

## **BLOOMING GROVE POLICE DEPARTMENT**

|                                 |               |                                    |  |                                      |
|---------------------------------|---------------|------------------------------------|--|--------------------------------------|
| <b>GENERAL ORDER<br/>GO-151</b> |               | <b>SUBJECT<br/>FORCE CONTINUUM</b> |  | <b>EFFECTIVE DATE<br/>08/01/2020</b> |
| <b>RESCINDS</b>                 | <b>AMENDS</b> | <b>CROSS REFERENCE</b>             |  | <b>PAGE<br/>1 OF 6</b>               |

### **I. Policy**

- A. The use of force will be conditioned upon the premise that it is only to be used when and to the extent that is reasonable, necessary, and legally justifiable. Further it will be the policy of the Blooming Grove Police Department that in all cases, only the minimum amount of force will be used, which is consistent with the accomplishment of a mission.

#### **1. Definitions**

- a. Force Continuum – this concept refers to the sequential escalation or de-escalation of force. It begins with physical presence, and then moves to verbal warnings or persuasion (Verbal Judo) and then moves to the next stage where physical force such as normal defensive tactics and restraint holds are applied. Further along the continuum is the use of Oleoresin Capsicum. Impact weapons are a further escalation of the force continuum that culminates with the use of deadly physical force, which, for police officers is the discharge of their service firearm.
- b. Oleoresin Capsicum – also known, as “OC” is a non-lethal inflammatory agent, which is derived from the oils and resin of pepper plants. It causes the swelling of the eyes, difficulty in breathing, and a burning sensation of the skin. Only trained personnel should use Oleoresin Capsicum.
- c. Use of Force section in IMPACT- filed in every instance where a member of the department uses any type of force against a person.
- d. Less Lethal- less lethal force is an amount or form of force less likely to cause serious physical injury or death.
- e. Metal expandable baton
- f. Advanced Taser- an electro muscular

### **II. Procedure**

#### **A. Force Continuum**

1. The use of physical force must be conditioned upon the premise that it is only to be used when and to the extent that it is reasonable, necessary and legally justifiable.
2. The force continuum begins with an officer’s presence and ends with the successful completion of an assignment. Under ideal conditions the continuum goes no farther than verbal requests and dialogue. It is the Department’s goal to generate voluntary compliance in every public contact. When voluntary compliance is unattainable the minimum amount of force in the continuum will be used to gain compliance.

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3. The level of defensive force an officer uses, to include officer presence, verbal requests and dialogue, verbal commands, bare-hand control, oleoresin capsicum spray, advanced taser, impact weapons, baton and deadly physical force, is determined by the amount of force a person is using against the officer or third person. In all cases only the minimum amount of force will be used which is reasonable, necessary and legally justifiable to accomplish a mission.
4. A police officer may use deadly force upon another person when he reasonably believes that such other person is using or is about to use deadly physical force against the officer or a third person.
5. The use of deadly physical force to arrest a fleeing felon is prohibited unless there is probable cause to believe that the fleeing felon poses an immediate threat of serious physical injury to the officer or that failure to apprehend the fleeing felon poses a threat of serious physical injury to others and reasonable means to effect the arrest other than the use of a firearm are not available.
6. Deadly physical force shall not be used to affect an arrest or prevent or terminate a felony unless the officer has probable cause to believe that the victim may be killed or seriously injured and there is no other reasonable means to affect the arrest or prevent or terminate the felony other than by deadly physical force.

**B. Oleoresin Capsicum**

1. The following guidelines will be observed whenever Oleoresin Capsicum is used:
  - a. Oleoresin Capsicum is considered an option within the force continuum, and is not intended to replace a firearm, a police baton, or any physical control technique. Generally, the use of Oleoresin Capsicum would occur after the use of bare-hand controls, but before the use of an impact weapon. While circumstances may vary, an officer must rely upon reasoned discretion in selecting the least violent means available relative to the situation.
  - b. No officer will possess Oleoresin Capsicum unless properly trained, and certified in its use.
  - c. Oleoresin Capsicum will only be used in the following confrontational situations:
    - to defend the officer or another from violent or aggressive behavior directed towards them

