



**West Hartford Police
Department**
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GENERAL USE OF FORCE

Chapter:

7

Chapter Title:

USE OF FORCE

Authorization:

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I. PURPOSE

To establish West Hartford Police Department's guidelines and limitations concerning the appropriate and acceptable use of force by members of the department in the performance of their lawful duties.

II. POLICY

It is the policy of the West Hartford Police Department to provide clear procedures to sworn officers regarding the use of force in the performance of their duties. The safety of innocent persons and officers is of paramount importance. This PRD is consistent with requirements under Connecticut Public Act No. 20-1 / HB 6004.

The main responsibility of department officers is to protect the life and property of civilians. In compliance with applicable law, officers shall use only the amount of force necessary and reasonable to accomplish lawful objectives and to control a situation, effect an arrest, overcome resistance to arrest, or defend themselves or others from harm. When force is necessary, the degree of force employed should be in direct relationship to the amount of resistance exerted, or the immediate threat to the officers or others. There is a compelling public interest that officers authorized to exercise the use of force do so in an objectively reasonable manner and in a way that does not violate the civil rights guaranteed by our Constitution and applicable law. Officers who use excessive or unjustified force degrade the confidence of the community that they serve, undermine the legitimacy of a police officer's authority, and hinder the department's ability to provide effective law enforcement services to the community.

Officers who use excessive or unauthorized force shall be subject to discipline, possible criminal prosecution, and/or civil liability. Any member of this department who witness the use of excessive force has both a lawful and department-imposed duty to intervene, failure to act shall be grounds for discipline, possible criminal prosecution and/or civil liability. The use of force is only authorized when it is objectively reasonable and for a lawful purpose. Accordingly, the department will thoroughly review and/or investigate all uses of force by officers to assure compliance with all legal requirements and this policy.

III. DEFINITIONS

Active Resistance: Any physical act, or failure to act, undertaken by a subject, against an officer, that could reasonably interfere with or defeat a lawful attempt by the officer to gain physical control of the subject.

Authorized Weapons: Weapons that meet department specifications and officers are permitted to carry; and for which officers successfully complete proficiency and safety training.

Choke Holds: The intentional use of a chokehold or other method of restraint applied to the neck area of another person, including but not limited to, (1). Arm bar hold, (2). Carotid artery hold, (3). Lateral vascular neck restraint, (4). Neck restraint or hold with a knee or other object while a subject is in the prone position.

(Prohibited except as follows: The use of a choke hold or neck restraint may only be used when the use of deadly physical force is authorized). (Public Act No. 20-1 / HB 6004)

Deadly Physical Force: A use of force, which is likely to cause death or serious physical injury. This includes firearms, and may include strikes and holds, batons, and striking projectiles, when such blows or holds are applied to the head and neck areas in order to incapacitate the offender.

De-escalation: A decrease in the severity of force used in an incident in direct response to a decrease in the level of resistance.

Conducted Electrical Weapon (CEW): An incapacitating weapon used for subduing a person by administering an electric shock for the purpose of disrupting superficial voluntary muscle functions. This is an intermediate-range weapon and is classified as non-deadly. The weapon should only be used when an officer is met with a certain degree of resistance or aggression through either actions or words.

Excited Delirium: Is broadly defined as a state of agitation, excitability, paranoia, aggression, and apparent immunity to pain, often associated with stimulant use and certain psychiatric disorders.

Exigent Circumstances: Those circumstances that would cause a reasonable person to believe that a particular action is necessary to prevent physical harm to an individual, the destruction of relevant evidence, the escape of a suspect, or some other consequence improperly inhibiting legitimate law enforcement efforts.

Force: Use of Force is anything above the mere escorting or handcuffing of a person. Utilizing appropriate force is lawful if it is **objectively reasonable** under the circumstances to effect an arrest, or protect the officer or other person. Force is any physical strike or instrumental contact with a person; any intentional attempted physical strike or instrumental contact that does not take effect or any significant physical contact that restricts the movement of a person. The term includes the discharge of a firearm, or pointing a firearm at or in the direction of a human being, use of chemical spray, use of impact weapons, use of electronic control weapons (CEW), or hard hands, taking of a subject to the ground, or the deployment of a canine.

