is in the case and that no other ammunition is carried with this device;

(4) If the device is deployed during the course of an officer's shift, they are responsible for assuring that it is unloaded and secured in the case prior to leaving the scene. If the device has been fired during the course of an officer's shift, it should be returned to the Training Division with a copy of the Use of Force Report so that the device can be cleaned and ammunition replenished.

(5) Each issued officer shall be responsible for assuring that the less lethal launcher is returned at the end of their shift in the above-described condition. Any defects in the device or ammunition should be documented and directed to the Training Division. Any defective device or ammunition should immediately be taken out of service;

(6) All officers trained in the use of less lethal launchers will qualify annually with such devices, which will be documented and instructed by the Training Division.

d) The use of the Less Lethal Launchers against any person will be considered a use of force.

7. Pepper Ball Launchers – This is a unique less-lethal chemical agent delivery system that uses high pressure air, or CO2 launchers to deliver, from a safe distance, frangible plastic projectiles containing a compound of Pelargonic Acid Vanillyamide (PAVA) powder. The system combines chemical agent exposure with kinetic impact and pain compliance. These devices are an option in dealing with situations where individuals are non-compliant and may be intent on harming themselves or others.

a) Definitions

(1) Round Projectiles – Hard, plastic, breakable sphere projectiles with a kinetic impact of 10-12 ft./lbs. of energy at 280-300 feet per Second (FPS). Direct impact range of 0-60 feet. Area Saturation of 0-150 feet. Can be utilized in both hoppers and magazines.

(2) VXR Shaped Projectiles – Hard, plastic breakable finned projectiles with a Kinetic impact of 8-20 ft./lbs. of energy at 280-425 Feet per Second (FPS). Direct impact range of 3-150 Feet. Area Saturation 3-390 feet. Can only be utilized in magazines.

(3) Direct Impact – launching a Round Projectile or VXR Shaped Projectile at a target to cause the projectile to break, delivering PAVA powder and kinetic impact. Direct Impact can result in bruising, abrasions, and welts, along the effects of PAVA powder.

(4) Area Saturation – launching a Round Projectile or VXR Shaped Projectile at the ground or other hard surface to cause the projectile to break, dispersing PAVA powder effects to the area as a clouding effect. The clouding effect is designed to cause area denial or deliver the PAVA powder effects to persons in the area without kinetic impact.

b) Requirements

(1) Only officers who have completed the required training on the use of the Pepper Ball Launching System are authorized to carry and deploy the system.

(2) Training will be provided to officers assigned a Pepper Ball Launcher System at least annually.

(3) Officers will be required to demonstrate proficiency on the Pepper Ball Launching System at least annually, and proficiency training will be monitored by a Pepper Ball Launcher Instructor.

(4) The Pepper Ball Launching System will be carried by the assigned officer whenever the officer is providing their normal duties. The launcher will be secured in the provided carrying case unless the officer reasonably believes there is an anticipated need.

c) Usage Criteria

(1) Prior to carrying the Pepper Ball Launching System, officers shall ensure the launcher, magazines, and high-pressure air (HPA) bottle or CO2 cartridge are in proper working order by performing a visual inspection for any defects.

(2) The operator must check the pressure level of the HPA bottle at the beginning of each shift to make sure it is in the proper pressure range.

(3) The Pepper Ball Launching System can be used for Direct Impact and/ or Area Saturation on individual suspects as well as large groups of people for riot and crowd control. The Pepper Ball Launching System can be used to stop or separate persons who are actively engaged in any form of assault or battery outside of a riot and crowd control situation. For these instances, anyone who is certified with the Pepper Ball Launching System can utilize the system without requesting authorization. Division Commanders or their representative or Special Response Unit Commanders must approve the use of a Pepper Ball Launcher System for riot and crowd control situations. The Pepper Ball Launching System can be used to remove a subject from a confined space, which, a reasonable officer would articulate, that a physical use of force would occur to remove the subject, by creating a clouding effect in and around the confined space. Officers will be trained in the appropriate and proper situational use of the Pepper Ball Launcher System.

(4) Whenever practical and reasonable, officers should issue a verbal warning prior to using the Pepper Ball Launching System.

d) Usage Procedures

(1) Officers shall never target the head, neck or spine of an individual.

(2) Whenever practical and reasonable, officers should be upwind from the suspect before deploying a pepper ball projectile.

(3) Officers should maintain a safe distance from the suspect.

(4) Use of Pepper Ball Launching Systems should be avoided, if possible, under conditions where it may directly affect innocent bystanders.

(5) Pepper Ball Launching Systems will not be directed against suspects in apparent control of a vehicle. Pepper Ball Launching Systems may be used to remove suspects from a stopped vehicle when the suspects are under arrest and refusing to exit the vehicle, as long as a reasonable officer would believe a use of force would be necessary to remove suspects from a vehicle. Prior to using the system under these circumstances, officers should ensure the suspect vehicle cannot become mobile after the Pepper Ball Launching System has been employed (e.g. the suspect vehicle is boxed in, the suspect is no longer able to start the vehicle, etc.)

(6) Pepper Ball Launching Systems will not be directed against suspects who are in an elevated position.

(7) The officer deploying a Pepper Ball Launching System should be aware of the backdrop in the event of a miss or errant shot due to wind or other circumstances.

(8) Pepper Ball Launchers shall be carried unloaded in the patrol vehicle, and in the provided carrying case at all times when not in use.

e) Effects of Pepper Ball Projectiles

(1) Pepper ball projectiles will cause almost immediate effects to a suspect. Within several seconds, a suspect may display symptoms including, but not limited to, temporary blindness, difficulty breathing, burning sensation in the throat, nausea, lung pain and impaired thought process.

