SALINA POLICE DEPARTMENT GENERAL ORDER	Number O2102
SUBJECT: **USE OF FORCE**	
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POLICY

Officers are routinely confronted with situations in which control must be exercised to affect arrests and protect the public welfare. Control may be achieved through officer presence and verbal commands, which are used to advise, warn, inform or persuade an uncooperative subject. Use of reasonable physical force, however, may be necessary in situations which cannot be otherwise controlled. When resistance to lawful police action or threat to human life is encountered and reasonable alternatives have been exhausted or would clearly be ineffective, physical force may be employed. Only the amount of force that is reasonable and necessary to accomplish a lawful police objective shall be applied, and the use of force shall cease immediately upon accomplishment of the police objective. All members' actions that are deemed reasonable in retrospect will be considered to be within policy and regulation even if the specific action and/or operation is not specifically addressed here. All officers shall be issued a copy of this General Order and given instruction regarding the provisions contained herein before being authorized to carry lethal or less lethal weapons.

DEFINITIONS

D1 **Force** - Any physical strike or instrumental contact with a person; any intentional attempted physical strike or instrumental contact that does not take effect; or any significant physical contact that restricts the movement of a person. The term includes the discharge of a firearm, use of chemical spray, use of Conducted Energy Device, hard hands, soft hands, taking of a subject to the ground, or the deployment of a canine. The term does not include escorting or handcuffing a person with minimal or no resistance. Use of Force is lawful if it is **objectively reasonable** under the circumstances to effect an arrest or protect the officer or another person.

D2 **Lethal (Deadly) Force** - Any use of force that is likely to cause death or serious bodily harm.

D3 **Non-Lethal Force** - Any use of force other than that which is considered lethal force.

D4 **Active Resistance** - Actions such as pulling, pushing, evasive arm movement, flailing, flight, muscle tension, etc., to avoid control. Does NOT include attempts to harm the Officer.

D5 **Passive Resistance** - Dead weight, or non-compliance with an Officer's lawful verbal direction, but offering not active resistive movements.

D6 **Imminent Threat** – An officer's reasonable perception of impending danger, death or serious injury from any action or outcome that may occur during an encounter. A subject may pose an imminent or impending threat even if he or she is not pointing a weapon at the officer, but has, for example, a weapon within reach, is running for cover carrying a weapon, or running to a place where the officer has reason to believe a weapon is available.

D7 **Soft Empty Hand Control** – The use of physical strength and skill in defensive tactics to control arrestees who are reluctant to be taken into custody and offer some degree of physical resistance. Such techniques are not impact oriented and include pain compliance pressure points, takedowns, joint locks, and simply grabbing a subject. Touching or escort holds may be appropriate for use against levels of passive resistance.

D8 **Hard Empty Hand Control** - Impact oriented techniques that include knee strikes, elbow strikes, punches, and kicks. Control strikes are used to subdue a subject and include strikes to pressure points such as: the common peroneal (side of the leg), redial nerve (top of the forearm), or brachial plexus origin (side of neck).

**Defensive strikes are used by officers to protect themselves from attack and may include strikes to other areas of the body, including the abdomen or head. Techniques in this category*

include pressure point controls, stunning or striking actions delivered to a subject's body with the hand fist, forearm, legs, or feet. These techniques target the major muscle group and are delivered to create muscle cramping, thereby inhibiting muscle action and allowing the officer to subdue the subject. In extreme cases of self-defense, the officer may need to strike more fragile areas of the body where the potential for injury is greater. The use of neck restraints, chokeholds, or other similar weaponless control techniques, however, are prohibited unless the use of deadly force is authorized.

D9 **Verbal and Non-verbal Compliance** - When a subject expresses his/her intentions not to comply with an officer's directive through verbal and non-verbal means. An officer may encounter statements ranging from pleading to physical threats. Such statements may also include physical gestures, stances, and subconscious mannerisms.

D10 **Reasonable Belief** - When the totality of the facts and circumstances known to the officer are such as to cause an ordinary and prudent officer to act or think in a similar way under similar circumstances.

