

GREECE POLICE DEPARTMENT
GREECE, NEW YORK

GENERAL ORDER	ISSUE DATE 01/27/09	EFFECTIVE DATE 01/27/09	NUMBER 340D
SUBJECT: USE OF PHYSICAL FORCE & SUBJECT RESISTANCE DOCUMENTATION	N.Y.S. ACCRED. STD. 20.1, 20.3, 20.6, 20.7, 21.1, 21.2, 32.4, 40.2		RESCINDS 340C
	DISTRIBUTION CODE C		

***Indicates section amended.

I. PURPOSE

To define the policy of the Greece Police Department concerning the use of physical force by sworn Police Officers of the Greece Police Department.

II. POLICY

- A. Police Officers may use only that level of physical force necessary in the performance of their duties to affect lawful objectives within the limits established by Article 35 of the NYS Penal Law and consistent with the training and policies of the Greece Police Department. The appropriateness of force used is dependent on the extent and type of resistance encountered. The use of deadly physical force shall be governed by General Order 341.
- B. It is the responsibility of each officer to be aware of the requirements of Article 35 and to guide their actions based upon law and departmental policy and training.
- C. Unnecessary force occurs when it is apparent that the type or degree of force employed was neither necessary nor appropriate, or when utilizing any degree of force as summary punishment or vengeance. This includes using handcuffs, hobbles or other restraining devices on suspects in a manner in which the officer is not trained, or in a manner that causes unreasonable injury.
- D. This department specifically prohibits the use of excessive force against any individuals engaged in nonviolent civil rights demonstrations. Officers will enforce any applicable state and local laws against physically barring entrance to or exit from a facility or location which is the subject of such nonviolent civil rights demonstration.
- E. This statement of policy and the accompanying rules are for internal department use only and are not to be applied in any criminal or civil proceeding, nor do they create a higher legal standard of safety or care with respect to third parties. Violations of the rules based on this policy will only be the basis of administrative discipline, while violations of the law may be the basis for civil and criminal penalties in a court of law.

III. GENERAL PRACTICES

A. Verbal Persuasion

1. The practice of courtesy in all public contacts encourages understanding and cooperation. Lack of courtesy arouses resentment and often physical resistance. Officers will be courteous in all situations.
2. Simple directions that are complied with while the officer accompanies the subject is the most desirable method of dealing with an arrest situation. Control may be obtained through advice, persuasion and warnings before resorting to actual physical force.
3. The above should not be construed to suggest that officers relax and lose control of the situation, thus endangering their personal safety or the safety of others.

B. Physical Resistance

Frequently, subjects are reluctant to be taken into custody and offer some degree of physical resistance. Normally, all that is required to overcome this resistance is physical strength and skill in defensive tactics. Officers will use whatever physical force is necessary, other than deadly physical force to take the subject into custody and to prevent injury to the officer.

C. Less-than-lethal Weapons

- *** 1. Officers are authorized to carry the department issued Oleoresin Capsicum spray (hereafter referred to as OC spray). The OC spray is to be used according to the training techniques of this department. The OC spray is to be used according to the training guidelines of the department including periodic training.
- *** 2. The police baton or straight stick will be carried only by personnel who qualify in its use through certification training. Road Patrol officers will have their police baton or straight stick available to them during their tour of duty. Officers will have their police baton or straight stick with them in the patrol vehicle when responding to calls, on patrol or on duty in the police vehicle. When conducting foot patrol or while out of the car at special events, the baton or straight stick should be worn. The police baton will be used according to training guidelines of the department including periodic training.
- *** 3. Bean bag guns and pepper ball deliver devices will be used by those officers who have been trained in their use, and in accordance with department training guidelines including periodic training.
4. TASER – Only officers trained to use the TASER shall be allowed to carry said device, and will comply with General Order 562.

IV. PROCEDURES

- A. Any employee using physical force pursuant to his/her duties as a Police Officer, whether on or off duty, shall report or cause to be reported all facts relative to the incident on a Subject Resistance Report (SRR). In addition, officers will complete any other report applicable to the event (e.g., on a Standardized Incident Report (SIR) or Domestic Violence Report)
- B. Only issued or approved equipment will be carried on duty and used when applying physical force, except in emergency situations when an employee must use any resources at their disposal.
- C. Officers who are issued OC spray, TASER, and a police baton / straight stick are responsible for retaining the weapons in their possession and will exercise safety and security precautions.
- *** D. Loss or theft of any department issued lethal or non lethal instrument including (but not limited to) firearm, police baton, TASER or OC spray will be reported in writing through the chain of command as soon as possible to the Chief of Police.
- E. Officers are forbidden to carry or use the following weapons:
 - 1. Blackjacks
 - 2. Saps or sap gloves
 - 3. brass knuckles
 - 4. switch blade knives or any knife too large to carry concealed in a pocket
 - 5. Any other instrument or devise that is prohibited by law
- F. The use of the police baton/straight stick, OC spray, TASER, or pressure to control another person's movement is considered a use of force and as such all necessary information should be included in the SRR.
- G. The mere placing of handcuffs on a prisoner will not be construed to be use of physical force. However, when the handcuffs become an appliance to exert force necessary to further subdue a prisoner or where the suspect physically resists the application of handcuffs, a use of physical force has occurred and the necessary information must be included.
- H. The use of neck restraints is prohibited. Officers will follow the "Use of Force" matrix when escalation of force is necessary (See appendix A).
- I. After physical force is used, an officer shall immediately evaluate the need for medical attention or treatment for that person upon whom the physical force was used and will arrange for medical treatment when:

1. That person has a visible injury, whether or not the injury was due to the use of force
 2. That person complains of injury and requests medical attention. If the OC spray or TASER is used against another person, the officer will evaluate the need for medical treatment based on the guidelines set forth in this order, General Order 562 and the department training in the use of the OC spray.
- J. Persons who have an obvious injury and do *not* want treatment must refuse such treatment in the presence of hospital personnel or a paramedic, and it will be documented on the SIR and SRR. If the injury is serious the subject will be transported to a hospital.
- K. The officer will immediately notify their supervising officer of the incident. In the case of off-duty incidents, pursuant to their duties as a Police Officer, the officer shall make the incident known to the on-duty supervising officer.
- L. The officer shall attempt to locate and identify any witnesses, documenting their statements.
- M. The officer shall prepare and submit a SIR and SRR, and any other appropriate forms, prior to the end of tour of duty on which the incident occurred. If the officer is off duty, he/she will prepare and submit the form immediately. If the officer is unable to complete the report due to injuries, the supervisor will report this in writing to the Chief of Police before the end of the tour of duty.
- N. If more than one employee is involved in a use of force, the primary officer will prepare the SIR or SRR outlining their involvement in the incident. Each assisting officer will complete an Investigative Action Report documenting their involvement in the incident. All copies of this report and any related reports will be submitted to the supervising officer.
- O. Officers shall complete a SIR or SRR if a person is injured or complains of injury, regardless of how or when the injury took place during police action with an officer of the Greece Police Department.

