

Glendale Police Department			
General Order			
USE OF FORCE			23.000
Date Issued 01-29-2000	Date Effective 01-02-2000	Review Date 02-15-2000	Page 1 of 20

23.001 Purpose:

- A. The policies of the Glendale Police Department regarding the use of physical force, less lethal and lethal weapons and equipment, deadly force, and discharging firearms will be set forth in this order. Each sworn officer, employee and police recruit will have access to this order and will be instructed in these applicable policies before employing any of the weapons or tactics set forth herein. Only department-issued or approved weapons, equipment, and chemical agents will be authorized.
- B. These policies are intended to provide guidance to employees in carrying out public safety activities and the mission of the department. They are definitely not intended to be standards of conduct that, if breached, expose employees to civil liability because to do so would seriously undermine the department’s ability and motivation for writing policy and severely restrict employee discretion.

23.002 Philosophy: Use of Force

- A. It is the philosophy of the Glendale Police Department to use only the minimum level of force or control reasonably necessary to conduct lawful public safety activities and the mission of the department. The level of force/control used is predicated on the circumstances of the contact and the level of resistance presented by the suspect. Officers will only use the amount of force/control reasonably necessary to overcome this resistance, protect property and save lives. Under no circumstances will the force/control used be greater than necessary to achieve lawful objectives. Deadly force should not be used unless an officer reasonably believes it is necessary to protect the officer or another person from imminent danger of death or serious physical injury.

23.003 Definitions:

- A. **Deadly or Lethal Force:** Any control tactic or use of force, which is likely to cause death or serious physical injury, such as the use of a firearm or police vehicle. Deadly force **does not include** the discharge of a firearm for training or qualification, hunting or sporting events, test firing in the Crime Lab, dispatching of injured animals, or TOU tactical extinguishing of lights or any other circumstances or situations as directed by a member of senior staff.
- B. **Deadly Force Incident:** All instances in which an officer uses deadly force in the line of duty or when acting in a law enforcement capacity.
- C. **Deadly Weapon:** Anything designed for lethal use in a lethal manner, including a firearm.
- D. **Empty Hand Control:** The level of force employed by officers without the aid of equipment or weapons. There are two subcategories called “soft empty hand techniques” and “hard empty hand techniques”.
- E. **Hard Empty Hand Techniques:** The subcategory in the “empty hand control” level of force that includes kicks, punches or other striking techniques such as a brachial stun or other strikes to key motor points that have a moderate chance of injury.

Glendale Police Department			
General Order			
USE OF FORCE			23.000
Date Issued 01-29-2000	Date Effective 01-02-2000	Review Date 02-15-2000	Page 2 of 20

- F. **Soft Empty Hand Techniques:** The subcategory in the “empty hand control” level of force that includes escort control holds, touch pressure points, and take down techniques that have a minimal chance of injury.
- G. **Impact Weapons:** Authorized department equipment for which the officer has received training in techniques for striking an aggressive violator. This includes the side handle baton, straight baton, expandable baton, **and/or a flashlight.**
- H. **Intermediate Weapons:** The level of force employed by officers that include the use of authorized or improvised weapons for which the officer has been trained. Some of the weapons are OC spray, stun devices, impact weapon strikes, less lethal extended range impact weapons, light and sound diversion device and canines.
- I. **Officer Presence:** The level of force which includes the mere presence of an officer in uniform and/or identified by a badge, police identification, police vehicle, or other form of police identification such as a raid jacket.
- J. **Oleoresin Capsicum (OC) Spray:** Authorized department organically based pepper spray, less than lethal weapon.
- K. **Preclusion:** Elimination of all lesser means of force. The lesser means of force have been tried and they have not been effective, or the level of resistance is greater than the level of control or force.
- L. **Progression of Force:** Increasing the amount of force used until a level is reached, which enables the employee to control the subject and/or situation in a safe manner.
- M. **Reasonable Belief:** The conclusion based upon facts and/or circumstances that a reasonable police officer would believe to be true.
- N. **Serious Physical Injury:** Any physical injury, which causes serious and permanent disfigurement, serious impairment of health, or loss or protracted impairment of the function of any bodily organ or limb.
- O. **Use of Force Reporting:** The inclusion in a department report narrative section of the specific actions of a violator, which resulted in the use of force by the officer. The officer will also accurately document his actions taken to overcome the resistance of the violator, to effect the arrest, or to protect life or prevent injury. Lastly, the narrative should include a description of the observable injuries and the injuries claimed by the violator.
- P. **Verbal Control:** The level of force that includes instruction or direction from an officer in the form of verbal statements or commands.

