

Alexandria Police Department

Directive 10.32



USE OF FORCE

Effective Date:	09-23-2009			
Updated Date:	07-09-2014	Section(s):		SME Review Date:
Updated Date:	01-30-2015	Section(s):	10.32.04D	2024
Updated Date:	03-21-2016	Section(s):	10.32.03E	
Updated Date:	04-24-2020	Section(s):		
Updated Date:	06-17-2020	Section(s):		

CONTENTS

10.32.01	POLICY AND PURPOSE
10.32.02	DEFINITIONS
10.32.03	WEAPONS ISSUANCE AND TRAINING
10.32.04	USE OF LETHAL FORCE
10.32.05	USE OF LESS LETHAL AND NON-LETHAL FORCE
10.32.06	USE OF VEHICLES/VEHICLE STOPS
10.32.07	POSITIONAL ASPHYXIA
10.32.08	REPORTING
10.32.09	LETHAL FORCE INVESTIGATION
10.32.10	DUTY TO INTERVENE/DUTY TO RENDER AID
10.32.11	ADMINISTRATIVE ASSIGNMENT

10.32.01 POLICY AND PURPOSE

This Department's policy and primary value is the preservation of human life. Sworn and appointed law enforcement personnel are responsible to protect life and property and to apprehend criminal offenders, but the protection of life (including the employee's) must always take priority. It is the policy of this Department to only use the force necessary to accomplish lawful objectives.

[4.1.1]

The purpose of this directive is to establish our policy on the use of force and to guide employees in the authorized use of lethal, less lethal, and non-lethal weapons in the performance of their duties.

Personnel should refer to Graham v. Connor factors when evaluating appropriate force options with the understanding that the following factors are not mutually exclusive:

1. The severity of the crime in question;

- Whether the subject poses an immediate threat to the safety of the officer or others; and
- 3. Whether the subject is actively resisting arrest or detention or is attempting to evade arrest or detention by flight.

10.32.02 DEFINITIONS

Appointed Law Enforcement Personnel:

- Hack Inspectors are special conservators of the peace as defined in Alexandria
 City Code, with authority to enforce the taxicab regulations of the City of
 Alexandria, anywhere in the city and at National Airport. Hack inspectors will
 carry the side arm and any other authorized weapons while on duty and may use
 these weapons as required for the completion of their assigned duties.
- Special Police Officers (SPOs) are authorized under Code of Virginia as conservators of the peace while on duty and on the property of the Alexandria Police Department and the adjacent building, grounds and parking areas. While on duty, SPOs may carry authorized side arms and other weapons, and may use these weapons as required for the completion of their assigned duties. SPOs may make arrests with or without warrants, as provided in the Code of Virginia.

<u>Conducted Energy Weapon (CEW)</u> – Electronic devices designed to use propelled probes or direct contact to conduct electrical charge to affect the motor and sensory nervous systems

Employee - A generic, all-inclusive term, which may denote anyone, in any capacity, employed by the Department.

<u>Firearm</u> - Any weapon from which a projectile is forcibly ejected by an explosive, gas or spring device.

<u>Hobble</u> - A supplemental restraint system using a one-inch wide webbed belting designed to be used in various situations to secure the legs and ankles of a subject.

<u>Impact-Weapon</u> – The Monadnock Expandable Baton and the DMS 24 inch Public Order Baton are the only authorized and approved impact weapon for use by sworn members of this Department.

<u>Less-Lethal Force</u> - Is that force which is neither likely nor intended to result in serious physical injury or death, when properly used.

<u>Lethal (formerly called "Deadly") Force</u> - Use of a firearm or any other force in a manner that may likely cause serious physical injury or death. [4.1.2]

<u>Limited-Enforcement Personnel</u> - Employees who have been granted restricted authority under city and/or state code to enforce certain laws or ordinances. Parking enforcement officers, tag enforcement officers and animal control officers fall within this category and may enforce only those laws or ordinances specified within their job descriptions. Limited enforcement personnel are authorized to carry OC spray for defensive use only. All provisions of this directive apply to any such use.

