

Chapter 31

DIRECTIVES

DIRECTIVE 01 - 01 – LESS LETHAL FORCE

(Revised 1/19/01)

13.3.4 Less Lethal Force

1.3.4

Less lethal force lies between presence and deadly force on the Continuum of Resistance, as taught in authorized training.

A. General

Officers may use only the controlling techniques they have been taught in training and in the manner intended.

B. Less lethal weapons (impact, control, and capture devices)

As with deadly force weapons, less lethal force weapons may only be used as taught in authorized, annual training.

Less lethal weapons may include, but are not limited to, straight batons, side-handled batons, kubatons, riot batons, ASP batons, Tasers, beanbag or baton rounds fired from a .12 gauge shotgun, and chemical agents. All weapons utilized on duty shall be approved and issued by the Auburn Police Department.

C. Use of Less Lethal Force

Less lethal force may be used as necessary to effect the lawful purpose intended.

D. Restraints (includes handcuffs)

Handcuffs or other restraints may be used to prevent the escape of persons in custody and to prevent injury to the officer and others.

Each prisoner taken to an interview room or detective's office must be handcuffed.

Handcuffs may be removed in the interview room if the prisoner poses no threat.

Handcuffs must be placed on every person arrested and transported.

Handcuffs are not to be removed at the detention facility until a thorough pat-down of the prisoner has occurred.

E. Chemical Agents

Police Personnel may carry and/or use only those chemical agents approved and issued by the Auburn Police Department. Prior to carrying or using the authorized chemical agents, each officer must be thoroughly trained in the proper use and effects of these agents. See 13.3.6 for documenting requirements.

F. Tasers

The Taser brand, or similar electrical device approved by the Chief of Police or his/her designee, may be used to prevent serious injury to self and other persons. The use of these devices on restrained persons (handcuffs or soft restraints) is prohibited.

Officers will remove any probes attached to the subject prior to transport, with the exception of those probes that are lodged in sensitive areas (i.e. face, neck, and groin). Photographs will be taken of probe contact points on the subject. Photographs will be taken of any discharged probes. All probes will be disposed of in approved medical containers (sharps).

G. Batons

No baton that is not issued or approved may be worn. Batons may not be modified without approval.

H. Flashlights

Flashlights may only be used in a defensive manner.

I. Police Canine (K9)

See 14.1.5.

13.3.5 Rendering Aid after Use of Force

1.3.5

After the use of any restraint technique or weapon, officers should determine any need for medical treatment and render or summon any aid needed as soon as can be safely done. Photograph any injury (or claimed injury) site.

If possible, have a second officer examine the subject.

13.3.6 Documenting Use of Force

1.3.6

The on-duty supervisor must immediately be notified whenever any Auburn police officer discharges a firearm for other than training or recreational purposes, takes an action that results in, or is alleged to have resulted in, injury or death of another person, or applies force through the use of lethal or less-than-lethal weapons.

The use of any physical force must be documented by the utilizing officer via completing the department "Use of Force" form prior to getting off shift. This standard is not intended to require officers to document the display of weapons.

13.3.7 Reviewing the Use of Force

1.3.7

A thorough investigation will be conducted subsequent to the use of any force by our officers resulting in death or serious injury. An independent investigation by an outside agency may be requested in extraordinary situations.

Use of force forms will be immediately forwarded to the Chief of Police via the chain of command and closely scrutinized by each supervisor and/or commander in the chain. Any impropriety must be addressed with corrective action immediately.

Force reports will be maintained in a confidential file for administrative use only. They will be reviewed on an annual basis to identify any needed adjustments in training and/or department standards and procedures.

13.3.8 Administrative Leave

1.3.8

Mandatory administrative leave (full pay and benefits) for personnel directly involved in deadly force incidents begins as soon as the incident ends and paperwork is completed. It lasts for the rest of the shift and for a minimum of the next two full days.

A fellow officer may be requested to assist with transportation needs, companionship, and moral support. The named officer will also be placed on administrative leave.

Conversations with the named officer are confidential and privileged (for the purpose of any departmental investigation or review).

Whenever any Auburn police officer is directly involved in the use of force that results in serious injury or death, that officer, while on administrative leave, will be sent to the department psychologist for a "Fit for Duty" evaluation. This evaluation is mandatory. Officers indirectly involved in lethal or serious injury incidents may also be directed to undergo such an evaluation upon indication that it would be of benefit to the department or to the individual officers.

13.3.9 Lethal/Less Lethal Weapons (Firearms and Ammunition)

1.3.9

Only issued or approved weapons and ammunition may be carried on or off duty.

Currently the issued weapon for duty is a semi-automatic, 9mm caliber, double action pistol.

Other authorized weapons include 40 caliber or .45 ACP. These must be double action, have a minimum magazine capacity of seven rounds, and be approved by the Range Master.

Only department-issued or authorized ammunition may be carried.

A. Special Weapons

Only officers successfully completing a proficiency course in the use of agency-authorized firearms are permitted to carry or use such weapons. The proficiency course will be determined by the Range Staff or SRT (Special Response Team) Commander and approved by the Chief of Police. Special weapons include:

1. Shotguns

Shotguns for the Auburn Police Department will be 12 gauge, and the standard ammunition will be 00 buckshot and rifled slugs.

When necessary, shotguns utilizing standard ammunition may be used by members trained in their use, at their own discretion, in accordance with the provisions outlined in this standard on the use of deadly force.

Shotguns, utilizing less lethal ammunition (i.e. beanbag or baton round), will only be deployed at the direction of a supervisor. Less lethal shotgun training will be conducted at least once a year. Course content and qualification requirements will be established by the defensive tactics staff. Only individuals who are trained are authorized to use the less lethal shotgun ammunition.

2. Carbines

Carbines for the Auburn Police Department will be .223 caliber, with department-approved ammunition.

Carbines may only be used by members trained in their use when necessary, at their own discretion, in accordance with the provisions outlined in this standard on the use of deadly force.

Carbine familiarization training will be conducted at least once a year. Course content and qualification requirements will be established by the range staff.

3. Specialized Weapons

The Auburn Police Department has in its possession certain specialized weapons, such as long-range rifles, fully automatic weapons, and tear gas launcher.

Only properly authorized and trained personnel are permitted to possess or use these weapons. The SRT Commander shall determine training content and qualification requirements. The SRT Commander shall designate who is qualified on specialized weapons.

These weapons are assigned to the Special Response Team and will be used only in accordance with established policy and procedure for special operational situations.

The SRT Commander is responsible for maintaining the records pertaining to firearms and training within the unit.

B. Less Lethal Weapons

A less lethal weapon is any weapon other than a firearm or knife, used to control persons or defend department personnel or others from harm.

Less lethal weapons include, but are not limited to, the Taser, straight stick baton, side-handle baton, kubaton, ASP baton,

beanbag or baton rounds fired from a .12 gauge shotgun, and OC agent.

Less lethal weapons may be carried by officers only after successful completion of a department-approved training program.

No member will carry or use, at any time, any weapon of the type commonly referred to as brass knuckles, saps, or sap gloves.