


Monroe Police Department General Orders and Procedures		
	Subject: Use of Force	General Order #4
	Reference: CALEA 4	Effective Date: 11/20/2018
	Rescinds: Use of Force G.O. #4 issued on 7/20/18	Revised Date: 11/19/2018
	Distribution: All employees	

4 USE OF FORCE

4.1.1 USE OF REASONABLE FORCE

A. DEFINITIONS

Definitions related to this policy include:

Active Resistance- Active resistance is the force or threat of force used by a subject to counter an officer's lawful objective, or authority.

Passive Resistance- Passive resistance is the non-violent opposition to an officer's lawful objective, such as a refusal to cooperate with legal requirements.

De-Escalation- reduce the intensity of (a conflict or potentially violent situation).

Force - The application of physical techniques or tactics, chemical agents or weapons to another person. It is not a use of force when a person allows him/herself to be searched, escorted, handcuffed or restrained.

Serious Physical Harm- any physical harm which creates a substantial risk of death, permanent incapacity, permanent disfigurement, or acute pain of such duration as to result in substantial suffering.

Reasonable Force- the amount of force necessary to protect oneself or another.

Less Lethal Force- any force which is intended to incapacitate or stop a subject or action without the likelihood of causing death.

Deadly force - Force reasonably anticipated and intended to create a substantial likelihood of causing death or serious physical harm.

B. The use of force by law enforcement personnel is a matter of critical concern, both to the public and to the law enforcement community. Officers are involved on a daily basis in numerous and varied interactions and, when warranted, may use reasonable force in carrying out their duties.

1. Officers must have an understanding of, and true appreciation for, their authority and limitations. This is especially true with respect to overcoming resistance while engaged in the performance of law enforcement duties.
2. The Department recognizes and respects the value of all human life and dignity without prejudice to anyone. Vesting officers with the authority to use reasonable force and to protect the public welfare requires monitoring, evaluation and a careful balancing of all interests.
3. Officers shall use only that amount of force that reasonably appears necessary given the facts and circumstances perceived by the officer at the time of the event to accomplish a legitimate law enforcement purpose.
4. The reasonableness of force will be judged from the perspective of a reasonable officer on the scene at the time of the incident. Any evaluation of reasonableness must allow for the fact that officers are often forced to make split-second decisions about the amount of force that reasonably appears necessary in a particular situation, with limited information and in circumstances that are tense, uncertain and rapidly evolving.
5. Given that no policy can realistically predict every possible situation an officer might encounter; officers are entrusted to use well-reasoned discretion in determining the appropriate use of force in each incident.
 - a. It is also recognized that circumstances may arise in which officers reasonably believe that it would be impractical or ineffective to use any of the tools, weapons or methods provided by the Department. Officers may find it more effective or reasonable to improvise their response to uncertain, tense and rapidly unfolding conditions that they are confronting. In such circumstances, the use of any improvised device or method must nonetheless be reasonable and utilized only to the degree that appears necessary to accomplish a legitimate law enforcement purpose.
 - b. While the ultimate objective of every law enforcement encounter is to avoid or minimize injury, nothing in this policy requires an officer to retreat or be exposed to possible physical injury before applying reasonable force.
 - c. Only officers who have successfully completed department-approved training in the use of physical or subject control techniques, control equipment and/or firearms are authorized to carry and initiate the use of them.

C. USE OF FORCE TO AFFECT AN ARREST

1. Any officer who has reasonable cause to believe that the person to be arrested has committed a crime or public offense may use reasonable force to effect the arrest, to prevent escape or to overcome resistance.
2. An officer who makes or attempts to make an arrest need not retreat or desist from his/her efforts by reason of resistance or threatened resistance on the part of the person being arrested, nor shall an officer be deemed the aggressor or lose his/her right to self-defense by the use of reasonable force to effect the arrest, prevent escape or to overcome resistance.

D. DUTY TO INTERCEDE

1. Any officer present and observing another officer using force that is clearly beyond that which is reasonable under the circumstances shall, when in a position to do so, intercede to prevent the use of

unreasonable force.

2. An officer who observes another employee use force that exceeds the degree of force permitted by law should promptly report these observations to a supervisor.

4.1.2 FIREARMS AND USE OF DEADLY FORCE

A. Use of deadly force is justified in the following circumstances:

1. An officer may use deadly force to protect him/herself or others from what he/she reasonably believes would be an imminent threat of death or serious physical harm.
2. An officer may use deadly force to stop a fleeing subject when the officer has probable cause to believe that the person has committed, or intends to commit, a felony involving the infliction or threatened infliction of serious physical harm or death, and the officer reasonably believes that there is an imminent risk of serious physical harm or death to any other person if the subject is not immediately apprehended. Under such circumstances, a verbal warning should precede the use of deadly force, where feasible.
3. Imminent does not mean immediate or instantaneous. An imminent danger may exist even if the suspect is not at that very moment pointing a weapon at someone. For example, an imminent danger may exist if an officer reasonably believes any of the following:
 - a. The person has a weapon or is attempting to access one and it is reasonable to believe the person intends to use it against the officer or another.
 - b. The person is capable of causing serious physical harm or death without a weapon and it is reasonable to believe the person intends to do so.

