

CHAPTER 1.00.00

1. LAW ENFORCEMENT ROLE AND AUTHORITY

1.1 DEPARTMENT AUTHORITY AND JURISDICTION

1.1.1 The Port of Pasco Police Department was established by the Port of Pasco resolution 599, dated January 13, 1977, as amended by Port of Pasco resolution 857, dated March 8, 1990, and Port of Pasco resolution 1580, dated June 9, 2022. The authority of officers is derived from this section and is conferred by the commission issued by the Chief of Police.

1.1.2 Commissioned personnel are sworn to enforce the ordinances of the Port of Pasco, as well as City, County, State, and Federal laws, to protect the public peace and safety within the Port of Pasco, and to abide by the Code of Professional Conduct and Responsibility for Peace Officers (Appendix 1).

1.1.3 All persons hired as law enforcement officers for the Port of Pasco Police Department shall be commissioned as police officers for the Port of Pasco prior to being assigned to law enforcement duties.

*Oath of Office. Prior to assuming a police commission, persons hired for a position that requires a commission will take an oath of office to enforce and uphold the laws of the Constitution of the United States and the State of Washington, and the ordinances of the Port of Pasco, before the Chief of Police or a designee.

1.1.4 A Port of Pasco Police Commission may be issued to any department member of the Port of Pasco who, by virtue of training and/or experience, is certified as a Peace Officer by the Washington State Criminal Justice Training Commission (CJTC) or it's designee in the field of law enforcement and whose duties are police related.

1.1.5 Limited police commissions will only be issued in compliance with current CJTC requirements and Washington State law(s), and upon approval of the Police Chief. These commissions will confer limited enforcement capabilities and will only be valid while on official duty and for the duration of the department member's assignment to that position.

1.1.6 Police commissions from other law enforcement agencies may be issued to Port of Pasco police officers, when necessary or desirable. No officer may accept a commission from another agency without prior notice and permission from the Chief of Police.

a de-escalation tactic. De-escalation tactics are detailed in the section “De-escalation.”

- (5) **Feasible:** reasonably capable of being done or carried out to achieve the arrest or lawful objective without increasing risk of harm to the officer or another person.
- (6) **Flight:** an act or instance of running away in an effort to leave and intentionally evade law enforcement.
- (7) **Immediate threat of serious bodily injury or death:** based on the totality of the circumstances, it is objectively reasonable to believe that a person has the present and apparent ability, opportunity, and intent to immediately cause death or serious body injury to the peace officer or another person. (RCW 10.120.020 [2022 c 80 §3]).
- (8) **Law enforcement agency:** includes any “general authority Washington law enforcement agency” and any “limited authority Washington law enforcement agency” as defined by RCW 10.93.020.
- (9) **Less lethal alternatives:** include, but are not limited to, verbal warnings, de-escalation tactics, conducted energy weapons, devices that deploy oleoresin capsicum, batons, and beanbag rounds. (RCW 10.120.010).
- (10) **Necessary:** under the totality of the circumstances, a reasonably effective alternative to the use of physical force or deadly force does not appear to exist, and the type and amount of physical force or deadly force used is a reasonable and proportional response, to effect the legal purpose intended or to protect against the threat posed to the officer or others. (RCW 10.120.010 [2022 c 80 §2]).
- (11) **Neck restraint:** any vascular compression or similar restraint, hold, or other tactic in which pressure is applied to the neck for the purpose of constricting blood flow. (RCW 10.116.020).
- (12) **Peace officer:** includes any “general authority Washington peace officer,” “limited authority Washington peace officer,” and “specially commissioned Washington peace officer” as those terms are defined in RCW 10.93.020. “Peace officer” does not include any corrections officer or other employee of a jail, correctional, or detention facility, but does include any community corrections officer. (RCW 10.120.010). Peace officers are referred to as officers in this policy.
- (13) **Physical force:** any act reasonably likely to cause physical pain or injury or any other act exerted upon a person’s body to compel, control, constrain, or restrain the person’s movement. Physical force does not include pat-downs, incidental touching, verbal commands, or compliant handcuffing where there is no physical pain or injury. (RCW 10.120.010).
- (14) **Projectile Impact Weapon:** a less lethal weapon that fires projectiles such as 40mm sponge or foam rounds, Pepper Ball or similar projectile, blast balls, or bean bags designed to temporarily incapacitate a person.

