

UNIVERSITY OF WISCONSIN – EAU CLAIRE POLICE

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| TITLE: USE OF FORCE POLICY | |
| INDEX: Force Use of Force | EFFECTIVE DATE: 08/15/1994 |
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I. Policy

The purpose of this policy is to establish guidelines and procedures for the use of deadly and non-deadly force. The University Police recognize and respect the value and integrity of each human life. In vesting police officers with the lawful authority to use force to protect public welfare, a careful balancing of all human interests is required. Therefore, it is the policy of this agency that police officers shall use only that force that appears reasonably necessary to effectively bring an incident under control, while protecting the lives of the officer or others.

Police officers will assess each incident in order to determine which technique or weapon will bring the incident under control. The University Police hereby adopt as policy the INTERVENTION OPTIONS for police officers as specified by the State of Wisconsin: (see Appendix A).

DUTY TO INTERVENE: Any officer present and observing another officer using force that is clearly beyond that which is objectively reasonable under the circumstances shall, when in a position to do so, intervene to prevent the use of unreasonable force. An officer who observes another employee use force that exceeds the degree of force permitted by law must promptly report these observations to a supervisor.

Use of Deadly Force

II. Definition

As used in this policy, deadly force refers to the intentional use of a firearm or other instrument that creates a high probability of death or great bodily harm.

III. Procedures

A. The use of deadly force **is always the last resort**, and only authorized when an officer reasonably believes a lesser degree of force would be insufficient under any of the following circumstances:

1. In the defense of any person who the officer has reasonable cause to believe is in imminent danger of death or great bodily harm.
2. In defense of one's self, when there is reasonable cause to believe one is in imminent danger of death or great bodily harm.
3. To prevent the escape of a fleeing felon whom the officer has probable cause to believe will pose an immediate threat to human life should escape occur.
4. To protect oneself or others from an animal which the officer reasonably believes may cause great bodily harm if not immediately controlled or after giving consideration to public view, safety and all other reasonable means of disposition, to end the suffering of the animal.
5. Firearms will not be discharged, nor other deadly force used, when it appears likely that an innocent person might be injured, unless the probability exists that a greater danger is posed by the suspect's continued actions toward the officer or other persons.

IV. Display and the Use of Firearms

A. Police officers are authorized to display and use firearms:

1. When deadly force is authorized;
2. When an officer reasonably believes he or she might encounter a deadly force situation;
3. During range practice or competitive shooting;

B. Before using a firearm, police officers will, when feasible, identify themselves and order the subject to desist from unlawful activity. This requirement shall be reinforced in officer training.

C. Police officers will adhere to the following restrictions when their firearm is exhibited:

1. Except for maintenance or during training, police officers will not draw or exhibit their firearm unless circumstances create a reasonable belief it might be necessary to use the firearm in conformance with this policy;
2. Warning shots are prohibited;
3. Police officers will not discharge a firearm from a moving vehicle unless Section III applies;
4. Police officers will not discharge a firearm at a moving vehicle unless Section III applies.

VI. Use of Deadly Force Incident

A. DUTY TO RENDER AID: Whenever a person is injured as a result of force applied by an officer, or during the course of apprehension, officers on the scene shall provide first aid and request medical assistance, if necessary, for the injured person as soon as circumstances allow for aid.

B. Officers involved in an officer-involved shooting shall, to the degree reasonably possible, take initial steps to ensure that any threat from the subject has been eliminated, protect the safety of themselves and others, render first aid where necessary, and preserve evidence. To do this, officer(s) should:

- Ensure that the threats to officer safety or others is over
- Request emergency medical services, if necessary
- If injured, administer emergency first aid to one's self first if possible, if not then administer first aid to other officers, suspects or others as needed
- Holster any involved guns, return any long guns used to vehicles in "squad ready" position only after it is safe to do so
- Secure and separate suspects
- Relay information of fleeing suspects to dispatch and other officers and work to establish a perimeter or containment area
- Secure the area, establish a perimeter with crime scene tape (always start with large perimeter, it can always be reduced later)
- Limit access in and out of the perimeter to authorized personnel and or emergency services
- Involved officers will provide a public safety statement (Appendix B) to the first supervisor on scene if uninjured and able to do so