D11 **Serious Bodily Harm** - Any bodily injury that creates a substantial risk of death; causes serious disfigurement; or results in long-term loss or impairment of the functioning of any bodily member or organ.

D12 **Unreasonable Force** - Any force that is deemed to be unlawful, excessive, unauthorized, or unnecessary.

PROCEDURE

1. **Use of Force Guidelines**

1.1. Any application of force by an officer of this Department SHALL be lawful, necessary, and objectively reasonable.

1.1.1. The Fourth Amendment "reasonableness" inquiry is whether the officers' actions are "objectively reasonable" in light of the facts and circumstances confronting them, without regard to their underlying intent or motivation. The "reasonableness" of a particular use of force must be judged from the perspective of a reasonable officer on the scene, and its calculus must embody an allowance for the fact that police officers are often forced to make split-second decisions about the amount of force necessary in a particular situation.

1.1.2. Whenever possible, an officer shall identify themselves as police officers and use advisements, warning, and verbal persuasion, when possible, before resorting to force. Force shall be de-escalated immediately as resistance decreases. When feasible based on the circumstances, officers should summon reinforcements, and /or call in specialized units, in order to reduce the need for force and increase officer and civilian safety.

1.1.3. An officer is expected to subject himself to reasonable risk during the performance of their duties. It is an understood condition of this particular employment. However, an officer is not expected or required to subject himself to unreasonable risk.

a. As an officer's risk exposure increases, the officer is expected to take reasonable measures to minimize and/or control it. Reasonable control measures may include, but are not limited to, non- lethal force options, posturing, summoning backup, retreat, and other reasonable actions.

b. Reasonable measures may also include lethal force, but an officer is expected to restrain himself from using lethal force until or unless he reasonably believes risk exposure has already or is escalating to the level of serious bodily harm or death.

1.2. Escalation of Force: An officer will not intentionally encourage and/or aggravate unlawful behavior. When an officer is confronted with unlawful force, he/she will, if circumstances permit, respond with reasonable superior force until the person is under control. Only that degree and type of force that is objectively reasonable shall be used. An officer will not knowingly use unreasonable force.

1.2.1. Officers who use unreasonable force shall be subject to discipline, possible criminal prosecution, and/or civil liability. The use of force is only authorized when it is objectively reasonable and for a lawful purpose. Accordingly, the

Department will thoroughly review and/or investigate all uses of force by officers to assure compliance with all legal requirements and this policy.

1.3. De-escalation of Force: de-escalation of force is moving to a lesser force option on the use of force continuum. Officers shall de-escalate force at the earliest opportunity to do so safely. De-escalation of force does not mean that the officer must drop their guard. If reasonable, an officer will provide force recipients with opportunities to reduce their resistance. When an officer perceives that a person is complying with the officer's lawful commands/actions, the officer shall respond by de-escalating the force he is using.

1.4. Force shall never be used to subject a person to torture and/or other cruel or inhumane or degrading treatment or punishment.

1.5. Competency Requirements: each officer must demonstrate proficiency in the use of Department authorized weapons prior to being authorized to carry same. Unless confronted with a situation posing great bodily injury or death to themselves or another, an officer will not intentionally use techniques and/or instrumentalities of force with which he has not been trained and deemed competent by this Department.

1.5.1. On at least an annual basis, each officer shall receive in-service training on the Department's use of force directives and shall be required to demonstrate proficiency with any approved (lethal or non-lethal) weapon that the officer is authorized to use.

a. All proficiency training will be conducted by a Department approved and certified instructor.

b. All training and proficiency will be documented by the instructor conducting such training and the Department Training Supervisor.

c. Any officer who is unable to qualify with an authorized weapon shall undergo Department specified remedial training and shall be required to qualify with the (lethal or non-lethal) weapon prior to being allowed to carry same on or off duty.

d. All training, including remedial training, will be documented.

1.6. Use of Force - Other Instruments/Techniques: the Department realizes that in tense, uncertain, and/or rapidly evolving, violent confrontations, an officer may need to (reasonably) use techniques, weapons, and/or improvised weapons/techniques which are not a part of this Department's formal training curricula, and/or which may not be specifically addressed by this General Order. Also, the officer may need to (reasonably) use a technique or weapon in a manner that does not parallel Departmental training.