23.004 Use of Physical Force, Non-Lethal Weapons, and Less Lethal Weapons

- A. It is the policy of the Department to use only the minimum level of force necessary to conduct the lawful public safety activities and missions of the department. The type and level of force will be only that which is reasonable and necessary based upon the circumstances.

Glendale Police Department General Order			
USE OF FORCE			23.000
Date Issued 01-29-2000	Date Effective 01-02-2000	Review Date 02-15-2000	Page 3 of 20

- B. For the purposes of this order, *less lethal force* refers to a tactic that, when properly applied, has minimal or no risk of causing death. Only those techniques that are taught by AZPOST, Academy and Department arrest tactics instructors should be used. In situations where the employee must overcome an attack that the employee reasonably believes would produce serious physical injury or death to the employee or another person, the employee may resort to any method to overcome the attack. Once the situation has stabilized and the threat of serious injury or death is past, the employee must once again immediately resort to approved less-lethal force tactics.
- C. Any time there is an injury or an alleged injury as a result of a level of force used by department personnel, employees will do the following:
1. Examine any person claiming injury and render first aid.
 2. Request paramedics to respond to the scene.
 3. Notify a supervisor.

23.005 RANGE OF RESPONSE

Level 1

Level 1 is an **officer's presence** through the identification of authority. An example of Level 1 is an officer's presence at a situation that results in the reduction of the potential for violence. The presence of a canine at a situation is also an example of a Level 1 response.

Level 2

- A. Level 2 includes the use of **verbal persuasion**, negotiation, or command. Verbal persuasion is an officer's communication with a subject that results in the officer controlling the actions of the subject.
1. Handcuffing (metal, plastic, soft restraint devices or TARP restraints) Leg or soft restraint devices will not be used around a suspect's neck.
 2. Tarp Restraint

Level 3

Level 3's arrest tactics involve the use of **chemical agents or a Stun Device**. The use of chemical agents is considered a less-lethal tactic. Pepper Spray is an organically based; less-than-lethal weapon designed to disrupt the intended thought process, with no lasting after effects.

Level 4

- A. **Soft Empty Hand** Techniques includes control and restraint defensive tactics that have a minimal chance of injury. Level 4 techniques include the following:

Glendale Police Department			
General Order			
USE OF FORCE			23.000
Date Issued 01-29-2000	Date Effective 01-02-2000	Review Date 02-15-2000	Page 4 of 20

1. Wrist locks
2. Joint locks
3. Pressure points

Level 5

A. **Hard Empty Hand** arrest tactics are considered less-lethal tactics, referred to as personal weapons. Examples of Level 5 arrest tactics are as follows:

1. Fist, Palm Heel, Knee, and Elbow Strikes
2. Shin, Bicycle, Hip thrust, and Snap kicks
3. These techniques have a probability of injury and should be avoided unless all lesser means of defensive tactics and procedures have been attempted, or are not possible or reasonable; to prevent injury to the officer and the subject/s involved. Hard empty-hand techniques include punches, kicks, and other personal weapon strikes. Employees will not purposely strike suspects in the **face or head**, except in situations where the suspect has become assaultive/aggressive, due to the high probability of injury.

Level 6

A. **Intermediate Weapons, Baton strikes:**

1. **(Police Baton (Straight or Expandable)):** A police baton may be used if empty-hand control techniques have failed or are not possible, or reasonable under the circumstances. Passive resistance or resistance such as a prisoner's refusal to enter a police vehicle or holding room, let go of a railing, etc. is not sufficient in it to justify the use of baton strikes. A police baton will permit officers to defend themselves or others in situations where the use of deadly force may not be justified or necessary. When the use of the baton is warranted, officers will attempt to impact the suspect per policy. Employees will not purposely strike or jab suspects on the head, neck, sternum, spine, lower abdomen, groin, or kidneys unless faced with a deadly force situation.
2. **Flashlights:** Flashlights are not designed as an impact weapon; however, a flashlight may be used in a baton-like manner if empty-hand control techniques have failed or are not possible under the circumstances and a baton is not readily available. Employees will not purposely strike or jab suspects on the head, neck, sternum, spine, lower abdomen, groin, or kidneys unless faced with a deadly force situation.
3. **Canines:** **Canines**, properly employed, are considered a less-lethal tactic. Police canines will not be used for control of crowds or in any circumstances where a strong potential exists for discrediting the department.
 - a) Canines may be used to search for or apprehend felony suspects when use of other methods is impractical or when public or officer safety is threatened sufficiently to justify this level of force. Canines may be used to search for misdemeanor suspects; however, the animal will remain leashed unless officer safety is threatened.

