
NUMBER: 5.01

EFFECTIVE DATE:
REVISION DATES:

July 1991
June 2025

SUBJECT: Response to Resistance

5.01.01 RESPONSE TO RESISTANCE - POLICY

Officers can be confronted with situations in which control must be exercised to maintain public safety, to affect arrests, overcome physical resistance, and neutralize assaults. Some situations may require the use of physical force. There are different force options that may be justified, depending upon, but not limited to, the seriousness of the crime, the level of threat or resistance presented by the subject, and the danger presented to the community. The department recognizes that force situations are tense, uncertain, and evolve rapidly, causing officers to have to make split-second decisions. Use of physical force decisions should be based on the officer's analysis of the facts and circumstances of the particular situation to include the level of violence or resistance demonstrated by the involved suspect. This analysis will be based on the understanding that the safety of all people is important and that all lives are of value.

Officers shall use only force that is objectively reasonable to bring an incident under control; to terminate unlawful resistance; to preclude any further physical attack against the police officer or any other persons; or to maintain custody or to prevent the escape of a person in custody.

Officers must be able to clearly articulate why force was necessary and why a particular force option was chosen. A police officer's authority to lawfully use any force, as well as the degree of force that is used, is governed by the United States Constitution, Colorado Revised Statutes 18-1-703 through 18-1-707, case law and Department policy.

This policy shall be reviewed and updated if applicable to include current best practices every five years in accordance with HB 24-1372.

5.01.02 LEGAL REQUIREMENTS

Colorado Revised Statute 18-1-707 outlines the authorization and restrictions on police use of force. The statute provides that officers may use force in making an arrest, preventing an escape or preventing

an imminent threat of serious bodily injury or death to the officer or another person if:

- A. Non-violent means would be ineffective; and
- B. The degree of force is consistent with the minimization of injury to others

The law requires that officers provide assistance and medical aid be rendered to any injured or affected person as soon as practicable.

Colorado Revised Statute 18-8-802 outlines an officer's duty to intervene to stop the use of excessive force by another officer as well as an officer's duty to report the excessive force incident. This intervention must occur regardless of chain of command.

- A. An officer who intervenes in the use of force that exceeds that which is permitted by law must report the intervention to their immediate supervisor.
- B. The report must include the date, time and place of occurrence; the identity of the participants if known, their descriptions and a description of the intervention actions taken.
- C. The report must be made in writing and within ten days of the incident.
- D. Officers who intervene or report what they reasonably believe to be unconstitutional conduct shall not be the subject of any discipline or retaliation.

5.01.03 DEFINITIONS

- A. **REASONABLE BELIEF**– Belief that would cause a trained and prudent professional police officer to think or act in a similar way under the circumstances.
- B. **FORCE** – To compel by physical means (the use of handcuffs does not constitute force).
- C. **DEADLY FORCE** - Force intended or likely to cause death or serious bodily injury.

- D. ACTIVE AGGRESSION – A threat or overt act of an assault, coupled with the present ability to carry out the threat or assault, which reasonably indicates that an assault or injury to any person is imminent. This condition must be present to use a level of force greater than Control and Compliance, unless special circumstances can be articulated by the officers involved.
- E. ACTIVE RESISTANCE - Active resistance occurs when an officer encounters behavior that physically counteracts their attempt to control or which creates the risk of bodily harm to the officer, subject, or other persons. Examples - running away or verbally signaling an intention to avoid or prevent being taken into or retained in custody.
- F. PASSIVE RESISTANCE - Non-cooperation, non-compliance and/or physical reactions of a subject, generally without deliberate attempts to injure the officer, for the purpose of preventing the officer's attempt to control the subject. Example - failure to comply with officer directions, including but not limited to tensing, remaining in a limp or prone position.
- G. CONTROL CONTINUUM – A teaching or educational device that relates approved force to a corresponding level of resistance to arrest.
- H. SERIOUS BODILY INJURY – Bodily injury which, either at the time of the actual injury or at a later time, involves a substantial risk of death, a substantial risk of serious permanent disfigurement, a substantial risk of protracted loss or impairment of the function of any part or organ of the body, or breaks, fractures, or burns of the second or third degree.
- I. CHOKEHOLD/NECK RESTRAINT – A method by which a person applies sufficient pressure to a person to make breathing difficult or impossible and includes but is not limited to pressure to the throat, neck, or windpipe which may prevent or hinder breathing or reduce intake of air. Chokehold includes applying pressure to a person's neck to stop the flow of blood to the brain.
- J. EXCESSIVE FORCE - Physical force which exceeds the degree of physical force permitted pursuant to Section 18-1-707, Colorado Revised Statutes. The use of excessive force shall be