C. Responding supervisors not involved with incident shall immediately begin procedures as outlined in UW-Eau Claire Police Department's OFFICER INVOLVED CRITICAL INCIDENT (OCI)

Use of Non-Deadly Force

VII. Definition

As used in this policy, non-deadly force refers to the use of any weapon or instrument, or any other physical action taken by an officer which when used does not rise to the level of deadly force as previously defined.

VIII. Procedure

A. The use of non-deadly force is authorized when an officer reasonably believes it is necessary to control a person under any of the following circumstances:

1. Detaining a person reasonably suspected of criminal involvement;
2. Effecting an arrest;
3. Overcoming resistance;
4. Preventing escape;
5. Protecting oneself or another;
6. Maintaining order.

Force shall not be used when a person has ceased to resist, or attempt escape except for necessary restraints.

IX. Degrees of Non-Deadly Force

A. Officers shall only use the degree of force they reasonably believe is necessary to control the situation. In determining the degree of force that is reasonably necessary, an officer shall consider the following factors:

1. The existence of alternative methods of control;
2. Physical size, strength, age, skill level or weaponry of the person as compared to the officer's;
3. The nature of the encounter;
4. Actions of the person;
5. Special circumstances (i.e., reasonable perception of threat, special knowledge of the other person, sudden assault, subject's ability to escalate force rapidly, officer's physical positioning, injury or exhaustion, equipment or training, availability of backup, number of persons involved, etc.)

B. **CHOKEHOLDS:** Chokeholds and other neck restraints are not included within curriculum that governs law enforcement training in Wisconsin, and as such, are prohibited,

excepted in those incidents outlined in sections III.A.(1-3).

- C. DE-ESCALATION: Officers shall use de-escalation techniques to prevent or reduce the need for force when the officer reasonably believes it is safe and feasible to do so based on the totality of the circumstances. This includes continually assessing the situation and modifying the use of force as circumstances change and in ways that are consistent with officer safety, including stopping the use of force when it is no longer necessary.

Examples of de-escalation techniques include, but are not limited to:

- 1) Providing a warning and exercising persuasion and advice prior to the use of force.
- 2) Determining whether the member may be able to stabilize the situation through the use of time, distance, or positioning to isolate and contain a subject.
- 3) Requesting additional personnel to respond or make use of specialized units or equipment including crisis intervention-team trained officers, as necessary and appropriate.

The concept of escalating/deescalating degrees of force is based on an officer's reaction to a specific action of the person he/she is attempting to control. The attached intervention options are offered as general guidelines for understanding this concept. It is recognized that verbal commands are not always effective or appropriate in gaining compliance and it then becomes necessary to escalate the degree of force. When it is determined that verbal commands are neither effective nor appropriate an officer may escalate the degree of force based on the actions of the person they are attempting to control. Officers are not required to begin a confrontation at the verbal command level and escalate step-by-step until control is gained if the officer reasonably believes his/her reaction would be ineffective or inappropriate based on the actions of the person they are attempting to control.) Once a person is under control, officers are required to revert to the lowest degree of force necessary to maintain that control.

- X. Use of Pepper Spray – OC (Oleoresin Capsicum)
- A. Pepper spray may be used by an officer when it is reasonably apparent that a lesser degree of force would be insufficient to overcome active resistance or its threat.
 - B. Officers shall only carry agency-issued pepper spray.
 - C. All officers authorized to carry pepper spray shall be trained in accordance to Wisconsin Department of Justice standards.
 - D. An officer shall direct the pepper spray aerosol to the face of the subject. Specific target areas are the eyes, nose, and mouth.
 - E. The following decontamination procedures shall be followed after the use of pepper spray:
 - i. Decontamination of subject
 1. Expose to fresh air as soon as possible and flush contaminated areas with large amounts of cold water.