1.6.1. Chokeholds or neck restrains, with or without a device that restricts a person’s airway, are prohibited.

1.6.2. Force shall not be used against persons in handcuffs, except as objectively reasonable to prevent imminent bodily harm to the officer or another person(s), prevent escape, or, as objectively reasonable.

1.6.3. Any strike with an impact weapon or object to a person’s head or neck is prohibited.

1.6.4. Any use of flashlights, radios, or any other items not issued or trained specifically as defensive weapons, are prohibited.

1.6.5. In limited circumstances, when a confrontation escalates suddenly and/or unpredictably, an officer may use any means or device at hand such as a flashlight, radio, and other issued equipment or item, to defend themselves, another person, or to bring a situation under control. This decision should be based on the circumstances surrounding the officer at the time, if the officer determines it was reasonably necessary to do so, as long as the level of defensive action is objectively reasonable given the existing circumstance. It is further recognized that, due to the unpredictable nature of a person's movements and/or actions under these circumstances, the officer's defensive technique(s) and/or weapon(s) may unintentionally (on the part of the officer) impact a body area, or produce an outcome, which does not parallel Departmental training.

1.7. Horseplay/Rough housing Prohibited: horseplay and practical jokes can cause serious injury, can degrade the image of the Department to the public, and can cause discord among officers. Therefore, horseplay, rough-housing, practical jokes, etc., involving use of force techniques and/or instrumentalities are prohibited, including, but not limited to:

a. Using the baton inappropriately,

b. Using a chemical aerosol inappropriately,

c. Pointing a firearm in an unsafe manner and direction, etc.

1.8. Medical/First Aid: Following any law enforcement action and/or when an officer applies force against an individual and the person is visibly injured or unconscious, complains of injury, medical distress is apparent, or the officer reasonably believes the person is in medical distress or injured, and/or is in need of medical attention, the officer shall render appropriate first aid (within the limits of their training and available equipment) as soon as it is practical, and safe, to do so. In addition, medical/rescue personnel will be summoned, if necessary. If the subject is offered and refuses medical treatment, this information shall be noted in the officer's report along with all pertinent information. The officer shall advise their supervisor anytime a subject is offered or requires medical attention as soon as practical to do so.

2. **Parameters for Use of Lethal Force**

2.1. The authority and ability to use lethal force against another human being is perhaps the gravest responsibility of the sworn law enforcement officer. Thus**, an officer is justified in using deadly force only when he or she reasonably believes such force is necessary to:**

2.1.1. **Defend the officer, or a third person, from the imminent threat of death or serious bodily injury.**

2.1.2. **Effect an arrest or prevent escape from custody of a person whom they reasonably believe has committed or attempted to commit a felony involving the infliction or threatened infliction of serious physical injury; AND the officer reasonably believes this person still poses a significant threat of death or serious physical injury to the officer or other persons. (*Tennessee v. Garner.)***

2.1.3. The purpose of an officer's use of lethal force shall be to stop an individual's unlawful, imminent life-threatening actions and not to cause death, although death may result.

2.2. The decision to use lethal force must be legally justifiable, considering both the nature of the crime and the circumstances surrounding the arrest. Justification for the use of lethal force must be limited to the collective facts and circumstances known by the officer at the time he acts.

2.3. The use of lethal force against a "fleeing felon" must meet the conditions required by Section 2.1. of this order. A "fleeing felon" should not be presumed to pose an imminent threat to life in the absence of actions that would lead one to believe same, such as a previously demonstrated threat or wanton disregard for human life.

2.4. Where feasible, the officer should identify himself and give warning of the intent to use deadly physical force.

2.5. An officer may also discharge a firearm under the following circumstances:

2.5.1. At the police range for target practice, for approved law enforcement shooting competition, and for training purposes.