presumed when a peace officer continues to apply physical force to a person who has stopped or been rendered incapable of resisting arrest.

- K. ELECTRONIC CONTROL WEAPON (ECW) – A device designed to disrupt a subject's central nervous system by deploying battery-powered electrical energy sufficient to cause uncontrolled muscle contractions and override voluntary motor responses.
- L. MECHANICAL RESTRAINT – A physical device used to involuntarily restrict the movement of a person or the movement or normal function of a portion of a person's body.
- M. PRONE RESTRAINT – a use of physical force, including, but not limited to the use of a mechanical restraint, in which the person who is being restrained is in a prone position
- N. PRONE POSITION – A position in which a person is lying on a solid surface with the person's chest and abdomen positioned downward even if the person's face is turned to the side or the person has one shoulder lifted.
- O. RECOVERY POSITION – A position other than a prone position that allows the person to breath normally.

5.01.04 USE OF FORCE PROCEDURES

- A. Wheat Ridge police officers shall treat all persons with dignity and respect to the extent that is allowed by the subject's actions. They shall maintain a professional bearing at all times. They shall not be argumentative or seek to provoke physical resistance. They shall recognize that the life, safety and welfare of all persons is paramount in carrying out the duties of policing.
- B. Officers may only use a degree of force that is lawful, reasonable, and necessary accomplish the lawful objective and will apply de-escalation techniques when possible. The use of physical force will end immediately when resistance ceases, resistance has been overcome, or when the arrest has been accomplished. Officers shall not verbally or physically abuse any person in their custody or control.
- C. Full disclosure of the circumstances requiring the use of force, and the type and extent of force used, must be thoroughly

documented in the case report as well as additional reporting as required by law or policy.

- D. Chokeholds and neck restraints are not permitted by WRPD policy and Colorado State law.
- E. Each officer in uniform and assigned to handle calls for service must carry at least one less lethal option, baton or pepper spray.
- F. Each officer in uniform and assigned to handle calls for service must carry an ECW.
- G. When the prone position/ restraint is used officers should recognize the possibility of asphyxiation and attempt to move the suspect to the recovery position as soon as practicable/ safe to so.

5.01.05 CONTROL CONTINUUM

The Department recognizes the following continuum regarding the use of force options available to members who encounter resistive or confrontational settings. While viewed as increasing levels of force, these options do not mandate or imply any particular response in situations where force must be used.

A. OFFICER PRESENCE

The professional presence of an officer has a direct impact on how a citizen reacts to the officer. Officers should be aware that “non-verbal” communication (such as stance, movements, positioning, etc.) could affect officer/citizen interactions.

B. VERBAL CONTROL

Many situations can be resolved by good communication skills or verbal direction. The mere presence of the officer and proper direction will be sufficient to persuade most individuals to follow the officer's directions. Police officers must attempt to generate voluntary compliance through the use of verbal tactics when the opportunity to use such tactics exists. The use of threats, profanity, disrespectful or argumentative language is prohibited. Officers are reminded that by Colorado law, police officers are required to apply non-violent means when possible

and that physical force may only be used if non-violent means are or would be ineffective.

C. ESCORT

Escort is defined as the physical maneuvering of a subject from one position or location to another. This option, by definition, precludes a cooperative subject from experiencing any pain or sustaining any injury.