(2) The effects of pepper ball projectiles vary among individuals but will usually start to diminish within ten to twenty minutes. There may be an occasion when the pepper ball projectile is used on a large crowd, or the suspect flees. Officers shall make a reasonable effort to identify everyone struck by a projectile or exposed to its effects. Officers shall, when reasonable, obtain name, address, date of birth, and phone number of anyone reporting they were affected by the deployment of a pepper ball projectile.

(3) Immediately after a subject is hit with a pepper ball projectile, officers shall be alert to any indications the individual needs medical care. If the subject requests medical assistance or it is determined the subject needs medical attention, the officer shall immediately summon emergency medical aid or transport to a local medical facility.

(4) Suspects that have been hit with a pepper ball projectile shall be monitored continuously for a minimum of twenty minutes, or until the effects have diminished or worn off. It shall be the responsibility of the officer affecting the arrest to monitor the suspect unless the officer was also injured. In case the officer was injured, the supervisor will assign another officer to monitor the subject. If after twenty minutes the effects of the pepper ball projectile have not diminished, the subject shall receive medical attention.

(5) Any person accidently hit in the head, neck or spine with a pepper ball projectile, will receive immediate medical attention.

(6) Assistance shall be offered to any individuals accidentally exposed to pepper ball projectiles who feels the effects of the agent. All such incidents shall be reported as soon as possible including recording of the bystander’s name, date of birth, and address to the immediate supervisor.

8. TASER: The TASER shall be used as a resource to facilitate the safe arrest of combative, or violent individuals. The TASER is not a replacement or substitute for other less lethal devices or tactics. The TASER is not intended to be an alternative to the use of deadly force when such is clearly authorized and necessary, as described in this General Order.

a) Only officers trained and certified by a qualified instructor in the use of a TASER may carry the device.

b) Only department issued or approved TASERS will be used.

c) All Field Services Divisions and School Resource, within 21st Century Division, uniformed officers certified to carry and issued a TASER will ensure that they carry the TASER on their person anytime they are on duty or off duty in departmentally authorized employment. An officer's Bureau Chief can authorize them not to carry the TASER.

d) A TASER may be used to:

(1) Defend against imminent physical attack,

(2) Prevent injury to any person, and

(3) Control vicious animals when necessary.

e) The TASER may be deployed only in response to a situation in which a reasonable officer would perceive some immediate danger that could be mitigated by using this defense device.

(1) The use of verbal direction will not be a prerequisite to the use of a TASER if a subject is demonstrating an assaultive, combative, or threatening behavior.

(2) When feasible, officers should attempt to gain compliance using verbal commands, displaying the TASER, turning on the laser, or displaying a warning arc.

f) The TASER may also be used when it becomes necessary to immobilize an individual who may be a threat to themselves, or others, when the use of other methods is not practical, and deadly force would be inappropriate.

g) The TASER will only be used as a control and compliance measure against a violent individual or an individual threatening violence and shall never be used for retaliation or for any illicit or unlawful purpose.

h) Officers will use only the amount of control reasonably needed to effectively control the situation. Once control is obtained, the use of a TASER will be discontinued immediately.

i) Officers shall not deploy the TASER against individuals that are demonstrating passive resistance. This is a device which is primarily used to defend oneself, a third party, or to gain control of a combative, violent or combative resistant individual.

j) Except in a confrontation where deadly force would be justified, the officer shall not intentionally fire the TASER outside the preferred target area, nor shall they direct the laser into the eyes of anyone.

k) When practical, prior to firing a TASER, the deploying officer will:

(1) Warn the suspect that they will be "Tased" if they do not cooperate,

(2) In a safe manner, un-holster the TASER pointing it in a safe direction, disengage the safety device and aim at the target, and

(3) Loudly announce that the TASER is being deployed to avoid confusion by assisting officers.

l) Center mass of the subject's back is the primary aiming point, and lower center mass or legs are the secondary targets.

m) The TASER will not be used if:

(1) The officer recognizes the threat of sparks discharged by the TASER could come into contact with flammable liquids or substances (i.e. meth labs, gasoline, or any similar accelerants). Officers should use discretion in the use of a TASER when assisting/dealing with persons who have been sprayed with an OC spray containing an unknown propellant by law enforcement personnel from another agency/jurisdiction or civilians.

(2) The subject could suffer a fall from a significant height or onto objects likely to cause serious injury.

(3) The subject is known to be or visibly pregnant.

(4) The effect of the TASER would present an increased risk of serious injury due to the age or physical disability of an individual.

(5) The subject is operating a motor vehicle.

(6) The subject flees from officers, unless the officer reasonably believes the subject has committed a violent offense or will likely commit a violent offense if not apprehended in a timely manner.

(7) Against a non-violent, non-cooperative individual.

n) Officers will only deploy the TASER on one subject at a time. Even though the TASER 10 is capable of being deployed on up to three (3) subjects, this prevents the need to re-energize a connection on an individual(s) that may become compliant while another subject connected to the TASER is still combative.

o) The TASER 10 only deploys a single probe at a time. In order to establish a connection, to achieve NMJ, a second probe must be deployed by pulling the trigger again. This will then begin the electrical output for five (5) seconds ONLY IF there is a good connection made. NOTE: It may take more than two trigger pulls {deployed cartridges) of a connection to be established, until this occurs there is no electrical output occurring thus the suspect is not receiving multiple cycles from the TASER.

p) Once deployed, the TASER should be allowed to cycle for a period not to exceed five (5) seconds. The TASER will not be applied additional times unless doing so is reasonably necessary to gain control of the subject. If control is not gained after a connection is made, the connection may be reenergized for another five (5) second cycle by momentarily pressing up on the selector switch.

q) After the TASER has been deployed and the desired results have been achieved, the officer must take measures to secure the individual in restraints as quickly as possible in order to minimize the need for additional cycles of the TASER.

r) After control has been established, the deploying officer will contact an on-duty supervisor who will immediately respond to the scene.