2.5.2. To destroy an animal that represents a threat to public safety, or as a humanitarian measure where the animal is seriously injured (and it is not possible and/or feasible for Animal Shelter personnel to put the animal down), in compliance with K.S.A. 21-6412 (c). If possible, supervisory approval should be obtained before taking action.

a. An officer will not fire upon a fleeing or running animal, regardless of the animal's condition, unless the officer reasonably believes that the animal's continued freedom poses a clear and substantive threat to the safety of innocent people.

b. When an officer reasonably believes that he or a third party is being attacked, or is about to be attacked by an animal and the circumstances are such that serious bodily injury is likely, or when the officer reasonably believes that an animal's continued freedom poses a substantive threat to the safety of the public, the officer, using appropriate care, may employ deadly force in order to stop the animal.

2.6. An officer is **NOT JUSTIFIED** in discharging a firearm under the following circumstances:

2.6.1. When the use of less force would safely accomplish the objective.

2.6.2. To apprehend a fleeing offender (felony or misdemeanor), except in those instances outlined in 2.3. of this general order.

2.6.3. To fire at or from a moving vehicle, **unless** the occupant(s) of the vehicle represent an imminent threat to the life of the officer or others, and then it shall be done only as a last resort.

2.6.4. When it appears that innocent persons may be injured by the action, **unless** the officer reasonably believes, considering the totality of the circumstances, that failure to act poses a greater threat to public safety.

2.6.5. Warning shots are prohibited.

2.7. Except for maintenance or during training, officers shall not draw or exhibit their firearm unless circumstances create reasonable cause to believe that it may be necessary to use the weapon in conformance with this General Order.

3. **Parameters for Use of Non-Lethal Force**

3.1. When an escalation of force is justified, officers shall employ only the level of force necessary to safely control the situation. Each incident must be assessed in order to determine which available non-lethal technique or issued equipment is the best choice (in the officer's opinion) to bring the incident under control without compromising the safety of the officer, fellow officers, or innocent citizens.

3.2. An officer is authorized to use Department approved non-lethal force techniques and issued equipment for resolution of incidents, as follows:

3.2.1. To protect himself and others from physical injury.

3.2.2. To restrain or subdue a resistant individual.

3.2.3. To bring an unlawful situation safely and effectively under control.

3.2.4. To prevent the escape from custody, or to effect a lawful arrest, of a person whom the officer reasonably suspects has committed an offense.

3.3. The authorized use of physical force ends when resistance ceases and/or the officer has accomplished the purpose necessitating the use of force. Justification for the use of force is limited to the facts known or perceived by the officer at the time such force is used, including levels of resistance, suspect's behavioral cues, the number of officers and/or offenders present, and the availability of other options. Force shall never by used to subject a person to torture and/or cruel or inhumane or degrading treatment or punishment.

4. **Lethal Weapons -** See Attachment A of this General Order and General Order P3216, Impact Projectiles (ARWEN).

4.1. Officers shall carry only weapons authorized by and registered with the Department.

4.2. Authorized weapons are those with which the officer has qualified and received Department training on proper and safe usage, and that are registered and comply with Department specifications. Only those weapons which are inspected and deemed safe by a Department armorer shall be authorized. Any weapon found to be unsafe shall be immediately removed from authorized use until such time said weapon is repaired and approved by a Department Armorer.

4.2.1. Pursuant to Department specified qualification and requalification procedures, a Department approved and certified armorer and/or firearms instructor will inspect each firearm and oversee the proficiency training/testing.

4.2.2. A complete record of all weapons approved by the Department, to include type, description, model, serial number, and identity of assignee or owner shall be maintained by the Detective Division Commander.

a. The record shall also include the name of the official making the approval, the date of the approval, the course of fire, and the numerical or pass/fail score used to qualify.

4.3. Any officer who fails to qualify with their duty weapon in accordance with Department testing procedures shall:

4.3.1. Not be permitted to carry the weapon.

4.3.2. Be reassigned to non-enforcement duties.

4.3.3. Undergo remedial training and be required to qualify before returning to enforcement duties.

4.3.4. The service weapon will be the handgun model and caliber designated and issued by the Department. On-duty officers shall carry the Department issued handgun as their primary weapon unless prior approval has been obtained from the Chief of Police.