- a. Transport the subject to the Eau Claire County Sheriff's Department Jail garage for decontamination.
 - b. It is recommended that two officers be present during this procedure.
2. Instruct subject not to rub eyes or face.
 3. Instruct subject to remove contact lenses.
 4. Further relief may be gained by washing affected area with soap and water. Do not apply salves, oils, creams, or lotions.
 5. All symptoms should disappear in 15-45 minutes.
 6. If subject requests medical attention, transport to emergency room.
- ii. Decontamination of area
 1. Ventilate by opening doors and windows
 2. All traces of pepper spray can successfully disappear in as little as 30 minutes.
 3. Contaminated clothing can be washed without fear of mixing with non-contaminated clothing.
- F. As in all cases in which a less lethal weapon is used on a person, an incident resulting in the use of pepper spray shall be reported immediately to a supervisor.

XI. Use of Chemical Agents Other Than Pepper Spray

An officer shall only discharge chemical agents other than pepper spray (such as tear gas), under the direction of a supervisor.

XII. Use of Electronic Control Devices – Taser®.

A. Use and Handling

1. The use of an Electronic Control Device, i.e. Taser® is considered a use of force and will be deployed in a manner consistent with this Use of Force policy. The use of an ECD is an intervention option equal to the use of Oleoresin Capsicum (OC) spray on the intervention option continuum.
2. The ECD is not a replacement for a firearm and in those situations where a threat of the use of deadly force exists, should only be used when the officer deploying the ECD has an officer with a firearm as a cover officer.

3. The ECD may be used when other less-lethal intervention options have been ineffective or when it reasonably appears such options will be ineffective in gaining compliance.
4. Examples of situations in which the ECD may be used, when faced with active resistance or the threat of active resistance, violent/potentially violent, suicidal/potentially suicidal or to prevent injury to the person or other persons, include, but are not limited to the following:
 - a. Dealing with a mentally ill subject who is perceived to be violent.
 - b. Armed subjects - officers considering the use of an electronic control device on an armed subject should have a back up officer on scene who is prepared to use deadly force if necessary.
 - c. Warrant service where the subject is perceived to be violent.
 - d. Violent persons under the influence of drugs and/or alcohol.
 - e. Persons expressing the intent and having the means to commit suicide.
 - f. When a lesser intervention option constitutes an unreasonable risk to innocent persons in the area.
 - g. A subject is threatening himself or herself, another person or an officer with physical force.
 - h. Crowd control situations.
5. The ECD should not be pointed at any individual unless the officer involved reasonably believes it may be necessary to use the device.
6. The ECD shall not be used:
 - a. When the operator cannot, for safety or other reasons, approach the subject within effective range of the device;
 - b. In proximity to flammable liquids, gases, blasting materials or any other highly combustible materials that may be ignited by use of the device, including but not limited to any subject who may have been contaminated with combustible liquids;
 - c. When it is reasonable to believe that incapacitation of the subject may result in serious injury or death (e.g., in situations where the suspect's fall may result in serious injury or death).
7. In less-lethal force situations, when possible, officers should avoid using the ECD on the following persons:
 - a. Persons in wheelchairs or in control of a vehicle;

- b. Women who are known to be or obviously pregnant;
- c. People with known heart problems;
- d. People with apparent debilitating illness or the elderly;
- e. Individuals with known neuromuscular disorders such as muscular sclerosis or muscular dystrophy or epilepsy.

B. Training

- a. Only officers who have successfully completed the agency's approved course of instruction on the ECD are authorized to use it.
- b. Officers shall receive annual training on the use of the ECD.