(1) MEMS shall be requested at the scene in order to provide medical aid to anyone injured in the incident. MEMS personnel are allowed to remove the TASER probes, in accordance with MEMS protocol.

(2) Officers may remove TASER probes that are embedded in clothing.

(3) Officers will store any removed probes and cartridges in property. Deployed probes, conductive wire, and cartridges contain evidentiary content. Reasonable efforts should be made to maintain these components without breaking the probes from the wire or cartridge.

s) The suspect will be transported to an emergency medical facility if deemed necessary by MEMS personnel or if they meet the following guidelines:

(1) If the subject is pregnant,

(2) If the subject displays an altered mental status,

(3) If the suspect has persistent abnormal vital signs,

(4) If a probe has penetrated into the subject’s eye, or

(5) If a supervisor believes transport is necessary due to extenuating circumstances.

t) Officers will indicate in the Incident Report, Arrest Disposition Report (ADR), and the Use of Force Report that a TASER was used. If the subject is arrested, make note of the time the TASER was used and notify the detention employees of the time, so they will know to observe the subject and contact the appropriate medical personnel if the subject should require those services.

u) Officers will carry the TASER with all ten (10) cartridges in the issued holster.

(1) The TASER will be worn on the duty belt on the opposite side from the officer's issued firearm in a manner which enables the officer to draw the device with their off hand.

(2) Officers are to ensure they maintain possession of their assigned cartridges. Officers will not share cartridges unless exigent circumstances exist and can be articulated.

v) Officers will conduct a function test at the beginning of each shift or assignment to ensure the device is functioning properly.

(1) The function test is performed by pressing and holding the SAFE/ARM switch in the down position until it changes over into function test mode.

w) Loading Taser Cartridges

(1) Load the TASER 10 cartridges in the manner that is consistent with the officer's training they received from this department.

x) When an officer is off-duty and not working in an enforcement capacity, the TASER will be stored in a secure, climate-controlled environment.

y) Officers will conform to training provided by the Department in the safe handling and use of the TASER.

z) The use of the TASER against any person will be considered a use of force and each incident will be documented, as detailed in subsection IV.A. of this General Order.

9. Vascular Compression Holds

a) "Vascular Compression Holds" are considered Deadly Force under this policy and may be used to control Active Aggression where there is a risk of death or serious physical injury to the officer or another individual. Any application of a Vascular Compression Hold will be investigated as a Deadly Force Incident under this General Order.

b) Definition of Vascular Compression Hold:

(1) A technique used to compress the carotid arteries and other vascular arteries located on the side of an individual's neck. The proper use of this technique may cause a brief moment of unconsciousness depending on length and amount of compression.

c) Any officer who applies a Vascular Compression Hold to an individual, regardless of whether the subject was rendered unconscious, shall have the subject evaluated by MEMs personnel or any other qualified medical personnel.

d) The use or attempted use of a Vascular Compression Hold shall be reported to a supervisor promptly afterward.

e) The officer shall notify any person receiving custody, or any person placed in a position of providing care, that the individual was placed in a Vascular Compression Hold and whether the subject lost consciousness as a result.

f) It is understood Vascular Compression Holds do not include the compression of the Trachea and/or air way. All Vascular Compression Holds, and training given on such techniques shall emphasize the protection of the Trachea and air way. The extended compression and/or crushing of the Trachea or air way shall be considered deadly force.

I. Only employees demonstrating proficiency in the use of department authorized weapons and control and compliance devices/techniques will be approved to utilize such items. Continued failure to demonstrate firearm proficiency or control and compliance device/technique proficiency may result in being relieved of duty, suspended without pay, and or terminated from employment.

J. Police Vehicles - Officers will not attempt to deliberately collide with other vehicles or to use police vehicles to force any vehicle off the roadway unless the vehicle is intentionally targeting persons and/or poses a direct threat to the lives of persons in the immediate vicinity of the vehicle.

K. Improvising Permitted – Circumstances may arise in which officers reasonably believe that it would be impracticable or infective to use a standard tool, weapon, or method provided by the Department. Officers may find it more effective or practicable to improvise their response to rapidly unfolding conditions they are confronting. In such circumstances, the use of improvised device or method must still be reasonable and used only to the extent which reasonably appears necessary to accomplish a legitimate law enforcement purpose.

L. Medical Treatment Required:

1. When any force is used, the officer shall attempt to determine if any injuries have occurred as soon as practical.

2. If a suspect is obviously injured, alleges injury or requests medical assistance when an officer has used lethal or less-than-lethal force, the officer will immediately notify a supervisor.

3. In these instances, officers will provide medical treatment for the offender by:

a) Transporting the offender to the U.A.M.S. hospital, or,

b) Requesting an ambulance for transport to U.A.M.S., if appropriate.

c) Providing immediate emergency treatment on scene consistent with the officer's training and availability of medical equipment without sacrificing the officer's safety

VI. Reports and Documentation

A. Officers employing non-deadly force to control, arrest or prevent the escape of any person, will, prior to the end of the officer's tour of duty, submit a detailed report outlining the circumstances and exact type and amount of force used in the following instances:

1. Whenever the use of force results in, may reasonably result in, or is alleged to have resulted in a physical injury to the person. Such force includes, but is not limited to, those instances when:

a) Physical force is employed to restrain or control an individual, if the restraining or controlling act results in the person falling or being thrown to the ground;

b) An officer strikes, or attempts to strike, another person with their hands, feet, baton, or other instrumentality, device, or method of force, whether or not injury results to the person; or

c) A person is injured by a police canine utilized to search for or apprehend suspects.