Glendale Police Department			
General Order			
USE OF FORCE			23.000
Date Issued 01-29-2000	Date Effective 01-02-2000	Review Date 02-15-2000	Page 5 of 20

- b) Whenever time and circumstances permit, a verbal warning will be given to a suspect before unleashing the canine to conduct a search. An announcement identifying police authority and giving directions to the suspect should be made in addition to stating that the canine will be released if the suspect fails to comply.
 - c) Detailed procedures for canine use are found in Operations Order #51.150
4. **Stun-bag:** Stun-bags can be fired in situation that meet Level 6 requirements, or higher, of the range of response continuum.
- a) The affected bureau commander and the duty commander will be immediately notified of all incidents involving the use of a stun-bag. See G.O.#23.050
 - b) The General Investigations Bureau and Internal Affairs will be notified and will conduct the investigation when the use of force results in death or serious injury (hospitalization).
5. **Scorpion Less Lethal:** Scorpion Rubber Ball rounds may be fired in situations that meet Level 6 requirements, or higher, of the range of response continuum.
- a) The affected bureau commander and the duty commander will be immediately notified of all incidents involving the use of a Scorpion less lethal weapon. **See G.O. #23.050**
 - b) The General Investigations Bureau and Internal Affairs will be notified and will conduct the investigation when the use of force results in death or serious injury (hospitalization).

Level 8

- A. **Deadly Force:** Deadly force is normally employed as a last resort when other measures are not possible under the existing circumstances. **See #23.300**
- B. **Police Vehicles:** Officers should not attempt to deliberately collide with other vehicles or to use a police vehicle to force any vehicle off the roadway. Police vehicles will not be used to form a roadblock. Refer to General **Order # 23.100** for a discussion of emergency and pursuit driving. Use of police vehicles against persons will be considered use of deadly force.
- C. **Use of Firearms:** See **#23.075**

23.006 REPORTING USE OF FORCE INCIDENTS:

- A. Employees will document the use of each level of force in the following manner. Officers will include in their documentation all levels/types of force used, and when, how, and why that force was escalated or de-escalated.
 - 1. **Level 1** - Will be documented at the discretion of the employee involved.
 - 2. **Level 2** - Will be documented at the discretion of the employee involved.

Glendale Police Department			
General Order			
USE OF FORCE			23.000
Date Issued 01-29-2000	Date Effective 01-02-2000	Review Date 02-15-2000	Page 6 of 20

3. **Level 3** - When the tool is actually used, and not just displayed or its use threatened as a control tool.

4. **Level 4** - At the discretion of the involved employee, unless force results in injury or alleged injury--**The following procedures will be followed when injury or alleged injury occurs:**
 - a) A supervisor will be contacted as soon as possible when there is an injury or alleged injury to a suspect as a result of the use of a control and restraint tactic.
 - b) The details of how the injury was sustained will be documented in the narrative section of the DR. If there is no injury visible, this information will be documented also.

5. **Level 5** -The tactics used to control a subject will be documented in the narrative section of the DR. **If an injury occurs or if there is an alleged injury follow the same procedures as in level four.**
 - a) A supervisor will be contacted as soon as possible after the use of any chemical agents.
 - b) The general use of force report will be completed and details of the use of the tactics will be documented in the narrative section of the DR.

6. **Level 6** - A supervisor will be contacted as soon as possible in any incident in which Level 6 arrest tactics are used. All incidents where Level 6 tactics are used will be documented in the narrative portion of the DR.

Exceptions:

- A. **Canines:** Any Glendale police canine injury will be investigated and documented by a Canine Unit supervisor utilizing the standard bite report format.
In addition, the Canine Unit Supervisor will complete the Use of Force/Prisoner Injury Report.

- B. **Stun-bag/Scorpion Shooting Incidents:**
 1. A shift commander or his designee using the Use of Force/Injured Prisoner Report will investigate any intentional discharge of a stun-bag.
 2. The investigating supervisor will contact the Professional Standards Bureau (PSB) as soon as practical to obtain an incident controls number. This number will be included in the narrative section of the Use of Force/Injured Prisoner Report.
 3. 35mm or digital photographs will be taken of any injuries.