Great Bodily Harm/Serious Physical Injury: Serious bodily injury that creates a substantial risk of death, causes serious or permanent disfigurement, or results in long-term loss or impairment of the functioning of any bodily member or organ.

Harm: Injury inflicted upon a person, whether visible or not.

Imminent Threat: An officer's reasonable perception of impending danger, death, or serious injury from any action or outcome that may occur during an encounter. A subject may pose an imminent or impending threat even if he or she is not pointing a weapon at the officer but has, for example, a weapon within reach, is running for cover carrying a weapon, or running to a place where the officer has reason to believe a weapon is available.

Impact Weapons: Department approved tools that provide a method for gaining control of a subject when lethal force is not justified, but when empty hand control techniques are not sufficient to effect control.

Level of Resistance: The amount of force used by a subject to resist compliance with the lawful order or action of an officer.

Non-Deadly: Any force used by an officer that would not reasonably be expected to cause death.

Objectively Reasonable Force: The degree of force used in effecting an arrest, investigatory stop, or other seizure is evaluated by using an objective, reasonable police officer standard. The reasonableness of each particular use of force will be judged from the perspective of a reasonable officer on the scene, based on the facts and circumstances known to and confronting the officer at the time. (See, *Graham v. Connor*, 490 US 388 (1989).) In determining the appropriate level of force to be used, officers shall evaluate each situation in light of the unique facts and circumstances of each case. Those factors include, but are not limited to, the

seriousness of the crime or suspected offense; the level of threat or resistance presented by the subject; the risk or apparent attempt by the subject to escape; and whether the subject was posing an imminent threat to officers or others.

Oleoresin Capsicum (OC) Spray: An inflammatory agent that irritates the mucus membranes and eyes to cause tears and pain. It is an intermediate range weapon that is classified as being non-lethal. It should only be used, however, when an officer is met with a certain degree of resistance or aggression through either actions or words.

Passive Resistance: When a subject does not cooperate with an officer's commands, but does not take action to prevent being taken into custody. For example, a protestor who lies down in front of a doorway and must be carried away upon arrest.

Physical Force: Any force that exceeds mere touching.

Positional Asphyxia: also known as postural asphyxia, is a form of asphyxia occurring when someone's body position prevents the person from breathing adequately.

Reasonable Belief: Facts or circumstances that would cause a reasonable, similarly-trained police officer to act or think in a similar manner, under similar circumstances.

Reasonable Force: The level of force that is objectively reasonable to accomplish a lawful purpose.

Verbal Commands: The use of advice, persuasion, warnings, and or clear directions prior to resorting to actual physical force. In an arrest situation, officers shall, when feasible, give the arrestee simple directions with which the arrestee is encouraged to comply. Verbal commands are the most desirable method of dealing with an arrest situation.

IV. PROCEDURES

A. General

1. Officers shall use verbal commands or advisements, warnings, verbal persuasion, and verbal instructions when possible before resorting to force.
2. All officers are required to deploy de-escalation/calming strategies and/or verbal warnings prior to the use of force with such actions subject to concerns of officer and public safety.
3. When feasible based on the circumstances, officers will use disengagements, area containment, surveillance, waiting on a subject, summoning reinforcements and/or calling in specialized units, in order to reduce the need for force and thereby increase officer, suspect and civilian safety.
4. Officers shall allow individuals time to submit to arrest before force is used, whenever possible.
5. A supervisor should respond to the scene when force greater than compliant handcuffing is applied.

B. Use of Force Authorization and Limitations

Officers of the department are authorized to use only the amount of force necessary to accomplish lawful objectives. Objectively reasonable force may be used:

1. To effect an arrest or prevent the escape from custody of a person whom the officer reasonably believes has committed an offense.