4.1.3 WARNING SHOTS

- A. Warning shots are inherently dangerous. Therefore, a warning shot must have a defined target and shall not be fired unless
1. The use of a deadly force is justified;
 2. The warning shot will not pose a substantial risk of injury or death to the officer or others; and
 3. The officer reasonably believes that the warning shot will reduce the possibility that deadly force will have to be used.

4.1.4 USE OF AUTHORIZED LESS LETHAL WEAPONS

A. Less Lethal weapons approved for use by officers include:

1. Oleoresin Capsicum (OC) Pepper Spray = Oleoresin capsicum is an organically based, less lethal aerosol designed to impair a subject's ability to cause harm to others with no lasting effects. OC is bio-degradable and classified as an inflammatory agent causing swelling of the mucous membranes.
2. TASER X2 = The TASER is an electronic control device designed to disrupt the sensory and motor nervous system of the human body. Its use is intended to incapacitate a subject with a

minimal potential for causing death or serious physical injury when compared to conventional projectiles.

3. Baton, Collapsible or Straight= When carrying a baton, uniformed personnel shall carry the baton in its authorized holder on the equipment belt. Plainclothes and non-field personnel may carry the baton as authorized and in accordance with the needs of their assignment or at the direction of their supervisor.
4. 40mm Launcher = 40mm Launchers are a single shot shoulder fired less lethal specialty munitions delivery system. This system utilizes the Exact Impact Sponge round which is a point of aim, direct fire application that provides maximum deliverable energy to incapacitate an aggressive and/or non-compliant subject. The Exact Impact Sponge round has a minimum standoff distance of 5 feet and a recommended maximum range of 120 feet.
5. CS GAS (CHLOROBENZYLIDENEMALONONITRILE()) (aka tear gas)(particulate or liquid) = CS Gas is used in tactical applications to temporarily impair a subjects ability to cause harm to another person or persons. The chemical in CS re-acts with moisture on the skin and in the eyes causing lachrymation, a burning sensation, tearing and the immediate forceful and uncontrollable shutting of the eyes. CS may be deployed by hand or 40 mm launching platform, in powder or liquid form.
6. DIVERSIONARY DEVICES= Diversionary Devices are less lethal explosive devices used to temporarily disorient a subject by a bright flash of light and sound. Diversionary Devices are deployed by hand and produce a light level of 6-8 million candelas and a sound level of 175 db at 5 feet.
7. CANINE
 - a. APPREHENSION
 - i. A canine may be used to locate and apprehend a suspect that is Actively Resisting by way of displaying force or the threat of force to counter an officer's lawful objective, or authority.
 - b. DISPLAY OF CANINE
 - i. The display of a canine may be used to gain compliance from a subject that is Passively Resisting by way of displaying non-violent opposition to an officer's lawful objective or authority, such as a refusal to cooperate with legal requirements
 - c. NON-APPREHENSION
 - i. Properly trained canines may be used to track or search for non-criminals (e.g., lost children, individuals who may be disoriented or in need of medical attention).
 - ii. The canine handler is responsible for determining the canine's suitability for such assignments based on the conditions and the particular abilities of the canine.
8. EDGED WEAPONS_(Refer to Edged Weapons Training Plan)
 - a. Any tool that by design or improvisation can slash, cut or penetrate (human flesh) or otherwise cause serious injury or death.
 - b. Non-issued officer owned knives. The a knife is not intended for use as a weapon and officers are discouraged from using it in this capacity. However, it may be used in defensive capacities under

exigent circumstances. Under such circumstances, it shall be deemed a use of deadly force and is governed by this department's policies on use of force to include, but not be limited to, summoning a supervisor and reporting it as a use of force.

At the discretion of the Chief of Police, a specific make, model or style of edge weapons may be determined to be unsuitable for carry while on duty.

9. SUBJECT CONTROL TECHNIQUES

- a. Physical Pain Compliance Techniques
- b. Carotid Control Holds
- c. Handcuffs/Restraints (Wrist, Ankle or Flexible)

10. OLEORESIN CAPSICUM (OC) PEPPER SPRAY

- a. First Defense MK-3, 1.47 oz canister of 0.7% OC Pepper Spray "Stream" shall be issued to all sworn personnel.
- b. When carrying OC, uniformed personnel shall carry the OC in its authorized holder on the equipment belt. Plainclothes and non-field personnel may carry OC as authorized and in accordance with the needs of their assignment or at the direction of their supervisor.
- b. Training Requirement
 - i. Only sworn officers who have successfully completed a departmental approved training course in the proper use and deployment of the OC shall be authorized to use it during actual operations.
- c. Deployment
 - i. OC Pepper Spray shall be deployed utilizing a stream sprays that targets above the eyes of the subject while moving the canister in a side to side motion.
- d. Prohibitions
 - i. OC spay should not be deployed within a distance of less than 4 feet from a subject unless exigent circumstances exist, due to the risk of injury to the subject's eyes from the pressurized contents.
 - ii. OC shall not be deployed indoors, in cars, or in close proximity to others unless exigent circumstances are present or other force options are not practical. OC shall not be deployed if small children are present or if the officer has reason to believe the subject is pregnant or is suffering from a respiratory condition
- e. Follow-Up Procedures
 - i. After successful deployment of OC Pepper Spray and after the individual is under control, immediately notify the shift Supervisor and request emergency medical services.