Glendale Police Department General Order

USE OF FORCE

23.000

Date Issued
01-29-2000

Date Effective
01-02-2000

Review Date
02-15-2000

Page
7 of 20

4. The Use of Force/Injured Prisoner Report will be finalized after review by the bureau/precinct commander and will be forwarded to the Patrol Administration Bureau. Patrol Administration will forward the completed report to the affected division commander for review before the report is filed in Professional Standards Bureau.
 5. The employee's immediate supervisor will forward a copy of the report to the Training Bureau for documentation of the weapon/round performance. This will allow for an evaluation of the effectiveness of the round and possible improvements or changes in deployment.
 6. A shift commander or his designee will investigate any accidental discharge of a stun-bag.
7. **Level 8 - Deadly Force:** All incidents will be investigated by The Internal Affairs Bureau., involved employee's supervisor, and, in some cases, General Investigations Bureau (GIB)

23.007 Physical Force and Less-Lethal Weapons:

- A. **Oleoresin Capsicum Spray:** Oleoresin capsicum (OC) spray (MACE) may be used when this level of physical force is necessary and justified to subdue a person who is threatening, resisting, rioting, interfering with an arrest, or to prevent the possibility of injury to any person. OC spray may also be used to ward off threatening dogs or other animals and in tactical building entries such as search warrants.
 1. Once the employee is departmentally trained and issued OC spray, it becomes mandatory equipment.
 2. All uniformed officers below the rank of Lieutenant and civilian detention employees will be trained in the use of OC spray. It will be mandatory equipment and will be attached to their gun belt and carried at all times while on duty.
 3. Sworn employees, below the rank of Lieutenant, in plainclothes may carry the 3/4-ounce OC spray as readily available as their weapon. Carrying OC spray is optional for department employees assigned to undercover operations.
- B. **Use of Pepper Spray:** Employees using the 2-ounce OC spray will direct a one-second burst into the face of the suspect. Employees using the 3/4-ounce spray will direct a 3-second burst into the face of the suspect. The suspect should then be immediately handcuffed and moved to a well-ventilated area.
 1. Use of Stream: Minimum application distance is 36 inches, maximum accuracy distance is 12 feet.
 2. Use of Foam / Fog: Minimum application distance is 36 inches, maximum accuracy distance is 4-8 feet.

Glendale Police Department			
General Order			
USE OF FORCE			23.000
Date Issued 01-29-2000	Date Effective 01-02-2000	Review Date 02-15-2000	Page 8 of 20

3. Warm water can be used to flush the eyes without rubbing. Suspects should recover within 45 minutes; however, intense sensation of skin burning may persist 30 to 90 minutes after exposure to OC spray. If water is not available, the Fire Department will be summoned to the scene.
4. Salve or ointments should not be used on affected areas.
5. Employees who have used OC spray will not leave a suspect unattended and will continue to provide post-use care of the suspect until the suspect has recovered from the effects of the spray.
6. Should a suspect exposed to OC spray complain or display any severe or abnormal reaction to OC spray at any time, paramedics will be immediately summoned to the scene.
7. Employees will avoid laying suspects on their stomach in a prone position for any length of time as this can contribute to positional asphyxiation.

C. Tactical Size Oleoresin Capsicum Spray

1. Only officers and supervisors of SEU, TOU, and canine officers, in addition to patrol supervisors, will be authorized to carry department-issued tactical size OC spray. Supervisors may give tactical size OC spray to an officer to deploy in a tactical field force situation.
2. Employees using tactical size OC spray will direct a 1-second burst into the face of the suspect from a minimum distance of 15 feet. The suspect should then be immediately handcuffed and moved to a well-ventilated area. Decontamination procedures for tactical size OC spray are the same as those used for the 2-ounce OC spray.
3. Employees using tactical size OC spray in a riot control situation should direct the spray face level, from a minimum distance of 15 feet, into the crowd until the desired effect is achieved.

D. Tactical Chemical Agents

1. Tactical chemical agents by design are considered less-lethal weapons. There is, however, a possibility of serious allergic reaction in some people. Small children or persons with respiratory health problems can develop serious illness after exposure.
2. Chemical agents are man-made chemical or organic mixtures that are designed to cause lachrimation (uncontrollable tearing), irritation, inflammation, or a combination of any of the three. Chemical agents are minute solid particles that are deployed in a variety of munitions, including spray, ferret rounds, 37mm, and other conventional delivery systems.
3. A G.I.B Sergeant, Patrol Sergeant, a Tactical Operational Unit (TOU) sergeant, or any higher-ranking department supervisor may authorize use of tactical chemical agents.

E. Electronic Stun Devices:

Glendale Police Department			
General Order			
USE OF FORCE			23.000
Date Issued 01-29-2000	Date Effective 01-02-2000	Review Date 02-15-2000	Page 9 of 20

This policy establishes guidelines for the training, use and documentation of the “Nova Police Spirit Stun Device and Air Taser 3400 and M series”