D. CONTROL AND COMPLIANCE

Control and compliance is defined as those tactics that use some combination of leverage and strength to generate compliance or affect an arrest. These tactics include joint locks, pressure points, holds, and take downs.

E. PEPPER SPRAY (Oleoresin Capsicum)

Products containing oleoresin capsicum, commonly referred to as pepper spray, may be utilized in certain circumstances. It is particularly effective in gaining a tactical advantage over an actively aggressive suspect. The object of this option is to gain control and compliance while minimizing the risk of injury to the officer, the person being placed into custody and innocent bystanders. Pepper spray may be used by officers to protect themselves or others from aggressive animals.

F. ELECTRONIC CONTROL WEAPONS (TASER)

The Department approved Electronic Control Weapon (TASER) is designed to incapacitate a subject from a safe distance without causing death or permanent injury by delivering a five second electrical charge that interrupts the normal electrical signals the body uses to maintain voluntary muscle control. It is effective in gaining a tactical advantage over an actively aggressive subject or a subject who is attempting to escape. The object of this option is to gain control and compliance while minimizing the risk of injury to the officer, the person being placed into custody and innocent bystanders. Officers shall not deploy an Electronic Control Weapon as a form of punishment.

G. UNARMED STRIKING TECHNIQUES

This force option involves the use of the officer's hands, elbows, knees, or feet in striking a subject. The use of striking techniques may be used by officers to defend themselves against unlawful assaults in addition to affect a lawful arrest.

H. STRIKING IMPLEMENTS

Officers are allowed only those striking implements authorized by the Wheat Ridge Police Department after completing any training required by the department. The department recognizes the use of controlled techniques using striking implements as an effective means of overcoming active aggression and affecting an arrest.

I. CHEMICAL AGENTS/CHEMICAL MUNITIONS

Chemical munitions may be utilized in certain circumstances to gain a tactical advantage. Chemical munitions shall only be used by officers specially trained in their use. Chemical Munitions are defined as specialty munitions carried by the SWAT team such as hand thrown or launched CS or OC.

J. POLICE K-9

The use of a police K-9 may constitute a use of force. When police K-9's are utilized to neutralize assaults, overcome active aggression, used in the defense of a police officer or another person, or used to affect an arrest, the use must be consistent with use of force standards. This includes dogs and handlers from other agencies assisting the Wheat Ridge Police Department.

P. LESS LETHAL WEAPONS

Less lethal weapons are launched or thrown projectiles whose purpose is to distract or deter suspects so they may be arrested more safely. Less Lethal weapons are designed and used so that there is a substantially diminished chance of them causing serious bodily injury or death. Less lethal weapons may be utilized when other force options would be inappropriate or ineffective under the circumstances and the application is reasonable and necessary in order to attempt or avoid having to use deadly force. Less lethal weapons are to be used only by officers trained in their use.

Q. DEADLY FORCE

The use of a firearm or other means intended or likely to cause death or serious bodily injury.

R. DEADLY FORCE/ANIMAL EUTHANASIA

Deadly force applied expressly for the humanitarian euthanasia of sick or injured animals, or to defend against dangerous and aggressive animals.

5.01.06 CONTROL AND COMPLIANCE TECHNIQUES – POLICY

Control and compliance is a low level of force primarily to be used to overcome passive resistance. Officers should work in tandem whenever possible so that this minimum amount of force is still effective. Nothing precludes an officer from using control and compliance on actively aggressive suspects when it is reasonable to believe that this level of force will be effective.

5.01.07 PEPPER SPRAY - POLICY

Carrying pepper spray within aerosol-type containers by police officers and community service officers (CSOs) is optional.

5.01.08 PEPPER SPRAY - PROCEDURE

A. Pepper spray may be used;

1. In instances where the discomfort and confusion caused by pepper spray will be advantageous in taking an actively aggressive suspect into custody.
2. To keep actively aggressive subjects from approaching an officer
3. To disperse small groups of aggressive persons when arrest is appropriate but taking individuals into custody is not practical.