<u>Miscellaneous Weapons</u> – An improvised weapon, such as a clipboard, flashlight, pen, portable radio, etc., used only when time or circumstance does not allow for the use of an approved weapon.

<u>Non-Lethal (formerly called "Non-Deadly") Force</u> – The use of physical force or any weapon other than a firearm in a manner neither likely nor intended to cause serious physical injury or death.

Non-Sworn Personnel - Employees who have no law-enforcement authority.

<u>Oleoresin Capsicum</u> (OC) - An inflammatory substance naturally occurring in cayenne peppers (genus capsicum). It is the active ingredient in OC spray dispensers.

<u>PepperBall Launcher</u> - A less-lethal weapon that fires a projectile containing OC liquid or powder with the intention to subdue or render a subject non-threatening, and which is neither likely nor intended to cause serious physical injury or death.

<u>Police Officers</u> - Sworn personnel who have taken an oath of office to uphold all laws of the United States, the Commonwealth, and the City. Police officers have the full authority granted to law enforcement officers in the Code of Virginia, both on and off duty, may carry authorized lethal, less lethal and non-lethal weapons, and may use such weapons as required for the completion of their assigned duties.

<u>Positional Asphyxia</u> - a condition which may be caused or exacerbated by stress owing to the position of the body, with the stress influencing or inhibiting respiration.

<u>Reasonable Belief</u> - When facts or circumstances a sworn or appointed law enforcement officer knows, or should know, are such as to cause a reasonable sworn or appointed law enforcement officer to act or think in a similar way under similar circumstances.

[4.1.2]

<u>Less-lethal munition (LLM)</u> - A weapon that fires a projectile with the intention to subdue or render a subject non-threatening, and which is neither likely nor intended to cause serious physical injury or death.

<u>Serious Physical Injury</u> - An injury which creates a substantial risk of death, or which causes death or serious and protracted disfigurement, or impairment of the function of any bodily organ or limb.

[4.1.2]

<u>Side arm</u> – The issued handgun usually worn at the waist, but which may be carried at other locations on the body.

Spit Sock – Personal protective equipment consisting of a mesh netting that fits over the head of an arrested person to prevent the transfer of saliva from one person to another.

<u>Sworn Personnel</u> - Police officers who have taken an oath of office to uphold all laws of the United States, the commonwealth and the city. Also see the definition of police officer.

<u>Violent Prisoner Restraint Device</u> – A supplemental restraint system designed to be used in conjunction with the Hobble used to control the upper body of a prisoner during transport, limiting the ability of that prisoner to injure themselves or others during or after transport.

<u>Weaponless physical force</u> - physical control exerted over a person through the use of authorized physical control techniques, i.e., open hand, closed hand, or pain compliance.

10.32.03 WEAPONS ISSUANCE AND TRAINING

- A. Employees are authorized to carry and use on duty only ammunition and firearms that have been approved by the range officer, and only those non-lethal weapons approved by a certified defensive tactics instructor. In addition to the approval just mentioned, all weapons must be specifically authorized for each individual employee by the Chief of Police. Specific descriptions of these weapons and ammunition may be found in the Police Directives on Weapons in chapter 7.0; and 6.3, Uniforms, Appearance and Care of Equipment. All firearms will be inspected by a certified weapons instructor or armorer before issuance. Unsafe weapons will be removed from service. A record of all lethal, less lethal and non-lethal weapons issued to each employee will be maintained in the Property Section. Non-issued weapons may be carried on duty only after approval by the range officer and authorization from the Chief of Police.