C. Deployment

1. The following procedure shall be followed in using the Electronic Control Device.
 - a. If the situation permits, the officer should warn the subject of the intent to use the ECD. The warning may be given verbally or verbally and physically.
 - b. The primary target area is the subject's center mass (below the chest for frontal shots). The following target areas should be avoided if possible:
 - i. Head and Neck
 - ii. Groin (for cartridge/probe use)
 - iii. Chest
 - c. Whenever practical and reasonable, officers should announce the use of the ECD by saying the words, "TASER", TASER." This warning is intended to make other officers on the scene aware that the ECD is being fired, so they do not mistake the "popping" sound made by the ECD for an actual discharge of a firearm.
 - d. The officer should activate and fire the device at the subject from a distance of 7 to 15 feet for optimum performance.
 - e. Once the device has been deployed, the officer should allow it to run its full firing cycle unless an emergency requires it be interrupted, which will be accomplished by turning the device off.
 - f. While the individual is restrained by use of the device, officers should attempt to gain physical control of the subject.

- g. If the individual continues to resist after one firing cycle, the officer may initiate another cycle and repeat as needed until the subject is under control.
- h. When the individual ceases resistance, and in the officer's opinion is under control, the officer will cease use of the device.
- i. The subject will be placed in appropriate restraints.
- j. The ECD – Taser® may be used in the stun mode without a live cartridge loaded in accordance with training.

F. After Use Guidelines

1. The officer will perform an injury assessment of the individual once compliance has been gained and they are restrained. Medical evaluation by EMS personnel or at a medical facility should be provided in the following circumstances.
 - a. The subject requests medical attention.
 - b. A probe is lodged in a soft tissue area such as the face, neck, ear, breast, groin or is deeply embedded.
 - c. The officer notes an unusual reaction by the subject or the subject displays prolonged symptoms of any physical distress after the device has been stopped. Unusual reactions are those not listed in the officers training.
 - d. The officer, at his/her discretion, elects not to remove the probes themselves.
2. If the probes are embedded in a non-sensitive area and no medical treatment is necessary, the trained officer that deployed the ECD may remove the probes from the suspect as follows:
 - a. According to the training guidelines.
 - b. The officer shall wear latex gloves for probe removal.
 - c. The probe impact site should be treated with an antiseptic wipe and an adhesive bandage as soon as possible after the probes have been removed.
 - d. Officers should inspect the probes after removal to ensure that the entire probe and probe barb has been removed. In the event that a probe or probe barb has broken off and is still embedded in the subject's skin, the subject should be provided appropriate medical attention to facilitate the removal of the probe.

- e. Officers should not inspect a subject's intimate body parts as defined in WI ss. 939.22(19). In these cases or if the officer decides not to inspect, the individual should be provided appropriate medical attention.

3. Property / Evidence Collection:

- a. The air cartridges and probes used shall be collected and placed into evidence. Probes that have been removed from the skin will be treated as biohazard sharps and officers should wear gloves while handling them. The recovered probes shall be placed point down into the expended cartridge, packaged and labeled with a biohazard sticker.
- b. AFID (Anti-Felon Identification): Every time an air cartridge is fired, it disperses several small identification tags called AFID's. These tags are printed with the serial number of the cartridge that was fired. Officers should attempt to locate and collect several of these ID tags that were expended from the cartridge and log them into evidence with the expended cartridge.

4. Documentation:

- a. The use/deployment of the ECD will be documented in the officer's arrest report. A Taser® Use/Deployment Report (Appendix B) will also be completed containing the justification for the use/deployment.
- b. With the exception of training, all instances of ECD usage/deployment, including accidental discharges, shall be documented on the Taser® Use/Deployment Report.
- c. The officer shall indicate in his/her report the serial number of the ECD unit used, the serial number of the air cartridge used, the approximate distance from the subject from which the ECD was fired and the locations of the probe impact.
- d. As in all cases in which a less-lethal weapon is used on a person, an incident resulting in the use of an electronic control device shall be reported immediately to a supervisor.