V. SUPERVISORY RESPONSIBILITY

- A. The Supervising Officer shall:
1. Respond to the scene of the incident immediately
 2. Ensure that employees receive any necessary assistance, including medical treatment. They shall also ensure that any injuries to an officer are properly documented on police reports and Workers' Compensation reports. Workers' Compensation reports will be sent immediately and directly to the Chief's office. Copies may be made for distribution if needed by the supervisor.

3. Ensure that medical treatment for the defendant is evaluated per section IV-I, J above
4. Determine if technical services (e.g. photographs) are required and who will do same. If injuries are reported or complained of, regardless of how the injury was incurred, photographs will be taken. A photograph showing the absence of injuries may be as important as one showing an injury.
5. Ensure that a thorough investigation is conducted and that all forms are complete. In the event that the officer is unable to complete their reports due to personal injuries, the supervisor will complete the forms, including their own comments in the report.
6. Forward all appropriate reports via the chain of command to the office of the Chief of Police, with the exception of Workers' Compensation reports that will be sent directly to the Chief's office.

VI. SUBJECT RESISTANCE DOCUMENTATION

- A. If the officer is unable to complete the report due to injuries, the supervisor will report this in writing to the Chief before the end of the tour of duty.
- B. Subject Resistance Documentation will be used only when the officer uses physical force or deadly physical force against another person. The pointing of a firearm at a subject shall not be considered a use of force if the subject complies immediately to the officer's commands.
- C. If an officer is required to use their firearm against an animal (e.g. deer seriously injured as a result of a MVA); the officer will complete a Report of Animal Destroyed (GPD Form 8-91).
- D. The discharge of a firearm by an officer at another person, whether or not such discharge results in physical injury to that person or another person, shall be considered a use of deadly physical force and it will be documented on a SIR or SRR. If an accidental discharge of a weapon occurs, a supervisor will be notified and a SIR will be completed.
- E. When documenting Subject Resistance, the officer will include the following information in the report:
 1. Last, first, and middle name of the subject.
 2. DOB, sex, race, height, and weight of the subject
 3. Date, time and CR of the incident
 4. Incident location – be specific – parking lot, living room, roadway, etc

5. Was the suspect arrested? If yes, indicate charges. If not, indicate who authorized the release.
 6. Subject actions. Refer to Appendix A (Use of Force Matrix).
 7. If the TASER was used, indicate the TASER model, and complete the items on the SRR.
 8. Indicate the tactic used, and the effectiveness.
 9. Indicate which force instruments were used (straight stick, TASER, OC, etc)
 10. List all officers involved and complete the boxes indicated.
 11. Indicate witness and obtain statements for as many witnesses as practical.
 12. Indicate the condition of the subject (sober, intoxicated, etc.) and document any injuries that were present prior to the use of force and those after force was applied.
 13. Indicate if the suspect was transported for medical treatment and the disposition.
 14. Indicate what tech work was performed
 15. Indicate other reports completed as part of the investigation
 16. Forward copies of the SRR and other reports to the Chief, Deputy Chief, Platoon Lieutenant, DT coordinator and the Administrative unit.
- F. Officers documenting a subject's resistance should use the Subject Resistance Report (attached) to ensure that all the information is completed. A copy of this report will only be sent to the Chief's office and the Administrative Sergeant by the reviewing supervisor. Do *not* attach a SRR to the package that is being sent to Support Services.

VII. DISTRIBUTION AND REVIEW OF REPORTS

- A. The Chief of Police will receive a copy of:
1. All reports pertaining to the intentional or accidental discharge of a firearm by an officer
 2. All reports where there is a report of an injury by a prisoner
 3. All reports of Animal Destroyed forms (see General Order 342)
 4. All SRR reports

- B. The Range Officer, the Defensive Tactics Officer and the Administrative Sergeant will receive a copy of:
1. All reports involving the officer's use of a firearm
 2. All reports pertaining to the intentional or accidental discharge of a firearm by an officer
 3. All Report of Animal Destroyed forms (see General Order 342)
- C. A copy of the Use of TASER report will be sent to the Deputy Chief and TASER Coordinator.
- D. The Chief of police will review these reports and determine what actions, if any, should be taken.

NOTE: It is the responsibility of the reviewing supervisor to ensure that the appropriate copies are made and distributed.

BY ORDER OF:

MERRITT RAHN
CHIEF OF POLICE

GREECE POLICE DEPARTMENT
GREECE, NEW YORK

GENERAL ORDER	ISSUE DATE 10/22/04	EFFECTIVE DATE 10/22/04	NUMBER 341B
SUBJECT: USE OF DEADLY PHYSICAL FORCE	N.Y.S. ACCRED. STD. 14.1, 20.1-20.5, 20.7, 21.1, 21.2, 40.2		RESCINDS 341A
	DISTRIBUTION CODE C		

*** Indicates section amended

I. PURPOSE

The decision to use Deadly Physical Force is a complex and difficult one. The primary consideration of the officers of the Greece Police Department is the preservation of life. However, there are times when a Police Officer must decide to use Deadly Physical Force upon a person in order to protect the officer's life or the life of a third person. The intent of this order is to provide guidelines for officers of the Greece Police Department indicating under what circumstances the use of Deadly Physical Force against another person would be appropriate.

II. DEFINITIONS

- A. Deadly Physical Force – means any physical force which, under the circumstances in which it is used, is readily capable of causing death or other serious physical injury (NYS Penal Law Article 10, Section 11).
- B. Probable Cause – an apparent state of facts, sufficient in themselves to warrant a person of reasonable caution to believe that an offense has been or is being committed.
- C. Less-Lethal Force – means any amount or form of force with less potential for causing death or serious physical injury than force commonly considered deadly.
- D. Armed Walkout – refers to a barricaded subject that is armed, and who decides to leave his stronghold position. The subject weapon may or may not be used in a threatening manner.

III. POLICY

- A. Officers of the Greece Police Department may use Deadly Physical Force to effect lawful objectives in accordance with Article 35 of the NYS Penal Law AND:
 - 1. When the use of Deadly Physical Force is necessary to defend the officer or another person from what the officer reasonable believes to be the use or imminent use of Deadly Physical Force, OR

2. When an officer has probable cause to believe that the use of Deadly Physical Force is necessary to prevent the escape, or affect the arrest, of a suspect who has used, or has clearly threatened the use of and has the capability to carry out the use of Deadly Physical Force.

The fact that a Police Officer is justified in using Deadly Physical Force does NOT allow reckless conduct by the Police Officer if the use of Deadly Physical Force may injure innocent persons whom he is not seeking to arrest or detain in custody (NYS Penal Law Article 35, Section 30, Subdivision 2).