- (a) Immediately approaching a person without proper evaluation of the situation;
- (b) Leaving insufficient space between an officer and the person;
- (c) Not providing time for a person to comply with commands; or
- (d) Unnecessarily escalating a situation.

De-Escalation

Core Principle: Duty to De-Escalate

When possible, officers shall use all available and appropriate de-escalation tactics prior to using physical force. (RCW 10.120.020 [2022 c 4 §3]).

- (1) Depending on the circumstances, officers have a number of de-escalation tactics to choose from, which include, but are not limited to:
 - (a) Employing tactical positioning and repositioning to maintain the benefit of distance and cover, such as backing away from the person to re-assess and determine which tactics to use;
 - (b) Placing barriers or using existing structures to provide a shield or other protection between officers and a person;
 - (c) Attempting to slow down or stabilize the situation to allow for the consideration and arrival of additional resources that may increase the likelihood of a safe resolution;
 - (d) Requesting and using available support and resources, such as a crisis intervention team, a designated crisis responder, other behavioral health providers, or back-up officers, including more experienced officers or supervisors;
 - (e) Using clear instructions and verbal persuasion;
 - (f) Employing verbal and non-verbal communication techniques to calm a person (such as, speaking slowly, regulating tone and body language, uncrossing one's arms, minimizing hand gestures, and reducing bright, flashing lights and sirens);
 - (g) Attempting to communicate in non-verbal ways when verbal instructions would be inadequate (such as, when the person and officer speak different languages, or the person is unable to hear or understand instructions);
 - (h) Communicating in a way that demonstrates respect for people's dignity (such as, clearly explaining the officer's actions and expectations; listening to the person's questions and concerns and responding respectfully; and being neutral and fair when making decisions);
 - (i) When there are multiple officers, designating one officer to communicate in order to avoid competing or confusing commands; or

- (e) Is experiencing perceptual or cognitive impairments typically related to the use of alcohol, narcotics, hallucinogens, or other drugs;
- (f) Is suicidal;
- (g) Has limited English proficiency; or
- (h) Is in the presence of children. (RCW 10.120.020).

- (3) Terminate the use of physical force as soon as the necessity for such force ends. (RCW 10.120.020).

Use of Physical Force Shall be Necessary and for a Lawful Purpose

Core Principle: Use Only the Least Amount of Force Necessary to Safely Achieve a Legitimate Law Enforcement Objective Under the Circumstances. (RCW 10.120.020).

Law enforcement encounters rapidly evolve and are not static. Thus, officers must continuously assess the necessity and effectiveness of their actions, including their tactical positioning, to decrease the likelihood of needing to use physical force.

- (1) For physical force to be necessary, a reasonably effective alternative does not appear to exist, and the use of force must be a reasonable and proportional response to affect the legal purpose intended or to protect against the threat posed to the officer or others.
 - (a) Reasonableness shall be evaluated based on the totality of circumstances known to the officer leading up to, and at the time of, the use of physical force, including the immediacy of the threat, the actions of the person against whom force is used, the actions of the officer, and the seriousness of the law enforcement purpose. Determining whether physical force is reasonable includes assessing whether the officer made tactical decisions to minimize unnecessary risk to themselves and others, used all available and appropriate de-escalation tactics, when possible, prior to using physical force, and exercised reasonable care when using physical force.
 - (b) Proportionality shall be evaluated based on whether the use of physical force corresponds to the immediacy and severity of the threat or resistance the officer encounters at the time force is applied, as well as the seriousness of the law enforcement objective that is being served. The threat or resistance may change over the course of the incident. Proportional force does not require officers to use the same type or amount of physical force as the subject. The more immediate the threat and the more likely that the

Identification, Warning & Opportunity to Comply Prior to the Use of Physical Force

When safe and feasible, prior to the use of physical force, officers shall:

- (1) Identify themselves as law enforcement officers;
- (2) Attempt to determine whether the person has a special need, mental condition, physical limitation, developmental disability, language barrier, or other factor that may impact their ability to understand and comply with officer commands;
- (3) Provide clear instructions and warnings;
- (4) Warn a person that physical force will be used unless their resistance ceases; and
- (5) Give the person a reasonable opportunity to comply with the warning that physical force may be used.