B. Department approved pepper spray for police officer or CSOs individual-carry is Oleoresin Capsicum (OC) with a non-flammable propellant. Officers and CSO's will only carry that pepper spray authorized and supplied by the department.

C. Prior to carrying pepper spray, police officers and CSOs shall receive training in its use by the department's arrest control instructors. Such training shall be documented and forwarded

to the Training Coordinator to be included in the employee's training file.

- D. The department arrest control instructors shall provide biennial retraining in the use of pepper spray to those personnel who choose to carry an OC based spray.
- E. Pepper spray shall only be used in an altercation when an officer has reason to believe that the subject cannot be controlled by a lesser degree of physical force.
- F. Pepper spray shall be applied according to the product manufacturer's instructions and directions of the department's arrest control instructors.
- G. Officers applying pepper spray are responsible for assuring that the sprayed subject is decontaminated and provided with medical assistance, if requested.
- H. The use of pepper spray on a subject requires that use of force documentation be completed and that all pertinent reports be copied and forwarded for review via the involved employee's chain of command to the Chief of Police.

5.01.09 ELECTRONIC CONTROL WEAPONS – POLICY

An ECW may be used when a lesser degree of force would be insufficient in overcoming active aggression or preventing the escape of a suspect who is exhibiting active aggression. An ECW may also be used in circumstances where a person exhibiting signs of being in an agitated chaotic state must be secured immediately for the purposes of medical treatment or to secure someone who is a significant danger to themselves by means of a weapon. The goal of ECW use is Neuro-Muscular Incapacitation (NMI) so that the suspect can be safely placed into custody.

5.01.10 ELECTRONIC CONTROL WEAPONS - PROCEDURES

- A. An ECW shall not be used:
 - 1. In a punitive manner
 - 2. On a handcuffed or secured prisoner, absent overtly assaultive behavior that cannot be reasonably dealt with in any other less intrusive fashion.
 - 3. On any suspect who does not demonstrate an overt intention to:

- a. Use violence or force against the officer or another person, or
 - b. Flee in order to resist or avoid detention or arrest. That a subject is fleeing should not be the sole justification for police use of an ECW.
 - c. Severity of offense and other circumstances should be considered before an officer uses an ECW on a fleeing subject.
 - 4. In any environment where an officer knows that a potentially flammable, volatile, or explosive material is present (including but not limited to OC spray with volatile propellant, gasoline, natural gas, or propane).
 - 5. In any environment where the subject's fall could reasonably result in death or serious bodily injury such as in water, from an elevated structure, while the subject is operating a motor vehicle or other circumstances where the result of serious injury cannot be reasonably justified.
 - 6. From a moving vehicle, unless the use of the device can be justified as a weapon of last resort.
 - 7. The head/throat and the groin should not be intentionally targeted.
 - 8. On a member of a potentially susceptible population such as juveniles, the elderly, persons of small stature irrespective of age, or those who the officer has reason to believe are pregnant, known to have medical problems, or in obvious ill health absent assaultive behavior that cannot be reasonably dealt with using a lesser degree of force.
 - 9. When deploying an ECW in the drive stun mode, officers should attempt to make contact with the subject's thigh, forearm, calf, back, buttock, or other large muscle groups. Some newer models of ECW's do not have the ability to drive stun as they are low voltage and require probe use to be charged.
- B. Upon firing an ECW, the officer shall cycle the device the least number of times necessary to accomplish the legitimate operational objective.
- C. The subject shall be secured as soon as practical while disabled by ECW power to minimize the number of deployment cycles. In determining the need for additional energy cycles, officers

should be aware that an energized subject may not be able to respond to commands during or immediately following exposure.