 [4.3.1c, e]
- **B.** All personnel other than police officers (see definition at 10.32.02) are prohibited from carrying issued lethal, less-lethal and non-lethal weapons while off duty and are prohibited from carrying non-issued weapons on Police Department property, in police vehicles, or while conducting Department business at any time. This includes firearms for which employees may have concealed weapon permits from Virginia or any other jurisdiction.
- C. Employees must have been issued Police Directives 10.32 Use of Force and 7.2, OC Spray (sworn, appointed and limited enforcement personnel); and 7.1 Firearms, 7.3 Impact Weapons, 7.4 LLM, and 7.5 PepperBall Launcher (sworn and appointed personnel); and must have received the recognized courses of instruction or training on those directives and policies before any lethal, less-lethal or non-lethal weapons are carried or used in accordance with this policy. Records of such issuance and training will be kept in the appropriate files in the Property Unit and Training and Development Section respectively. [4.1.4] [4.3.4]

- D. All personnel approved to carry weapons must demonstrate proficiency in the use of agency-authorized lethal, less-lethal and non-lethal weapons before being authorized to carry such weapons. Such demonstrations of proficiency will be coordinated by the Personnel Section in cooperation with operational commanders, the range officer and the defensive tactics coordinator, and may be accomplished in conjunction with the training required in section C above. [4.1.4] [4.3.2]
- E. At least annually, all personnel approved to carry weapons will receive in-service training on the agency's use of force policies and demonstrate proficiency with all approved lethal weapons, conducted energy weapons and the less lethal munitions (LLM) that the employee is authorized to use. In-service training for other less lethal weapons and weaponless control techniques shall occur at least biennially. In addition:

 [4.3.2] [4.3.4]
 - 1. Proficiency training must be monitored by a certified weapons instructor; [4.3.3a]
 - 2. Training and proficiency must be documented; and [4.3.3b]
 - Employees who are unable to demonstrate proficiency with a weapon are not authorized to return to duty with that weapon until such time as proficiency is demonstrated and documented. [4.3.3c]
 - Procedures for remedial training, for those sworn and appointed officers who are unable to qualify with an authorized firearm are found in Police **Directive 7.1**, **Firearms**. Documentation will be included in the regular reports on firearms training submitted by the range officer. [4.3.3c]

10.32.04 USE OF LETHAL FORCE

[1.2.2]

A. The use of lethal force is justified only when:

[4.1.2] [4.3.4]

- The employee reasonably believes that the action is in defense of human life, including the employee's own life, or in the defense of any person in imminent danger of serious physical injury, or
- 2. To apprehend or prevent the escape of a fleeing felon only when and if all the following conditions are met:
 - a. The employee has probable cause to believe that a serious violent felony has been committed and the person to be arrested has committed it; and
 - The employee has identified himself or herself as a police officer or law enforcement personnel and given notice of the intention to arrest (time and circumstances permitting); and

- The employee reasonably believes that the person whose arrest is sought will
 cause death or serious physical injury to the employee or others if
 apprehension is delayed;
- d. The employee has exhausted all other reasonable means of apprehension; and
- e. The employee has taken all reasonable precautions to ensure that innocent persons will not be endangered by the use of lethal force.
- 3. To destroy animals that are seriously injured, suffering, or dangerous when no other disposition is reasonably practical.
 - a. A supervisor's prior approval should be sought when practical.
 - b. When an officer destroys an animal, the carcass will be turned over to the Animal Shelter. The Animal Shelter is responsible for ensuring that it is tested for rabies and distemper, when appropriate, and notifying the officer of the results.
 - c. Notify the Office of External Affairs and Professional Responsibility that an animal was destroyed with a firearm.
- **B.** All due care will be used to prevent injury to citizens. Warning shots will not be fired for any reason. [4.1.3]
- **C.** Shooting at or from a moving vehicle is prohibited, except as a last resort in the most extreme and exceptional circumstances when required to avoid immediate and clearly foreseeable danger of death or serious injury to the employee or citizen(s).