2. To defend the officer or others from the use, or imminent use, of physical force.
3. To take persons into protective custody when authorized by law, such as persons who are a danger to themselves or others, persons incapacitated by alcohol, and/or runaway children.
4. To prevent someone from committing suicide or inflicting serious physical injury upon themselves.
5. To assist a licensed physician or psychologist in providing necessary medical treatment.
6. To control a situation, and to overcome passive or active resistance to a lawful order.
7. To neutralize an unlawful assault and defend themselves or others from harm.
8. The authorized use of physical force ends when resistance ceases and/or the officer has accomplished the purpose necessitating the use of force. Justification for the use of force is limited to the facts known or perceived by the officer at the time such force is used, including levels of resistance, suspect's behavioral cues, the number of officers and/or offenders present, and the availability of other options.
9. Force shall never be used to subject a person to torture and/or other cruel, inhumane, or degrading treatment or punishment. All members of this department have an obligation as follows:
 - a. A requirement that an officer who directly observes a use of force that is unreasonable, excessive or otherwise in violation with the agency's use of force policy and/or a violation of state or federal statute (illegal), shall contact a supervisor as soon as practicable;
 - b. A requirement that an officer will act to intervene and stop the unreasonable, excessive, or illegal use of force by another police officer;
 - c. A requirement that a supervising officer that directly observes unreasonable, excessive, or illegal use of force shall issue a direct order to stop the violation;
 - d. A requirement that officers who have knowledge of excessive, unreasonable, or illegal use of force against a person shall notify a supervisor and submit a written incident report to a supervisor in a timely fashion; and
 - e. All members are prohibited against retaliation for any officer that intervenes against excessive use of force, reports misconduct, or cooperates in an internal investigation. (Public Act No. 20-1 / HB 6004)
10. All sworn personnel shall receive in-service training on all department use of force policies.

C. Verbal Warnings

When tactically feasible, an officer will identify him/herself as a police officer and issue verbal commands and warnings prior to the use of force. When feasible, an officer will allow the subject an opportunity to comply with the officer's verbal commands. A verbal warning is not required in exigent circumstances where the officer has to make a split-second decision, or if the officer reasonably believes that issuing the warning would place the safety of the officer or others in jeopardy.

D. Use of Deadly Force in Defense of Human Life

An officer is justified in using deadly physical force only when he or she reasonably believes such force is necessary to:

1. Defend the officer, or a third person, from the imminent threat of death or serious bodily injury.
2. Effect an arrest or prevent the escape from custody of a person whom they reasonably believe has committed, or attempted to commit a felony involving the infliction or threatened infliction of serious physical injury; AND the officer reasonably believes this person still poses a significant threat of death or serious physical injury to the officer or other persons. Where feasible, the officer should give warning of the intent to use deadly physical force. In reference to *Tennessee v. Garner*, 471 U.S.1, 85 (1985.), the United States Supreme Court ruled that the use of deadly force to prevent the escape of a suspected felon violates the Fourth Amendment prohibition against unreasonable seizure if used against an apparently unarmed, non-violent suspect (the case involved a burglary suspect). The Supreme Court further stated that deadly force may be used against an offender who has attempted or committed an offense involving the infliction or threatened infliction of great bodily harm. Deadly force may not be used against an unarmed, non-violent, property crime offender. The United States Supreme Court decision went on to state that when an officer is justified in the use of deadly force he will, if feasible, first give a verbal warning. (Example: "Police Officer, Halt").

E. Deadly Force Restrictions

1. Warning Shots Prohibited

Officers are prohibited from discharging their firearms as a means of warning or frightening a person.

2. Shooting at or from Moving Vehicles

Officers are prohibited from discharging their firearms at or from a moving vehicle, motorcycle, or bicycle (collectively, "moving vehicle") unless officers reasonably believe deadly force is necessary to defend the officer or a third person from the use, or imminent use, of deadly force. For purposes of this policy, officers will not discharge their firearms at moving vehicles except under extreme circumstances. Such discharges will be rigorously scrutinized. Officers shall, as a rule, avoid tactics that could place them in a position where a vehicle could be used against them. When confronted with an oncoming, moving vehicle, officers must attempt to move out of its path, when possible, and should generally avoid placing themselves in situations where the use of deadly force is more likely. (*Public Act No. 19-90*)

3. Risk to Innocent Bystanders

When officers are about to discharge their firearms, they should be aware of their field of fire, including the backdrop, so as to avoid creating an unnecessary, substantial risk of harm to innocent persons. Officers are prohibited from discharging their firearms when, based on the totality of the circumstances, discharging a firearm would constitute a greater risk to innocent human life than the subject's actions. (i.e., discharging a firearm into a crowd, or shooting into a building or through a wall, where the subject is not clearly identified and it is unknown if there are other occupants present.)