- ii. The shift Supervisor shall report to the scene and/or the police department and conduct his/her investigation.
- iii. A departmental Use of Force Report shall be completed anytime OC Pepper Spray is deployed.

11. TASER

- a. Road patrol officers shall carry a TASER X2 with two (2) air cartridges on their duty belt or external carrier while on duty or working off duty details.
- b. Officers shall inspect the TASER X2 for damage, battery life, and conduct a spark test to ensure proper functioning and prior to the start of each shift and/or detail.
- c. Training Requirement:
 - i. Only sworn officers who have successfully completed a departmental approved training course in the proper use and deployment of the TASER shall be authorized to use them during actual operations.
 - ii. Policy review and proficiency testing shall be conducted annually.
- d. Deployment:
 - i. When deploying the TASER, a officer shall give verbal warning to the subject when feasible.
 - ii. Prior to deploying the TASER, a officer will shout "TASER, TASER, TASER" to alert other officers of the intent to deploy the TASER.
 - iii. The preferred target area for TASER deployment shall be the subject's back and legs. When back targeting is not possible, a officer should avoid targeting the chest area and target the muscle mass of the abdomen and thigh when practical to do so.
 - iv. Incidents involving force are typically rapidly evolving and dynamic rather than static, however, if a situation allows for sufficient time to intentionally aim the TASER, target the preferred areas.
 - v. An officer will deploy the TASER for one cycle (5 seconds) and re-evaluate the threat. Additional cycles may be necessary to control the subject.
 - vi. TASERs may also be used in a "drive stun" mode with or without an air cartridge. When utilizing this mode, a officer should target muscular areas of the body.
- e. Prohibitions:
 - i. TASERs shall not be used on subjects that are known to the officer to be under the age of 12 or above the age of 70.
 - ii. TASERs shall not be used on subjects that are visibly pregnant or if pregnancy is disclosed.

- iii. An officer shall not use a TASER if the officer smells an odor associated with flammable liquids or gasses or if the subject has doused him/herself with a flammable liquid.
 - iv. An officer shall not use a TASER on subjects behind the wheel of any vehicle when the operation of the vehicle is likely or unknown.
 - v. An officer shall not simultaneously display both their TASER and firearm.
- f. Follow-Up Procedures:
- i. After successful deployment of the TASER and after the individual is under control, immediately notify the shift Supervisor and request emergency medical services.
 - ii. Only appropriate medical personnel and trained Police Officers should remove TASER device probes from a person's body.
 - iii. Any probes that are lodged in a sensitive area (e.g., groin, female breast, head, neck, face), or that might be in bone or cartilage shall be examined by paramedics or qualified medical personnel before removed.
 - iv. Used TASER device probes shall be treated as a sharps biohazard, similar to a used hypodermic needle, and handled appropriately. Universal precautions should be taken.
 - v. All subjects shall be medically evaluated prior to booking. The shift Supervisor shall report to the scene and begin his/her investigation. Photographs of the area where the barbs were embedded in the skin are not required unless the barbs are embedded in soft body tissue i.e.; genitals, breast tissue, or any area above the collar bone.
 - vi. A departmental Use of Force report shall be completed any time the TASER is used. The shift Supervisor should be sure to obtain written statements from anyone involved in the incident and/or from witnesses who can provide relevant information.
- g. The TASER instructor shall download the data from the TASER and include a copy of the download report with the Use of Force Report.
12. 40MM LAUNCHER – Exact Impact Sponge Round (40mm)
- a. 40mm launchers are available for trained officers during their shift or operation.
 - b. The 40mm launcher, along with (3) Exact Impact Sponge rounds,- will be assigned and secured in each patrol vehicle by the means of a locked trunk mounted weapons tray or a soft case with an integrity tag.
 - c. Upon conclusion of the shift or operation, the officer shall account for all Exact Impact munitions.
 - d. The 40 mm launcher is a less lethal system and only departmental approved munitions shall be loaded into and deployed from the launcher.
 - e. Training:

- i. Only sworn officers who have successfully completed a departmental approved training course in the proper use and deployment of the 40mm launcher shall be authorized to use them during actual operations.
 - ii. Policy review and Proficiency testing shall be conducted annually
- f. Deployment:
- i. When feasible, a officer will make radio notification of the deployment of the 40mm launcher unless circumstances require immediate intervention.
 - ii. An officer should give verbal commands to the subject(s) to cease his/her disorderly actions or the 40mm launcher will be utilized.
 - iii. A deploying, officer will shout "IMPACT" to warn officers of the intent to use the 40mm launcher when practical.
 - iv. An officer deploying the 40mm launcher will have a cover officer able to deploy deadly force or another force option if warranted.
 - v. When using the 40mm launcher with Exact Impact sponge round munitions, an officer should deploy at a minimum distance of 5 feet and a maximum distance of 120 feet.
 - vi. When deploying the 40mm launcher, officers should fire one (1) Exact Impact sponge round at the intended target zone of the subject, immediately reload the 40mm launcher with a live Exact Impact sponge round then reassess the subject.
 - vii. An officer shall target the subject's buttocks, thigh and calf area to achieve the desired effects.
- g. Prohibitions:
- i. Impact Munitions shall not be used on subjects that are known to the officer to be under the age of 12 or above the age of 70 unless exigent circumstances exist that can be clearly articulated by the officer.
 - ii. Impact Munitions shall not be used on subjects that are visibly pregnant or if pregnancy is disclosed unless exigent circumstances exist that can be clearly articulated by the officer.
 - iii. Exact Impact sponge round munitions shall not be fired at subjects at a distance less than 5 feet unless exigent circumstances exist.
 - iv. Exact Impact sponge round munitions should never be targeted at the head, chest, or spine unless in the ultimate measure of self-defense or the defense of another when deadly force is justified.
 - v. Officers shall not simultaneously display both the 40MM Impact Munitions Launcher and another firearm.
- h. Follow up Procedures:

- i. After successful deployment of the 40mm Exact Impact sponge round and after the individual is under control, immediately notify the shift supervisor and request emergency medical services if needed
- ii. The shift supervisor shall report to the scene to take photographs of any injuries caused by the Exact Impact round.
- iii. Officers shall summon EMS to the scene and request transport for further medical evaluation if needed.
- iv. A use of force report will be completed anytime the Exact Impact round is deployed.
- v. The shift supervisor should be sure to obtain written statements from anyone involved in the incident and/or from witnesses who can provide relevant information .

4.1.5 RENDERING AID AFTER USE OF FORCE

- A. Prior to booking or release, medical assistance shall be obtained for any person who exhibits signs of physical distress, who has sustained visible injury, expresses a complaint of injury or continuing pain, or who is rendered unconscious. Any individual exhibiting signs of physical distress after an encounter and should be continuously monitored until he/she can be medically assessed.
- B. Based upon the officer's initial assessment of the nature and extent of the subject's injuries, medical assistance may consist of examination by fire personnel, paramedics, hospital staff or medical staff at the jail. If any such individual refuses medical attention, such a refusal shall be fully documented in related reports and, whenever practicable, should be witnessed by another officer and/or medical personnel.
- C. If a recording is made of the contact or an interview with the individual, any refusal should be included in the recording, if possible. The on-scene supervisor, or if not available, the primary handling officer shall ensure that any person providing medical care or receiving custody of a person following any use of force is informed that the person was subjected to force. This notification shall include a description of the force used and any other circumstances the officer reasonably believes would be potential safety or medical risks to the subject (e.g., prolonged struggle, extreme agitation, impaired respiration).

4.2 Use of Force Reporting and Review

4.2.1 REPORTING USE OF FORCE

- A. Any use of force by a member of this department shall be documented promptly, completely and accurately in the standard incident report narrative. The officer should articulate the factors perceived and why he/she believed the use of force was reasonable under the circumstances.
 1. To collect data for purposes of training, resource allocation, analysis and related purposes, the officer who uses/displays force shall complete a use of force report form located in the department's Records Management System.
 2. If for any reason the officer is unable to complete the use of force report, the officer's supervisor will complete the report on their behalf.
- B. A Use of Force report is submitted whenever an employee:
 1. Discharges a firearm, for other than training, or destruction of an animal.

2. Takes an action that results in, or is alleged to have resulted in, injury or death to another person;
3. Applies force through the use of lethal or less lethal weapons, or;
4. Applies weaponless physical force.
5. Or threats to use force verbally or display a firearm or less than lethal weapon.

C. OFFICERS AND OIC NOTIFICATION REQUIREMENTS

1. Officers shall make notification to the shift sergeant or OIC as soon as practicable following the application of force in any situation.
2. In the event that the shift sergeant is off duty, the OIC will notify the shift sergeant and patrol commander via telephone, or other electronic means such as text or email. If using an electronic means of notification, (which is preferred) one message will be sent to both the shift sergeant and the patrol commander.
3. In the event that the Use of Force situation has resulted in an injury to a subject or officer then notifications will be made by telephone. The shift Sergeant should be notified first. The shift Sergeant may make notification to the Patrol Commander on the OIC's behalf.
4. An OIC in command of a Use of Force situation will prepare a review of the incident and forward that review to their shift sergeant by email within two working days of the incident.

4.2.2 REVIEW OF USE OF FORCE

A. When a shift sergeant or OIC responds to an incident in which there has been a reported application of force, he/she shall:

1. Obtain the basic facts from the involved officers. Absent an allegation of misconduct or excessive force, this will be considered a routine contact in the normal course of duties.
2. Ensure that any injured parties are examined and treated.
3. When possible, separately obtain a recorded interview with the subject upon whom force was applied. If this interview is conducted without the person having voluntarily waived his/her *Miranda* rights, the following shall apply:
 4. The content of the interview should not be summarized or included in any related criminal charges.
 5. The fact that a recorded interview was conducted should be documented in a property or other report.
 - a. The recording of the interview should be distinctly marked for retention until all potential for civil litigation has expired.
6. Once any initial medical assessment has been completed or first aid has been rendered, ensure that photographs have been taken of any areas involving visible injury or complaint of pain, as well as overall photographs of uninjured areas. These photographs should be retained until all potential for civil litigation has expired.
 - a. Identify any witnesses not already included in related reports.