- B. Warning shots are prohibited.
- C. The use of neck restraints is prohibited.
- D. Discharge of a firearm from or at a moving vehicle is prohibited unless the officer reasonably believes that he would be justified in using Deadly Physical Force against the occupant(s) of the vehicle.
- E. Departmental policy pertaining to the use of Deadly Physical Force shall be adhered to during vehicle pursuit driving.
 1. Officers who use their vehicle to bump or ram the suspect's vehicle in order to force the vehicle to a stop will complete either a Standardized Incident Report (SIR) or Greece Police Incident Report (GPIR), and will document the actions fully on the report which will include the reason for using this technique.
 2. The use of roadblocks during a pursuit is considered a use of Deadly Physical Force. Roadblocks may only be used in situations where the officer is authorized to use Deadly Physical Force and only with the permission of a supervisor. No roadblock may be established until both dispatcher and pursuing officer have been notified.
- F. Officers are justified in removing firearms from holsters/gun mounts and point the firearm, other than for training or cleaning purposes, if:
 1. There is justification to use a firearm against a person or an animal
 2. The officer reasonably believes that a person or a situation poses or may pose an immediate threat of death or serious physical injury either to himself or another person
- G. This statement of policy and the accompanying rules are for internal department use only and are not to be applied in any criminal or civil proceeding, nor do they create a higher legal standard of safety or care with respect to their parties. Violations of these rules based on this policy will only be the basis of administrative discipline, while violations of the law may be the basis for civil and criminal penalties in a court of law.

H. In situations involving an armed walkout, the following should apply:

Any suspect who presents a clear and present danger to innocent persons should be warned, if practical and/or feasible, that Deadly Physical Force will be used if he does not stop immediately. If the suspect does not stop his actions immediately, officers are authorized to use Deadly Physical Force to stop the suspect. However, officers should be prepared to use less-lethal capabilities if practical and available.

I. Officers are not to allow suspects to escape with hostages and are authorized to use Deadly Physical Force, if necessary, to stop such action in accordance with III.A(1) of this policy.

IV. PROCEDURES

A. When an officer discharges a firearm on or off duty, deliberately or accidentally, other than for training, legal hunting, target practice purposes, or uses deadly force with any instrument, he will immediately notify his/her duty supervisor and submit the required reports.

- *** 1. If the discharge occurs on duty and is directed at a person, the officer will submit the appropriate report (e.g. SIR or GPIR).
- *** 2. If the discharge occurs off duty and is directed at a person, the officer will submit a SIR or GPIR.
- 3. If the discharge is accidental, the officer will submit an Incident Report.
- 4. If the discharge is directed at a dog or other animal, the officer will submit an Incident Report and/or any reports indicated for specific incidents involving "use of firearms against dogs or other animals" pursuant to General Order 342.

Nothing in the above four requirements is meant to limit the reports to be filed. A supervisor may request additional reports as deemed necessary.

NOTE: See report guidelines listed in Attachment A, with the exception of IV.A(4).

- *** 5. If the discharge is deliberate for any other reason, the officer will immediately notify an on-duty supervisor.

*** B. If the discharge of a weapon is directed at a person (whether or not a person was struck), or if as the result of any discharge a person is injured, killed or there is damage to property, or deadly force against a person is used, and the event occurs within Monroe County and the discharge of the weapon was in the performance of duty:

- 1. The on-duty supervisor will:
 - a. Respond to the scene

- b. Ensure the immediate notification of the Chief of Police
 - c. Ensure that all necessary medical attention is provided
 - d. Ensure that the officer:
 - i. Receives medical assistance, if needed
 - ii. Is afforded privacy from inquiries from public and departmental personnel not involved in the actual investigation of the incident
 - iii. Is afforded the opportunity to talk to a Crisis Counselor (per section VII. of this order)
 - e. Conduct a preliminary investigation of the circumstances surrounding the incident and promptly report the results of the preliminary investigation to the Chief of Police
 - i. In addition to any other detailed reports being completed relative to the incident, photographs will be taken (either by the supervisor or evidence technician) of any injuries or complaint of injury to the third party. (A photograph showing the absence of injuries may be as important as one showing the presence of injury.) Any injuries to the officer should be documented and photographed.
 - ii. Whenever practicable, the instrument used to apply the Deadly Physical Force will be photographed (by a supervisor or evidence technician) and secured in accordance with directives pertaining to property until the termination of any internal or legal proceedings.
- *** 2. The officer will be afforded the opportunity to talk to a union representative if he so requests, but in no way will this request interfere with the investigation.
3. The officer will be afforded his/her rights as guaranteed by the United States Constitution.
- C. If the discharge of the weapon was accidental, did not injure anyone and occurred in Monroe County:
- *** 1. The on-duty supervisor will:
- a. Respond to the scene of the incident immediately
 - b. Cause the notification of the Chief of Police

- c. Determine if a technician should respond to the scene and the level of technician's services to be used (including photographs, measurements and diagram)
- d. Determine if an investigator should be notified and respond to the scene
- e. Forward copies of the reports pertaining to the incident to the Chief of Police and the Range Officer

2. The reports will be forwarded directly to the Chief of Police before the conclusion of the tour of duty on which the officer is incapacitated, by an on-duty supervisor.

D. When a weapon discharge is directed at a dog or other animal, no person is injured and the incident occurred in Monroe County:

1. The on-duty supervisor will:
 - a. Ensure that procedures pertaining to "use of firearm against a dog or other animal" outlined in General Order 342 are followed
 - b. If the weapon is discharged for the humane destruction of an animal, such as an injured deer, the supervisor will be notified, but is not required to respond unless extenuating circumstances exist.
 - c. Forward a copy of the Incident Report (or MVA 104-A Report), Report of Animal Destroyed and any other reports pertaining to the incident to the Chief of Police and the Range Officer

E. When the scene is located outside of Monroe County, the on-duty supervisor will be notified by the affected officer. The on-duty supervisor will notify the Chief of Police immediately. The department response will then be determined based on:

1. Apparent surrounding circumstance
2. Injuries to police or non-police personnel
3. Geographical location of scene (distance from the Town of Greece)

V. CUSTODY OF DISCHARGED WEAPONS

A. The department will take custody of the firearm and related equipment as follows:

1. If the discharge is directed at a person
2. If a person is injured or killed as a result of a discharge
3. If the discharge is accidental

- B. The firearm, ammunition and related leather goods will be secured by a supervisor or evidence technician. The officer who secures the firearm will document (written and/or photographs) the condition in which the firearm was found immediately following the incident, and will document any actions taken to make the firearm safe before securing it in evidence (e.g. unloading ammunition from firearm).
- C. The firearm will be secured in the Property Clerk's office, in accordance with current directives pertaining to property, until:
 - 1. The weapon is no longer required for any internal administrative or legal proceedings, and
 - 2. In the case of an accidental discharge by a department-issued weapon (not resulting in injury or damage), until said firearm is examined by a department armorer and found to be functioning properly.
- D. Release will be authorized by the Chief of Police.
- E. The Range Officer will replace the department-issued weapon and equipment as directed by the Chief of Police.