4. Pointing Weapons

Officers are prohibited from drawing and pointing their firearms at or in the direction of a person, absent an objectively reasonable determination that the situation may escalate to the point where deadly force would be authorized under this policy. When it is determined that the use of deadly force is not necessary, officers shall, as soon as practicable, secure or holster their firearms. It is the rule of this Department that drawing a firearm and pointing it at a target is considered a use of force and must be documented as such.

5. Use of Firearm to Dispatch Animals

Officers and Animal Control Officers may use deadly force against an animal that represents a threat to the officer or to public safety. Whenever possible, officers should advise the Emergency Reporting Center prior to using deadly force against a dangerous animal.

Deadly force may also be used as a humanitarian measure, where an animal is seriously injured and humaneness demands its immediate removal from further suffering. Officers and Animal Control Officers should seek the authorization of their supervisor when feasible and, whenever practical, authorization from the animal's owner, prior to dispatch.

6. Use of Department Weapons for Training and Other Purposes

Officers may discharge their firearms for the purpose of practice, firearms training, when on the police range or other established shooting ranges, or when authorized by the Chief of Police to participate in law enforcement competition events.

7. Use of Firearms While Under the Influence of Alcohol and/or Drugs

Officers shall not carry or use any firearms or weapons while impaired by alcohol, drugs, or any other medical condition that might interfere with their judgment or proficiency.

8. Security, Storage, and Safe Handling of Firearms

Officers shall be trained in accordance with department guidelines, and shall obey all safety rules when handling any firearm or any other weapon. No person other than West Hartford Police Department Officers shall be permitted access to any department owned firearm, with the exception of: police officers from other jurisdictions in the official performance of their duty; for repair or maintenance as approved by the Department; or other circumstances with the express permission of the Chief of Police.

Officers will secure and store firearms, both on and off duty, in such a way as to ensure that no unauthorized person will have access to or gain control over the firearm. All department firearms kept at home must be secured in a safe place inaccessible to family members, especially children.

Whenever an officer is in the department and removes his/her handgun or other weapon, the item must not be left in the open and must be secured so that it is not readily accessible to civilians, suspects, victims, or witnesses.

F. Use of Non-Deadly Force

Officers shall only use weapons and control techniques that are issued and/or approved for use by the department. The use of non-deadly force shall be limited to defensive and control purposes. Officers shall use only the reasonable amount of force necessary to overcome resistance or accomplish the police task. The use of non-deadly force shall conform to applicable department standards of conduct, policies, procedures, and training. Officers shall not carry any non-deadly weapons, or employ any non-deadly techniques, prior to successfully completing the relevant department approved training for each weapon or technique.

1. Authorization to Use Non-deadly Force

Officers are authorized to use department approved, non-deadly force techniques and authorized weapons to:

- a. Prevent the escape from custody, or to effect a lawful arrest, of a person whom the officer reasonably believes has committed an offense; or

- b. Protect or defend the officer or others from what he/she reasonably believes to be active resistance while effecting or attempting to effect an arrest, or while preventing or attempting to prevent an escape.

NOTE: Nothing in this policy is intended to discourage officers from using a higher level of force whenever such force is necessary and objectively reasonable under the circumstances.

2. Non-deadly Force Restrictions

The following tactics of non-deadly force are prohibited except in circumstances when **deadly force** is authorized by this policy:

- a. Any choke holds or neck restraints, with or without a device, that restricts a person's airway;
- b. Any strike with an impact weapon or object to a person's head or neck; and/or
- c. Any use of flashlights, radios, or any other items not issued or trained specifically as defensive weapons. In limited circumstances when a confrontation escalates suddenly and unpredictably, however, an officer may use any means or device at hand such as a flashlight, radio, and other issued equipment, to defend themselves, another person, or to bring a situation under control. This decision should be based on the circumstances surrounding the officer at the time, if the officer determines it was reasonably necessary to do so, as long as the level of defensive action is objectively reasonable given the existing circumstances.
- d. Force shall not be used against persons in handcuffs, except as objectively reasonable to prevent imminent bodily harm to the officer or another person or persons or to prevent attempted escape.

3. Impact Weapons

Authorized impact weapons may be used only when an officer is confronted with actual or imminent active aggression against him/herself or another person. (Refer to PRD 7.7 for specifics regarding the authorized use of an Impact Weapon)

The use of a baton or similar instrument to strike a blow to a subject's arms or legs will be considered use of non-deadly force. The use of any such items to intentionally strike a subject's head or neck is prohibited except where deadly force is authorized by this policy.