- 1. The only authorized electronic stun devices will be the handheld "Nova Police Spirit Stun Device, and the Air Taser 3400 and M series". The units will be carried on the duty belt in an enclosed department approved holster with a Velcro closure. No officer will be permitted to carry the device on duty without successful completion of a training program.**
- 2. On successful completion of a training program the Stun Devices will be issued equipment and mandatory to carry unless assigned in a non-uniform capacity.**
- 3. The devices may be used when physical force is necessary and justified to prevent the possibility of injury to the officer or another person, in accordance with directives. A display of the unit's "test arc" is permitted to gain compliance in an arrest situation where resistance is anticipated.**
- 4. The device will NOT be used;**
 - a) Near FLAMMABLE GASSES or LIQUIDS.**
 - b) DRUG HOUSES where ether is suspected to be in use.**
 - c) Against a DEADLY WEAPON.**
 - d) In cases of PASSIVE RESISTANCE unless a lesser means of force:**
 - 1. Has been attempted and failed.**
 - 2. Is not an option due to the circumstances.**
 - 3. If attempted, will result in a possibility of injury to Suspect or Officer**
 - e) To threaten or attempt to GAIN INFORMATION from a suspect.**
 - f) Against a subject already in custody unless physical resistance has to be overcome.**
 - g) To wake up a suspected intoxicated individual.**
 - h) As a "PROD".**
- 5. NO officer shall playfully, maliciously, or intentionally misuse the unit in a display of power or against an individual except to gain control of a situation. VIOLATION OF THIS POLICY WILL RESULT IN DISCIPLINARY ACTION.**
- 6. The actual use of the "NOVA POLICE SPIRIT STUN DEVICE, and AIR TASER 3400 and M series" will normally require an arrest be made. In the event of the display of the "test arc", a detailed report to your supervisor is required explaining;**
 - a) What precipitated the use of the unit;**
 - b) To what extent it was used;**
 - c) What results were derived from its use?**
 - d) This will be accomplished by completing the departmental evaluation form. This information will also be incorporated in the departmental arrest report.**

Glendale Police Department General Order			
USE OF FORCE			23.000
Date Issued 01-29-2000	Date Effective 01-02-2000	Review Date 02-15-2000	Page 10 of 20

7. **The Nova Police Spirit Stun Device and Air Taser 34000 and M series should only be used in accordance to training guidelines and should not be aimed at the head and neck area of a suspect if possible.**

F. Tarp Restraint (Total Appendage Restraint Procedure)

1. The restraint will be a Department issued restraint, and will be used in accordance with current training practices.
2. **If the TARP restraint is used**
 - a) **NEVER** place the suspect in a hog-tied position, where the feet are cinched tightly to the suspect's hands.
 - b) Once the Tarp restraint has been utilized, the individual will be placed in an upright, sitting position. Any exceptions to this would be transportation by a medical unit only.
 - c) A supervisor will be notified when a TARP restraint has been used, as will any transporting units, or detention personnel, if the suspect is booked into jail.
 - d) The incident will be documented appropriately in the narrative section of the DR, referring to the restraint as a **TARP (Total Appendage Restraint Procedure)** The reference to hobble, and hog-tying are in-correct terms, and should not be utilized to describe the TARP restraint.

G. Prisoner Restraints

1. Use of Restraints

- a) To prevent injury or destruction of property by a combative or belligerent prisoner, a department issued leg restraint may be used.
- b) Hog tying, a procedure where the restraint has been wrapped around a prisoners feet, and then cinched tightly to the prisoners hands, behind their back, should not be used.
- c) A medical unit may be summoned to transport those prisoners who are a risk factor because of their medical condition, or who cannot be restrained in a safe and practical manner, in accordance with current training practices.

H. Police Baton General Information:

1. Police batons should only be used when elevated levels of control are necessary and justified under the circumstances, and lesser means of control have been precluded. Any use of the baton not specifically allowed or permitted will have to be justified by the Officer based on the circumstances that exist.
2. Employees may carry batons at their discretion. Employees who elect to carry batons must satisfactorily complete a basic baton course, (straight, side-handle, or expandable) taught by a department impact weapons instructor, or have been previously certified while in the academy. Employees not previously certified in basic baton may receive

Glendale Police Department			
General Order			
USE OF FORCE			23.000
Date Issued 01-29-2000	Date Effective 01-02-2000	Review Date 02-15-2000	Page 11 of 20

training on duty, or, if they are unable to complete the training during they're assigned shift, in an authorized off-duty-training program.

3. The certification for Side-Handle, Straight and Expandable Batons will be an APOST/GPD approved course of instruction and re-certification will be by a qualified instructor every two years thereafter. (The re-certification will consist of a written test, 80% passing and a proficiency test at an acceptable level).
4. Instructors will be re-certified every two years by at least two other GPD/Impact weapon instructors. (The re-certification will consist of a written test, 90% passing and a proficiency test at an above average level).
5. Persons wishing to carry the side handle baton are required to obtain their own certification and re-certification as required by policy. The documentation will then be forwarded to the Personnel Management Bureau, (Training Dept.).