- b. Review and approve all related reports.
 - c. Determine if there is any indication that the subject may pursue civil litigation.
- B. If there is an indication of potential civil litigation, the supervisor should complete and route a notification of a potential claim through the appropriate channels.
1. Evaluate the circumstances surrounding the incident and initiate an administrative investigation if there is a question of policy non-compliance or if for any reason further investigation may be appropriate.

C. SHIFT SERGEANT REVIEW RESPONSIBILITY

1. The sergeant shall review each use of force report and Use of Force Review that is submitted by any personnel within his/her command to ensure compliance with this policy and to address any training issues.
2. The sergeant will then complete and submit a review of the incident on an interoffice memo via email to the patrol commander.
 - a. This review shall include any/all facts from interviews and any/all evidence, audio, video or photographs that are involved in the case.
 - b. This review will be completed and submitted no later than two days after the date of occurrence.
3. The patrol commander shall conduct a meeting with the sergeant after the use of force review has been submitted.
 - a. The patrol commander shall at that point evaluate the circumstances of the incident and determine if the actions taken were appropriate and if any follow up training is necessary.
 - b. Any and all corrective action and/or training will be completed at the direction of the patrol commander.
4. The patrol commander will then prepare an administrative review of the use of force for the chief of police that will officially address the UOF incident. An after action report will be completed to address any policy compliance and training concerns along with the course of follow up action necessary.
5. The patrol commander will administer a use of force reporting system that will notify each member of the command staff of a use of force that has occurred within a designated time period. (24 hour daily reports). The patrol commander will administer the annual tabulation of use of force report statistics .

4.2.3 ADMINISTRATIVE REMOVAL FROM DUTY

- A. Administrative Leave: Whenever an employee is involved in any incident which results in a death or serious physical harm to another, the employee will be removed from duty upon the completion of the preliminary investigation and placed on administrative leave until the incident has been reviewed by the Chief of Police. This action will be taken:

1. To protect the community's interest when personnel may have exceeded the scope of their authority.
 2. To shield personnel who have not exceeded the scope of their authority.
- B. Relief from duty can also occur after an employee has been involved in a critical incident. A critical incident is defined as an occurrence that brings an overwhelming emotional response from the person(s) witnessing it, and whose emotional effect goes beyond the person's normal coping abilities.
- C. To insure a fair and impartial investigation and to protect the officer and/or the community, officers may need to be temporarily assigned during an investigation that does not rise to administrative leave.
1. Officers may be assigned to beats other than the beat where the incident occurred.
 2. Officers may be assigned other duties temporarily, such as dispatch, investigations, or other non-patrol function.
 3. If the Officer is assigned to investigations at the time of the use of force, case assignments should not be made to the same area of the use of force during the investigation.
 4. These temporary accommodations are not a presumption of policy violation on the part of the officer. The intent is to assist the quick and fair investigation of the incident. It is also intended to protect the officer from community harassment and the perception by the community that "nothing is being done".
- D. Administrative leave will be without loss of pay or benefits, and such leave shall not be interpreted to imply or indicate that the employee has acted improperly. While on administrative leave the employee must remain available at all times for official departmental interviews and statements regarding the action response incident, and may be subject to recall to duty at any time. The Chief of Police is empowered to change administrative leave to administrative duty.
- E. **Psychological Services:** In cases where any person has been seriously injured or killed as a result of any action taken by a City of Monroe employee, the involved employee will be required to undergo a debriefing with the departmental psychologist. The debriefing will be to allow the employee to express his/her feelings and to deal with the psychological effects of the incident. The debriefing will not be related to any departmental investigation of the incident. Based on the recommendation of the psychologist, the employee may return to his/her full duties upon official notification to the Police Command Staff.
- F. **Police Chaplain Counseling:** In cases of serious injury or death as a result of any critical incident, involved employees will have available the services of a chaplain of the Monroe Police Department Police Clergy Team and any other stress debriefing team(s) deemed appropriate by the Chief of Police.

4.2.4 Annual Use of Force Analysis

- A. Annually, the agency conducts an analysis of its use of force activities, policies and practices. The review will be conducted by the Patrol Commander and will include reviewing each use of force report and determining over all if department procedures and practices should be changed due to legal decisions, requirements of the department or in the interest of the community served.

- B. The Patrol Commander will administer a use of force reporting system that will notify each member of the command staff of a use of force that has occurred within a designated time period. (24 hour daily reports). The Patrol Commander will administer the annual tabulation of use of force report statistics.
- C. This analysis and all revisions/recommendations shall be submitted to the Chief of Police. The Chief of Police shall upon review, determine if additional or alternative training is necessary for department personnel dealing with any aspect of the application or reporting of the use of force.

4.2.5 Assault on Sworn Officer Review

- A. In conjunction with the annual use of force analysis, the Patrol Commander will also conduct a review of all assaults on law enforcement officers.
- B. The purpose of this review will be to identify trends or patterns that are contributing to assaults on officers. The data analyzed should include:
 - 1. Felony, misdemeanor, or related charges
 - 2. Time of day
 - 3. Call type
 - 4. Number of officer's present
 - 5. Suspect factors, including criminal history.
- C. Based on this analysis, the Patrol Commander will make recommendations on any policy revisions, training issues or other recommendations in order to enhance officer safety.