VI. INTERNAL AFFAIRS INVESTIGATION REGARDING USE OF DEADLY PHYSICAL FORCE

- *** A. The Administrative Unit Supervisor is responsible for Internal Affairs investigations. The decision to conduct an Internal Affairs investigation rests with the Chief of Police. Any person assigned to conduct an Internal Affairs investigation will report to the Administrative Unit Supervisor:
- *** B. An investigation may be conducted when an officer discharges a firearm, on or off duty, deliberately or accidentally, and:
 - 1. The discharge of that firearm is directed at a person (whether or not a person was struck), or
 - 2. The discharge of that firearm results in a person being injured or killed, or
 - 3. The discharge of that firearm results in property damage to another
 - 4. When an officer, whether on or off duty, uses Deadly physical Force against another person by means of any instrument
- C. The Internal Affairs Investigation is an administrative investigation.
- D. The officer will be afforded his/her rights in accordance with his/her union contract. Any incriminating statements made by the officer to the Internal Affairs Unit during the Internal Affairs Investigation may not be used against him/her in a criminal proceeding.

- *** E. The results of said investigation, along with reports pertaining to the incident, will be forwarded to the Administrative Unit Supervisor, who in turn will notify the Chief of Police.

VII. CONFIDENTIAL CRISIS COUNSELING

- A. The Chief of Police may authorize confidential Crisis Counseling in cases of employee use of Deadly Physical Force against another person, or the use of Deadly Physical Force by another person against an employee. Employees directly involved in the incident, and any employee who witnessed the incident, may elect to participate in this program.
- *** B. This program will be provided by the Town of Greece through the Town of Greece Employee Assistance Program, Park Ridge Hospital. The Employee Assistance Program offers critical incident stress counseling immediately following an incident. The Employee Assistance Program also offers referral services for post crisis counseling. The Chief of Police, at his discretion, may offer or provide alternative counseling.
- C. The program is confidential. The contents of discussion or counseling sessions conducted between the employee and the Employee Assistance Program counseling service may not be used in any administrative, criminal or civil proceeding without the written permission of the employee.

VIII. ASSIGNMENT TO ADMINISTRATIVE DUTY

- A. When an officer is involved in any use of Deadly Physical Force against another person (may include discharge of a firearm against another person although no injury occurred) or a use of force that results in serious physical injury against another person, the officer may be assigned to administrative duty until further ordered by the Chief of Police. The assignment to administrative duty does not imply guilt or innocence of the officer involved.
 - 1. The administrative duty will not place the officer in a position where the use of force may be necessary due to the nature of the assignment.
 - 2. The administrative duty assignment will be made in the best interests of the department and the officer.
 - *** 3. Any restrictions on the officer during this assignment will be made by the Chief of Police.

BY ORDER OF:

MERRITT RAHN
CHIEF OF POLICE

through the chain of command to the Chief of Police and the Range Officer. Any officer who loses his/her weapon will notify the on-duty supervisor. The supervisor will notify the Chief through the chain of command.

- I. Police personnel are prohibited from carrying firearms while they are under the influence of alcohol, other drugs or medications that would impair judgment or discretion in any way. Alcohol impairment is defined as a person whose BAC is above .05%. In the case of prescription drugs, the employee is responsible to discuss his job duties with the physician who prescribes the medication to determine if there are any personal limitations.

VI. USE OF FIREARMS AGAINST DOGS OR OTHER ANIMALS

- A. When a firearm is used against a dog or other animal, the supervisor will be notified and will respond to the scene, if necessary. A report will be completed.
- B. The use of firearms against a dog is permissible in situations:
 1. Where the officer or another person is being attacked and such use of a firearm is necessary to terminate the attack. (Reference: section 121-1, Agriculture and Markets Law), OR,
 2. When any dog shall attack, chase or worry any domestic animal as defined in section 108 of the Agriculture and Markets Law, while such domestic animal is in any place where it may lawfully be. In such situations, the owner or caretaker of such domestic animal, or any other person witnessing such attack, may for the purpose of preventing the killing or injury of such domestic animal, destroy such dog while so attacking, chasing, worrying or while being pursued thereafter. (Reference: section 121-2, Agriculture and Markets Law)
- C. The use of firearms against rabid or suspected rabid animals, whether wild or domesticated, is permissible only when no practical means are available to capture the animal alive. Due caution must be taken to ensure that the head (brain) of the animal is intact for delivery for rabies tests.
- D. The use of firearms against a deer who is seriously injured as a result of being struck by a motor vehicle is permissible. In cases where the operator wishes to assume possession of or transfer the deceased animal, the officer will complete the NYS Department of Environmental Conservation "POSSESSION PERMIT" pursuant to section 11-0915 of the Environmental Conservation Law. The bottom half of the yellow ticket will be attached to the Motor Vehicle Accident Report. The top half will be secured to the animal.
- E. Whenever an officer uses his/her firearm in accordance with section VI of this order, a Report of Animal Destroyed (GPD Form IN-018) must be completed, along with the appropriate police report (MVA Report, Incident Report, etc.). The firearm will be cleaned after use and inspected by the Range Officer or a firearms instructor as soon as practical.

The supervisor's review on GPD Form IN-018 shall imply that the report of Animal Destroyed form has been completed accurately, that the firearm utilized has been properly cleaned and that the firearm is functioning as intended. A copy of the original report and the original Animal Destroyed Report (GPD Form IN-018) will be forwarded to Internal Affairs Division for review.

- F. When possible, an officer who uses his/her firearm in accordance with section VI of this order should destroy such animal on the department's firearms range. In those instances where transportation of the animal would be dangerous or impractical, the animal may be destroyed at the scene. Prior to destruction of the animal at the scene, the officer must ensure that the discharge of the weapon may be done with complete safety, taking into account location, environment, type of firearm and ammunition.

VII. MAINTENANCE OF DEPARTMENT ISSUED/SERVICE HANDGUN

- A. All officers will keep their department-issued/service handgun clean and in good working condition.
- B. Supervisors will hold a formal inspection of all personnel under their command on a regular basis. These formal inspections will include, but not be limited to issued firearm and associated firearm equipment.
- C. Officers will report any defects, damage or malfunctions of issued service handguns immediately to their supervisor. Should the problem appear to affect safety or proper function, the handgun will be immediately forwarded to a Firearms Instructor or department armorer for evaluation.
- D. Any alteration to department-issued firearms, ammunition or related equipment must be approved by the Range Officer and must be performed at the direction of the Range Officer, or at his direction, a department armorer.
- E. At the conclusion of in-service firearms training, all officers will thoroughly clean their handguns and have the handguns inspected by a Firearms Instructor prior to leaving the range.
- F. If the department-issued firearm is carried off duty, it must be loaded with issued duty ammunition and worn in a department-approved manner.

VIII. MAINTENANCE OF DEPARTMENT SHOTGUNS

- A. All shotguns will be numbered for identification. This will include gun serial number and vehicle number to which the gun is assigned.
- B. Shotguns will remain loaded with 4 rounds of number 00 buckshot in the magazine.