As in any case in which lethal force is used, the safety of innocent persons is of paramount importance and the employee's actions shall not unreasonably jeopardize the safety of such persons. Further, employees must consider the following factors in determining whether shooting at or from a moving vehicle is justified under the foregoing standard:

- 1. An occupant of the target vehicle is using or threatening to use lethal force by a means other than the vehicle.
- 2. The target vehicle is being operated in a manner deliberately intended to strike an employee or a citizen.
- 3. All other reasonable means of defense (including taking cover or moving out of the path of the vehicle or taking other evasive action) have been exhausted, are not practical or are not present.

Employees should also be aware and cognizant of the following factors when making decisions on shooting at or from moving vehicles:

- Bullets fired at a moving vehicle are unlikely to stop or disable the vehicle.
- Bullets may ricochet off glass or metal and cause injury to employees or other citizens.
- The vehicle may crash and cause injury to others if the bullets disable the driver.
- Shooting at or from a moving vehicle is extremely difficult, greatly reducing the likelihood of striking the intended target.

D. Controlled, Directed Fire:

- 1. Controlled, directed fire is controlled and deliberate targeted fire at an active lethal threat to enable officers to advance to and stop a lethal threat.
- 2. Controlled, directed fire may be used only under the following conditions:
 - a. To protect citizens and/or officers when there is an immediate danger to human life from indiscriminate shooting from a subject.
 - b. To cover the movement of an officer or element that is moving to a tactical location during an active shooter or coordinated assault incident.
 - c. To cover the retreat of officers or civilians when met with overwhelming gunfire from automatic gun fire or multiple shooters.
 - d. When the officer reasonably believes that the area targeted is where a lethal threat is located.
 - e. When the officer reasonably believes that the area in which he/she is firing is capable of accepting and/or defeating the round. [1.2.2]

10.32.05 USE OF LESS-LETHAL AND NON-LETHAL FORCE

[1.2.2]

A. Use of less-lethal and non-lethal force is justified when employees only use the force necessary to accomplish lawful objectives. The decision on what level of force to use should be made based on the resistance by the person and weapons possessed by the person. Employees must always hold a position of advantage over resistive persons but should escalate or de-escalate the use of force in response to the actions of the other person(s).

[4.1.1] [4.1.4] [4.3.4]

- B. When possible, force should be used to maintain a position of advantage in response to opposing force (i.e. physical presence, verbal commands, use of OC, physical control holds, use of an impact weapon, miscellaneous weapons, and as a final option, lethal force). There are occasions when an employee may be required to defend against an attack with whatever is available; to include items not normally considered weapons. These items, while not encouraged, shall not be prima facie evidence of inappropriate use of force.

 [4.1.4] [4.3.4]
- C. The potential for causing death or serious injury with less-lethal or non-lethal weapons is a reality. This potential is greatly reduced when impacts to the head and neck are avoided. When using impact weapons and less-lethal munitions, employees will be aware of the below contact areas, which are based on the potential for injury to the human body.
 - Green areas: the extremities (arms, hands, legs and feet); these areas will be considered when incapacitation is necessary, and a minimal potential for injury is the appropriate response.
 - Yellow areas: joints and the torso; these areas will be considered when an
 escalation of force above the green areas is necessary and appropriate. Impact
 to these areas has an increased potential for serious physical injury.
 - Red areas: the head, neck, spine, solar plexus, and kidney areas; intentional
 impacts to these areas will be avoided unless the use of deadly force is justified,
 necessary and appropriate.
- **D.** The Less-Lethal and Non-Lethal Force options available to properly trained, sworn personnel are:
 - 1. OC Spray Refer to Police Directive 7.2 for procedures regarding OC Spray.
 - 2. PepperBall Launcher Refer to Police Directive 7.5 for procedures regarding PepperBall Launchers.
 - 3. Conducted Energy Weapons Refer to Police Directive 7.6 for procedures regarding CEWs.
 - 4. Less-Lethal Munitions Refer to Police Directive 7.4 for procedures regarding LLM.
 - 5. Impact Weapons Refer to Police Directive 7.3 for procedures regarding Impact Weapons. [4.1.4]
- **E.** Sworn and appointed law enforcement personnel should be aware of the possibility of burn injuries when hot automobile hoods are used to control suspects during arrest and should refrain from doing so except in an emergency. If the situation