4.4. Before being authorized to carry any firearm, commissioned personnel must demonstrate proficiency with the firearm by successfully completing a firearms qualification course. Officers will be required to qualify with their Department issued side arm and all other issued firearms on at least an annual basis.

4.5. An officer may carry a handgun other than the issued sidearm as their primary weapon in certain situations, providing:

4.5.1. It has been approved and registered with the Department.

4.5.2. The ammunition used has been approved by the Chief of Police or their designee, and must be new, high quality, factory manufactured.

4.5.3. The officer has qualified with the weapon.

4.5.4. The officer has received written permission from the Chief of Police to carry same.

4.6. If a backup or second weapon is carried, it shall be subject to Department approval and must be either a high-quality revolver or semi-automatic pistol, capable of holding at least five (5) rounds of Department approved ammunition.

4.7. Officers who wish to carry non-issued, personally owned weapons as a second, backup, or off-duty weapon must register such weapon with the Department for inspection and approval and will be required to fire the KS-CPOST qualification annually to prove proficiency with the weapon under the supervision of a range Master. All ammunition costs in the proficiency firing of the weapon will be borne by the officer.

4.8. All firearms will be properly secured at all times.

4.9. Carrying an off-duty weapon will be at the discretion of the individual officer. The weapon must conform to the standard set forth in this General Order and the officer must have their police commission and badge on their person at all times. All directives relative to firing a weapon on-duty also apply to firing a weapon off-duty.

4.10. Officers who have reason to travel armed outside the State of Kansas on official business must have their commission and badge on their person. If traveling on a commercial airline, all procedures of the FAA and air carrier that pertain to the reporting and carrying of weapons and the required training, shall be followed.

4.11. Duty ammunition for Department issued weapons will be issued by the Department and no other ammunition is approved for on-duty use in a Department issued weapon, shotgun or rifle. Officers using other than Department issued ammunition in Department issued weapons will be subject to disciplinary action.

4.12. Ammunition for off-duty, second or backup weapons shall be new, high quality, factory manufactured and shall be subject to Department approval. Factory reloads and hand loaded ammunition are expressly prohibited.

4.13. The use of neck restraints, chokeholds, or other similar weaponless control techniques are prohibited unless the use of deadly force is authorized.

4.14. The use of the ARWEN is considered a lethal weapon if deployed intentionally at the head, neck or chest. (See General Order P3216 for further guidance.)

5. **Non-Lethal Weapons -** (See Attachment A and General Order P3220 reference Conducted Energy Device, and General Order P3216, Impact Projectiles.)

5.1. Non-lethal weapons are necessary to provide the officer with an alternative to the use of lethal force, so that he may successfully defend himself from combative, resisting, and/or violent individuals while reducing the risk of inflicting or receiving injury. A police officer is not permitted to carry or use a non-lethal weapon unless qualified in its proficient use as determined by Department training standards.

5.2. The Department issues the ASP expandable baton, the TASER 10, and Oleoresin Capsicum ("OC") Aerosol Spray to all commissioned officers. Uniformed Patrol Division officers, while on-duty, shall carry the ASP baton, "OC" Aerosol Spray, and issued TASER 10 on their person at all times.

5.2.1. Uniformed officers assigned to administrative duties are required to carry a department-issued firearm and magazines. If deployed in a Patrol capacity, all above mentioned equipment is required. Detective Division non-uniformed officers are required to carry a department-issued firearm and magazines. If Detectives are deployed on a field visit or investigative / enforcement activities, they may be required to carry the TASER 10, ASP baton and OC spray as directed by the Detective Supervisor. All uniformed School Resource Officers are required to carry the standard equipment as mentioned for uniformed Patrol Officers. If wearing a soft-uniform, the SRO's equipment requirements will be directed by the SRO Supervisor.

5.2.2. The non-lethal weapons issued are tools that can be used at the discretion of the officer when the decision is made that the use of force is reasonable and necessary under the circumstances. The primary purpose of these weapons is to provide officers an advantage when fending off and subduing an unarmed assailant. They are not intended to be used to overcome an armed attack.

5.3. The ARWEN is considered a non-lethal kinetic energy impact weapon unless intentionally deployed at the head, neck or chest as authorized in a lethal force encounter.