I. Straight Baton: Officers may carry straight batons at their discretion. When the straight baton is carried the baton and the method of carry will comply with Department Uniform policies and the documentation of certification will comply too GPD Directives.

J. Expandable Baton: Officers may carry the expandable baton at their own discretion. When the expandable baton is carried the baton and method of carry will comply with Department uniform policy and the documentation of certification will comply too GPD Directives.

K. Side-Handle Baton: Officers may carry the side-handle baton at their own discretion. When the side-handle baton is carried the baton and the method of carry will comply with Department Uniform Policies and the documentation of certification will comply with GPD Directives.

L. Use of Police Impact Weapon: When the police impact weapon is used, it will be used in accordance to the training the Officer received in the Police Academy and/or Continued Officer Training provided by/or authorized by the Glendale Police Dept.

1. **The Primary Anatomical Striking Points** are nerve groupings located in the large muscle groups: Because striking them seldom involves serious injury, officers should first attempt control by strikes to one or more of these areas:

- RADIAL NERVE (Outside forearm)
- MEDIAN NERVE (Inside forearm)
- COMMON PERONEAL (Outside thigh)
- FEMORAL NERVE (Inside thigh above knee)
- TIBIAL NERVE (Top of calf)

2. **The Secondary Anatomical Striking Points** are generally less-lethal, but may be subject to "serious injury"; consequently, caution should be used in applying force:
 Shin Achilles Tendon Collarbone

Glendale Police Department General Order			
USE OF FORCE			23.000
Date Issued 01-29-2000	Date Effective 01-02-2000	Review Date 02-15-2000	Page 12 of 20

Instep	Lower Abdomen	Elbow
Knee Joint	Back of Hand	Inside of Wrist
Upper Center of Back		

***Anatomical Striking Points are areas that have a higher potential for serious injury include the following. (**Caution and justification must be used when striking these areas**). As a **general rule, unless lethal force is necessary, avoid striking the head and neck areas.**

TEMPLE	HOLLOW BEHIND EAR	SOLAR PLEXUS EARS BRIDGE
OF NOSE	TAIL BONE (COCCYX)	THROAT
KIDNEY	UPPER LIP	BACK OF THROAT
SPINE	EYES	GROIN (TESTES)

M. Flashlights:

Flashlights are not designed as an impact weapon; however, a flashlight may be used in a baton-like manner if empty-hand control techniques have failed or are not possible under the circumstances, and **a baton is not readily available**. If a flashlight is used as an impact weapon, its use is governed under this policy, and the tactics will follow the training received for a police baton.

23.008 Use of Deadly Physical Force

An employee should only use deadly force to overcome an attack, which could produce great bodily harm or death to the employee or to another person where no other means are reasonably available to overcome the attacker. Any other use of deadly force will be presumed to be a deviation of policy and as such, the officer must substantiate the necessity for the use of the weapon and/or force.

23.009 Purpose

To ensure the proper investigation of any occurrence of the use of deadly force of such gravity the integrity of the Department may be brought into question.

23.010 General Information/Shooting Incidents

A. A shooting incident shall be defined as the **discharge of any firearm by a Department employee.**

B. Exceptions include;

1. off duty recreational purposes
2. training
3. the dispatching of injured animals
4. the extinguishing of lights to obtain a tactical advantage at the direction of a supervisor
5. Any reason deemed sufficient by a member of senior staff.

Glendale Police Department			
General Order			
USE OF FORCE			23.000
Date Issued 01-29-2000	Date Effective 01-02-2000	Review Date 02-15-2000	Page 13 of 20

- C. NOTE: Although the shooting out of lights will not be considered a shooting incident, the on call duty officer should be notified prior to this being done if possible, or immediately afterwards.
- D. Non-injury accidental discharges not involving a police action and shootings involving animals, will not normally be investigated by Internal Affairs, but will be investigated by the employee's supervisor. If an accidental discharge occurs while the employee is performing a police function and a citizen or suspect is in close proximity, the Investigations Bureau and Internal Affairs will conduct investigations.
- E. The deployment of a flexible baton (beanbag) round will not normally be investigated as a shooting, but instead will be considered a "use of force" incident.
- F. A use of force incident shall be defined as: The use of any physical force by a Department employee upon another person, where the result of the force used results in more than diagnostic treatment at a hospital.