2. Whenever a person is charged with resisting arrest or battery on an officer of this Department;

3. Whenever a person complains of incurring a physical injury, as the result of physical force employed by an officer of this Department except complaints of minor discomfort from un-resisted handcuffing;

4. Whenever an officer or supervisor believes documentation pertaining to any force employed, or not employed, by an officer, is necessary for the protection of the officer, the Department, or the City; and,

5. Prior to the end of the supervisor's tour of duty, they will enter the basic components of the use of force into the Blue Team program, which will include the involved officer(s), involved citizen(s), location of the incident, and the incident number.

6. An officer who restrains a patient to assist medical personnel, with an amount of force which does not rise above the level of holding a patient down (e.g. arms, legs, foot, and torso) is not required to report a use of force or notify their supervisor as outlined in this General Order. If an officer uses a level of force greater than merely holding a limb or applying body weight on a patient or the patent complains of injury from the officer's action, the officer will report this use of force to a supervisor and complete the necessary documentation required by this General Order.

a) Medical personnel are medical staff at a medical facility, MEMS, phlebotomist or other medical personnel in performance of their official duties.

7. Simply displaying a control and compliance device or weapon does not require a Use of Force File to be completed. This includes a warning arc from a TASER.

B. The following procedures will be followed for review and documentation of an officer's use of force, as outlined in this Order:

1. As soon as the suspect is restrained and the scene is stabilized, the involved officer will immediately contact a supervisor.

2. A supervisor must respond to the scene of all use of force incidents. If the supervisor determines the subject needs to be transported to the detention facility or hospital prior to their arrival, the supervisor will respond to the location of the transport.

3. The supervisor will immediately evaluate the circumstances, amount and necessity of the force used.

4. An Incident Report will be completed.

5. An Officer's Report (Form 5600-02) will be made with a complete and detailed account of the exact force used.

6. After employing non-deadly force, an officer may review any video of the incident prior to completing an Officers Report (Form 5600-02), unless a supervisor reasonably believes a more detailed administrative and/or criminal investigation is warranted involving the incident.

7. A Use of Force Report will be started in Blue Team prior to the end of their shift and include, at a minimum, the name of the involved officer(s), date, location of incident and incident number.

8. The reports will be reviewed by the officer's supervisor(s), who will complete an evaluation. The officer's lieutenant or sergeant, if serving as Acting Shift Commander, may forward the completed Blue Team report to IAPro if there are no underlying issues or policy violations as part of the 25% review process. The Acting Shift Commander cannot serve as both the reviewing sergeant and Acting Shift Commander. A sergeant must review the file and attach their evaluation prior to the Acting Shift Commander forwarding a file to IAPro. If a potential policy violation occurred, an officer or other individual receives injury that poses a substantial risk to their health, or any significant injury occurred to the suspect that requires them to be transported to the hospital, the Blue Team report will be forwarded through the Chain of Command.

9. The Division Commander will review the Blue Team file and complete an evaluation or recommendation and forward the file to IAPro if the use of force has a sustained policy violation resulting in a Restorative Supervision, Oral Reprimand, or Written Reprimand.

10. The Bureau Chief will review the file and complete an evaluation or a recommendation and forward the file to IAPro if a sustained violation results in a suspension of less than 24 hours.

11. If necessary, after review by the appropriate Bureau Chief, the Use of Force file will be forwarded to the Chief of Police for their findings and disposition.

12. The following Blue Team Use of Force files will be forwarded to the Chief of Police for their findings and disposition:

a) Any file wherein a potential violation of Departmental policy has been identified and the recommendation is a suspension of 24 hours or more, demotion or termination;

b) All complaints by citizens;

c) Any file where there is a disagreement in the Chain of Command evaluations;

c) Any file where an individual or officer has received injury that poses a substantial risk to their health injured; and,

d) Any file where there is an indication of a safety or policy issue which should be addressed.

After final review, or when corrective action has been completed, the Blue Team Use of Force file will be forwarded to IAPro. The Professional Standards Section will retain all Use of Force files to be stored in IA PRO.

13. The Division Commander will ensure that all provisions of this Order are observed, and reports are submitted in a timely basis.

14. The IAPro/Blue Team system administrator will provide Division Commanders with a 25% review of use of force incidents monthly for their review.

C. Blue Team Files regarding the use of force, including resisting arrest, battery on officers and canine bites, will be prepared as follows:

1. All documentation shall be attached to the Blue Team Use of Force report in PDF format.

2. Any audio/video recordings that cannot be uploaded into Blue Team will be placed in a manila envelope and forwarded through the chain of command, if required. Otherwise, the audio/video recordings will be forwarded to the Blue Team Administrator in Internal Affairs.

3. The initial evaluating supervisor shall be responsible for ensuring that necessary documentation is obtained and properly placed in the Blue Team report before routing it through the chain of command.

4. Blue Team Use of Force files should include at a minimum:

a) Lieutenant's evaluation;

b) Sergeant's evaluation;

c) Incident Report(s) (copies);

d) Involved Officer's Report (Form 5600-02);

e) Link the WatchGuard video URL (if any) – The supervisor will create a case in WatchGuard and name the case in the following format "Incident number-Response to Resistance" Ex. 2025-123456-Response to Resistance.

f) Copy of the Arrest Report (if any);

g) Medical treatment information (if any);

h) Computer printout of suspect's arrest record (if any);

i) Copies of the Workers Compensation Forms, if an injury has occurred to an involved employee;

j) Any photographs taken;

k) CEW-Taser video (if any);

l) Any other documentation that would be helpful in evaluating the file; and,

m) The Disciplinary Matrix Worksheet, if discipline is being recommended.

D. Evaluation Period

1. Supervisor evaluations into uses of force shall be thoroughly reviewed and should be completed within seven (7) working days.

a) Any need to extend the evaluation beyond the established time frame will be documented and permitted only after approval by the Division Commander, not to exceed 14 days.

b) Upon the determination that the evaluation cannot be completed within the established time frame, the officer(s) involved shall be notified of the delay by their immediate supervisor.