5.4. The Department Training Supervisor shall schedule annual training and qualification sessions for approved, non-lethal weapons, which will be graded on a pass/fail basis.

5.5. Chemical agents other than the issued "OC" shall not be used or carried by members of the Department unless specifically authorized by the Chief of Police.

5.6. Weapons other than Department issue must be approved by the Chief of Police before an officer can carry or have same in their possession. Pocket knives are not considered weapons and may be carried.

5.7. The flashlight is not to be used as a substitute for the ASP baton as a primary impact weapon.

6. **Defensive Tactics**

6.1. All officers will be trained in Department approved unarmed defensive tactics and control techniques.

7. **Reporting Use of Force**

7.1. Each and every member of the Department is charged with the responsibility to monitor and control the use of force during operations involving multiple officers. Supervisory and non-supervisory personnel, including civilians, will be held strictly accountable, within the scope of their authority and training, to intervene and/or report to the appropriate supervisor any use of force perceived to be unreasonable. Additionally, if a member of the Department becomes aware of any such violations of departmental policy, local, state or federal law, it is the employee's responsibility to notify the appropriate supervisor.

7.2. In addition to a detailed Standard Offense Report, a Salina Police Department Use of Force Report (UFR), will be completed whenever an officer:

7.2.1. Takes an action that results in, or is alleged to have resulted in, the injury or death of another person.

7.2.2. Applies force through the use of lethal (to include pointing a firearm at a person) or less lethal weapons (to include pointing a Conducted Energy Device or an ARWEN at a person).

7.2.3. Applies physical force (other than that minimal force required during a normal custodial arrest, e.g. handcuffing) to the person of another.

7.2.4. Discharges a firearm for other than training or recreational purposes. This shall not include discharging a firearm as humanitarian measure to destroy a severely injured or suffering animal.

7.2.5. Forces entry into secured building for a criminal matter and a subject is present inside.

7.3. The UFR will also be completed when a suspect:

7.3.1. Uses lethal force against an officer.

7.3.2. Uses a non-lethal weapon against an officer.

7.3.3. Uses force which results in injury to an officer.

7.3.4. Physically, as opposed to passively, resists arrest.

7.4. The Patrol Supervisor will be notified and will respond to the scene when:

7.4.1. A suspect requires or requests medical attention resulting from an officer using force.

7.4.2. An officer utilizes lethal force against a human being.

7.4.3. An officer requires medical attention as a result of a suspect using force.

7.5. Staff will be notified, through the chain of command, when:

7.5.1. A weapon is discharged.

7.5.2. A suspect requires medical attention as a result of an officer using force.

7.5.3. An officer requires medical attention as a result of a suspect using force.

7.6. One UFR will be completed for each incident. Should an officer be injured, preventing completion of the UFR, their Supervisor shall ensure the form is completed.

7.7. The Supervisor will complete the Supervisor's portion of the UFR, attach all other related reports, and forward same through the chain of command to the Division Commander for review. The Division Commander will forward the UFR directly to Internal Affairs. The UFR will not be sent to the Records Bureau.

7.7.1. All UFRs shall be reviewed to determine:

a. Whether the action was consistent with the Use of Force policy and procedure;

b. Whether the action warrants further administrative review and/or investigations (i.e. other policy violations); and

c. Recommendations on equipment upgrades, training, and/or policy issues if applicable.

7.8. Internal Affairs shall ensure that the incident has been reviewed at each level of command and that the UFR contains appropriate signatures indicating same.

7.9. Internal Affairs shall timely bring each individual UFR to the attention of the Chief of Police for final approval. The Chief of Police shall be notified about any incident that may not be consistent with policy and procedure or indicates the action warrants further administrative review/investigation.

7.10. Internal Affairs shall log each UFR and shall conduct an annual analysis of all response to resistance reports/incidents.

7.10.1. An annual report shall be submitted to the Chief of Police relative to the UFR review, indicating problems, patterns or trends identified, and training needs and/or policy modifications needed to correct identified deficiencies.