IX. POLICE RIFLES

- A. Rifles will be stored in the vehicles they are assigned to and will be stored using the rifle storage system for the make and model of vehicle in use. Any rifles that are designated as "spare rifles" will be stored at the locked gun lockers located at each precinct. The rifles will be signed out at the beginning of the tour of duty and signed back in at the end of the tour of duty when the rifles are returned to said gun locker.
- B. Rifles will be stored in the rifle storage system in assigned road patrol vehicles with a rifle magazine seated in the rifle and the action open. Rifles stored in one of the locked gun lockers at one of the Greece Police precincts will have the action open and **NO** rifle magazines in the rifle.
- C. Only department approved and issued service ammunition is allowed to be carried in department issued police rifles.
- D. When deploying rifles in homes or buildings officers will consider the totality of the circumstances and training when deciding whether or not to do so.
- E. Deployment of the police rifle is not to be used as a substitute for a SWAT response. If the situation merits a SWAT response, the on-scene supervisor should initiate the call-out process.
- F. The rifle is not to be utilized for the destruction of sick or injured animals, unless exigent circumstance exist that for the safety of persons in the immediate area are placed in danger and it is within the scope of training received, may the rifle be used.
- G. **Second Platoon Supervisors** will ensure that rifle assigned to **ALL** Road Patrol vehicles and spares stored in gun lockers at either precinct are cleaned by the end of each month, with an attempt to maintain a 30 day interval between cleanings.
- H. Rifle maintenance logbooks will be kept with the cleaning kits at each precinct. The Range Officer will periodically inspect the logbook.
- I. The officer cleaning the rifle will complete the log, indicating the date(s) cleaned, the overall condition of the weapon and the signature and IBM# of the officer

BY ORDER OF:

Patrick D. Phelan
Chief of Police

GREECE POLICE DEPARTMENT
GREECE, NEW YORK

GENERAL ORDER	ISSUE DATE 11/8/04	EFFECTIVE DATE 11/8/04	NUMBER 561B
SUBJECT: POLICE RIFLE	N.Y.S. ACCRED. STD. 6.2, 20.5		RESCINDS 561A
	DISTRIBUTION CODE C		

I. PURPOSE

Recognizing that certain high risk incidents require the use of firearms which possess a higher degree of penetration, accuracy, range and ammunition capacity than traditional police firearms, the Greece Police Department will train and equip selected sworn officers with a police rifle. This policy will establish regulations governing the deployment, use and storage of the police rifle, as well as selection and training of those members who will be authorized to utilize the rifle.

II. DEFINITIONS

- *** A. Police Rifle (or simply "rifle"): A semi-automatic weapon firing a centerfire rifle cartridge. The make, model and caliber of such weapon are designated by the Chief of Police, currently the rifle is a Colt AR15 carbine, which uses .223 caliber ammunition. Only issued ammunition will be used in the rifle.
- B. Rifleman: Any member of the Greece Police Department, designated by the Chief of Police, who has successfully completed the required course of training.

III. POLICY

The police rifle may be used in those situations where its inherent characteristics, such as accuracy and range, provide an advantage over the traditional police pistol and/or the shotgun. The rifle is not meant to replace those weapons, but rather to supplement them by increasing the tactical options available to the officers. The use of the rifle may enable officers to respond to many high-risk situations from a greater distance, with greater accuracy of fire. This will provide for a lower risk to officers and expands the inner perimeter, thus providing a greater measure of safety to the public, as well as the officers involved.

IV. DEPLOYMENT

- A. Rifles will be signed out and carried in the vehicles whenever riflemen are working and rifles are available.
- B. The decision to deploy the rifle will be made by the rifleman and/or the supervisor on scene. Typical deployments would include, but not be limited to: hostage situations, barricaded subjects, sniper situations or any other incident where deployment of the rifle would be advantageous.

- C. Deployment of the police rifle is not to be used as a substitute for a SWAT response. If the situation merits a SWAT response, the on-scene supervisor should initiate the call-out process.
- D. The rifle is not to be utilized for the destruction of sick or injured animals. The rifle shall not be deployed for use in building entries, building searches and/or routine alarm calls.
- E. Nothing above shall preclude an officer, in emergency or exigent circumstances, from deploying the rifle in any fashion to protect himself or another person, provided said actions are consistent with NYS law and departmental policy and training relative to the use of the police rifle, the use of force and/or the use of deadly physical force.

V. TRAINING

- *** A. Qualification training for a police rifleman will be conducted by a certified firearms instructor designated by the Chief of Police. Qualification training will consist of classroom instruction, practical exercises, marksmanship fundamentals, as well as force applications. Said training shall be described in the Police Rifleman Lesson Plan. In order to be certified as a police rifleman, trainees must score a minimum of 80% or passing grade on each of the following: written exam, the rifle marksmanship qualification course of fire and the rifle practical examination.
- B. Police riflemen will receive ongoing periodic training consisting of live fire drills, as well as proficiency and practical exercises. Riflemen will requalify on the marksmanship qualification course of fire annually. Any rifleman who fails to qualify will be given the opportunity for remedial instruction prior to the second qualifying attempt. Any rifleman who fails to qualify on the second qualifying attempt will no longer be qualified as a Greece Police Department rifleman.

VI. STORAGE, MAINTENANCE AND ISSUANCE

- A. The police rifles will be stored in locked gun lockers located at each precinct. Rifles will be signed out only by riflemen, and will be logged in a ledger kept with the rifles. Rifles will be physically and visually inspected at the beginning and the end of each tour of duty. Rifles shall be cleaned by riflemen assigned to the First Platoon monthly, or sooner if needed. A log of each rifle's cleaning and maintenance will be kept at each precinct.
- B. Ordinarily, during the tour of duty, the rifle will be stored in a vehicle mount. Should a vehicle with the appropriate mount not be available, the rifleman may store the rifle in a hard case for that tour of duty. Upon completing his or her tour of duty, the rifle will not be left in a vehicle. The rifleman will return rifle to the gun locker and make the appropriate log entry indicating its return. During the tour of duty, the rifle will be secured with the safety "on," a magazine in the magazine well, no round in the chamber and the dust cover closed. When stored in the gun locker, the magazine will be removed from the rifle and the bolt left open.
- C. If a rifleman encounters any malfunctions or any other problems that render the weapon unserviceable, he will immediately apply corrective action consistent with

GREECE POLICE DEPARTMENT
GREECE, NEW YORK

GENERAL ORDER	ISSUE DATE 6/4/15	EFFECTIVE DATE 6/4/15	NUMBER 562B
SUBJECT: TASER		N.Y.S. ACCRED. STD. 6.2, 20.6, 20.7, 21.2, 32.4	RESCINDS 562A

*** Indicates section amended.

I. PURPOSE

To provide guidelines for the maintenance, deployment, training, and handling of the TASER and establish reporting procedures for its use.