4.3 AUTHORIZED WEAPONS AND AMMUNITION

4.3.1 Authorized Weapons and Ammunition

- A. Members of the Monroe Police Department shall only use firearms that are issued or approved by the Department and have been thoroughly inspected by the Range master. Except in an emergency or as directed by a supervisor, no firearm shall be carried by a member who has not been qualified with that firearm by the Monroe Police Department Range Master (CALEA 41.3.1(C)).
- B. All other weapons not provided by the Department, including, but not limited to, edged weapons, chemical or electronic weapons, impact weapons or any weapon prohibited or restricted by law or that is not covered elsewhere by department policy, may not be carried by members in the performance of their official duties without the authorization of the Chief of Police. This exclusion does not apply to the carrying of a single folding pocketknife that is not otherwise prohibited by law.

C. HANDGUNS (CALEA 41.3.1(A))

1. Agency approved handguns for on duty use as the primary duty weapon is the Glock Semi-automatic handgun
 - a. Uniform Patrol – Glock model 17 chambered in 9mm
 - b. Investigators – Glock model 17 or 19 chambered in 9mm. Investigators assigned to undercover work may also use the Glock 43 chambered in 9mm.
2. Officers while on duty will carry the weapon charged and secured in the agency approved duty holster with all retention devices on the holster in place and activated. Two fully loaded magazines will be carried in the agency approved magazine pouch.
3. Tactical Lights are approved for use and are optional to each officer. Any Officer choosing to install a Tactical Light may do so however, the lighting device will not be used for duty purposes until the Officer has satisfactorily completed a live fire training session under the direction of the Range Master.

D. AUTHORIZED SECONDARY HANDGUNS (CALEA 4.3.1 (A))

1. GLOCK 43 in 9MM
 - a. The Glock 43 is the only authorized secondary handgun to be used for on duty use.
 - b. The handgun shall be carried concealed at all times utilizing an approved on the vest holster or an approved shoulder holster rig.
 - c. In an effort to prevent unintentional cocking, discharge or loss of physical control ankle holsters are prohibited for use while on duty.
 - d. Prior to carrying the secondary handgun, Officers will qualify under supervision.
 - e. There after shall qualify in accordance with the department qualification schedule. Officers must demonstrate proficiency and safe handling from the concealed method of carry.

E. AUTHORIZED OFF DUTY HANDGUNS (CALEA 4.3.1.(A))

1. Officers are authorized, but not mandated, to carry a handgun while off duty. An officer who elects not to carry a handgun while off duty shall not be subjected to disciplinary action if an occasion should arise in which he could have taken police action if he were armed.
2. The off-duty weapon and ammunition must be of reliable quality and manufacture and approved by the range master. The range master may require the weapon be inspected by a department armorer before qualification. The range master will maintain a current listing of all authorized off-duty weapons as it relates to each officer.
3. Agency issued ammunition will be provided for primary and secondary firearms. Ammunition used in off duty weapons other than an agency issued weapon will be provided by the Officer.
4. Primary, secondary and off duty weapons qualifications will be conducted in accordance with the OPOTA courses of fire applicable to the type of weapon.
5. The off duty handgun shall be carried concealed at all times and in such a manner as to prevent unintentional cocking, discharge or loss of physical control.
6. Officers must have their agency identification card on their person when carrying a concealed firearm.

F. LAW ENFORCEMENT OFFICER SAFETY ACT OF 2004 (HB 218)

1. The Law Enforcement Officer Safety Act of 2004 (HB 218), permits current and retired law enforcement officers to carry concealed firearms (other than machine guns, silencers or other destructive devices) throughout the United States.
2. Officers retiring in good standing from the agency will be permitted to re-qualify annually with a certified instructor.
3. Retirees will communicate with the Range Master annually to gain access to range schedules.

G. SHOTGUNS (CALEA 4.3.1.(A))

1. Agency approved shotguns:
 - a. 12-gauge pump action
 - b. 12-gauge semi auto loading action.
2. Uniform patrol will be assigned the pump action shotgun.
3. Each marked police cruiser will be assigned a shotgun. Officers assigned to unmarked vehicles may elect to have a shotgun assignment. The shotgun will be secured in the vehicle and based on vehicle year, make and model will be carried in one of the following formats.
 - a. Locked cab mounted gun rack
 - b. Locked trunk mounted weapons tray.
 - c. Secured soft case with integrity tag.
4. Each shotgun will be carried in the "CRUISER READY" condition of empty chamber, de-cocked trigger mechanism and safety selector in the on position with the magazine tube fully loaded.
5. Officers are responsible to inspect their shotgun at the beginning of each shift to ensure it is operating properly. Any problem found during inspection will be reported to the Shift Sergeant.
6. Officers working tactical assignments may be issued the Semi Auto Loading Shotgun.
7. Shotguns will be removed from the patrol vehicle and secured in the Sergeants Gun locker anytime a vehicle is sent for maintenance.
8. Each shotgun assigned to patrol vehicles that are manufactured in 2016 and newer will be equipped with an extended magazine tube, illuminated sighting system, tactical light and sling.

