

## City of Johns Creek Police Department

<i>Subject:</i> Use of Force Tools		<i>Number:</i> 04-18
<i>Reference:</i> See also Firearms Training (03-05)		<i>Amends:</i> 03-05 04-17
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### **PURPOSE:**

This policy addresses the use, deployment and training for all force options that are available to members of the department assigned use of force tools.

### **POLICY: (04-18)**

Officers of this department are provided options for using force to fulfill lawful objectives. These tools are used to interrupt a subject's threatening behavior so that officers may take physical control of the subject with less risk of injury to the subject or officer than posed by greater force applications. They cannot be expected to render a suspect harmless.

Backup officers should be prepared to take immediate action to exploit the brief opportunity created by the less-lethal device and take control of the subject if safe to do so.

### **PROCEDURES:**

#### **General - Authorized Use of Force Tools (04-18-01)**

A. The following use of force tools are issued or authorized by this department:

1. 40mm Multi-Launcher
2. Canine Deployment
3. Conducted Energy Weapon (Taser)
4. Firearms
5. Impact Weapons
6. Oleoresin Capsicum (OC) Spray
7. Physical Techniques
8. Vehicle related force tactics

- B. Officers will only carry and use weapons that have been issued or authorized by the department, and only after receiving proper training in their use, except under exigent circumstances.

Uniformed officers are required to carry a minimum of two force tools (in addition to their firearm) on their duty belts at all times. Deviations from this requirement must be approved by the Chief of Police.

The decision to use any of the use of force tools issued or authorized by the department must be based on the totality of the circumstances known to the officers. Officers shall give consideration, and appropriately restrict the use of tools when involved in the following situations:

1. Visibly pregnant, elderly, pre-adolescent, visibly frail;
2. When the subject is in an elevated position, where a fall is likely to cause serious injury or death;
3. When the subject is in a location where the subject might drown;
4. When the subject is operating a motor vehicle or bicycle;
5. To awaken intoxicated individuals; and
6. Against passively resisting subjects

#### **40mm Launcher (04-18-02)**

- A. The 40mm launcher is designed to temporarily interrupt the behavior of a suspect or dangerous individual, to allow officers to control and arrest that person with less danger of injury or death to themselves or others.
- B. The 40mm program is managed by the department's firearms training unit. Selection and training of personnel shall be at the direction of the firearms training coordinator. Only officers who have been properly trained are authorized to deploy the 40mm launcher. Only department issued launchers and munitions will be utilized, and they shall be inspected annually by the department armorer. Employees assigned and authorized to use the 40mm launcher shall be required to under retraining every two years.
- C. The impact munitions issued for patrol operations should only be used when objectively reasonable. Officers should consider the risk of causing serious injury when making the decision to deploy the device.
- D. Officers must remember that the target area for impact munitions is substantially different from a deadly force target area. Officers should not intentionally target the head, neck, chest or groin, unless deadly force is justified. Officers should direct the impact rounds toward the following areas:

### Zone 1

- Legs, below the knee
- Thigh area
- Buttocks

### Zone 2

- Lower abdomen, at belt level
- Arms, below the elbow

### Zone 3 – *Only when deadly force is justified*

- Chest
- Head
- Spine
- Groin

#### E. 40mm Tactical Considerations

1. Optimal deployment distance is 10-50 feet.
2. Deployments closer than 10 feet increase the risk of serious injury and reduce officer safety.
3. Prior to deployment, officers should ensure that another officer serving as a cover officer.
4. Officers should not deploy impact munitions through any intermediate barrier.
5. Officers should announce “**bean bag**” prior to deployment

F. The use of the 40mm launcher should be documented, through the use of force report, anytime the launcher is aimed at an individual, or fired, regardless if anyone is struck by the projectile. Each round fired must be independently justified and reasonable.

G. Officers shall summon medical assistance for anyone who is struck with an impact round.

### **Canine Deployment (04-18-03)**

A. Only department acquired police canines will be deployed by specifically trained canine handlers. All handlers and their assigned canines shall receive initial training as well as monthly refresher training to maintain proficiency. All canine handlers shall stay current with training. All department canines are required to certify with a national organization annually.

B. Canine handlers shall only use their assigned canine partners in a force situation when objectively reasonable. Canine handlers should consider the following:

1. Severity of the crime

2. Whether the suspect poses an immediate threat to the safety of the officers or others, and
3. Whether he/she is actively resisting arrest or attempting to evade arrest by flight.

C. There are two types of force with police canines:

1. Canine presence – The presence of the police canine on a scene is a psychological deterrent and can reduce the likelihood of a higher level of force.
2. Canine bite – All department canines are trained to target the arms and legs.