E. The Blue Team Use of Force report involving a canine bite will be forwarded to the canine supervisor for evaluation. The canine supervisor will also complete a K-9 Utilization Report in Blue Team providing the pertinent canine information. The K-9 Utilization Report will then be forwarded to IAPro.

F. When an officer employs the use of O.C. spray, or uses physical force to restrain, move and/or place a suspect in a vehicle, where no blows are exchanged by either the officer(s) or the suspect, the following procedures will be followed:

1. The involved officer will:

a) Contact their supervisor for evaluation of the incident;

b) Specify the exact amount of force employed and list the involvement of any other officer(s) in their original Incident Report concerning the incident; and,

c) When completing the Incident Report in the RMS System, select "Use of Force" as an incident type.

2. The supervisor will:

a) Immediately evaluate the circumstances, amount, and necessity of the force;

b) Approve the original report, as indication of their approval of the officer's actions;

c) Ensure that a Blue Team Use of Force report is completed and attach all documents created and link the WatchGuard video URL (if any). If no evaluation is written, the supervisor(s) shall put their findings in the Blue Team routing. The officer's lieutenant or sergeant, if serving as Acting Shift Commander, may forward the completed Blue Team report to IA Pro if there are no underlying issues. If a potential violation or injury occurred to an involved officer, the Blue Team report will be forwarded through the Chain of Command to the office of the Chief of Police for evaluation.

3. If the supervisor does not approve of the officer's actions, following their evaluation, he will follow the guidelines set forth in Section IV. C of this Order.

4. All completed Blue Team Use of Force reports will be forwarded to IAPro.

G. The use of force report will be utilized by the Chain of Command to evaluate the actions of all officers involved, in order to determine if the policies and procedures of the Department were adhered to.

H. If a use of force incident occurs when an officer is working in an off-duty police capacity, an on-duty supervisor will respond to evaluate the incident. If there is a supervisor working at the same off-duty location that is not involved in the incident, they will be required to evaluate the incident. The supervisor will be required to complete the file following this General Order. If during the investigation, the supervisor determines there are policy or training violations, the completed Blue Team file will be forwarded to the involved officer's chain of command for review and evaluations.

I. Annual analysis

1. The Training Division Commander will be responsible for compilation of a quarterly statistical report of all Use of Force incidents. This report should be completed and forwarded to the Office of the Chief of Police in a timely manner (April, July, October, January).

2. The Training Division Commander will be responsible for compilation of an annual analysis of all Use of Force incidents, policies, and reporting procedures. This analysis will review patterns or trends that may indicate training needs, equipment upgrades, and/or policy modification. The annual analysis shall be forwarded to the Office of the Chief of Police no later than February 15th of each year.

VII. Deadly Force Investigation and Review

A. Investigation Requirements

1. Whenever a Little Rock Police Officer becomes involved in an incident in which either the officer or another person suffers serious physical injury or killed as a result of police action and/or the use of Deadly Force, or whenever an officer intentionally employs Deadly Force, but no injury or death results, two separate investigations shall be initiated - a criminal investigation and an administrative investigation. (This shall not be applicable to those instances where the death or injury is the result of a motor vehicle accident.)

2. Examples of Deadly Force incidents include:

a) Any force resulting in death;

b) Any force that results in a substantial risk of death;

c) Any intentional firearm discharge that results in injury to another person;

d) Any unintentional firearms discharge resulting in another person's injury or death;

e) Any intentional firearm discharged at a person, vehicle, or structure regardless of injury;

f) Any force that resulted in serious bodily injury (e.g. serious disfigurement, disability, or protracted loss or impairment of the functioning of any body part or organ) requiring admittance to the hospital beyond emergency room treatment and release;

g) Use of any baton or improvised device that strikes the head of a subject; and,

h) Any use of a Choke Hold or Vascular Compression Hold.

3. When the use of deadly force by an officer result in someone being injured or killed, or in other high-profile cases (at the discretion of the Chief) a briefing may be held the following day in the Chief's conference room. The meeting will be for the purpose of developing a Press release and statement to the Department. Any confidential information or facts will remain confidential. The meeting will consist of:

   a) Chief of Police;

   b) Assistant Chiefs;

   c) Major Crimes Division Supervisor(s);

   d) Internal Affairs Supervisor(s);

   e) Crime Scene Supervisor;

   f) Public Affairs Officer;

   g) Division Commander of the Officer involved; and,

   h) Other individuals as deemed necessary.

4. The Major Crimes Division will conduct the criminal investigation to facilitate successful prosecution, if deemed appropriate, by the Prosecuting Attorney's Office.

5. The Crime Scene Search Unit will be summoned to the scene of all officer-involved shootings and will process the scene for evidence in compliance with standard investigative procedures.

6. Internal Affairs will conduct a separate administrative investigation to ensure compliance with Little Rock Police Department Rules and Regulations and these General Orders. Internal Affairs will be immediately notified of all intentional uses of Deadly Force and will respond to the scene to conduct the administrative investigation.

7. Unintentional weapons' discharges not resulting in physical injury will be investigated by the involved officer's Chain of Command.