II. POLICY

- A. Officers are authorized to use and deploy the Advanced TASER as approved by the department and subject to the provisions of NYS Penal Law Article 35 and the Greece Police Department General Orders and this policy.
- B. The use of the TASER will be limited to the degree of force which is reasonably necessary to provide protection for the officer, the subject, a third party, and /or affect a legal arrest.

III. DEFINITION

A. Advanced TASER

- 1. The Advanced TASER is a weapon that conducts electrical energy to a target, thereby controlling and overriding the central nervous system of the body of the subject it is being applied to.
- 2. The Advanced TASER is designed to safely incapacitate potentially dangerous person(s) by:
 - a. Acting as a touch stun system when brought into direct contact with a person's body, or
 - b. Utilizing compressed nitrogen, two probes are projected. An electrical signal is then sent to the probes, by means of small wires, which disrupt the body's ability to communicate electrical messages from the brain to the muscles, which causes a temporary dysfunction of motor skills.

B. TASER Coordinator

1. The TASER Coordinator will be designated by the Chief of Police and will be responsible for:
 - a. Maintaining an inventory of all Advanced TASERs, related equipment, and certified TASER officers.
 - *** b. Maintaining an inventory of all Advanced TASER air cartridges by serial number, along with ensuring that the inventory and deployment is adequate.
 - *** c. These inventories and deployment will be made available annually to the Deputy Chief of Investigations and Administration for audit, accountability of equipment, certification, and training of officers.
 - *** d. Keeping the Deputy Chief of Investigations and Administration advised of issues involving the TASERs, or the use of the TASERs.
 - e. Submitting a monthly report to the Chief's office through the chain of command on the TASERs and the use of TASERs.
 - f. Repairs.
 - g. Keeping current on all new trends, issues, problems, and technology regarding the TASERs.
 - h. Ensuring that the officers are properly trained and that there are an adequate number of TASER officers and TASER equipment.

C. TASER Instructor

1. Individuals who are qualified by TASER International to certify users as TASER Officers.

D. TASER Officer

1. Police Officers who have successfully completed the training prescribed by TASER International and the Greece Police Department
2. Training will consist of current certification by a certified TASER Instructor and working knowledge of the Greece Police Department General Orders.

E. Training & Certification

1. Only currently approved TASERs will be utilized.
2. Only those officers who have successfully completed the approved Advanced TASER course will be authorized to deploy the TASER.

- *** 3. Officers will be recertified in accordance to current training standards as set forth by TASER.

IV. DEPLOYMENT

- A. The TASER Coordinator will monitor the distribution of the TASER to ensure that they are issued as uniformly as possible throughout the Patrol Division.
- B. A TASER will only be assigned to a certified TASER Officer.
 - 1. When available and assigned, the Advanced TASER will be secured in an approved holster.
 - a. The TASER Officer will also be required to have sample barbs, and extra air cartridges when carrying the TASER.
 - 2. The TASER Officer will ensure that the TASER is fully operational prior to the start of his/her shift.
- C. TASER Officers may remove the TASER from their holsters when they reasonably believe that the situation poses, or may pose, an immediate need for the deployment of the TASER.
 - 1. If possible, the TASER Officer should announce on his/her radio that the TASER is to be deployed.
 - a. This is meant to notify the other officers of the deployment so that they do not mistake the deployment for a GUN SHOT.
- D. When possible, EMS should be requested prior to deployment of the TASER.
- E. Backup officers should accompany the TASER Officer and will be designated as Contact and Cover for the TASER Officer.
 - 1. **The TASER is not a replacement for the firearm and should not be used without firearm backup in those incidents where there is a potential for a Deadly Physical Force Threat towards the officers and third parties on scene.**
- *** F. A subject will not be TASED more than THREE (3) consecutive times. EXCEPTION to this rule would be under the “reasonable objectiveness standard” as it applies to the use of force, when an officer believes they are justified to use deadly physical force then they may exceed the standard of using the TASER three consecutive times.
- *** G. Subjects that appear to have the following qualifiers; less than 60 lbs., children less than 13 years old or elderly persons who may be in a decreased physical condition, will not be subject to control by TASER, unless deadly physical force is justified.

H. Officers should utilize verbal persuasion and commands for a suspect to obey police orders and cease illegal behavior prior to the use of the TASER if circumstances allow for this without risk of safety to the officers or others.

*** I. Refer to current training standards for preferred target areas.

V. POST DEPLOYMENT

A. All persons subjected to the application of a TASER will be examined by a qualified medical personnel or paramedic and be medically cleared for release.

1. If there is no immediate or obvious medical condition, the subject may be transported to the hospital in a police vehicle; otherwise, an ambulance should be summoned.

2. If cleared by a paramedic, there is no need to transport to a hospital.

*** B. Imbedded TASER probes will not routinely be removed from the subject's body by police personnel, unless exigent circumstances exist. In an urgent situation, officers will follow procedures for probe removal established by TASER International through their training. (NOTE: Officers should be mindful to use UNIVERSAL PRECAUTIONS when dealing with potential blood borne pathogens and use protective gloves during any probe removal.) Remembering that a subject exposed to TASER directed energy will be examined by a qualified medical professional, officers should allow the medical professional to remove the imbedded barb.

1. The TASER Officer must collect the expended TASER cartridge and probes as evidence.

a.. Probes must be clearly labeled, bagged, and marked as a biohazard.

i. TASER Officers should invert the probes into the cartridge bores and tape them in places so as to render them safe.

3. ONLY qualified medical personnel or TASER Officers will remove any probes that have penetrated a subject's skin. The barbs will be collected by the TASER Officer and turned into the Property Clerk as evidence.

4. The extra TASER probe with the intact barb that is kept in the TASER holster will be utilized for visual reference by the medical personnel to assist in the extraction of TASER barbs.

C. The appropriate reports, including a Subject Resistance Report (SRR), will be completed by the TASER Officer each time the TASER is used. Any time a TASER is used, the incident should be fully documented on a Subject Resistance Report (SRR).

*** 1. The original Subject Resistance Report will be sent to the Internal Affairs office.

2. A copy of the report will be forwarded to the TASER Coordinator.

D. Downloading the TASER Data Port

- *** 1. The TASER Data Port will be downloaded after each use of the TASER by a supervisor and attached to the SRR.

- E. Jail personnel will be informed that the subject was controlled by the use of a TASER.

VI. PRECAUTIONS

- A. The TASER is not to be used when it is known that the subject is pregnant.
- B. As the TASER operates on the emission of an electrical charge, it should not be utilized in areas where flammables are present, including alcohol-based O.C.
- C. The TASER will never be used punitively or for the purpose of coercion.
- D. Officers should consider the after-action consequences of the person tased, and will take these consequences into consideration prior to deploying the TASER (e.g., if a subject is in the water when being tased, or is in a high place such as on a ladder or roof of a building, or is operating a motor vehicle).