- warrants using a body surface of a vehicle to gain control of an arrestee, employees should use the trunk area instead of the hood whenever practical.
- **F**. Weapons of any kind will only be used by trained and authorized personnel.
- **G**. See Police Directive 10-19, K-9 Operations, regarding uses of force by K-9 personnel.
- H. It is the policy of this Department that neck restraints or choke holds will not be used by employees for any reason unless deadly force can be justified. This prohibition on the use of chokeholds shall include those circumstances involving evidence retrieval from suspects.
 [1.3.11.d]

10.32.06 USE OF VEHICLES/VEHICLE STOPS

- **A.** Under certain circumstances, use of a vehicle to attempt to make an arrest may be analogous to use of lethal force. Employees will adhere to all provisions of this directive and the provisions of Police Directive 10.11B, Vehicle Pursuits while deciding when and how to use a vehicle in an arrest situation.
 - 1. In all cases not specifically covered in the directive cited above, officers should be governed by their training and experience.
 - Only police officers that have received training in defensive driving and pursuit vehicle operations are authorized to operate Department vehicles under emergency conditions.
- **B.** Employees are prohibited from using a vehicle to force another vehicle to stop except under extreme circumstances when stopping the moving vehicle is of critical importance to public safety.
 - Fixed roadblocks use of unoccupied City vehicles to deny an oncoming vehicle use of the roadway, may only be done under limited circumstances and with approval from a patrol supervisor or commander (see Police Directive 10.11B.05.D).
 - 2. Employees are prohibited from intentionally initiating contact between two moving vehicles except under extreme circumstances and only if lethal force is justified, necessary and appropriate.
- **C.** While involved in efforts to stop moving vehicles or to immobilize stopped vehicles as described in this section, employees must use extreme caution to protect themselves from potentially armed suspects and to avoid placing themselves in a crossfire situation with other persons.

- **D.** The following procedures will be followed during all vehicle stops, regardless of their nature:
 - 1. Except when conducting routine traffic direction and control duties, employees will not intentionally stand, move or remain in front of, near, or in close proximity to a moving vehicle for any reason.
 - Employees will refrain from reaching into an occupied vehicle in an attempt to immobilize the vehicle because of the potential for the employee to be severely injured as a result of the action.

Specific procedures for all vehicle stops are covered in Police Directive 11.21, Traffic Enforcement. Employees conducting routine traffic enforcement from a stationary location such as radar details or sobriety checkpoints are permitted to signal traffic to stop by briefly entering the roadway at a point not directly in the path of the vehicle they intend to stop and must promptly remove themselves from the roadway, regardless of whether or not the driver appears to be complying with their signal.

10.32.07 POSITIONAL ASPHYXIA

- **A.** Positional asphyxia (see definition at 10.32.02) may cause the death of persons in police custody if safeguards are not observed. Employees should ensure careful monitoring of suspects, especially under the following circumstances, which may be associated with in-custody deaths due to positional asphyxia.
 - 1. Obesity of the suspect.
 - 2. Intoxication caused by drugs or alcohol.
 - 3. Violent or bizarre behavior.
 - 4. Violent struggle requiring restraint in excess of normal handcuffing (i.e. hobbles, Spit Sock, violent prisoner restraint devices, etc.).
 - 5. Unresponsive suspect during or immediately after a struggle.
- **B.** To minimize the risk of positional asphyxia, employees will carefully observe the following safeguards.
 - 1. Monitor in-custody suspects for gurgling, gasping, or unresponsiveness and summon medical assistance if any of these symptoms are present.
 - 2. Avoid leaving suspects positioned so they are lying face down for prolonged periods of time.