B. On Scene Investigation and Responsibilities

1. In coordination with the Pulaski County Prosecutors office, the following will be followed when responding to an officer-involved incident:

   a) The crime scene will consist of two different crime scenes. Officers will secure a large outer perimeter (yellow tape). One officer or more (depending on the size of the outer perimeter) will have a crime scene log, noting all that enter and exit. The inner crime scene will be marked with red tape. The only personnel allowed

inside the red tape shall be Prosecuting Attorney personnel, homicide detectives and homicide supervisors. All other personnel will stay outside the red tape.

b) Responding supervisors will activate their BWC and follow General Order 303 VII B.2 through VII B.4. This is to also note the involved officer's appearance after the incident.

c) Once the officer's weapon has been collected, and the Major Crimes Division supervisor has been briefed, the officer shall be sent for their drug screening ~~then respond to the Major Crimes Division~~.

d) There will be a delay of at least 72 hours after the officer-involved incident before the involved officer is interviewed by the Major Crimes Division.

e) Weapons should only be rendered safe in the presence of CSSU personnel.

f) All officers that are witnesses to the incident should respond to the Major Crimes Division for a statement after the Homicide supervisor has been briefed.

g) No walk-through of the crime scene will be conducted.

h) Drones will be utilized to document aerial photographs of the scene.

i) The Major Crimes Division Commander, Internal Affairs Division Commander, and the Division Commander of the division involved in the incident will be the only Division Commanders responding to the scene.

2. The first supervisor on the scene of an officer-involved shooting or other incidents established above shall take charge and limit unnecessary access to the scene.

a) The field supervisor in charge at the scene will be responsible for the integrity of the crime scene until it is released to the Major Crimes Division supervisor.

b) The ranking supervisor from the Major Crimes Division will be in command of the overall initial investigation and will notify the Pulaski County Prosecuting Attorney's Office and the City Attorney's Office.

3. Once the situation has been stabilized, the officer involved will relate a brief account of the incident to the field supervisor prior to the arrival of Detective personnel, so the supervisor may brief ranking officers requiring administrative information. The officer involved must answer the following questions:

a) Are you *or anyone else* injured?

b) Were you involved in an officer involved shooting or use of deadly force?

~~c) Approximately how many rounds did you fire and in what direction did you fire them?~~

c) Approximately where were you when you fired the rounds?

~~d) Is anyone injured? If so, where are they located?~~

d) ~~If~~ *Are* any suspects ~~are~~ at large, what are their descriptions, direction and*/or* mode of travel? *Are they armed, if so, with what?*

~~f) For what crimes are they wanted and how long ago did they flee?~~

e) *If not already known,* ~~W~~*w*ith what weapons are they armed?

f) Is it possible the suspect fired rounds at you? If so, from what direction were the rounds fired?

~~j) Are there any weapons or evidence that need to be preserved? Where are they located?~~

~~k) Did you observe any witnesses? If so, where are they?~~

4. When the scene is stabilized, the field supervisor in charge shall take possession of all weapon(s) and magazines in possession of the officer(s) at the time of the incident (including back-up weapons). The supervisor shall render the weapon(s) safe only in the presence of the Crime Scene Technician prior to relinquishing the weapon(s) for processing. Both the supervisor and the Crime Scene Technician shall document the transfer of the weapon(s) on the Evidence Transmittal Form LRPD 5480-11 identifying the weapon, location, date, time and persons involved. Crime Scene shall then maintain custody of the weapon and magazines for purposes of storage and testing. Weapon(s) seized from the involved officer(s), determined by the Major Crimes Division investigators not to have been used in the incident, shall be returned to the officer(s) upon the issuing of a replacement weapon prior to the officer(s) going off duty.

4. After the involved officer(s) have related their brief account of the incident, the supervisor will instruct the officer to deactivate their body microphone. The supervisor will take possession of the microphone and place it in the appropriate vehicle in which it belongs.

5. The Shift or Section Commander and/or Division Commander may relate basic facts to the news media, or have the Public Affairs Officer make the initial release.

6. If the officer involved is not injured, they should retire some distance from the scene to await the arrival of the officer-in-charge of the investigation. This should be done in the company of a companion officer chosen by the involved officer, such as another supervisor or an officer of equal rank who was not a witness to or involved in the incident. It will be the responsibility of the field supervisor to ensure a companion officer is made available. The purpose of a companion officer is to serve the involved officer in a supportive role. *The companion officer will not have their body worn camera activated post-incident.* The companion officer will be a sworn member of the Little Rock Police Department. If the companion officer requested is not immediately available, the field supervisor will assign a temporary companion officer until the arrival of the one requested.

a) The companion officer will not be:

(1) A spouse or domestic partner;

(2) In the involved employee's chain of command or a member of the chain of command responsible for evaluating the employee;

(3) Directly involved in the incident either as an accused, as a witness, or as a member of the investigating unit (Criminal or Administrative).

7. The first supervisor on the scene shall assess the involved officer(s) for physical injury. If physical injury is noted, medical personnel shall be summoned immediately. Should the injury be suspected of having been caused by a gunshot, the injured officer shall be immediately transported to a medical facility for examination and treatment by a licensed physician.

8. When the Major Crimes Division supervisor arrives at the scene, they will be briefed by the field supervisor and, if they deem necessary, the involved officer will report back to the scene and respond to the needs of the investigation. Once the Major Crimes supervisor has determined the involved officer is no longer required at the scene said officer will be transported by the assigned supervisor, along with the designated companion officer, to the approved collection site for post incident drug/alcohol screening.

9. At the conclusion of the post incident drug/alcohol screening, the assigned supervisory officer, along with designated companion officer, will transport the involved officer to the Major Crimes Division.

10. The patrol supervisor in charge of the scene will make sure that all patrol vehicle's camera systems, of officers directly involved or witnesses to the incident, are stopped and immediately started while on scene. This will be done to shorten the length of the video of the incident.

11. The companion officer shall:

a) Accompany the involved officer to the Major Crimes Division offices after release from the scene and post incident drug/alcohol screening. The companion officer shall remain with the involved officer unless the officer desires to be left alone.

b) Be responsible for acting as a calming influence and monitor the involved officer for signs of critical incident stress or trauma. If signs of trauma or shock are evident, appropriate medical assistance shall be summoned to the scene and the on-scene supervisor shall be notified immediately.