- D. When reasonably possible, the primary target that will generally provide the best results is the center mass of the subject's back. Secondary targets include the subject's front, low center of mass (which is the bottom of the rib cage and lower), or the subject's legs and pelvis. The frontal chest area over the heart should only be targeted if incapacitation of the subject must be accomplished without delay and no primary or secondary target is available.
- E. ~~An~~ Some ECW's may also be used in "drive stun" mode. This involves removing the cartridge and pressing the unit against an appropriate area of the body based on training. It is important to note that when the device is used in this manner, it is:
 - 1. Primarily a pain compliance tool due to a lack of probe spread.
 - 2. Minimally effective compared to conventional ECW deployment.
 - 3. More likely to leave a mark on the skin.
 - 4. Subject to the same deployment guidelines and restrictions as conventional ECW deployment.
- F. Officers shall follow training directions in the handling of ECW's while loading and unloading.
- G. For the Taser 10 platform pressing the trigger will deploy a single probe with every trigger pull. To create NMI (or any electrical charge) a minimum of two probes must be deployed. Due to low voltage multiple probes may need to be deployed due to ineffectiveness and clothing disconnect. No matter the number of probes deployed, only four (4) effective probes will be energized to create NMI. There is an automatic five second timing cycle once the weapon detects a solid connection. The weapon can be re-energized after the first five second cycle.
- H. After an ECW deployment authorized personnel shall ensure:
 - 1. The ECW probes should not be removed by police. Emergency medical personnel may remove the probes after the subject is restrained following procedures outlined in training.

2. After deployment of an ECW against a subject, officers shall request emergency medical personnel to respond to the scene to evaluate the medical condition of the subject.
3. Subjects should be placed into the recovery position as soon as safe/ practicable if this can be accomplished safely.
4. The subject shall be transported to a medical facility following exposure to an ECW when:
 - a. They request medical attention – officers shall ask persons if they desire medical attention;
 - b. They are hit in a sensitive area (e.g., face, head, over the heart, female breasts or groin);
 - c. There is difficulty removing probes;
 - d. The subject does not appear to recover properly after an ECW has been deployed;
 - e. The subject is in a potentially susceptible population category.
 - f. The ECW was cycled more than three times;
 - g. The subject had more than one ECW effectively used against him or her in a single incident;
 - h. The subject had been subjected to a continuous cycle of 15 seconds or more; or
 - i. The subject had exhibited signs of extreme uncontrolled agitation or hyperactivity prior to ECW exposure.
4. Officers shall treat used probes and wires as bio-hazard material and place them properly in sharps containers. In cases of in-custody death where an ECW was deployed the cartridge, probes and wires shall be retained in Evidence.
5. Officers shall note on the “Jail Clearance” form that the subject has experienced an ECW exposure so that Jail personnel will be aware that increased monitoring of the subject may be appropriate.

5.01.11 BATON - POLICY

The baton may be used when a lesser degree of force would be insufficient in overcoming resistance by a suspect who is exhibiting active aggression or in protection from an attack by a subject and/or animal.

5.01.12 BATON - PROCEDURES

- A. Officers shall receive training on each impact tool that they intend to carry before carrying the device or tool on or off duty.
- B. The head and neck shall not be intentionally struck with a baton unless the officer is justified in using deadly force.
- C. Only striking implements authorized by the Police Department shall be carried by members, either on or off-duty.
- D. Batons will only be used in accordance with training provided by Arrest Control instructors.

5.01.13 CHEMICAL AGENTS – POLICY

The use of chemical agents, may be utilized when other methods of control and apprehension would be ineffective or more dangerous. In order to minimize injury to suspects, police personnel and others; or in instances to avoid damage to property, the use of chemical agents may be authorized.

5.01.14 CHEMICAL AGENTS – PROCEDURES

The use of chemical agents for crowd or riot control shall ordinarily be authorized by an officer of the rank of Commander or higher; except, in the event of an emergency where the officer in charge of a field situation cannot reasonably contact higher authority, the officer in charge of such situation may authorize the use of a chemical agent.

- A. Prior to the use of chemical agents (to include hand held Pepper spray as defined in 5.01.08) in a crowd control environment, an order to disperse must be issued in a sufficient manner to ensure the order was heard, followed by sufficient time and space to allow compliance with the order. The order should be repeated as necessary to ensure the order has been heard.
- B. Prior to the deployment of a chemical agent, due regard shall be exercised for the safety of the subject, police officers, and innocent citizens. Proper scene management and evacuation techniques shall be utilized when possible. If a burning munition is used, care should taken to mitigate any fire hazard.
- C. Members of the West Metro SWAT team are authorized to deploy a variety of chemical agents in conformance with SWAT Team operating procedures.