7.10.2. No information contained in the UFR will be released to persons or agencies outside the Department without prior approval from the Chief of Police.

8. **Procedure following Use of Lethal Force**

8.1. INVOLVED OFFICER

8.1.1. Whenever an officer discharges a firearm or employs any other force that is likely to cause death or serious bodily harm of a human being, the officer shall immediately:

a. Approach when safe and secure suspect by appropriate means.

b. Determine the physical condition of any injured person and render first aid when appropriate and if it can be rendered safely.

c. Request necessary emergency medical aid.

d. Notify Communications of the incident and location.

8.1.2. The Officer will remain at the scene unless injured or directed otherwise by a Supervisor or Command Officer. If circumstances are such that the continued presence of the Officer at the scene of the incident may cause a more hazardous situation to develop, the Ranking Officer at the scene shall have the discretion to direct the Officer to respond to a more suitable location. The Supervisor or Command Officer may ask certain public safety questions that the involved officer shall answer.

8.2. Subsequent to the discharge, the officer may have performed a tactical load of the firearm to ensure a fully loaded firearm. Once the scene is completely secure and the officer has been brought to a location of safety, the officer will protect his weapon for examination and submit said weapon to the appropriate investigator / evidence technician. The officer shall not load or unload the weapon used in the discharge or otherwise handle unless needed for self-preservation. This is to protect trace, DNA and other evidence on the firearm.

8.3. COMMUNICATIONS

8.3.1. The Communications member notified of the use of lethal force shall immediately:

a. Cause necessary medical aid to be sent to the scene.

b. Notify the Patrol Supervisor of the incident.

c. Make other notifications as directed by the Patrol Supervisor or other command officer.

8.4. PATROL SUPERVISOR

8.4.1. Upon notification of the use of lethal force by an officer, the Patrol Supervisor shall:

a. Notify the involved Officer's Division Commander.

b. Notify the Patrol Division Commander, who will respond to the scene and direct the preliminary investigation.

c. Notify the Chief of Police.

d. Ensure that the scene is protected and witnesses are identified.

e. Assist the officer(s) involved.

8.5. PATROL DIVISION COMMANDER

8.5.1. The Patrol Division Commander shall:

a. Conduct a preliminary investigation of the incident, utilizing Detective Division personnel.

b. Consult the Chief of Police to determine if the Kansas Bureau of Investigation should be contacted in order to conduct the criminal investigation.

c. Assist the officer(s) involved.

9. **Departmental Response**

9.1. Lethal Force Incident

9.1.1. Upon notification from the Chief of Police, Internal Affairs shall immediately respond to the scene and conduct an administrative investigation.

a. Depending upon the circumstances, the criminal investigation may be conducted by the Detective Division and/or the Kansas Bureau of Investigation.

9.1.2. The Kansas Bureau of Investigation, at the request of the Chief of Police, will conduct an independent criminal investigation in all officer-involved homicide cases.

9.1.3. The officer involved in a use of force incident which results in death or a serious physical injury will:

a. Be immediately removed from line-duty assignment or placed on paid administrative leave status, pending an initial review of the incident.

1. After a preliminary investigation, an officer may, at the discretion of the Chief of Police, be placed on a modified duty assignment and restricted from enforcement duties for the remainder of the investigation.

b. Be available for official interviews and statements regarding the case, and will be subject to recall to duty at any time. He will obtain permission from the Chief of Police or their designee prior to leaving the city.

c. **Not discuss the case with anyone outside the Department**, except his attorney(s), without prior approval from the Chief of Police.

9.1.4. When a decision has been made relative to the lethal force incident, the Chief of Police will:

a. Suspend the officer if criminal charges are filed, or

b. Reinstate the officer to active duty if the KBI and Administrative Investigations reveal the use of force was justified.

1. Prior to returning to duty, the officer will be required to attend an appointment with a department selected psychologist.