Use of Chokeholds and Neck Restraints Prohibited

A peace officer may not use a chokehold or neck restraint on another person in the course of his or her duties as a peace officer. (RCW 10.116.020).¹

Action in Response to Wrongdoing

Core Principles: Duty to Intervene and Duty to Report Wrongdoing (RCW 10.93.190).

Any identifiable on-duty officer who witnesses another officer engaging or attempting to engage in the use of excessive force against another person shall intervene when in a position to do so to end the use of excessive force or attempted use of excessive force, or to prevent the further use of excessive force.

Any identifiable on-duty officer who witnesses any wrongdoing committed by another officer or has a good faith reasonable belief that another peace officer committed wrongdoing, shall report such wrongdoing to the witnessing officer's supervisor or other supervisory officer in accordance with the witnessing officer's employing agency's policies and procedures for reporting such acts committed by an officer. (See also Washington State Criminal Justice Training Commission's (CJTC) Duty to Intervene Model Policy.)

- (e) If the Safety Officer becomes aware of an issue with the person's breathing, color, or any impairment, they shall inform the ranking officer.
 - (f) Do not transport a restrained person in the prone position.
- (2) Officers must provide or facilitate first aid specific to particular force tools.
- (a) Oleoresin Capsicum (OC) spray: At the earliest safe opportunity at a scene controlled by law enforcement, an officer shall take action to address the effects of the OC by flushing the person's eyes out with clean water and ventilating with fresh air, if possible.
 - (b) Electronic Control Weapon (ECW): At the earliest safe opportunity at a scene controlled by law enforcement, officers shall remove ECW probes, unless probes are in a sensitive area, such as the head, breast, or groin.
 - (i) Probes in sensitive areas shall be removed by an EMT, paramedic or other health care professional.
 - (ii) ECW probes should be treated as a biohazard.

Types of Force

Core Principle: Use the Least Amount of Physical Force Necessary to Overcome Resistance Under the Circumstances. (RCW 10.120.020).

Core Principle: Use Deadly Force Only When Necessary to Protect Against an Immediate Threat of Serious Physical Injury or Death. (RCW 10.120.020 [2022 c 80 §3 and 2022 c 4 §3]).

Officers are not required to exhaust one type of force before moving to greater force.

- (1) Lower Level Physical Force: This type of force is not intended to and has a low probability of causing injury, but may cause momentary discomfort or pain. Depending on the circumstances, including the characteristics and conditions of the person, lower level force options may include:
- (a) Techniques to direct movement (e.g., push back, escort, lift, carry);
 - (b) Control holds (e.g., wrist locks, finger locks, joint manipulation);
 - (c) Open hand techniques;

Select Force Tools

Core Principle: Whenever Possible, Use Available and Appropriate Less Lethal Alternatives Before Using Deadly Force. (RCW 10.120.020).

- (1) The agency must make less lethal alternatives reasonably available for officers' use. (RCW 10.120.020 [2022 c 4 §3]).
- (2) Officers shall use all tools in accordance with training and the equipment manufacturer's instructions.

Oleoresin Capsicum (OC) Spray

- (1) OC is an inflammatory agent that causes an intense burning sensation of the eyes, nose, mouth, and skin, which may result in closing, tearing and swelling of the eyes, as well as choking, gagging, and gasping for breath.
- (2) After the initial application of OC spray, each subsequent application must also be justified.
- (3) OC spray is not appropriate in an enclosed, highly populated space where there is a likelihood of impacting uninvolved persons, except where OC spray is the only available and appropriate force option. Officers deploying OC will attempt to avoid or minimize incidental exposure to non-involved persons.

Impact Weapons

- (1) Agency-issued and authorized impact weapons typically include batons.
- (2) Officers shall not intentionally strike vital areas, including the head, neck, face, throat, spine, groin, or kidney unless deadly force is authorized.
- (3) Officers shall not use an impact weapon to intimidate a person when an impact weapon warning is not justified by the threat presented.
- (4) Officers shall reassess the effectiveness of impact weapon strikes as soon as safe and feasible, and if not effective, move to another appropriate target or to another tactical or physical force option.

Projectile Impact Weapons (also known as Extended Range Impact Weapons)

- (1) A Projectile Impact Weapon (PIW) fires less-lethal ammunition and is designed to stun, temporarily incapacitate, or cause temporary discomfort to a person without penetrating the person's body.