23.011 Immediate Investigation of Officer Involved Shooting

- A. Responsibility of the involved employee(s).
 - 1. Determine the extent of injuries, if any, and render appropriate first aid.
 - 2. Immediately notify the radio dispatcher of the shooting, advising of any injuries and the need for emergency medical attention.
- B. The involved employee will remain at the scene until the arrival of the appropriate investigators unless the employee is in need of medical attention. The involved employee may be removed from the scene at the direction of the Shift Commander or senior sergeant prior to the arrival of the investigators if it is believed the continued presence of the involved employee would cause a more hazardous situation (hostile crowd, etc.).
- C. The involved employee should protect and secure the weapon used for examination and submit the weapon only to the appropriate investigator.
- D. The involved employee will not discuss the situation with anyone except supervisory and investigative personnel.
- E. Responsibilities of Radio Dispatcher
 - 1. Immediately dispatch requested emergency medical aid.
 - 2. Notify the on duty Shift Commander.
- F. Responsibilities of Shift Commander
 - 1. Respond immediately to the scene, assume command and gather preliminary information.
 - 2. Notify on call Duty Officer of the incident and the preliminary information. The Duty Officer will in turn notify the Chief and Executive Assistant Chief. The Duty Officer will then respond to the scene for the purpose of providing pertinent information to the involved officer. This information should include, but is not limited to, an explanation of how the investigation(s) should proceed and the services available through Victim Assistance.

Glendale Police Department			
General Order			
USE OF FORCE			23.000
Date Issued 01-29-2000	Date Effective 01-02-2000	Review Date 02-15-2000	Page 14 of 20

3. Notify the Department Legal Advisor. Response of the Legal Advisor to the scene will depend upon the particular circumstances, but is mandatory if injuries are involved.
4. Notify the on call Investigations supervisor.

23.012 Criminal Investigation of Officer Involved Shooting

- A. A Criminal Investigation is conducted to determine if the conduct of the involved employee may be the basis for the filing of criminal charges against the employee involved.
- B. The on call Investigation Supervisor, upon notification of the shooting incident, will notify an appropriate number of investigators and have them respond to the scene.
- C. The on call Investigation Supervisor will respond to the scene and assume command of the scene.
- D. All officer involved shootings will be investigated in accordance with the procedures set forth in the directives concerning the responsibilities of Investigations regarding Death Investigations.
- E. All physical evidence, reports, photos and any other documents relating to an officer involved shooting incident will be retained indefinitely, regardless of the disposition of the criminal investigation. Such evidence reports etc. can only be disposed of after written notification is received from the City Attorney.

23.013 Administrative Investigation of Officer Involved Shooting

- A. An Administrative Investigation is conducted to determine if the conduct of the involved employee is consistent with Departmental policy and procedures, and this investigation will be subordinate to any criminal investigation.
- B. The Assistant Chief will designate the Primary Administrative Investigator.
- C. The Administrative Investigation will be conducted in accordance with the procedures set forth in the directives concerning Police Internal Investigations/Class "A" (Alleged Criminal Activity).

23.014 Shooting Review Board

- A. The Board is specifically charged with the responsibility of examining all related policies and procedures governing the administrative handling of shooting incidents and with making recommendations for changes necessary to the maintenance of departmental accountability, control and integrity.
- B. The Board shall serve in an advisory capacity to the Police Chief and, as such, shall conduct timely inquiries into shooting incidents at their discretion. In addition, they may examine all related support documentation surrounding a shooting incident to determine if the incident was consistent with established department policy.
- C. **The Board shall consist of five voting members. There will be two members of staff including one Assistant Chief. Two members shall be citizens appointed by the City Manager. The final member shall be a peer of the involved Officer chosen in**

Glendale Police Department			
General Order			
USE OF FORCE			23.000
Date Issued 01-29-2000	Date Effective 01-02-2000	Review Date 02-15-2000	Page 15 of 20

accordance with the procedures outlined in 22.160. Decisions of the board will be determined by the majority vote of the board members present. Other persons may attend board meetings at the discretion of the Chief of Police.

- D. The Legal Advisor shall serve with the Board for the purpose of providing legal assistance and advice. The Legal Advisor may participate in the inquiry but shall not be a member of the board.
- E. The City Attorney or his designee may attend all shooting reviews for administrative review by a non-police department employee. The City Attorney may participate in the inquiry but shall not be a member of the Board.
- F. Departmental employees shall be subject to call before the board.
- G. The Police Chief and members of the Board may participate in the inquiry and in the examination of any person appearing before the Board.
- H. The Board shall keep minutes of its proceedings. Documentation, including the Board
- I. Recommendations and minutes will be forwarded to the Police Chief for review.