BY ORDER OF:

PATRICK D. PHELAN
CHIEF OF POLICE

GREECE POLICE DEPARTMENT
GREECE, NEW YORK

GENERAL ORDER	ISSUE DATE 4/21/08	EFFECTIVE DATE 4/21/08	NUMBER 565C
SUBJECT: LESS-LETHAL EXTENDED RANGE IMPACT PROJECTILES	N.Y.S. ACCRED. STD. 20.6, 20.7, 21.2, 32.4		RESCINDS 565B
	DISTRIBUTION CODE C		

*** *Indicates section amended*

I. PURPOSE

To provide guidelines for the purchase, storage, transportation, training, handling and deployment of less-lethal extended range impact projectiles and establish reporting procedures for their use.

II. POLICY

To address the training and use of extended range less-lethal weapons and projectiles. The Greece Police Department recognizes that combative, non-compliant, armed and/or violent subjects cause handling and control problems that require special training and equipment. Thus, the department has adopted the less-lethal force philosophy to assist with the de-escalation of these potentially violent confrontations. For purposes of definition and reference, only those members of the department that are trained in the use of 37-mm and 12-gauge less-lethal impact projectiles shall be considered less-lethal operators.

III. DEFINITIONS

A. Less-lethal Force Philosophy – A concept of planning and force application, which meets operation objectives, with less potential for causing death or serious physical injury than conventional police tactics.

B. Less-lethal Kinetic Energy Impact Projectiles – Also known as less-lethal extended range impact projectiles. Flexible or non-flexible projectiles, which are intended to incapacitate a subject with a minimal potential for causing death or serious physical injury, when compared to conventional projectiles. Examples of less-lethal impact projectiles include:

1. Bean bags
2. Launchable wooden, foam, plastic or rubber batons
3. Rubber pellets
4. Pepperball System Projectiles
5. Other like items

C. Safety Priorities – The department safety priorities are established as follows:

1. Hostages
2. Involved non-subject civilians

3. Police Officers
4. Suspects/subjects

D. Subject – The person who is the focus of the police operation.

IV. TECHNICAL ASPECTS – LESS-LETHAL KINETIC ENERGY IMPACT PROJECTILES

A. There are many projectiles considered “less-lethal.” The types used by the Greece Police Department are the:

1. Flexible Baton - 12 gauge

- ***
- a. The authorized 12-gauge less-lethal rounds are referred to as the “Flexible Baton-12-Standard” (red) and the “Flexible Baton-12-Close Range” (green).
 - b. The standard round (red) is a 2-3/4 plastic 12-gauge cartridge, containing a 2-inch square fabric bag, filled with approximately 40 grams of lead shot.
 - c. The standard bag exits the barrel at approximately 300 feet-per-second and delivers approximately 120 foot/pounds of kinetic energy at that range.
 - d. The close-range bag (green) is the same size and weight as the standard bag, but with a muzzle velocity and energy of 240 feet per second and 80 feet/pounds of energy.

2. Non-flexible - 37 mm

- ***
- a. The authorized 37-mm less-lethal rounds are the “K01,” “K01 LE,” “K03 OC,” and the “K03 LEOC.”
 - b. The K01 and K01 LE 37-mm rounds contain a non-flexible polyurethane projectile, weighing 77.5 grams.
 - c. The standard K01 and K03 OC rounds have a velocity and energy of 240 feet-per-second and 153 feet/pounds of energy, when measured 10 feet from the muzzle.
 - d. The K01 LE (low energy) and K03 LEOC rounds are designed for close-range use and have a velocity and energy of 175 feet-per-second and 81 feet/pounds of energy, when measured 10 feet from the barrel.
 - e. The K03 OC and K03 LEOC rounds have a payload of OC powder that will be released upon impact with target area.

3. Pepperball - .68 cal.:

- ***
- a. The authorized .68 cal. less-lethal projectiles are the Pepperball “Red(OC),” “Purple (Inert),” “Clear (Inert Liquid),” “Green (Marking),” and the “White (glass shattering).”

- b. The “red” Pepperball projectiles weigh 2 grams and consist of a hard plastic frangible sphere weighing 15 grams and contain an OC powder payload weighing 1.5 grams.
- c. The Pepperball projectiles have a velocity of 350-380 feet per second, producing between 8-10 foot/pounds of kinetic energy upon impact.
- d. The “white” (glass shattering) projectiles are not designed to be deployed on individuals and as such, **shall not** be deployed at persons. Their packaging shall be clearly marked as prohibiting their use on individuals.

V. PERSONS AUTHORIZED TO USE LESS-LETHAL IMPACT PROJECTILES

Only those who have successfully completed a department-approved operator training course in the proper use and deployment of those specific less-lethal impact projectiles and launching systems shall be authorized to use them during actual operations.

VI. JUSTIFICATION FOR USE

- A. The deployment and use of these devices are decisive actions that can assist in achieving the goal of protection of life and property and/or the restoration of order. They should be considered whenever the use of less-lethal options would assist in enabling an arrest, restoring order and/or reducing the risk of more serious injury. Circumstances justifying the use of these munitions include, but are not limited to:
 - 1. Restoration or maintenance of order during jail or civil disturbances;
 - 2. Safely controlling violent persons;
 - 3. Subduing vicious animals;
 - 4. Situations wherein the authorizing person deems their use necessary to safely resolve an incident.
- B. Use of Force Continuum
 - *** 1. The Greece Police Department recognizes four distinct levels of force (Level I through Level IV), attached.
 - *** 2. The use of 12-gauge and 37-mm kinetic energy impact projectiles is considered a Level III (Hard Reactionary Techniques), when deployed to areas of the suspect’s body.
 - 3. The use of Pepperball “red” projectiles is considered a Level II (Persuasive Compliance) use of force, when area is saturated with the OC powder.
 - *** 4. The use of “red,” “purple,” “green,” or “clear” Pepperball projectiles is considered a Level III (Hard Reactionary Techniques).

VII. DEPLOYMENT PROCEDURES

A. Deployment Areas

1. Prior to deployment, officers must ensure that all personnel at the scene are aware that less-lethal rounds are involved in the event, and notification should be provided that such rounds are going to be deployed prior to the actual deployment.
2. The less-lethal projectiles will be delivered to suspect target areas based on the circumstances, the established safety priorities and the level of force authorized.
3. The Monadnock PR-24 training chart is the recognized department model for determining contact areas for kinetic energy impact projectiles (excluding Pepperball), based on potential for injury.
 - a. Green Areas – These areas will be considered when incapacitation is necessary and a minimal potential for injury is the appropriate response.
 - b. Yellow/Red Areas – These areas will be considered when an escalation of force above green (areas) is necessary and appropriate, acknowledging an increase in the potential for death or serious physical injury.
 - c. Head/Neck – Intentional impacts to these areas will be avoided unless the use of deadly force is justified, necessary and appropriate.
4. The officer deploying the less-lethal projectile should direct and control the verbalized efforts to effect surrender and compliance from the suspect or subject.
5. Consistent with training, precautions should be taken prior to deployment of any rounds containing chemical or OC agents as a payload (being upwind, etc.).
6. Officers assigned as lethal cover or arrest team members shall follow the directions of the less-lethal operator. Officers assigned on an arrest team, as well as officers present, shall follow the directions of the less-lethal operator when effecting the arrest or when gaining compliance.