- (c) Officers should target areas that do not include the head, neck, chest, or genitals.
- (d) Officers should not intentionally deploy multiple ECWs at the same person, unless the first deployed weapon clearly fails.
- (e) Officers should be aware that the primary use of an ECW is not as a pain compliance tool. Drive-stun mode should only be used when necessary to complete the incapacitation circuit where only one probe has attached to the person, where both probes attached in close proximity, or when no other less lethal options are available and appropriate.
- (f) Officers should be aware that multiple applications of the ECW increase the risk of serious bodily injury or death.
- (g) An ECW shall be used for one standard discharge cycle of five seconds or less, after which the officer shall reassess the situation. An officer shall use only the minimum number of cycles necessary to control the person.
- (h) Officers will assume that if they have used an ECW three times against a person and the person continues to aggress, the ECW may not be effective against that person and the officer shall consider other options.
- (i) Officers must be able to clearly articulate and document the justification for each individual application of the ECW.

(4) Restricted Uses. An ECW should not be used in the following circumstances:

- (a) On a person who is fleeing the scene, absent other factors.
- (b) On a person who is handcuffed or otherwise restrained unless deadly force is authorized.
- (c) On a person who is situated on an elevated surface (e.g., a ledge, scaffold, near a precipice, etc.) unless reasonable efforts have been made to prevent or minimize a fall-related injury (e.g., deploying a safety net).
- (d) On an operator in physical control of a vehicle in motion, including automobiles, trucks, motorcycles, ATVs, bicycles, and scooters unless deadly force is authorized.
- (e) In any environment where an officer knows or has reason to believe that a potentially flammable, volatile, or explosive material is present that might be ignited by an open spark, including but not limited to OC spray with a volatile propellant, gasoline, natural gas, or propane.

- (iii) Officers shall not shoot at any part of a vehicle in an attempt to disable the vehicle.
- (iv) Officers shall not discharge a firearm from a moving vehicle, unless a person is immediately threatening the officer or another person with deadly force.

(7) Prohibited Uses. Officers shall not use a firearm in the following circumstances:

- (a) When it appears likely that an innocent person may be injured.
- (b) Firing a “warning shot.”
- (c) Discharging or pointing a firearm at a person who presents a danger only to themselves and does not have the apparent ability, opportunity, and intent to immediately cause death or serious bodily injury to the officer or another person.
- (d) Discharging or pointing a firearm at a person who presents a danger only to property and does not have the apparent opportunity or intent to immediately cause death or serious bodily injury to the officer or another person.

Select Restraint Devices

Because restraint devices are designed to compel, control, constrain, or restrain a person’s movement, use of these devices is physical force and all considerations governing uses of physical force detailed in this policy apply to their use.

- (1) A spit guard (sometimes referred to as “spit hood,” “spit mask,” or “spit sock,”) is a woven mesh device which can be placed over a person’s head and face with the intent of preventing or reducing the transmission of infectious disease through saliva, mucous, and blood.
- (2) Standard of Use:
 - (a) An officer may apply a spit guard when lawfully restraining or attempting to restrain an individual who is spitting or biting.
 - (b) Officers applying spit guards must ensure that the spit guard is fastened properly according to the manufacturer’s instructions to allow for adequate ventilation so that the restrained person can breathe normally.
 - (c) Only officers who have successfully completed agency-approved training on application of a spit guard are authorized to use one.
 - (d) Officers shall only use agency-issued spit guards.

- (5) Officers shall monitor individuals who have been placed in a hobble restraint and take immediate action, if necessary, to protect the person's health and safety.
- (6) Officers shall discontinue use of a hobble restraint once the necessity for its use ceases.

Training

- (1) All officers and supervisors shall receive training consistent with this policy at least annually. Training should:
 - (a) Be a combination of classroom and scenario-based learning,
 - (b) Include community partners, when relevant and feasible,
 - (c) Incorporate cultural competency to understand disproportionately impacted communities, and how racialized experiences of policing and the criminal justice system may impact interactions with police.
- (2) This policy should be incorporated into defensive tactics curricula.

1.2.1 Officers should employ only that amount of force which is reasonable and necessary to complete the lawful objective intended or assume control over any given situation. Deadly force will only be used when the officer reasonably believes that:

- a. Deadly force is necessary to prevent imminent death or serious bodily harm to themselves or another person.
- b. Deadly force is necessary to prevent escape as provided for under Washington State Law.
- c. The person being arrested has used deadly force in the commission of a crime.
- d. The person being arrested is reasonably thought to be intent on endangering human life or upon inflicting serious bodily harm unless arrested without delay, and the officer reasonably believes he has the means to do so.