5.01.15 LESS LETHAL WEAPONS - POLICY

Recognizing the need in certain situations for less lethal alternatives to the use of deadly force, specified personnel shall be trained in the use of less lethal force options. The application of a less lethal alternative is intended to provide a force option, which has a reduced likelihood of causing death or serious bodily injury. Less lethal force and control options may assist officers in performing their duties, but are not intended to substitute for the use of deadly force when it is necessary. There is neither a requirement nor an expectation that officers attempt to use or exhaust less lethal options in situations requiring the use of deadly force.

5.01.16 LESS LETHAL WEAPONS - PROCEDURES

- A. When available and appropriate according to this policy, officers shall utilize less lethal instruments or weapons to neutralize potentially dangerous persons. When encountering situations in which the use of less lethal physical force is reasonable and appropriate, police officers must assess the situation to determine which level of force is appropriate and which less lethal technique or weapon is appropriate to use.
- B. The types of authorized less-lethal instruments or weapons may vary from time to time as technology provides alternatives. It is recognized that the term, “less lethal” means that the instrument, when properly used or applied is considered to be unlikely to cause death. This does not mean that a person’s reaction or response to the use of such instrument may not result in death.
- C. Less lethal force may be used when a police officer reasonably believes that a lesser degree of force is inadequate to:
 - 1. Incapacitate a combative person whose conduct rises to the level of active aggression and that a lower level of force is inadequate for the purpose of taking them safely into custody.
 - 2. Control a person who is threatening suicide who cannot be safely controlled with other force options; or

3. Disarm or disable a subject who is armed with a deadly weapon and is engaging in illegal or dangerous behavior; or
 4. Used as a defensive weapon option in situations where it is likely to prevent an officer or third person from being seriously injured or killed; or
 5. Control a violent subject or a subject threatening imminent violence.
 6. Less lethal options may be ordered by a SWAT supervisor or command officer in crowd control or riot situations.
- D. Less lethal force shall be applied according to the manufacturer's instructions and in conformity with training provided by the department's less lethal weapons instructors.
 - E. Only sworn personnel who have been trained in the use of less lethal force options are authorized to deploy them.
 - F. A supervisor shall immediately respond to the scene of any deployment of a less lethal device.
 - G. Reports shall be written documenting the use of less lethal weapons. Copies of all reports shall be forwarded for review via the involved employee's chain of command under the use of force review process to the Chief of Police.

5.01.17 LESS LETHAL WEAPONS - RULES

- A. Unless deadly force is warranted, an officer shall not intentionally deploy the less lethal shotgun projectile or 40mm projectile:
 1. To the head, eyes, throat, neck, breasts of a female, genitalia, pelvis or spinal column.
 2. To a pregnant female (if the officer has knowledge of the pregnancy).
- B. Officers may not discharge less lethal impact projectiles indiscriminately into a crowd.

5.01.18 USE OF DEADLY FORCE - POLICY

A police officer's authority to use deadly force is governed by the United States Constitution, Colorado Revised Statutes, case law, and

department policy. The policy of the Wheat Ridge Police Department regarding the use of firearms or other deadly force by police officers, on or off-duty, shall be that a police officer will use deadly force toward another person only when the officer is legally justified; when the need to do so is strong and compelling; and only as a last resort. When a firearm is used by a police officer, it shall be with the realization that the death of some person may occur, although the officer may not necessarily intend that such will be the result.

Regardless of the nature of the crime or the legal justification for the use of deadly force, officers are reminded that their basic responsibility is to protect the public. Members are instructed to be particularly cautious when using deadly or potentially deadly force under conditions that would subject innocent bystanders to substantial danger.