H. PATROL RIFLES (CALEA 4.3.1 (A))

1. The agency-approved patrol rifle is based on and is consistent with the AR 15 platform, chambered in .223 and/or 5.56 NATO caliber. Each rifle will be equipped with an illuminated sighting system,

tactical light and rifle sling. Each rifle will be accompanied by no less than two fully loaded magazines.

2. Each marked police cruiser will be assigned a patrol rifle. Officers assigned to unmarked vehicles may elect to have a patrol rifle assignment. The patrol rifle will be secured in the vehicle, based on vehicle year, make and model and will be carried in one of the following formats.
 - a. Locked cab mounted gun rack
 - b. Locked trunk mounted weapons tray.
 - c. Secured soft case with integrity tag.
3. Each patrol rifle will be carried in the "CRUISER READY" condition of empty chamber, slide forward, and safety selector in the on position with a fully loaded magazine in the magazine well.
4. Officers are responsible to inspect their patrol rifles at the beginning of each shift to ensure it is operating properly. Any problem found during inspection will be reported to the Shift Sergeant.
5. Officers assigned to tactical units may carry their assigned patrol rifles on duty.
6. Patrol rifles will be removed from the patrol vehicle and secured in the Sergeants Gun Locker anytime a vehicle is sent for maintenance.
7. Officers may deploy the patrol rifle in any circumstance where the member can articulate reasonable expectation that the rifle may be needed. Examples of some general guidelines for deploying the patrol rifle may include, but are not limited to:
 - a. Situations where an Officer reasonably anticipates an armed encounter.
 - b. When an Officer is faced with a situation that may require accurate and effective fire at long range.
 - c. Situations where an Officer reasonably expects the need to meet or exceed a suspect's firepower.
 - d. When an Officer reasonably believes that there may be a need to fire on a barricaded person or a person with a hostage.
 - e. When an Officer reasonably believes that a suspect may be wearing body armor.
 - f. When authorized or requested by a supervisor.

I. TACTICAL UNIT APPROVED WEAPONS (CALEA 4.3.1 (A))

1. Firearms approved for tactical Officers include:
2. Semi-automatic handgun
3. M16/AR15 semi auto and select fire models/with and without suppressors
4. Semi-automatic loading 12-gauge shotgun
5. Bolt action and gas operated rifles capable of firing .308 caliber rifle ammunition

J. AMMUNITION (CALEA 4.3.1. (B))

1. Officers shall carry only agency-approved ammunition. Officers shall be issued new duty ammunition in accordance with the Departments ammunition replacement schedule which requires the replacement of duty ammunition every other twelve months.
2. Replacements for unserviceable or depleted ammunition shall be dispensed by the Shift Sergeant when needed. The Range Master will maintain a supply of all agency-approved ammunition for the Shift Sergeants and which will be secured in the Sergeants Weapons Locker.
3. Officers carrying personally owned agency-approved firearms of a caliber differing from department issued firearms shall be responsible for obtaining new duty ammunition in accordance with the Departments ammunition replacement schedule.
4. The Range master will evaluate and select ammunition for all agency approved weapons on an annual basis.

K. Removal of Unsafe Weapons: Any Officer experiencing an issue with a weapon will notify their supervisor who will remove the weapon from service. If the weapon is an essential duty weapon, that supervisor will arrange to have another weapon issued to them. While officers are at the range completing their yearly qualifiers the training range team will inspect the officers issued duty weapons. Any range training team member shall be authorized to suspend authorization to utilize weapons based on an unsafe condition of a weapon. The range training team member shall immediately seize any department owned weapon found to be in an unsafe condition and forward a report concerning the circumstances to the applicable Commander. (CALEA 4.3.1 (D))

L. Weapons records: All department owned and issued weapons will be recorded in Authority

1. Assets. Make, Model, and serial numbers of all departments owned firearms will be maintained in the software and updated when the status of the weapon changes (in or out of service) or who the weapon is issued to. (CALEA 4.3.1. E))

M. Securing weapons: Out of service weapons or weapons not issued will be secured in the armory, or stored in the appropriate weapons storage locker while cruisers are being serviced. Sworn officers will make reasonable efforts to keep issued or authorized personally owned firearms safe and secure at all time, e.g. locking in a drawer, officer's locker, weapons locker, or cabinet when not being carried. A firearm lock will be provided for each agency issued firearm to be used on the firearm to keep the firearm safe during off duty hours. This would not preclude the officer from using other reasonable means, e.g. gun safe, locker, etc., to secure an agency issued firearm during off duty hours. (CALEA 4.3.1 (F))

N. OTHER EQUIPMENT

1. HOLSTERS

- a. Only agency approved holsters shall be used by Officers on duty. All levels of security offered by a particular holster will be utilized at all times. Officers shall periodically inspect their holsters to make sure they are serviceable and provide the proper security and retention of the handgun.
- b. The Range Master will address holster inspection and proper use during firearms training and/or range sessions.

2. TACTICAL LIGHTS

- a. Tactical lights may only be equipped on handguns that are carried on- or off-duty after they have been examined and approved by the Range master.
- b. Once the approved tactical lights have been properly installed on any firearm, the member shall qualify with the firearm to ensure proper functionality and sighting of the firearm prior to carrying it.