1.2.2 Whenever an officer must employ an amount of force capable of causing injury while completing an arrest, overcoming resistance, or controlling a dangerous situation, the officer shall promptly submit a written report and Use of Force Report on the incident. The same requirement applies if an incident in which force is used results in actual injury.

- 1.2.11 Officers shall not fire from a moving vehicle and/or generally at moving vehicles unless absolutely necessary in self-defense or, in defense of others against the suspect's use of deadly force.
- 1.2.12 The discharge of warning shots is prohibited, as well as firing into a building or through doors unless the officer has made proper target identification and is being fired upon. The officer will not fire when there is any substantial danger to innocent bystanders. In addition, deadly force must not be used unless the officer has exhausted all other means, noted above, to resolve the confrontation and first gives a verbal warning to the suspect, if circumstances allow.
- 1.2.13 Special weapons such as, but not limited to; sniper rifles, automatic weapons, explosives, tear gas (other than pepper spray and Taser) may be employed only in accordance with current Washington State Laws.
- 1.2.14 It is the duty of the Chief or his designee to see that only the weapons authorized by this department are carried by department members under their supervision.
- 1.2.15 All sworn personnel will receive training from the department Firearm's Instructor or Range Officer prior to being authorized to carry any firearm for duty. These same individuals will receive and demonstrate an understanding of the department Use of Force Policy and related directives before being authorized to carry any weapon.

1.3 NON LETHAL WEAPONS

- 1.3.1 Officers of the Port of Pasco Police Department may carry non-lethal weapons while on duty. These weapons are restricted to those that have been authorized for use by this department. Officers are further restricted to those weapons that each individual has been instructed in and trained to use.
- 1.3.2 Officers are not authorized to carry non-lethal weapons off duty and will not use departmental equipment without prior permission from the Chief of Police nor in any enforcement function not authorized by this department.
- 1.3.3 **Carotid Submission Hold.** Carotid Submission holds will be considered potentially lethal. Because of this, they will not be used.

The Advanced TASER is not intended to be utilized in deadly force situations. When available, officers should utilize a second backup officer prior to advance TASER deployment.

Considerations when deploying Advanced TASER:

1. A subject is threatening himself, an officer or another person with physical force and other means of controlling the subject have failed to de-escalate the situation, are unreasonable, or could cause injury to the officer(s), subject(s), or others.
2. In cases where officer/subject factors indicate the officer(s), offender(s), or others would be endangered by the use of physical force.
3. Other means of force have been ineffective, and the threat still exists to the officer(s), subject(s) or others.
4. The Advanced TASER can ignite flammable liquids and should not be deployed at subjects who have come in contact with flammables or in environments where flammables are obviously present.
5. Officers should use caution and give additional consideration when deploying the Advanced TASER under circumstances where the offender(s) is in an elevated position and where a fall could cause substantial injury or death.

AFTER DEPLOYMENT:

Immediate action should be taken to care for the injured, to apprehend any suspects and to protect the scene. Once the suspect is safely in custody or becomes compliant, the Advanced TASER should be turned off.

The Advanced TASER will be secured at all times during deployment and will not be left unattended for any reason.

Medics will be called to the scene to assess the subject. If the exam or medics indicated that the subject needs further medical treatment, the subject will be transported to the hospital. Medical treatment will not be denied for anyone who requests it. Officers may remove probes from areas not designated as sensitive.

Officers will provide the necessary first aid.

Medical personnel will remove probes from all sensitive areas including the face, neck, groin, and breast.

3. When encountering subjects wearing heavy or loose clothing on the upper body, the legs should be considered as a target.
4. Attempt to avoid hitting the subject in sensitive tissue areas such as head, face, neck, groin, or female breast area. Probes penetrating these areas will be removed by medical personnel at a medical facility.
5. Ensures the probes are removed from the subject's skin by a TASER® certified officer.
6. Use of the "Drive Stun" is discouraged except in situations where the "probe" deployment is not possible and the immediate application of the "Drive Stun" will bring a subject displaying active, aggressive or aggravated aggressive resistance safely under control. Multiple "Drive Stuns" are discouraged and must be justified and articulated on the Use of Force form. If initial application is ineffective, officer will reassess situation and consider other available options.
7. Notifies transport officer, at the time of transfer, that the subject has been struck with TASER® probes or received a drive stun. An examination will be conducted by a TASER® certified officer to determine whether the individual has suffered any injury, either directly from the TASER® discharge or indirectly, such as by falling after incapacitation.
8. Makes notification to immediate supervisor whenever the TASER® has been used. This is to include any accidental discharge of the TASER.