23.015 Post Shooting Trauma and Employee's Welfare

- A. Administrative Leave
 - 1. Any employee directly involved in a shooting resulting in injury or death will be placed on administrative leave upon the completion of necessary reports. Being assigned to administrative leave shall not be construed to imply or indicate the employee has acted improperly. While on administrative leave, the employee will remain available for interviews and may be recalled to full duty at any time.
 - 2. Administrative leave resulting from an officer involved shooting will not be less than 48 consecutive hours following the incident.
 - 3. Employees who are either shot at, or by another person, or who are present when another employee is shot at, wounded or killed, will also be placed on administrative leave.
- B. Counseling
 - 1. As soon as practical, any employee involved in a situation as described in section 23.008 of this directive will be advised of the availability of counseling through Victim Assistance. It is preferable to have Victim Assistance personnel perform this notification. If the employee desires to counsel with Victim Assistance personnel, it shall be arranged as soon as possible so long as it does not unnecessarily interfere with the investigation; for example, during an interview or crime scene walk-through.
 - 2. Any employee involved in a situation as described in section #23.008 of this directive should counsel with Victim Assistance personnel prior to going off duty. In addition, the employee may be required to attend counseling as arranged by Victim Assistance.
 - 3. If counseling is required, the first session should be as soon as possible after the completion of necessary reports by and interviews with the involved officer.
 - 4. Further required counseling will be determined by Victim Assistance although at least one follow up session within 10 days is highly recommended.

Glendale Police Department			
General Order			
USE OF FORCE			23.000
Date Issued 01-29-2000	Date Effective 01-02-2000	Review Date 02-15-2000	Page 16 of 20

5. The immediate family of employees involved in a shooting incident may also attend counseling provided by Victim Assistance, with all requests for counseling directed to Victim Assistance.

23.016 Use of Force (non-shooting) Investigations

- A. Responsibilities of involved employee.
 1. Determine seriousness or potential seriousness of the injury and immediately notify the radio dispatcher of the need for emergency medical aid and a supervisor.
 2. If uninjured and not in need of medical aid, the employee will remain at the scene until advised otherwise by supervisory personnel.
- B. Responsibilities of Shift Commander
 1. When made aware of a potential use of force incident, the Shift Commander will respond to the scene to conduct a preliminary investigation.
 2. Shift Commander will attempt to interview the injured party regarding the injuries.
 3. Depending upon the seriousness of the incident as determined by the Shift Commander, the on call duty officer may be contacted. The duty officer, after consultation with the Shift Commander, may direct the Shift Commander to place the involved employee on administrative leave.
 4. The Shift Commander will document all pertinent information on a departmental investigation form and forward the report to the Assistant Chief.
- C. Responsibilities of the Assistant Chief
 1. Review the departmental investigation submitted by the Shift Commander.
 2. Determine one of the following:
 - a) The incident requires a separate and complete criminal investigation, and if so, will direct such an investigation be done by General Investigation personnel. Any such subsequent criminal investigation will be done in accordance with the procedures set forth in Directive 22.110 Police Internal Investigations.
 - b) The incident does not require a criminal investigation, but does require some follow up, and therefore return the report to the Shift Commander for further investigation.
 3. If the Assistant Chief finds the report complete and not in need of further investigation, it will be forwarded to the Use of Force Board.

23.017 Use of Force Review Board:

- A. **Use of Force Board**
 1. The Use of Force Board has the responsibility of examining all incidents of use of force. The purpose of this examination is to determine if the use of force was within established guidelines as set forth in existing policy, procedures, and written directives.
 2. The Use of Force Board will be governed by the same guidelines as the Shooting Review Board.

Glendale Police Department			
General Order			
USE OF FORCE			23.000
Date Issued 01-29-2000	Date Effective 01-02-2000	Review Date 02-15-2000	Page 17 of 20

23.018 Post Use of Force Trauma

1. Any employee who seriously injures a person and who is not injured may be assigned at home for the three days following the incident. The employee should be provided with a pager to ensure availability to investigators. The employee will be assigned to a non-enforcement position pending administrative review. The Police Chief may return the employee to full duty, prior to the Use of Force Board, providing the Officer's Bureau Commander recommends it.
2. Any employee who kills a person and who is not injured, will be assigned at home for the three days following the incident. The officer will be provided with a pager to ensure availability to investigators. Upon returning to work, the employee will be assigned to a non-enforcement position pending administrative review. The Police Chief may return the employee to full duty, prior to the Use of Force Review Board, upon recommendation of the employee's division commander.
3. Any other employee directly involved in a use of force incident resulting in death or serious injury to any person may be reassigned to a non-enforcement position pending administrative review of the incident. The Police Chief may return the employee to full duty, prior to the Use of Force Review Board, upon recommendation of the officer's Bureau Commander.
4. Any employee involved in a use of force incident that results in assignment at home should submit a leave request.
5. The administrative review process will be considered complete upon the findings of the Use of Force Review Board if the incident is found within policy or upon the completion of the disciplinary review process if the incident is found to be out of policy.