3. OPTICS OR LASER SIGHTS

- a. Optics or laser sights may only be installed on a firearm carried on- or off-duty after they have been examined and approved by the Range master. Any approved sight shall only be installed in strict accordance with manufacturer specifications.
- b. Once approved sights have been properly installed on any firearm, the member shall qualify with the firearm to ensure proper functionality and sighting of the firearm prior to carrying it.

O. SHOOTING AT OR FROM MOVING VEHICLES: Shots fired at or from a moving vehicle are rarely effective. Officers should move out of the path of an approaching vehicle instead of discharging their firearm at the vehicle or any of its occupants

- a. An officer should only discharge a firearm at a moving vehicle or its occupants when the officer reasonably believes there are no other reasonable means available to avert the threat of the vehicle, or if deadly force other than the vehicle is directed at the officer or others.
- b. Officers should not shoot at any part of a vehicle in an attempt to disable the vehicle unless under a supervisor's order during controlled tactical situations.

4.3.2 WEAPONS PROFICIENCY

A. Every officer of this agency will receive training in both lethal and less lethal weapons upon employment and annually thereafter. Training shall include issuance of policy and procedures, policy review, written testing, and proficiency testing. Officers must successfully complete all phases of proficiency testing before carrying and/or utilizing any weapon.

1. Less Lethal Weapons:

- a. Officers must successfully complete a written test containing policy and deployment procedures.

- b. Officers must demonstrate proficiency through an approved course of fire.
 - c. Testing and proficiency will be conducted by a certified instructor for the approved device.
2. Firearms:
- a. Officers must successfully complete a written test containing policy and procedure.
 - b. Officers must demonstrate weapons proficiency through a course of fire approved by the Ohio Peace Officer Training Commission (OPOTC).
 - c. Testing and proficiency will be conducted by an OPOTC certified Firearms Requalification Instructor.
- B. All lethal and less lethal weapons proficiency testing and qualification attempts will be recorded by the evaluating instructor. Officers failing to demonstrate proficiency shall not be permitted to carry and/or resume official duties until proficiency/qualification is completed.
- C. Any lethal or less lethal weapons instructor may recommend individual officer use be suspended based on an officer's inability to demonstrate proficiency. The recommendation shall be made in writing to the Lieutenant in charge of Training.
1. If the officer fails a weapon proficiency test, written or practical, the instructor shall provide the employee with remedial training tailored to the officers recognized deficiency and shall require the officer to attempt a second qualification immediately following the retraining.
 2. If the officer fails to qualify after the second proficiency test, the officer will again receive remedial training tailored to the officers recognized deficiency and shall be required to attempt a third qualification immediately following the retraining.
 3. If the officer does not qualify after the third qualification attempt, the officer will be relieved of his/her duty. He/she will be temporarily re-assigned to desk duty for five (5) days, during which time he/she will receive one (1) additional retraining session.
 4. If the officer does not qualify after the fourth qualification attempt, he/she will be placed on a thirty (30) day suspension and will be required to qualify upon returning to work.
 5. If the officer does not qualify after the fifth qualification attempt, he/she will be terminated.
 6. At any time during the qualification process, disciplinary action may be initiated if the failure to perform satisfactorily is determined to be due to a failure to follow the directions or suggestions of the instructor(s) and apparent attempt to deliberately fail to qualify, or any other conduct which would violate the disciplinary code of conduct of this agency, or would indicate the officer cannot or will not qualify with agency authorized weapons.
- D. Training/Re-Training shall be conducted by a certified instructor authorized to provide instruction in the lethal or less lethal weapons .

4.3.3 TRAINING

- A. Officers will receive annual training on this policy and demonstrate their knowledge and understanding through written and/or practical training. All lethal or less-lethal tools that have been authorized for use by the Monroe Police Department require proficiency testing each year.
- B. The frequency of proficiency testing for Lethal and Less-Lethal equipment will be determined by the Range Master and the individual topic instructors then approved by the Chief of Police. The Training Plans listed below are the only authorized training formats to be used for training on Lethal and Less-Lethal weapons. Only certified instructors will conduct training on these critical topics
- C. Training Plans
 - 1. [Defensive Tactics, ASP and OC](#)
 - 2. [Edged Weapons](#)
 - 3. [Handcuffing and Restraints](#)
 - 4. [Taser](#)
 - 5. [Subject Control](#)
 - 6. [Semi Auto Pistol](#)
 - 7. [Shotgun](#)
 - 8. [Patrol Rifle](#)
- D. Additional Reference Material
 - 1. [US Marine Corp Close Combat Manual](#)

4.3.4 Issuance and Instruction on Use of Force Policy

- A. Each officer will display understanding and proficiency through qualification and testing during the field training program and thereafter, annually (firearms & Taser) or biennially (expandable baton, chemical agent & weaponless control techniques) under the department's use of force and use of deadly force directive and policy statements in order to be authorized to carry or use any firearm or less lethal weapon.
- B. A receipt showing that an officer has access to, has read and understands the police department's use of force and use of deadly force directive and policy statements will be signed by the officer and maintained by the training coordinator as indicated.
 - 1. Upon initial employment;
 - 2. Upon any revised issuance of this directive.