4. Oleoresin Capsicum (OC Spray)

Authorized OC spray is an alternative to physical control techniques and the use of other intermediate weapons. As with any other use of force, however, OC spray must not be used indiscriminately or without justification. Officers must be able to articulate the reason(s) the subject was sprayed with OC spray.

OC spray shall be utilized as issued and authorized to prevent injury to the subject(s), officers and others. (Refer to PRD 7.7 for specifics regarding the authorized use of an OC spray)

5. Conducted Electrical Weapon

A Conducted Electrical Weapon (i.e., TASER®) is authorized for use when other non-deadly options have been ineffective, or when it reasonably appears that such options will be ineffective in subduing the subject. Conducted Electrical Weapons shall only be used in situations where the subject is actively resisting or attempting to avoid arrest by escape and /or poses an imminent threat to the safety of him/herself, another person, or the officer. Fleeing shall not be the sole justification for using an CEW against a subject. Personnel should consider the severity of the offense, the subject's threat level to others, and the risk of serious injury to the subject before deciding to use the CEW on a fleeing subject. (Refer to PRD 7.7 for specifics regarding the authorized use of an electronic control device)

G. Objectively Reasonable Force

The West Hartford Police Department issues officers several weapon systems to aid the officer when deciding to use force. Officers may choose from among the systems when the use force becomes necessary. Nothing in this policy should be interpreted to prevent any officer from making a choice of options in a particular order, or from moving between systems during the course of an incident. This department employs the "Objectively Reasonable Force" standard as guidance in the appropriate and reasonable application of force. Examples are as follows:

- Officer Presence — No force is used. Considered the best way to resolve a situation.
- Verbalization — No force is used.
- Empty-Hand Control — Officers use bodily force to gain control of a situation.
- Less-Lethal Methods — Officers use less-lethal technologies to gain control of a situation.
- Lethal Force — Officers use lethal weapons to gain control of a situation. Should only be used if a suspect poses a serious physical threat to the officer or another individual.

H. Authorized Systems

In an effort to apply the least amount of force in any given situation, West Hartford Police Department trains sworn personnel in various systems. The authorized systems are:

- Hands on techniques or holds
- Handcuffs, belly bands, leg shackles and zip ties
- Oleoresin Capsicum sprays (OC Spray)
- Batons or striking devices
- Conducted Electrical Weapons (CEWs),
- Pistols
- Shotguns
- Rifles
- Other specialized weapons systems used by special service units.
- Weapons of opportunity
 - o A weapon of opportunity may include any object available to an officer. Weapons of opportunity should not be used unless necessary to protect the officer or others and the officer cannot avail themselves of an authorized weapon.
 - o Flashlights similarly should not be used as weapons unless necessary to protect the officer or others and the officer cannot avail themselves of an authorized weapon.

- Choke holds - may only be an option if an officer finds themselves in a deadly force situation. Officers attempting to control aggressors or taking persons into custody must be aware of two types of situations as follows:
 - a. Whenever a person is taken into custody, officers are required to take affirmative steps to safeguard the in-custody individual from falling victim to “Positional Asphyxia”. Consider positioning the subject in an upright sitting or standing position so they are able breath adequately.
 - b. Officers should understand that there may be exceptional situations where a subject may be displaying signs of “Excited Delirium” and many of the systems listed under section H of this PRD may not be effective.

West Hartford Police Officers will receive continuing training on both “Positional Asphyxia” and “Excited Delirium”.

I. Training and Qualifications

In addition to training required for firearms qualification, officers shall receive department authorized training designed to simulate actual situations and conditions and, as otherwise necessary, to enhance officers’ discretion and judgment in using deadly and non-deadly force in accordance with this policy.