5.01.19 USE OF DEADLY FORCE – LEGAL REQUIREMENTS

Colorado Revised Statute 18-1-707 authorizes a police officer to use deadly physical force when:

- A. All other means of apprehension are unreasonable given the circumstances; and
- B. The arrest is for a felony involving conduct including the use or threatened use of deadly physical force;
- C. The suspect poses an immediate threat to the officer or another person;
- D. The force employed does not create a substantial risk of injury to other persons.
- E. An officer must identify themselves as a peace officer and give clear verbal warning of their intent to use deadly physical force with sufficient time for the warning to be observed, unless to do so would unduly place officers or third parties at risk of injury or death.

Notwithstanding any of the provisions of the statute, an officer is justified in the use of deadly force if the officer has an objectively reasonable belief that a lesser degree of force is inadequate and the officer has objectively reasonable grounds to believe, and does believe, that he or another person is in imminent danger of being killed or of receiving serious bodily injury.

5.01.20 USE OF DEADLY FORCE – PROCEDURES

A. The use of deadly force to arrest a fleeing felon may only be used when a police officer reasonably believes that:

1. All other means of apprehension are unreasonable given the circumstances;
2. The arrest is for a felony involving conduct including the use or threatened use of deadly physical force;
3. The suspect poses an imminent and immediate threat of death or serious bodily harm to the officer or another person; and
4. The use of deadly force does not create a substantial risk of injury to others.
5. 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 such is the case, such as a previously demonstrated threat to or wanton disregard for human life.

B. Wheat Ridge police officers are permitted to fire their weapons under the following other circumstances:

1. At an approved target at an approved firing range.
2. For practice or recreational shooting in an area where firing a weapon is both safe and lawful.
3. To destroy an animal that is so badly injured that humanity requires its relief from further suffering, but only after making every reasonable attempt to locate and receive permission from the animal's owner if circumstances warrant. Supervisory approval shall be obtained in advance, whenever possible.
4. In order to destroy an animal that is obviously vicious or dangerous that cannot otherwise be captured or prevented from attacking or injuring the officer or others. Supervisory approval shall be obtained in advance, whenever possible.
5. When the firearm is used as a delivery or application vehicle for a less lethal device.

C. Wheat Ridge police officers are prohibited from discharging their weapons under the following circumstances:

1. Officers will not discharge a firearm from or at a moving vehicle unless the officer reasonably believes that the occupant(s) of the vehicle are, or are about to use deadly physical force against the officer or another person. An officer must reasonably believe that firing at the moving vehicle has a likelihood of stopping the vehicle occupants use of deadly force.
2. When it appears that an innocent bystander or other officers are likely to be injured by the officer's gunfire.
3. Warning shots shall not be fired under any circumstances.
4. Shots shall not be fired at persons who have committed only a misdemeanor, a traffic violation, or who simply run away to avoid arrest.
5. Solely to prevent the destruction or theft of property.

5.01.21 USE OF DEADLY FORCE – RULES

- A. Justification for the use of deadly force shall be limited to what reasonably appears to be the facts known or perceived by an officer at the time such force is used. Facts unknown to an officer, no matter how compelling, cannot be considered in later determining whether the use of force was justified.
- B. Officers shall ensure that assistance and medical aid are rendered to any injured or affected persons as soon as is practicable.
- C. Officers shall report the use of deadly force as soon as safe to do so and supervisors and command officers will ensure that any identified relative or next of kin of persons who have sustained serious bodily injury or death are notified as soon as practicable.
- D. All personnel authorized to carry a lethal and/or less lethal weapon shall be issued copies of and be instructed in the department's use of force policy before being authorized to carry a firearm or less lethal weapon.
- E. All personnel authorized to carry weapons shall receive annual in-service training on the department's use of force policies and demonstrate proficiency with all approved lethal weapons and ECW's that the employee is authorized to use.

- F. Only department personnel who have demonstrated proficiency in the use of agency authorized weapons shall be approved to carry such weapons.