B. Deployment Techniques – 12 Gauge

1. The approved shotgun will be dedicated for use with less-lethal ammunition only in the magazine. The weapon and case will be clearly marked to indicate that the weapon is a dedicated less-lethal shotgun.
2. The officer will carry the approved less-lethal rounds within the magazine at all times during a tour of duty, preferably with additional rounds attached to the weapon.

3. Officers qualified as less-lethal extended range impact device operators:
 - a. The officer assigned the less-lethal weapon is solely responsible for the daily inspection, condition (lethal v. less-lethal rounds) and security of the weapon.
 - b. No duty ammunition will be loaded into the weapon or be located within its case. Both the weapon and ammunition will remain under the control of the officer.
 - c. The officer will visually and physically inspect the chamber and magazine to ensure that **all** duty ammunition is removed from the shotgun.
 - d. The officer will then load the less-lethal rounds into the shotgun, visually inspecting each round prior to insertion, ensuring that each round is in fact a less-lethal round.
4. Before transition to less-lethal kinetic energy impact projectile system, the officer shall consider:
 - a. The level of force being confronted
 - b. The proximity/access of subject to officer, or others
 - c. The department safety priorities
 - d. Subject's physical characteristics
 - e. Based on facts, and where applicable, whether standard energy or low-energy munitions should be deployed

A lethal cover officer will be assigned with a less-lethal operator whenever a less-lethal projectile system is deployed, unless said officer is not immediately available.

NOTE: Special consideration of lethal cover should be made in all cases involving subjects with firearms.

C. Deployment Techniques – 37 mm / Pepperball .68 cal.

1. All 37-mm less-lethal delivery systems will be maintained by qualified department operators.
2. This system will only be deployed by operators who have qualified with the weapon.
3. This system will only be deployed by operators in circumstances consistent with VII.B.2-4 above.

4. This system will be deployed with a lethal cover officer in circumstances consistent with VII.B.4.

VIII. POST DEPLOYMENT PROCEDURES

A. Handling of Injured Suspects

1. Consistent with training, all suspects who are struck by a 12-gauge or 37-mm less-lethal projectile shall be transported to a medical facility for examination.
2. Consistent with training, all suspects who are struck by a Pepperball projectile shall be evaluated for injury and adverse effects of the OC powder. Any subjects displaying physical injury or adverse reactions shall be transported to a medical facility for evaluation.

B. Decontamination

Consistent with training, officers involved in the arrest of the suspect shall follow the proper decontamination procedures for the suspect or other involved persons, who are contaminated by OC from less-lethal projectiles.

C. Reporting

1. The use of less-lethal munitions against another constitutes a use of force, and as such, must be reported in accordance with standard departmental procedures for reporting the use of force.
2. Said reporting shall be made on a Subject Resistance Management Report and include, but not be limited to, the number and type of rounds deployed, as well as the specific areas targeted on the suspect.

D. Investigation

1. An investigation will be conducted into any situation involving the firing of a less-lethal round at a suspect.
- *** 2. The depth of the investigation will be decided by the Chief of Police, and will be based on the extent of the suspect's injuries, if any.

IX. EVALUATION OF PROJECTILES

A. Kinetic energy impact projectiles will be evaluated on the following criteria:

1. Accuracy
2. Effectiveness
3. Potential for causing death or serious physical injury

B. Accuracy

1. This is the primary consideration, since proper shot placement greatly assists in controlling the other three evaluation criteria.
2. This will be evaluated based on the anticipated ranges of deployment.
3. A minimal standard of accuracy for such rounds is:
 - a. 12-inch group at 15 yards for the 12-gauge system
 - b. 12-inch group at 25 yards for the 37-mm system

NOTE: This standard is achieved from a secure rest.

C. Effectiveness

1. This is the potential of the round to cause incapacitation and reduce the subject's ability to continue inappropriate behavior. The effectiveness following deployment should be indicated on the Subject Resistance Management Report.
2. The level of energy necessary to cause incapacitation creates the potential for injury, but when properly deployed, with a low probability for causing physical injury or death.

D. Potential for Causing Death or Serious Physical Injury

1. When engaging a target, the officer should evaluate and assess the effectiveness of each round deployed during the volley. Compliance and/or incapacitation are the desired goals, and alternative target areas/response should be considered when rounds are not effective. Alternative target area/response considerations will be based on the circumstances the officer is encountering and the established department safety priorities.

X. PROCUREMENT AND INVENTORY CONTROL

These munitions shall be procured in accordance with normal departmental purchasing procedures. Inventory, serviceability and tracking shall be the responsibility of the Sergeant designated by the Chief, range staff or other designee responsible for handling other types of munitions.

XI. STORAGE, TRANSPORTATION AND HANDLING

- A. Storage of less-lethal munitions should conform with manufacturer's recommendations. Generally, they should be stored in their original container in a cool, dry place.
- B. Munitions which have been removed from their original container shall be clearly and conspicuously identified as "less lethal" to prevent confusion with lethal munitions.

- C. Under no circumstances, shall less-lethal impact projectiles be kept in a manner that might lead to confusing them with lethal munitions. Generally, they should be stored in a separate container or cabinet or on a separate shelf that is clearly marked.
- D. Except as previously noted in VI.B and VI.C, less-lethal impact projectiles should be transported in accordance with the department's customary policy or practice for small arms munitions.
- E. Under no circumstances, shall any person be authorized to tamper with or alter in any manner any less-lethal impact projectiles. In addition, they shall only be used in launchers authorized by the manufacturer. Misfires or malfunctioning rounds shall be recovered, rendered safe and removed from service. Appropriate notifications shall be made and munitions that have malfunctioned or are damaged shall be handled according to departmental policy governing other types of ammunition. Reloaded 37-mm projectiles shall be authorized for training purposes only and shall **not** be authorized for actual field use.

- *** F. Each Pepperball high-pressure air launcher shall be stored in designated patrol cars, in a safe condition . OC projectile (red) rounds shall be stored and secured along with the weapon in the deployment case. Officers assigned the launcher shall periodically perform a visual inspection to verify that the high-pressure air launcher is stored in a safe condition, as well as ensure that the air pressure is at 2500 PSI or greater and the OC projectiles are accounted for.

During the officer's tour of duty, the non-lethal high-pressure launcher shall be loaded with a minimum of 40 OC projectiles in the hopper, a minimum of 2500 PSI of air with the fore grip forward, and secured in the deployment bag in the designated vehicle.

- G. Upon receiving any munitions, the person actually deploying them is ultimately responsible for ensuring that these munitions are less-lethal and used in accordance with department policy or practice.

XII. TRAINING

Training in the use of extended-range kinetic energy impact projectiles will consist of the approved department end-user program and periodic requalification.

BY ORDER OF:

MERRITT RAHN
CHIEF OF POLICE