G. Use of the ECD – Taser® on Animals

1. The ECD may be deployed on an animal when:

- a. A vicious animal is threatening or is attacking a citizen, an officer, or another animal and the use of other intervention options is not reasonable or may not be desired given the situation.
- b. A vicious animal has threatened or attacked a citizen, an officer, another animal, or has caused a continuing public nuisance and the animal needs to be controlled for reasons of public safety, preservation of property or other legitimate purpose.
- c. The animal poses an active threat to officers in their efforts to perform their duty.

2. Use on animals:

- a. Officers should use conventional means of animal control if feasible and time permits.
- b. Officers may deploy the ECD on an animal when other conventional means to control the animal have been exhausted or may be unreasonable.
- c. Center mass of the animal should be targeted; however, it is understood that deploying the ECD on an animal may be very dynamic in nature and the probes may impact unintentional areas.
- d. The animal's owner will be responsible for any medical attention needed by the animal and/or removal of any probes.

3. Officers will collect the fired cartridges and probes and document as prescribed in F.3. and F.4.
4. All vicious animals in the officer's control will be turned over to the appropriate authorities.

H. Maintenance, Carrying and Training

1. Testing and maintenance of the ECD – Taser® will be consistent with the manufacturer's specifications. If any device evidences possible problems, it will be taken out of service and returned to a supervisor with a written explanation of the problem so that it may be corrected.
2. Cartridges should be stored in a cool, dry environment and be replaced according to the manufacturer's directions.
3. The ECD should not be left in direct sunlight due to possible adverse affects on the plastic parts.
4. The ECD and cartridges should be carried in an approved holster.
5. Each officer carrying an ECD for duty will:
 - a. Make sure the device has a charged battery.
 - b. Perform a spark test at the beginning of each shift by doing the following:
 - i. Ensure that the safety switch is in the down (SAFE) position.
 - ii. Remove the air cartridge.
 - iii. Point the Taser® X26 in a safe direction and place the safety switch in the up (FIRE) position.
 - iv. Check the remaining battery life percentage on the CID (Central Information Display).
 - v. Pull the trigger and perform a spark test for approximately one second. Check for visible spark between the electrodes and a rapid spark rate. There is no need to conduct a full five-second firing.
 - vi. Place the safety switch in the down (SAFE) position.
 - vii. Replace the air cartridge.
 - c. Care for the device in accordance with their training and the manufacturer's recommendations.

- d. At the end of the officer's shift, transfer the device to another certified officer, or the appropriate storage area if not to be transferred to another officer.

6. ECD maintenance will be:

- a. Overseen by the Lieutenant or his/her designee.
- b. In compliance with manufacturer's recommendations.

XIII. Intermediate Weapons / Impact Weapon (Baton)

- A. A police baton may be used only when an officer reasonably believes a lesser degree of force would be insufficient to impede a subject.
- B. An officer shall never intentionally strike a person's head with a baton unless such an action is justified under the use of deadly force. This section is not intended to apply to an accidental strike to the head as a result of resistance.
- C. Officers shall only use agency-approved batons and baton techniques.
- D. Batons issued by the agency are the only authorized impact weapons. The use of other devices: flashlights, radios, firearms, etc. as impact weapons is not recommended. However, the department recognizes that emergency self-defense situations involving other objects and instruments may occur.

XIV. Use of Handcuffs

- A. An officer shall place handcuffs on any individual who is in custody when the officer reasonably believes the individual may become violent, attempt to escape, or pose a danger to him/herself or others. It shall be mandatory that all persons who have aggressively resisted or attacked another person be placed in handcuffs, safety locked. When restraining devices such as handcuffs are used in the performance of one's official duties, such use shall be included in the official police report. These procedures are also used when transporting an individual in custody.
- B. Handcuffs shall be used in a manner specified in Department training. Handcuffs shall be issued or individually authorized by the Department. Types that are authorized are the following:
 - 1. Metal hinged or linked police handcuffs.
 - 2. Plastic disposable handcuffs/flex cuffs.
 - 3. Restraints used at direction of medical personnel.
- C. An officer taking another person into custody has the duty and the responsibility to restrain the detained person in a safe manner and to take proper measures to prevent an escape.
- D. An officer has the authority to handcuff persons in custody for the safety of the officer, other citizens, and the person taken into custody.