1. All training, including remedial training, will be documented.
2. All officers shall, at least annually, receive in-service training for all lethal weapons and training in the department’s use of force policy and related case law updates. All officers qualified in the use of impact weapons, OC spray, electronic control weapons, and control techniques shall, at least every two years, re-qualify on such weapons or techniques under the instruction of a certified instructor.
3. Training and proficiency results for any authorized weapon will be documented in the training files. Officers must demonstrate proficiency with weapons in compliance with the Police Officer Standards and Training Council (POSTC) requirements.
4. All officers who fail to demonstrate the required proficiency with department issued weapons shall receive remedial training. Remedial instruction for department issued firearms shall follow the department’s firearms policy.
5. An officer failing to demonstrate proficiency with a weapon shall not return to duty with that weapon until such time as proficiency is demonstrated and documented.
6. Only officers demonstrating proficiency in the use of department-authorized weapons shall be approved to carry such weapons.
7. Supervisors shall make referrals for remedial training to the Training Division if they identify any employee performance deficiencies related to the application of use of force or associated equipment use.

J. Use of Force Reporting

1. Officer’s Responsibilities:

When an officer finds it necessary to use force to affect an arrest, or for any other law enforcement purpose, whether on duty or off-duty, that officer shall:

- a. Notify a supervisor of the incident as soon as circumstances allow.
- b. The officer(s) using force will document the usage in an incident report and accompanying additional reporting forms as appropriate. The report should include witness information and, if possible, statements. Back-up officers on scene will complete a supplemental report.
- c. Officers who actually use force that rises above **compliant handcuffing** shall complete a State of Connecticut – Use of Force form found in NexGen Reports and will be submitted to their supervisor for review. (Internal use only)
- d. In addition - Connecticut General Statute 7-282e requires each law enforcement unit to report on a POSTC – standard use of force and electronic defense weapon reporting form for any use of force incident that meets the following criteria:
 1. When a police officer witnesses another police officer use what the witnessing officer objectively knows to be unreasonable, excessive, or illegal use of force or is otherwise aware of such force by another police officer.
 2. When a police officer uses physical force that is likely to cause serious physical injury, as defined in C.G.S. 53a-31, to another person or the death of another person, including, but not limited to:
 - a. Striking another person with an open or closed hand, elbow, knee, club, or baton
 - b. Kicking another person
 - c. Using pepper spray, or an electronic defense weapon, as defined in C.G.S. 53a-32, or less lethal projectile on another person
 - d. Using a chokehold or other method of restraint applied to the neck area or that otherwise impedes the ability to breathe or restricts blood circulation to the brain of another person
 - e. Discharges a firearm, except during a training exercise or in the course of dispatching an animal.
 - f. Connecticut General Statute 54-1t requires each law enforcement unit to report a record of any incident involving the use of an electronic defense weapon.
 3. Document:
 - a. When multiple applications of force are required, or multiple types of force are required, each application type and deployment cycle should be documented regarding the continuing circumstances that necessitated the additional force application or deployment cycle.
 - b. If the application of force creates breaks in the skin or there is other visible injury, photographs will be taken. Officers should also consider photographs even if there is no apparent injury.

- c. Any data collected by use of force devices, or by body or dash mounted cameras will be downloaded from the devices or cameras and a copy of the download report or a notation will be added to the incident report by the officer(s) detailing that the evidence was downloaded.

4. Shift Supervisor's Responsibilities:

- a. When a use of force incident occurs, the Shift Commander or designee, has the primary responsibility to make certain that all necessary Use of Force Report Forms are properly completed, reviewed for accuracy, and submitted as required by officers under their command. The Supervisor will review as dictated under section N.1 of this PRD.
- b. When an on-duty or off-duty employee has been involved in a use of force incident, which has resulted in death or serious injury to any person, the Shift Commander will immediately report the incident to the Chief of Police, via the chain of command. This also includes those cases where any firearm is accidentally or purposefully discharged which results in injury or death to any person.

K. Maintenance and Accountability for Weapons:

1. The Training Division will maintain a list of all approved weapons and ammunition that will be made available to all employees. The Training Division will also maintain inventory reports for all weapons authorized by the agency and update inventories annually.
2. All weapons will be inspected by a qualified firearms training officer for proper functionality prior to issuance to an officer. Only weapons and ammunition authorized by the agency may be used by agency personnel in the performance of law enforcement duties.
3. At each training session for lethal or less lethal weapons, the training officer or instructor will conduct an inspection of all weapons assigned to each officer present and confirm that:
 - The weapons are properly assigned to the officer carrying the weapon.
 - That the weapons (lethal and less-lethal) are in working order; and
 - That inventory records accurately reflect weapons assigned to individual officers.
4. The procedures listed above will also apply to any weapons authorized by the agency for off-duty carry.
5. Whenever a department weapon is found to be unsafe or not functioning properly, it will be immediately turned in by the officer and the officer will be issued a replacement. The Training Division will maintain an inventory of replacement firearms and assure such firearms are available for issuance when needed.

