



# Campbell Police Department **Policy and Procedures**

Subject <b>USE OF FORCE</b>		Policy # <b>1.1</b>	
Division <b>ALL SWORN POLICE PERSONNEL</b>	Effective Date <b>01-06-2021</b>	Last Updated <b>01-06-2021</b>	Pages <b>6</b>

## 1. PURPOSE AND SCOPE

This order establishes a policy for the use of force by sworn personnel pursuant to WI Statute 66.0511(2). Also addressed are procedures for ensuring the provision of appropriate medical aid after the use of lethal, less lethal or other uses of force; as well as required reporting and supervisory notifications associated with the application of force.

It is our policy that officers will use only the force necessary to accomplish lawful objectives and employ de-escalation techniques to avoid the use of force. The force used by an officer should only be that reasonably required to overcome the resistance being offered by the person the officer is trying to control.

## 2. DEFINITIONS

- A. **Excessive Force:** More force than is reasonable will not affect the validity of the arrest; it may expose the officer to civil suit, discipline or both, and in aggravated circumstances possible criminal liability also.
- B. **Contact Officer Override:** cover officers have the proactive responsibility to intervene in a situation if the contact officer behaves inappropriately, or is otherwise not handling the situation effectively.
- C. **Deadly Force:** The intentional use of a firearm or other instrument, that creates a high probability of death or great bodily harm.
- D. **Deadly Force Requirement:** With the subject causing imminent danger of great bodily harm or death to yourself or others, and other tactics have been exhausted or would be ineffective, department policy directs you to stop the subject's actions with the use of deadly force.
- E. **De-escalation:** Taking action or communicating verbally or non-verbally during a potential force encounter in an attempt to stabilize the situation and reduce the immediacy of the threat so that more time, options, and resources can be called upon to resolve the situation.
- F. **Disturbance Resolution:** A guideline set forth by Training and Standards that involves verbal and physical options to obtain law enforcement objectives.
  - 1. Disturbance Resolution Qualifiers:
    - a. Use of trained techniques are preferred; however, techniques not trained may be used as long as they fit the situation and the above guidelines. Techniques may be dynamically altered on the street.



1.1: Use of Force

- O. Physical Restraint:** Holding, restraining, or other physical manipulation without the use of a weapon by one or more officers acting alone or in concert to control a person or to effect an arrest.
- P. Reasonably Believes:** An ordinary, prudent and reasonably intelligent police officer believe that a certain fact or situation exists and such belief is reasonable under the circumstances known to the officer at the time the officer acted.

**3. PROCEDURES**

**A. Use of Deadly Force: (See Order 1.2)**

**B. Use of Non-Deadly Force:**

1. The Disturbance Resolution as set forth by WI Training and Standards is a guide for force.
2. Officers should always attempt to gain compliance or effect an arrest through verbal skills.
3. Officers shall use de-escalation techniques in dynamic situations to restore order and avoid moving to the use of force when reasonable.
4. In situations requiring the use of force, officers shall use only that amount of force reasonably necessary to control a situation, effect the arrest of an offender or to control a person.
5. If force is used, officers shall incorporate de-escalation techniques once the situation or person is under control.
6. Officers shall not continue to use force, except mere physical restraint, after an individual has ceased to resist.
7. Officers involved in such situations shall display as much regard for the offender's safety as is possible.
8. Unless circumstances dictate otherwise, all persons arrested will be handcuffed, searched and then transported in a police vehicle.
  - a. The “hog-tying” of a suspect is never allowed.
9. The use of excessive/unwarranted force/brutality will not be tolerated under any circumstances and may subject the officer to disciplinary action, criminal and civil liability.

**C. Non-Lethal Items:**

1. Officers shall not brandish or display, as a threat, unless its use is possible.

**D. Pepper Spray: (See General Order 1.6)**

1. Members who have been trained in use of pepper spray shall carry such spray. Use of pepper spray is permitted when:
  - a. Person is actively aggressive to the officer.
  - b. After indicating to a person that you intend to apprehend/restrain the person, that person indicates by words or actions that s/he may resist or cause harm to the officer or others.
  - c. When it appears that mere physical restraint would be ineffective.
2. When used, the member shall complete an offense report detailing the incident. A Response to Resistance report shall be completed and routed to the Chief of Police or his/her designee for documentation and review.