12. The companion officer shall take all measures to ensure they **do not:**

a) Interfere with the preliminary investigation in any manner.

b) Discuss the facts or specifics of the incident with the involved officer or jeopardize the criminal investigation.

c) Make any statements that infringe on the privacy of the involved officer.

d) Allow anyone near the involved officer while on scene who is believed to be a witness to the use of deadly force.

13. The involved officer will refrain from discussing the details of the incident with anyone except Departmental personnel assigned to the investigation, the Prosecuting Attorney's Office, Departmentally provided and/or personal Psychologist or counselor, the officer's private attorney, the officer's chosen clergy, or spouse.

14. A designated representative with the F.O.P. may have contact with the involved officer for the purpose of arranging an attorney retained by them or for assisting the companion officer with notification and transportation of family members.

15. Any officer directly involved in, or a witness to the deadly force incident will not review any video of the incident prior to giving a statement.

16. Any employee not directly involved in the investigation shall refrain from lingering in or near the crime scene or investigative offices of the Department.

17. Any employee not participating in the authorized Departmental investigation who has contact with the involved officer(s) before conclusion of the initial investigation shall document that contact in writing for inclusion in the investigative files.

18. The Major Crimes supervisor at the scene shall have a Major Crimes Detective prepare the initial Incident Report.

19. Prior to the end of the field supervisor's tour of duty, they will enter the basic components of the use of force into the Blue Team program, which will include the involved officer(s), involved citizen(s), location of the incident, and the incident number.

20. The involved officer shall be afforded an early opportunity to communicate with family members. The person designated as a companion may assist in making this notification. The Major Crimes Division supervisor shall ensure that this is accomplished.

21. In order to ensure the integrity of an investigation and protect the best interest of the involved officer(s), the Training Division will ensure that all personnel receive adequate instruction detailing the responsibilities of a companion officer.

C. Major Crimes Division Investigation

1. Officers who actually employ Deadly Force shall be requested to make a written and/or oral statement.

2. Statements from officers involved in the incident shall be taken by Major Crimes Division supervisors.

3. The Major Crimes Division will prepare a briefing sheet for Shift and Section Commanders, who will brief their personnel as soon as practical.

4. Upon completion of the Major Crimes Division's investigation, a copy of the investigative file will be forwarded to the Office of the Chief of Police for review before forwarding to the Prosecuting Attorney's Office.

5. Upon conclusion of the investigation by the Prosecuting Attorney, the Major Crimes Division Commander will notify the officer(s) in writing of their findings.

6. It shall be the responsibility of the Major Crimes Division supervisor to update the officer, their supervisors, the Office of the Chief of Police, and the Pulaski County Prosecuting Attorney's Office, as to the status of the investigation.

D. Issuance of Replacement Weapon

1. The field supervisor in charge of the scene will notify the officer(s) involved Division Commander and advise them that a replacement weapon is needed for an officer involved in a shooting if he feels it necessary to replace the weapon immediately.

2. The Departmental Armorer shall issue the replacement weapon(s). In the absence of the Departmental Armorer, the Training Sergeant or their designate shall be responsible for the issuing of weapons.

a) Prior to returning to full duty, the officer involved will need to respond to the Training Division and qualify with a passing score using the newly issued weapon.

5. The Departmental Armorer shall inspect those weapons kept in the Major Crimes Division semi-annually.

E. Employee Assistance Referral

1. Officers who have employed Deadly Force which has resulted in injury or death to any person, will be referred to the Employee Assistance Program as soon as practical after the incident.

a) Officers will attend the confidential debriefing session, which will be provided by the Employee Assistance Program.

b) The involved officer's Division Commander will be responsible for ensuring that such debriefing is scheduled and completed, and that appropriate supporting documentation is forwarded to Internal Affairs.

2. Officers who have employed Deadly Force, which has resulted in injury or death to any person, will be placed on Administrative Leave until after the officer(s) has attended mandatory EAP sessions, a thorough administrative review has been completed or a decision by the Chief of Police or their designee has been made to return to work. During this time the officer(s) will make themselves available to assist with the Internal Affairs investigation.

a) Officers who have been placed on such leave will not engage in off-duty employment during this time, nor are they expected to perform police-related functions, except under extreme circumstances. Officers on Administrative Leave will be available at the direction of Internal Affairs to assist in the investigation of the Deadly Force incident.

b) Officers who have been placed on such leave will not be returned to normal duties until completion of E.A.P. debriefing.

c) The involved officer's Division Commander or the Internal Affairs Unit Commander will be responsible for ensuring that the officer is placed on leave and that such action is documented on an Administrative Notification Form for the Internal Affairs file.

d) The involved officer's Division Commander will authorize their return to normal duties.

e) Administrative Leave may be extended at the discretion of the appropriate Division Commander as they deem necessary.

f) The involved officer must attend a follow-up E.A.P. debriefing approximately 30 days after the initial debriefing.

F. Internal Affairs Investigation

1. The Internal Affairs investigation will be conducted in conjunction with but separate from the Major Crimes Division's investigation.

2. The Internal Affairs Investigator will interview the involved officer(s) only in situations where there was no initial Major Crimes Interview. The Internal Affairs Investigator shall advise the involved officer(s) of their rights, as to the administrative investigation process. Those rights are:

a) The right of the Department to conduct an administrative investigation into the specific Deadly Force incident;

b) The right to know if they are suspected of misconduct which, if sustained, could be grounds for administrative disciplinary action up to and including dismissal;

c) The right to refuse to answer any questions, but such refusal shall be grounds for disciplinary action, including dismissal;

d) That the results of the Internal Affairs investigative interview will not be used against the officer(s) in any subsequent criminal proceeding (Garrity v. New Jersey, 385 U.S. 493 (1967)); and,

e) The interviewed officer will be provided a copy of the statements he made during the course of the administrative investigation, upon their request.