L. Post Use Procedures / Medical Attention:

1. Any time a person has visible injuries or complains of being injured as a result of force used against him/her by an officer, the officer must take appropriate actions to provide medical care for the injured person. This includes providing first aid, requesting emergency medical

services, and/or arranging for other transportation to a hospital or emergency medical facility.

2. Officers shall be trained in proper treatment procedures for persons exposed to chemical sprays and the effects of other less-lethal force. If the person is offered and/or refuses treatment, this refusal shall be recorded in the police report, along with all relevant information. In addition, the officer will also notify their supervisor as soon as practical. If warranted, the supervisor will arrange to have photographs taken of the person's injuries or lack thereof and those photographs will be attached to the police report.
3. The officer must also be cognizant of any medical regulations or guidelines regarding the use of CEW's asserted by any medical authority having jurisdiction over the agency if the CEW is used.
4. If force was applied to sensitive areas such as the groin, eye, female breasts, and face or neck, officers shall evaluate the subject or have medical personnel respond to the scene to evaluate the subject. If the officer or medical personnel feel a doctor should further evaluate the subject, then the subject will be transported to the hospital for an evaluation. The officers who applied force should be aware of Bio-Hazards and inspect their person and equipment and clean or replace items as necessary.
5. The following persons shall be evaluated and assessed by EMS personnel as to the need for transport to a hospital for examination following exposure to a use of force by West Hartford officers, or by officers from other agencies when their use of force occurs in our jurisdiction and a West Hartford officer is present. Any person who:
 - a. Loses consciousness, exhibits irregular breathing, or is known to be under the influence of drugs or medications;
 - b. Is hit in a sensitive area (e.g., head, throat, breast / chest or area of the heart, genitals or any pre-existing injury areas);
 - c. Does not appear to recover properly after force was applied;
 - d. Has had one of more CEW effectively used against him or her in any given incident;
 - e. Has had more than one type of force or weapon system used effectively against him or her in any given incident;
 - f. Has exhibited signs of extreme uncontrolled agitation or hyperactivity prior to or during force application;
 - g. Is in a potentially susceptible population category, including children, the elderly, persons of small stature irrespective of age, or those who the officer has reason to believe are pregnant, equipped with a pacemaker, or in obvious ill health;
 - h. Exhibits bizarre or violent behavior, including self-mutilation;
 - i. Is naked in a public place or exhibits signs of overheating;
 - j. Evidences slurring or slowness of speech that appears to be caused by a medical nature.
 - k. Subject claims to have been injured or in medical distress.
 - l. Anytime directed by a supervisor.

M. Subjects Held in Custody

Following the use of the force, any subjects not released for Court will be monitored while in custody. Any medical complaints will be evaluated and appropriate medical aid provided, including transportation to a medical facility if necessary, consistent with PRD section 8.5, Medical Attention for Prisoners.

N. Departmental Use of Force Review and Tracking

1. NexGen Use of Force Form & a POSTC - standard use of force and electronic defense weapon reporting form shall be utilized as detailed below.

- a. Officer Responsibilities:

- An officer use of force will be reported on the NexGen CT Use of Force Form.

- b. Shift Supervisor Responsibilities:

- The Shift Supervisor will review the NexGen CT Use of Force Form and approve if it is policy compliant and print a copy of the approved NexGen form.
- If the Shift Supervisor determines that the Use of Force incident qualifies for the reporting to the State of CT as outlined in Section J.1.d of this PRD they shall cause a POSTC – standard use of force and electronic defense weapon reporting form to be generated and printed out, BUT NOT SUBMITTED to the state of CT
- The Shift Supervisor will complete the Supervisor Sections of the WHPD Departmental Use of Force Review Checklist & Sign-Off Sheet.
- The Shift Supervisor will forward the Use of Force Review Checklist & Sign-Off Sheet along with the NexGen CT Use of Force Form and the POSTC – standard use of force and electronic defense weapon reporting form (if it qualifies) to the Shift Commander.