2. After the officer has returned to their normal duty assignment for one work week, a follow up appointment with the department selected psychologist will be scheduled for the earliest possible appointment

9.1.5. When an officer is involved in a shooting or other lethal force incident which does not result in a death pending review of the incident, said officer:

a. **Shall not discuss the case with anyone outside the Department,** except with their attorney(s), without prior approval from the Chief of Police.

b. Shall be placed on paid administrative leave for at least the remainder of their shift.

c. Depending upon the circumstances and at the discretion of the Chief of Police, may either be: placed on paid administrative leave status, temporarily reassigned to administrative duties, or restored to full-duty status.

9.1.6. Any employee, whose action(s) or use of force in an official capacity (for example, driving, prisoner custody, etc.), that results in death or serious physical injury, shall be removed from operational assignments pending an administrative review.

a. The employee involved in an incident which results in death or a serious physical injury will:

1. Be immediately removed from their operational assignment and placed on paid administrative leave status, pending a review of the incident.

2. Be available for official interviews and statements regarding the case and will be subject to recall to duty at any time. He or she will obtain permission from the Chief of Police or their designee prior to leaving the city.
3. **Not discuss the case with anyone outside the Department**, except with their attorney(s) without prior approval from the Chief of Police.

9.2. Administrative Review of Critical Incidents

9.2.1. All reported uses of force will be reviewed by staff and Internal Affairs to determine whether:

a. Departmental rules, policy and procedures were conformed with;

b. Policy and procedure was clearly understandable and effective to cover the situation; and

c. Department training is adequate.

9.2.2. Internal Affairs shall timely report all use of force review findings, policy violations and/or training inadequacies to the Chief of Police.

10. **Critical Incident Trauma**

10.1. A psychological debriefing will be mandatory for any officer who, in the line of duty:

10.1.1. Discharges a firearm at another person, injuring or killing the person.

10.1.2. Is seriously injured as the result of an assault.

10.1.3. Is referred for psychological counseling by a Supervisor or Staff member following a critical incident.

10.2. A psychologist will be provided at the request of any officer who, in the line of duty:

10.2.1. Has been involved in a shooting incident;

10.2.2. Is the victim of an assault resulting in significant injury; and/or

10.2.3. Has witnessed a shooting or other trauma causing critical incident.

BY ORDER OF

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CHIEF OF POLICE

WARNING

This directive is for departmental use only. It should not be construed as a creation of higher standard of safety or care in an evidentiary sense with respect to third party claims. Violations of this directive will only form the basis for departmental administrative sanctions.

ATTACHMENT A

SALINA POLICE DEPARTMENT

AUTHORIZED WEAPONS AND AMMUNITION

AUTHORIZED WEAPONS AND AMMUNITION	
Sworn Personnel	
Glock 19	9mm Luger + P 135gr Flexlock JHP (Critical Duty)
Glock 47	9mm Luger + P 135gr Flexlock JHP (Critical Duty)
Remington M870 12-Gauge	12-gauge Hornady 00B Reduced Recoil
ASP Baton 21-inch	N/A
Sabre Red Crossfire 1.4oz	10% OC
Police Magnum 16oz	17% OC
TASER 10	TASER 10 Probe
ARWEN 37	Police Ordnance AR1/Sage K01 Standard
Rifle Qualified Officer	
AR15/M16	5.56 NATO 62gr TAP Barrier LE
Special Weapons and Tactics Team	
Colt M16 M4 Scoped	5.56 NATO 62gr TAP Barrier LE
Remington Scoped Model 40X .308 HS Precision 2000 HT .308	Hornady TAP .308 / 165gr Interbond (Barrier Penetrating) Federal Gold Medal 168gr BTHP Match Federal 165gr Tactical Rifle
ARWEN Ace	Police Ordnance AR1/Sage K01 Standard
CTS 8230	CS
CTS 5210	White Smoke
CTS 5230	CS
CTS 5230B	CS Baffled
CTS Tactical Fogger 1.5 oz.	OC Aerosol Vapor
CTS 7290	Noise Flash Diversionary Device (NFDD)
CTS 7290-M	Noise Flash Diversionary Device (NFDD)
CTS 6340 ~~A~~-OC-V	OC Aerosol Vapor
ARWEN	AR-5-CS
Patrol Supervisor / SWAT	
Protectojet	10% OC
Zarc Cap-Stun Z505 5oz.	5.5% OC