- 3. If handcuffs alone are insufficient to reasonably control the suspect, use of the hobbles should be attempted if they are available. It should be noted that there should be little or no asphyxiation issues with the use of the hobbles, since the feet are tethered to the door frame. Only trained, sworn personnel are authorized to use hobbles.
- **C.** If a suspect is restrained in addition to normal handcuffing, employees will:
 - 1. Monitor the suspect carefully.
 - 2. Remove the additional restraints as soon as it can be done safely.
 - 3. Include the following information in the Offense/Incident Report (APD-7:
 - a. Actions taken by the person(s) restrained, including documentation of the level of resistance encountered.
 - b. A description of the restraint that was used and its consequences.
 - c. How long the suspect was restrained.
 - d. How long the suspect was prone (laying face down), if applicable.
 - e. How long transportation of the suspect lasted.
 - f. Identification of any witnesses.
 - g. Any other pertinent details.

10.32.08 REPORTING

A. Employee Responsibilities

- As soon as possible, but certainly within one hour of being involved in any of the circumstances listed below, an employee will notify a supervisor and provide a brief statement of the facts surrounding the use of force.
 - a. When an officer discharges a firearm for other than training or recreational purposes.

[4.2.1,a]

- b. When action taken by the employee results in or is alleged to have resulted in injury or death of another person. [4.2.1,b]
- c. When an employee applies force by means of a K-9, a baton, OC spray, *CEW*, or any other weapon.

[4.2.1,c]

- d. On the complaint of a person that he or she has sustained an injury, or that the use of force by the employee was excessive. [4.2.1,d]
- Whenever weaponless physical control is exerted over a person through the use of authorized physical control techniques, i.e., open hand, closed hand, or pain compliance, it will be recorded in the PD-7 Offense Report. [4.2.1d]

B. <u>Supervisor Responsibilities</u>

- The employee's immediate supervisor or a supervisor on-duty at the time will respond to the scene and investigate all incidents involving use of force by an employee as soon after the incident as possible (preferably at the incident scene).
- 2. If the Use of Force involves a CEW, the investigating supervisor should refer to Police Directive 7.6.04, Conducted Energy Weapons, for the proper collection of evidence and required notifications.
- 3. In order to ensure proper case management, the supervisor will, by the end of their shift, notify the Office of External Affairs and Professional Responsibility (OEAPR) via email that they have initiated a use of force investigation. Upon receiving this notification, OEAPR will open the investigation in Blue Team, assign the event an OEAPR case number, and forward it to the investigating supervisor in Blue Team.
- 4. The investigating supervisor will obtain a written or recorded statement from the involved employee. The statement will include the following information:
 - a. Actions taken by the person(s), against whom force was used, including documentation of the level of resistance encountered.
 - b. Actions taken by the employee, including the nature of force used and its consequences.
 - c. Injuries sustained or inflicted.
 - d. Identification of known witnesses.
 - e. Any other pertinent details.
- When an employee is incapacitated or otherwise incapable, the immediate supervisor or the person acting in that capacity is responsible for completing the statement of facts.
- 6. The supervisor will identify (including full name, address, phone number, date of birth, social security number "voluntary," sex and race), interview, and obtain written *or recorded* statements from all witnesses, complainants, and suspects.

- Review the statements and ensure that they fully address the specifics of the investigation. Address any discrepancies by re-interviewing witnesses, complainants, suspects and employees. [4.2.2]
- 8. The supervisor will then complete the memorandum (see Police Directive 2.3, Complaints and Disciplinary Actions, Appendix A for memorandum format) showing the results of the investigation. The supervisor will: [4.2.2]
 - a. Review the employee's formal disciplinary actions records to ascertain the number of incidents of reported uses of force within the last 24 months and document this information in the memorandum.
 - Comment on whether there is reason to believe that the number of incidents may indicate the need for counseling, coaching, training, or other type of referral.
 - c. Classify the use of force as falling into one of the following categories:
 - Within Policy Limits The use of force was justified and was not excessive. This finding does not preclude a separate recommendation for counseling, coaching or training, none of which qualifies as a disciplinary action.
 - <u>Not Within Policy Limits</u> the force was excessive or unnecessary The employee(s) involved in the incident did not need to use force and/or the degree of force used was excessive. This finding mandates the lodging of disciplinary charges for excessive force.
 - <u>Unfounded</u> the allegation is false or not factual.
- Within 30 days of the use of force, the supervisor will send the investigation memorandum and all attachments, through the employee's chain of command via Blue Team for review and comments. [4.2.2]