- a. Consider the potential for cross-contamination of others.
- b. Decontaminate the sprayed person as soon as practical. See General Order 1.6 for medical treatment and decontamination.

**E. Electronic Control Devices: (See General Order 1.5)**

1. Authorized Electronic Control Devices (*ECD*) are covered in General Order 1.5.
2. An officer may utilize an *ECD* on a subject when the officer reasonably believes that the subject is threatening the officer or third party with bodily harm; and the officer believes that the subject possesses the ability or apparent ability and opportunity to carry out that threat. (*See General Order 1.5 for full details*)
3. When used, the member will complete an offense report detailing the incident. A Response to Resistance report and a Taser Use Report shall be completed and routed to the Chief of Police for documentation and review.

**F. Incapacitating Techniques:**

1. Members who have been trained in techniques such as the diffused strike may use such techniques to cause immediate, temporary cessation of violent behavior. These techniques usually render the subject temporarily unconscious.
  - a. Any officer utilizing such techniques shall as soon as practical have the subject evaluated by a medical facility prior to incarceration and shall notify jail personnel that an incapacitation technique was administered on the subject.
2. When used, the member will complete an offense report detailing the incident. A Response to Resistance report will be completed and routed to the Chief of Police for documentation and review.
3. Any type of choke hold is a prohibited incapacitation technique and may only be used if the subject is causing imminent danger of great bodily harm or death to yourself or others.

**G. Batons:**

1. An authorized baton may be taken from its holder and held in the ready position if the officer is threatened or confronted with potential injury.
2. Use is permitted against an actively aggressive person where mere physical restraint would be ineffective.
3. When used, the member shall complete an offense report detailing the incident. A Response to Resistance shall be completed and routed to the Chief for documentation and review.

**H. First aid and medical assistance:**

1. Any person claiming injury as a result of officer/s use of force shall be evaluated by emergency medical personnel.
2. Any person subjected to Deadly Force shall be evaluated by emergency medical personnel. See General Order 1.2 for further details.
3. Any person subjected to passive or active countermeasures will be monitored by department personnel to ensure that the subject is not injured. The officer will assess if medical attention is needed.
4. Any person subjected to less lethal munitions shall be taken to a medical facility for evaluation prior to incarceration.
5. Subjects sprayed with O.C. will be provided the opportunity to flush their eyes with water as soon as practical unless the subject refuses or continues to be resistive. The officer (*or another assigned officer*) who utilized the O.C. will be responsible for monitoring the subject to ensure that the effects of the O.C. subside, if the person does not visibly improve after 45 minutes or officer observes other problems – seek medical assistance.

**J. Documentation and Reporting:**

- a. Whenever force is used to control/impede/stop a subject at a level of O.C. or greater when following the Disturbance Resolution, a Response to Resistance Report shall be completed as well as an Incident Report detailing the circumstances in which the force was applied.
  - a. One Response to Resistance Report is required for each subject whom force was used on and one for each officer applying force. See also General Order 1.4.
- b. The Response to Resistance and Incident Reports documenting an officer's use of force shall be completed and reviewed by the Chief of Police or his/her designee.
  - a. The Response to Resistance report will receive a final approval by the Chief of Police.
- c. Copies of all reports when force results in injury shall be routed to the Chief of Police. If the officer is unable to do the reports, the Sergeant or designee will initiate the report.

**K. Excessive Force/Force Review:**

1. In cases of possible excessive force or questionable use/application of force, the Chief may assign the involved officer(s) to administrative duties or leave pending an Internal Investigation and/or the Use of Force Review as described in General Order 1.4.
2. Officer/s who witness another officer unnecessarily escalate a situation or use excessive force shall attempt a contact officer override.
  - a. If the officer continues or refuses the contact officer override, a supervisor shall be summoned to the scene when possible. If there is no supervisor on duty, the Chief shall be notified as soon as possible.
3. All employees shall immediately report to a supervisor any excessive force they observe by other officers, including officers from other agencies.
4. Any officer can report questionable tactics or applications of force to a supervisor who will in turn bring the concern to the Chief of Police.