D. Canine Bite First Aid - After the suspect is under appropriate control, officers should immediately render necessary aid.

1. Remove canine from area or away from offender to protect against additional bites when safe and appropriate
2. Summon EMS to the scene
3. Provide relief with first aid kit if necessary
4. Monitor subject until relieved by EMS personnel.
5. Take photographs of the affected area prior to and after treatment when possible.

#### **Conducted Energy Weapons (CEW/Taser) (04-18-04)**

A. This policy applies to the use of conducted energy weapons (CEW) by sworn members of the department.

B. CEW in the cartridge mode (also called probe mode) is designed to transmit electrical energy to a subject through propelled wires causing uncontrolled muscle contractions. These muscle contractions override an individual's motor responses. The drive stun mode occurs when the CEW itself makes direct contact with the subject's body and does not override an individual's motor responses. Drive stuns only cause pain compliance and can lead to burning and scarring of the skin. Use of a CEW in the probe mode is preferred for the distance and muscular contractions. The use of the CEW in the drive stun mode provides no added benefits and Officers are strictly prohibited from using the Taser in drive stun mode.

C. Conducted Energy Weapons Procedures

1. Only officers who have received proper training and required annual retraining shall be issued a CEW/Taser.
2. Only department issued devices will be carried
3. Officers may carry the CEW/Taser while working approved extra jobs, but not while off duty.
4. Uniformed personnel who have been issued a Taser shall carry it during their assigned duties and shifts.

5. CEW must be carried in a holster on the officer's support side; only holsters issued or authorized by the Taser coordinator may be used.
  6. Officers shall issue a verbal warning prior to deployment, if practical
  7. CEW should not be deployed near flammable liquids or fumes.
  8. CEW should not be deployed when the subject is in an elevated position where falling could or may cause an unreasonable risk or death or serious physical injury.
- D. Officers should only use a CEW when objectively reasonable, and each 5 second cycle must be independently justified. The reasonableness of each cycle will depend on factors known to the officer at the time, and should be strictly limited to only the number of cycles which are necessary and reasonable. The targeting area for the Taser in probe/cartridge mode is:
1. Lower abdomen and below on the front and sides
  2. Shoulders and below on the back
- E. Officers should not intentionally target sensitive areas of the body, including the groin, breasts, neck or head. Officers on the scene may remove probes which have impacted the skin. If a subject is struck in a sensitive area, they should be transported to a hospital and the probes removed by medical personnel. Officers shall monitor all subjects who have received an application of a CEW while they are in police custody.

## **Firearms (04-18-05)**

### Issued and Authorized Firearms and Ammunition

- A. Only firearms issued by the Department or specifically authorized by the Chief of Police shall be carried by departmental personnel. Members and officers shall be authorized to carry the Department's issued/authorized firearms and intermediate weapons only after training and proficiency testing (See also 03-05 Weapons qualifications) in the use of the equipment by the Department's certified firearms instructor (or other applicable qualified and certified instructor for the particular equipment). Issued firearms shall not be modified without the approval of the department armorer. This includes the addition of optical sights, pistol grips, or other sighting devices. The department issues the following firearms:
1. Glock, Model 21 .45 caliber, semi-automatic pistol
  2. Glock, Model 30 .45 caliber, semi-automatic pistol
  3. Glock, Model 43 .9mm, semi-automatic pistol
  4. Mossberg 590 12 gauge, shotgun.
  5. Rock River Arms, AR-15 Style .223
  6. Kimber, 8400 Tactical, .308 (Tactical Team)
  7. Accuracy International, .308 (Tactical Team)

B. Authorized Firearms:

The members of this department must receive approval from the department armorer and Chief of Police before carrying a non-issued firearm. The authorized firearms list will be maintained by the department armorer and approved by the Chief of Police. Pistols between .380 and .45 caliber may be submitted to the departmental armorer for approval.

C. Issued or Authorized Ammunition:

The department issues duty ammunition for all firearms issued by the department. Outside of training situations, issued firearms shall only be loaded with duty ammunition which is provided by the department. Issued and authorized firearms will only be carried when loaded with a first quality, factory manufactured, hollow-point ammunition which matches the specifications of the authorized firearm. The use of reloaded ammunition is strictly prohibited for duty use. The authorized ammunition list shall be maintained by the department armorer and approved by the Chief of Police.

D. Back-Up Weapons

All weapons carried as back-up must be approved by the Chief of Police or his /her designee and only upon proper annual qualification and/or certification of proficiency by the Department.

E. Weapons Carried When Off-Duty

Georgia Law permits police officers to carry an issued or authorized firearm while off-duty. The decision to carry a weapon or firearm off-duty is an individual decision, not a Departmental requirement. When authorized or issued weapons are carried off duty they will be concealed from plain view and the officer will possess the appropriate agency identification.