- c. Shift Commander / Inside Boss Responsibilities:

- The Shift Commander will review the use of force packet received from the Shift Supervisor.
- The Shift Commander shall concur with the Shift Supervisor or cause further action to be taken and returned for another review.
- If the Shift Commander reviews and approves the use of force, the packet will be forwarded to the appropriate Division Commander for review.

- d. Division Commander Responsibilities:

- The Division Commander will review the use of force packet received from the Shift Commander.
- The Division Commander shall concur with the Shift Commander or cause further action to be taken and returned for another review.
- Once reviewed and approved by the Division Commander, the packet will be forwarded to the Commanding Officer of the Professional Standards Unit (PSU).

- e. Professional Standards Unit Commander Responsibilities:

- The PSU Commander will cause only the POSTC – standard use of force and electronic defense weapon reporting form to be submitted to the State of CT repository.
- The entire packet will be filed within PSU.
- The PSU Commander and Administrative Captain will jointly produce an annual Use of Force Statistical Report (internal use) to be submitted to the Chief of Police for review, no later than January 31 of each calendar year.

NOTE: If at any stage of the review process, should any Supervisor or Commander determine that the use of force did not comply with the department policy or statute, notification through the chain of command should be made ASAP to the appropriate Assistant Police Chief for further action.

O. Routing / Responsibilities

1. The Patrol Division Commander is responsible for the review of all Patrol Division Personnel and Emergency Services Unit (ESU) use of force incident reviews.
2. The Detective Division Commander is responsible for all Detective Division (DD), Community Support Unit (CSU) and Community Relations (CR) personnel use of force reviews.
3. The Administrative Captain is responsible for all Training Division personnel, Traffic Division personnel and Animal Control Officer's use of force incidents.

P. Additional PRD Guidance

Refer to the specific PRD identified below for further information:

- PRD 7.1 Protocol & Procedure for Investigation of the Use of Deadly Force.
- PRD 7.2 Use of Deadly Force
- PRD 7.3 Humanitarian Dispatch of Injured Animals
- PRD 7.5 Shotgun
- PRD 7.6 Police Rifles
- PRD 7.7 Less Lethal Force
- PRD 7.8 Conducted Electrical Weapon



Use of Force Review Checklist & Sign-Off Sheet

NexGen CFS #: _____

Personnel Involves: _____

Badge #: _____

Additional Personnel Involves: _____

Badge #: _____

Shift Supervisor: _____

Badge #: _____

Shift Supervisor's Report

- | | | | |
|--|------------------------------------|--|------------------------------|
| Preliminary Investigation: | <input type="checkbox"/> Completed | <input type="checkbox"/> Not Completed | <input type="checkbox"/> N/A |
| Evaluate for Injuries (Officer/Suspect): | <input type="checkbox"/> Completed | <input type="checkbox"/> Not Completed | <input type="checkbox"/> N/A |
| Photograph the Scene: | <input type="checkbox"/> Completed | <input type="checkbox"/> Not Completed | <input type="checkbox"/> N/A |
| Secure/Photograph Evidence: | <input type="checkbox"/> Completed | <input type="checkbox"/> Not Completed | <input type="checkbox"/> N/A |
| Interview Witnesses: | <input type="checkbox"/> Completed | <input type="checkbox"/> Not Completed | <input type="checkbox"/> N/A |
| Use of Force Form: | <input type="checkbox"/> Completed | <input type="checkbox"/> Not Completed | <input type="checkbox"/> N/A |
| Review Audio/Video: | <input type="checkbox"/> Completed | <input type="checkbox"/> Not Completed | <input type="checkbox"/> N/A |
| Review Incident Report: | <input type="checkbox"/> Completed | <input type="checkbox"/> Not Completed | <input type="checkbox"/> N/A |

Supervisor's Review/Recommendation

- | | | | |
|---|--|---|------------------------------|
| Department Review Entry: | <input type="checkbox"/> Completed | <input type="checkbox"/> Not Completed | <input type="checkbox"/> N/A |
| <input type="checkbox"/> No Action Needed | <input type="checkbox"/> Refer up Chain of Command | <input type="checkbox"/> Refer to Training Division | |

Signatures Required

Shift Commander: _____ Date: _____

Involved Personnel's Division Commander: _____ Date: _____

Assistant Chief (If Applicable): _____ Date: _____

Received by Professional Standards Unit Date: _____

Submitted to State of CT



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