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- to control a subject who has shown himself to be a danger to himself or others and is exhibiting menacing behavior
  - to extricate a threatening or violent subject from an area that is not conducive to safe entry by an officer
  - to control a domestic or wild animal that is acting in a hostile manner and poses an immediate danger to the officer or another
4. Oleoresin Capsicum will not be used as a means of persuasion nor will it be used in the absence of any resistance or aggression.
  5. Once a subject has been debilitated by Oleoresin Capsicum and resistance has subsided, Oleoresin Capsicum will not be used further.
  6. In all cases where Oleoresin Capsicum has been used, a detailed accounting of such use will be documented in the corresponding incident report.
  7. In every instance of the use of Oleoresin Capsicum, the officer will file a Use of Force Form.
  8. Post Use Consideration
    - a. Oleoresin Capsicum does not require any special documentation and within 5-10 seconds its potency should diminish allowing for the handcuffing of a suspect. Normal ventilation should remove it from an enclosed environment within forty-five minutes. Accordingly, post use procedure will be as follows:
    - b. The subject will be removed from the contaminated area and given the opportunity for an eye/face wash.
    - c. The subject will be monitored for any unusual allergic reactions and provided medical treatment if complications persist. The accompanying incident report will reflect the rendering of any formal medical attention.
    - d. Officers who have been sprayed with Oleoresin Capsicum during an incident will flush the exposed area with water and wash with soap if discomfort persists. Medical attention will be provided if adverse symptoms fail to subside.

**C. Expandable Baton**

1. The official baton of the Blooming Grove Police Department is the expandable metal baton.
2. Each member shall be issued an expandable baton.
3. The baton will be used in accordance with the training record.

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4. The use of the baton shall be documented on an offense report and on a Use of Force Form. These reports will be completed prior to the end of the officer's tour of duty.

**D. Advanced Taser**

1. The following guidelines will be observed whenever the Advanced Taser is used.
  - a. The Advanced Taser is deployed as an additional tool and is not intended to replace firearms. The Advanced Taser may be used to control dangerous and violent subjects when deadly physical force does not appear to be justified and/or other attempts to subdue the subject by other conventional tactics have been or likely be, ineffective in the situation, or there is reasonable expectation that it will be unsafe for officers to approach within contact range of the subject.
  - b. Advanced Taser will only be used in the following confrontational situations:
    - To defend the officer or another from violent or aggressive behavior directed toward them
    - To control a subject who has shown himself to be a danger to himself or others and is exhibiting menacing behavior.
    - To extricate a threatening or violent subject from an area that is not conducive to safe entry by an officer. The Advanced Taser shall not be utilized on elderly subjects, children or pregnant females.
    - The Advanced Taser shall be issued to and used only by officers who have completed the Taser Training Program.
    - Each discharge, including accidental discharges of an Advanced Taser shall be investigated and documented. Each discharge of an Advanced on a subject shall be documented on an offense report and a use of force form shall be completed. A supervisor shall be notified as soon as practical.
  - c. Medical Attention/Removal of Probes:
    - Upon deployment of the Advanced Taser, the appropriate medical attention shall be immediately provided to the subject at the scene, if necessary, with follow up medical treatment at an appropriate medical facility. In the event the probes strike a sensitive region of the body (eyes, head, genitals, or female breasts), such transportation to a medical facility shall be provided by ambulance.

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- After securing the subject in handcuffs and/or other appropriate restraints, an officer will remove the probes using prescribed methods. However, if the probes are in areas such as face, neck or groin, the officer shall require the subject to be treated at a hospital and the probes removed only by medical personnel.
- Officers shall wear medical latex gloves, place hand above the probes and stretch the skin taut, using a brisk pull; the officer shall pull the probe out of the subject. The puncture site shall be wiped with a sterile alcohol swab and an adhesive bandage applied to the site.
- Alcohol swabs, gloves and bandage packaging shall be disposed of in a biohazard bag or receptacle.

**E. Prohibited**

1. The use or possession of a blackjack, slappers, saps, weighted gloves, night sticks, billy clubs while on duty is prohibited.
2. While the use of physical restraint holds within the force continuum may vary with given circumstances, the technique commonly known as the “Choke Hold,” whereby compression is applied to the neck resulting in the interruption of the blood/air flow of the subject, IS EXPRESSLY PROHIBITED.

**F. Whenever an officer uses oleoresin capsicum, the expandable baton or the Advanced Taser:**

1. Determine the physical condition of any injured person and render first aid when appropriate.
2. Notify a Supervisor.
3. Request necessary emergency medical aid.
4. Document the use of force on an offense report, arrest report and a Use of Force form. These reports will be completed prior to the end of the officer’s tour of duty.

**G. Review**

1. The Chief and Lieutenant will review all incidents of force used.
2. Interviews will be conducted with all officers involved.

**FORCE CONTINUUM MATRIX**

**THIS MATRIX SHOULD BE USED AS AN ELEVATOR, NOT A LADDER THAT AN OFFICER MAY GO UP OR DOWN OR ACROSS TO ANY LEVEL AT ANY TIME DEPENDING ON THE CIRCUMSTANCES AND PROVIDED THAT THE FORCE USED IS REASONABLE AND NECESSARY.**