Communications:

9. Makes notifications as requested.

Immediate Supervisor:

10. Notifies the Chief of Police and/or his designee when a TASER® has been used.
11. Ensures photographs are taken of the site of the probe impacts and any related injuries and attached to the Use of Force Report.

Chief of Police and/or Designee:

12. Responds to the scene if serious bodily injury resulted from the use of the TASER®, or as other circumstances dictate.

POST-DEPLOYMENT

Police Officer:

1. Handles the probes the same as contaminated needles and sharps in accordance with department biohazard disposal procedures. Impounds all probes removed at a medical facility, and places used/spent cartridge(s) of the TASER® into evidence/property.

suspect, the officer, or another. The agent will not be used inside the terminal under any circumstances, unless there is no other alternative.

- 1.3.10 The officer delivering the agent shall have decided, prior to using the product, that the intended recipient is to be taken into custody for a criminal offense, and all other means of de-escalation have failed, and that there is no other means available to achieve the lawful purpose intended.
- 1.3.11 OC may be used at any distance less than 10 feet. The spray should be directed toward the subject's eyes, nose, and mouth. Animals can be effectively subdued with a short burst in the eyes, nose, and mouth.
- 1.3.12 In all cases where OC is used, the officer discharging the device shall complete a Use of Force Report, concerning the circumstances relating to its use. Documentation of the use of OC with the reasons for its use shall also be recorded in the Officer's Incident Report.
- 1.3.13 It is the arresting officer's responsibility to see that proper first aid is administered whenever physical force is applied to a person in custody. After OC has been used, proper first aid is to wash the person's face with clear, cold water. The arresting officer shall immediately notify the transporting officer, that OC has been used on the prisoner and request that his/her face be washed with clear, cold water.
- 1.3.14 Replacement of spent OC cannisters will be made upon receipt of the old one. The Chief or his designee are responsible for periodic inspections of OC devices possessed by personnel within their shift. Theft or loss of OC shall be reported immediately in writing to the Chief.
- 1.3.15 **Handcuffs and Other Restraining Devices.** Officers are authorized to use handcuffs and/or other restraining devices as necessary to prevent the escape of persons in custody and to prevent injury to self and all other persons, following guidelines established by CJTC and current Washington State Law.
- 1.3.16 Officers shall comply with the use of force policy to determine when to use handcuffs and/or restraining devices.
- 1.3.17 All arrested persons being transported to the jail shall be handcuffed in a proper manner. Exceptions to this policy shall include, but are not limited to:
 - a. Severely injured suspects.

- 1.5.2 The required qualification course/format will be left to the discretion of the range officer with the approval of the Police Chief. Officers must qualify with a score of 75 percent or better before they are authorized to carry their primary, back- up or off duty weapons.
- 1.5.3 A range schedule will be posted to inform of hours and days that the range is open.
- 1.5.4 Officers who fail to meet the qualification requirements will be granted a thirty (30) day grace period. Within that 30-day period, the officer must report to the range officer for remedial training and certification.
- 1.5.5 Officers who fail to achieve certification after attending remedial firearms training will be subject to disciplinary action for failure to comply with department policy.
- 1.5.6 A second or backup weapon is authorized, but only after meeting specific department criteria as established by the Chief of Police. Officers who carry a backup weapon in addition to their duty weapon are required to qualify at least once a year with the backup weapon.
- 1.5.7 A department approved handgun (on duty, off duty or backup), intended for official use by any officer must meet the following requirements:
- a. The firearm must be inspected, fired, and certified safe by the range officer.
 - b. The officer must demonstrate his/her safe and proficient use of the weapon during regular firearms qualifications sessions. Failure to do so could result in disciplinary action.
 - c. The officer must meet training requirements with each approved weapon.
- 1.5.8 If an officer chooses to carry an off-duty weapon, police identification and authorized police restraining devices are required. An officer who elects not to carry a weapon while off duty shall not be subjected to disciplinary action if an occasion should arise in which the department member could have taken law enforcement action if armed. Officers will qualify with off duty weapons at least once a year.
- 1.5.9 Any officer that chooses to carry a weapon other than 9mm, .40 or .45 is expected to furnish his/her own ammunition for the qualification course and use of the weapon. The department will furnish duty and practice ammunition for the above-mentioned caliber weapons.