G. The Internal Affairs Unit will, at the conclusion of the investigation of an officer's use of deadly force, provide a summary of the investigation to include recommendations regarding the disposition of each allegation(s) and list all policy violations (Any violations will be cited by source and section numbers). The assembled file along with all statements, records and evidence gathered during the investigation will then be forwarded to the involved employee's Chain of Command for recommendations regarding disciplinary action, if warranted.

1. The employee's chain of command, in addition to recommending disciplinary action, if warranted, may also cite additional comments regarding said investigation, any mitigating or aggravating factors contributing to recommended disciplinary action, etc.

H. Deadly Force Review

1. The Deadly Force Review Board is established for the purpose of reviewing and evaluating incidents of firearms discharge, both intentional and unintentional, resulting in injury or death by sworn members while in the performance of their duties as police officers, and those incidents where an officer or another person is killed by any other means, except motor vehicle accidents.

2. All incidents, as noted above, will be reviewed within ten (10) days after Internal Affairs has completed its investigation.

3. The Chief of Police, at their discretion, may have the Deadly Force Review Board review any other firearms discharge or intentional use of Deadly Force not resulting in injury or death.

4. The objective of the Deadly Force Review Board is to make recommendations to the Chief of Police concerning firearms discharges and other incidents described herein, based on:

   a) Avoidability of similar incidents in the future;

   b) Adequacy of training;

   c) Adherence to training;

   d) Adequacy of supervision; and,

   e) Adequacy of investigation.

5. The Assistant Chief of Police - Field Services Bureau shall appoint the Deadly Force Review Board for each incident, comprised of the following:

   a) Chairman, Captain, not in the officer's Chain of Command.

   b) Member, Lieutenant, not in the officer's Chain of Command.

   c) Member, Lieutenant, not in the officer's Chain of Command.

   d) Member, Sergeant, not in the officer's Chain of Command.

   e) Member, Training Division representative (Sergeant or above).

   f) The City Attorney or their representative (may be asked to be present as an adviser).

6. The Chairman will convene the Deadly Force Review Board for the purpose of reviewing the Major Crimes Division investigation and the Internal Affairs investigation of each incident.

7. The Chairman of the Deadly Force Review Board is authorized to discuss/clarify any matters the board identifies/requests pertaining to the incident with appropriate Major Crimes, Internal Affairs or other divisional personnel prior to the conclusion of the board and submission of the final report.

8. After conducting the review, the Review Board shall develop its findings and recommendations. The Chairman will submit a written report specifically covering the issues identified in subsection H.4.a. through e. and any recommendations to the Office of the Chief of Police within five days.

I. All investigations shall be completed within ninety days from the date of the incident, unless evidentiary or investigatory considerations warrant delay, and the Chief of Police approves.

J. The Chain of Command review and evaluation should not exceed the deadline established by Internal Affairs upon submission.

K. The Shooting Review Board shall complete its review as prescribed by Subsection G of this Order.

VIII. Other and Accidental Discharges of Firearms (may not constitute the use of force)

A. Accidental Discharge of Firearm by an Employee (No injuries involved)

1. This procedure will be followed any time a member of the Department, on duty or off duty, accidentally discharges a firearm and no injury or death occurs.

2. Procedure

a) Any employee who accidentally discharges a firearm will contact an on-duty police supervisor who will initiate an investigation.

b) The supervisor will complete an Incident Report and ensure that the employee(s) involved submit a detailed Officer's Report on the incident.

c) The supervisor will complete a Divisional Investigation report in the Blue Team program and attach all documents and video (if any) related to the incident.

d) The supervisor will evaluate the employee's performance, submit their findings and forward the Blue Team file up the chain of command for review.

e) The completed Blue Team file will be forwarded to IAPro.

B. Accidental Discharge of Firearm By an Employee (With Injury)

1. This procedure will be followed any time a member of the Department, on duty or off duty, accidentally discharges a firearm resulting in injury or death.

2. Investigation requirements

a) Any accidental discharge of a firearm by an employee resulting in death or serious physical injury will be fully investigated, pursuant to Section V of this Order.

b) The supervisor will complete a Divisional Investigation report if the involved officer was injured or a Use of Force report if the involved citizen was injured. Any supporting documents or video related to this incident will be attached to the Blue Team file.

c) Any employee who accidentally discharges a firearm resulting in injury where there is no threat of death or permanent disability will immediately contact an on-duty police supervisor, who will respond to the scene and initiate an investigation.

d) The supervisor will complete an Incident Report and ensure that the involved employee(s) submit a detailed Officer's Report, as soon as practical after the incident. The supervisor in charge may also request assistance from the Major Crimes Division, as needed, toward the successful completion of the investigation and for any appropriate criminal investigation necessary.

e) CSSU will be summoned to the scene and will photograph and process the scene as needed.

f) Internal Affairs will be notified and briefed as to the specific circumstances of the incident.

C. Discharge of Weapons Upon Animals

1. This procedure will be followed any time a member of the Department discharges any weapon at an animal while in an on-duty capacity (.i.e. firearm, Taser, OC Spray, baton).

2. Any officer who discharges a weapon upon an animal will contact an on-duty police supervisor who will initiate an investigation. This will not be considered a use of force incident.

3. The supervisor will complete an Incident Report and will ensure that the involved officer(s) submit a detailed Officer's Report of the incident.

4. The supervisor will complete a Divisional Investigation report in the Blue Team program and attach all documents and video (if any) related to the incident.

5. The supervisor will evaluate the officer's performance, submit their findings, and forward the Blue Team file up the chain of command for review.

D. Investigative review

1. The completed Blue Team investigative file will be forwarded to IAPro.

E. Internal Affairs shall maintain the files on all accidental weapons discharges.

Additions and revisions are *italicized and underlined.*

Deletions are denoted with a strikethrough.