C. Commander Responsibilities

All commanders will ensure that the incident was thoroughly investigated, that the finding falls within one of the *three* categories shown above, and that a recommendation for appropriate remedial action, if necessary, is documented. The package will then be forwarded to the Chief of Police through OEAPR. [4.2.2]

D. <u>Responsibilities of the Office of External Affairs and Professional</u> Responsibility

1. OEAPR will review all reports and memorandums regarding the use of force, make appropriate comments, and forward them to the Chief of Police.

- 2. The employee(s) involved in a use of force incident and the investigating supervisor will be notified, in writing, by OEAPR as to the results of the investigation. If the use of force is determined to be "Not Within Policy Limits", the employee's chain of command will also be notified.
- 3. Annually, the commander of OEAPR will conduct an analysis of the Department's use of force activities, policies and practices. [4.2.4]

The analysis should identify:

- a. Date and time of incidents,
- b. Types of encounters resulting in use of force,
- c. Trends or patterns related to race, age and gender of subjects involved,
- d. Trends or patterns resulting in injury to any person including employees, and
- e. Impact or findings on policies, practices, equipment, and training.
- **E.** When an employee is directly involved in a use of force that results in death or serious injury, he or she must participate in a debriefing with a mental health professional (see also Police Directive 4.5, Resiliency and Peer Support.), which will be arranged jointly by the commanders of the Office of External Affairs and Professional Responsibility and Human Resources and Training Division.

F. Responsibilities of the Emergency Readiness and Operational Planning Division (EROPD)

Annually, the commander of the Emergency Readiness and Operational Planning Division (EROPD) and the Tactical Training Unit supervisor will conduct a review of all assaults on law enforcement officers and use of force incidents to determine trends or patterns, with recommendations to enhance officer safety, revise policy, or address training issues.

[4.2.5]

10.32.09 LETHAL FORCE INVESTIGATION

See Police Directive 10.35, Lethal Force and In-Custody Deaths, regarding the investigation of lethal force.

10.32.10 DUTY TO INTERVENE/DUTY TO RENDER AID

Any employee present and observing another officer using force that is clearly applied incorrectly, or is unreasonable under the circumstances must, when in a position to do

so safely, intervene to prevent the improper application of, or the excessive use of force. Employees must promptly report any excessive, unreasonable, or improper application force to a supervisor. Supervisors must respond and document the incident according to Police Directive 10.32.08.B.

Sworn, appointed and limited enforcement personnel will take the appropriate steps to render necessary or requested medical aid after use of lethal, less-lethal and non-lethal weapons. Such steps must be decided on a case-by-case basis and should take into consideration the severity of the injury, employee safety, and the level of medical training possessed by the employee. In most cases, arranging for the injured person to be treated at the scene or transported to the hospital will be sufficient. [4.1.5]

10.32.11 ADMINISTRATIVE ASSIGNMENT

- A. Any employee, whose action(s) or use of force in an official capacity results in a death or serious physical injury, or who shoots at and misses any person, will be immediately removed from operational assignments and reassigned to administrative duties or administrative leave, pending investigative review by the Chief of Police. See also Police Directive 10.35.06 (G). [4.2.3]
- **B.** An officer or other employee causing minor injury to another person by use of force other than a firearm need not be automatically reassigned, but an investigative review by the Chief of Police may determine if a temporary administrative assignment is appropriate.

BY AUTHORITY OF:

Michael L. Brown Chief of Police