F. Officers shall avoid unnecessary display of firearms or other weapons. Firearms or weapons **shall not** be removed from their holster without justification. In responding to any potentially dangerous situation, an officer may draw and carry his/her weapon in a position for speedy and effective use, if necessary. At no time should the weapon be carried in a manner that is not consistent with instructed methods, or not consistent with those methods established by the Department. The following shall apply:

1. Firearms should only be fired in situations where deadly force is objectively reasonable.
2. Only firearms issued or authorized by the Department shall be used.
3. **Warning shots are strictly prohibited by this Department.**

4. Pointing a firearm at a person is a Type 1 Use of Force.
  5. Officers shall not use firearms as impact weapons.
  6. Officers shall issue a verbal warning to the subject and fellow officers prior to shooting a firearm. This is not required if doing so is not feasible or if it would compromise the safety of the officer or others.
- G. While on-duty, an officer may be temporarily unarmed only when required by applicable policy or law, for example, when the officer is in a detention center, interview room or prison facility.

Except as noted above, an officer **shall not** surrender his/her weapon **unless it is absolutely necessary** to protect the life of a citizen or the officer. Even then, the officer should consider the consequences of his/her action. Surrender of a weapon rarely alleviates a serious situation and **can, in fact, put an officer and innocent persons in jeopardy.**

#### **Impact Weapons/Batons (04-18-06)**

- A. Only impact weapons which have been specifically issued or authorized by the department may be carried by sworn personnel. All sworn personnel shall receive initial training on the use of impact weapons prior to carrying them for field use. All sworn personnel shall receive refresher training every two years, as directed by the department training coordinator.
- B. Officers shall only use impact weapons when objectively reasonable.
- C. The term Impact Weapon includes improvised weapons which may possibly be used in exigent circumstances, this includes flashlights. The use of flashlights as an impact weapon is prohibited, unless there is an immediate need for force, and the use of OC Spray, CEW, or a baton is unreasonable.
- D. A strike to the head with an impact weapon or baton is considered deadly force. The head, throat, neck, spine, groin, and kidneys shall not be targeted unless deadly force is justified. The preferred target areas, as identified in training, are the arms and legs.
- E. Each application of an impact weapon must be objectively reasonable. Each strike must be justified based on the circumstances faced by the officer.

#### **Oleoresin Capsicum (OC) Spray (04-18-07)**

- A. Oleoresin Capsicum is an inflammatory agent causing intense burning of the skin, eyes, and mucous membranes. OC spray may reduce or eliminate the need for greater physical force in making arrest or gaining control of subjects. It may also reduce the potential for injuries to officers and suspects.

- B. Officers shall be trained on the use of OC spray prior to carrying it for duty use. Officers shall also be retrained every two years.
- C. Officers shall only carry department issued OC spray.
- D. Each application of OC spray must be objectively reasonable. OC spray may be used against a dangerous animal to prevent injury.
- E. Officers should direct OC spray at specific subjects who pose a threat. Officers should attempt to minimize the exposure to non-targeted persons.
- F. After making the scene safe, officers should immediately assist with the contamination of persons contaminated with OC. Officers shall follow the following guidelines for decontamination:
  - 1. Remove the subject from the contaminated area to fresh air
  - 2. Summon EMS to the scene
  - 3. Provide relief through cool water from an available source (EMS or otherwise)
  - 4. Monitor subject until effects have subsided

#### **Weaponless Control Techniques (04-18-08)**

- A. Weaponless techniques include all soft and hard physical techniques which may include the following:
  - 1. Soft Physical Techniques require officers to use some combination of strength leverage, joint locks, pressure points and com-along holds with sufficient force to make the lawful arrest.
  - 2. Hard Physical Techniques may require the officer to use his hands, fist, elbows and knees in gaining compliance and interrupting the threat. This may include knee strikes and elbow strikes.
  - 3. The agency does not authorize the use of neck restraints or similar weaponless control techniques
  - 4. Officers shall receive in-service training on weaponless control techniques every two years. The training and proficiency shall be documented and monitored by a certified instructor.

#### **Vehicle Related Force (04-18-09)**

- A. Police vehicles may be used as weapons in certain situations. The use of the police vehicle to attempt to ram another vehicle or person is a use of force. Vehicles will only be used in this manner in situations which are objectively reasonable based on the circumstances facing the officer.

- B. The use of the PIT maneuver, by someone who has received proper training is not considered a use of force.

**NOTE:** This policy does not preclude officers from using any available resource when defending him/herself or another from physical assault likely to cause great bodily harm or death.