5.01.22 OTHER WEAPONS OF LAST RESORT - PROCEDURES

The Department recognizes that use of force situations are volatile and rapidly evolving and that in some extreme circumstances, the situation may dictate using other tactics or implements as weapons. However, such tactics should be viewed as weapons of last resort. Use of such tactics or weapons will be closely examined in the context of the urgency of the situation, the totality of the circumstances, and the existence or absence of other acceptable alternatives.

5.01.23 PRONE RESTRAINT

Officers must recognize the heightened risk of positional asphyxiation and compression asphyxiation during restraint and be alert to any actions that must be immediately taken to avoid or minimize the risk. Positional asphyxia can occur when a person is restrained, handcuffed or left unattended in any position that impedes their ability to breath normally, particularly in a prone position.

Officers shall take the following actions:

- a. As soon practical when person has been restrained and handcuffed, a person should be immediately rolled to the side and taken to an upright position that does not impede normal breathing.
- b. Care should be taken not to put sustained pressure on the neck or back, as breathing can be restricted even in the person is placed in the recovery position. This includes sitting, kneeling, or standing on a person's chest, back or neck for a prolonged period.
- c. Officers should promptly check and continuously monitor the person's condition for signs of medical distress.
- d. Officers should provide immediate medical attention if needed within their ability to do so.

5.01.24 MEDICAL ATTENTION REQUIRED

Any officer who uses force greater than Escort shall appropriately check for indications that the subject requires medical attention and provide that attention as necessary.

- A. When there are indications that a citizen may be injured as a result of police force or incidents occurring while in police custody, the citizen shall be appropriately checked by medical personnel.
- B. No medication shall be administered to an arrestee by Wheat Ridge Police Department personnel. If medication is required by an arrestee, it will be administered by trained medical personnel.
- C. Trained Officers are allowed to administer Naloxone (Narcan) per Policy 9.32.
- D. In circumstances involving the use of lethal or less-lethal force officers shall arrange for appropriate medical aid or ambulance transport for the suspect to a medical facility, if:
 - 1. The suspect exhibits potentially serious injuries from any source.
 - 2. The force utilized by police personnel caused more than superficial injuries.
 - 3. Chemical agents or flash and distraction devices were utilized.
 - 4. The suspect suffers a K-9 bite.
 - 5. The suspect received a significant impact to the head, heart or other vital organ.
 - 6. The suspect suffers gunshot or other wounds inflicted by the use of deadly or potentially deadly force.
 - 7. Due to the force utilized, there is a reasonable risk of internal injuries that may not initially manifest themselves.
 - 8. The suspect requests or requires medical attention for any particular medical condition.
 - 9. When chemical agents or oleoresin capsicum are utilized, arrangements shall be made for the decontamination of the suspect exposed. This may not be possible when used in a crowd control situation.
 - 10. If prone restraint has been used, and there is an indication that medical attention is needed or requested.
 - 11. Paramedics shall be summoned for medical assistance whenever any person is struck by a less-lethal device. This may not be possible when used in a crowd control situation.

C. The suspect shall be examined, treated, admitted, or released prior to the suspect being booked. Officers shall obtain a written medical release from the attending physician if the suspect is released from care. If the suspect refused medical attention at the medical facility, the officer shall request that the attending physician note the refusal in the medical records made by the physician. A written medical release shall also be requested and obtained from the suspect, if possible. The officer shall document the medical attention or refusal of medical attention in the official police report of the incident, including the name(s) of the attending medical staff.

5.01.25 CHEMICAL RESTRAINT

Wheat Ridge Police Personnel shall not compel, request, cause, direct, or influence an Emergency Medical Service provider to administer a chemical restraint.

1. Members shall intervene, without regard of the chain of command, to prevent or stop another peace officer from using a chemical restraint. The member will notify their chain of command immediately afterward and submit a report or memorandum. This report will include:
 - a. Date, time and location of incident
 - b. Identity, if known and description of participants
 - c. Description of the incident, and the circumstances and conduct which constituted the need to intervene.
 - d. Description of the intervention actions taken
2. Member must submit a written report to the P.O.S.T board within ten days of the occurrence