- 1.6.4 The Chief shall submit a report which summarizes his/her findings at the conclusion of the inquiry.
- 1.6.5 When a shooting incident occurs and/or there is a death or injury involved:
- a. After ensuring the incident location is safe, the officer shall immediately determine the physical condition of any injured person and render first aid when appropriate, request medical aid, and notify dispatch of the incident location.
 - b. The officer will remain at the scene (unless injured) until the arrival of the appropriate investigators, or unless directed to do otherwise by the ranking officer at the scene.
 - c. The involved officer will protect his/her weapon for examination and submit it to the appropriate investigator. Upon relinquishing a weapon, and at the discretion of the Chief of Police, the officer will be given a replacement.
 - d. The involved officer will also submit a Use of Force Report in accordance with Section 1.2.2.
- 1.6.6 The officer will provide the on-scene supervisor with a verbal report, prepare either a written or taped report of the incident and complete a Use of Force report. This may be prepared with the assistance of the department and officer's legal counsel if available. The initial report shall be completed before the officer leaves on-duty status, unless otherwise directed by the Chief of Police.

Note: It is recommended that the officer involved state at the beginning of the report, the following:

"This report is prepared, by me, pursuant to departmental requirements and through submission of this report; I do not intend to waive any of my constitutional rights with regard to any possible criminal or civil liability."

been made and the agency has not or cannot respond in a reasonable time.

- 1.8.2 Animals must be destroyed in a safe manner, as humanely as possible and out of the public view, if possible.

1.9 RAMMING WITH A VEHICLE (Not currently in force)

- 1.9.1 The use of a vehicle to make contact with a person or another vehicle, in order to stop a fleeing offender, is considered deadly force by this department. It is the policy of this department that ramming with a vehicle is prohibited unless the criteria of Section 1.2.1 are met.
- 1.9.2 The officer will receive prior approval of a supervisor before taking this type of action.

1.10 ROADBLOCKS

- 1.10.1 Barricading a roadway must be considered as a force likely to result in injury or death. Therefore, this method is not to be used in misdemeanor offenses. If the technique is employed, it will be with prior permission of a supervisor.
- 1.10.2 Under no circumstances will a roadway be barricaded with occupied vehicles.
- 1.10.3 Private vehicles will never be used as a barricade.
- 1.10.4 Due to the extreme hazards and risk of injury to the officer, suspects, and the public, the following methods to stop a fleeing vehicle, should not ordinarily be attempted:
 - a. Attempting to force suspect vehicle from roadway by driving alongside or in front (rolling roadblock).
 - b. Bumping or pushing a vehicle in an effort to force it from the road.

1.11 CONTINUUM OF RESISTANCE

- 1.11.1 Continuum of resistance is an officer's response to a precipitous act by a suspect, which is any action by the suspect provoking a trained police response.
- 1.11.2 The Continuum of resistance is categorized into the Officers' perceptions of the violator's actions and six response sections:

- 1.12.6 Officers shall treat every person with courtesy and respect. An officer shall provide his/her name, unit number and reason for a stop whenever requested.
- 1.12.7 Supervisors shall ensure that officers follow the policies and procedures outlined in this policy. An on-duty supervisor shall promptly respond to an incident when advised that a person is making a complaint or alleging improper conduct.
- 1.12.8 This Order is for department use only, and does not apply in any criminal or civil proceedings. This order should not be construed as a creation of a higher legal standard of safety of care in an evidentiary sense with respect to third party claims.

1.13 SEARCH WITHOUT WARRANT

- 1.13.1 Agency personnel should be familiar with situations where a search without a warrant is necessary. Included in warrantless searches are:
 - a. By consent, with appropriate Ferrier warning
 - b. Stop and frisk; only for officer safety, with articulable reasonable suspicion of criminal activity.
 - c. Exigent circumstances
 - d. Inventory searches
 - e. Situations authorized by State and Federal constitutional provisions