E. If an officer has reasonable grounds to believe that the use of handcuffs is undesirable, the use of handcuffs in instances of physical arrest is not mandatory.

F. The following are prohibited techniques:

1. "Hogtying," i.e., restraining a person by handcuffing and tying hands to feet close together behind the back.
2. Forcing a restrained person to remain handcuffed and lying face down for extended periods of time.

G. The department shall maintain a stock of spit hoods to be issued to patrol officers to protect themselves from significant exposures from subjects in the course of their duties.

1. Spit hoods shall not be applied until the subject is first restrained by securing their hands in handcuffs, flex cuffs, or medical restraints.
2. Officers shall verbalize to the subject their intent to place a spit hood and reassure the subject they will be able to breathe.

XV. Reporting the Use of Force

A. When any of the following occurs, information concerning the use of force must be included in an incident report:

1. A firearm or ECD is drawn or displayed other than for maintenance or training;
2. A use of force results in injury or death;
3. A less-lethal weapon is used on a person;
4. A restraint is used on a person.

- B. It shall be the responsibility of any officer who uses non-deadly physical force, police baton, pepper spray, other chemical agents, electronic or other restraint devices to complete a report on the incident involved. The levels of force used in any such case should be clearly described.

XVI. Investigation of Firearms and Electronic Control Device Use

- A. The manner in which police officers use their firearms and Electronic Control Devices (ECD) is an extremely critical issue to the University, one in which the community and the courts allow little margin for error. To ensure that proper control is maintained, any discharge or display of firearms or ECDs other than maintenance or practice will be thoroughly investigated to determine the extent of compliance with department policy. A written report will be sent to the Director of University Police, Vice Chancellor for Finance and Administration, and to the Chancellor.
- B. The justification for the use of firearms or ECDs must be limited to the facts known or perceived by an officer at the time he/she decides to use the weapon. Facts unknown to the officer, no matter how compelling, cannot be considered in later determining the justification for the shooting.
- C. Board of Inquiry
 - 1. If the Chancellor, the Director of University Police, or the officer involved believes further investigation of the discharge or display of firearms or ECDs is necessary, a five-member Board of Inquiry will be appointed by the Vice Chancellor for Finance and Administration.
 - a. One member of the Board shall be a police officer, who will be recommended to the Vice Chancellor for Finance and Administration, by the Director of University Police.
 - b. One member of the Board shall be a Wisconsin Department of Justice Certified Law Enforcement Firearms Instructor, who will be recommended to the Vice Chancellor for Finance and Administration, by the Director of University Police.
 - c. The three other members of the Board shall be appointed as deemed appropriate by the Vice Chancellor for Finance and Administration.
 - 2. The Board of Inquiry must be requested within 10 days of the completion of the investigation of the incident and shall be convened within 10 days after being requested.
 - a. The Board is authorized to review the circumstances surrounding each incident and shall make a report of its findings and recommendations to the Director of University Police (if the Director is involved in the incident, the report will not be sent to the Director), the Vice Chancellor for Finance and Administration, and the Chancellor no later than ten (10) days following the adjournment of the proceedings of the Board.

3. The Chancellor, in consultation with the Director of University Police, will consider the findings and recommendations of the Board in determining any necessary action.
4. The Board may make recommendations to the Director of University Police for modifications of this firearms policy when deemed necessary.
5. If the Board recognizes a need for training in connection with this policy and the implementation thereof, it may make recommendations to the Director of University Police.

Firearms Use and Training

XVII. Policy

The purpose of this policy is to establish guidelines for firearms display, use, and training. The University of Wisconsin-Eau Claire recognizes that the carrying of firearms by University Police Officers is necessary. Proper handling and use of firearms require a high degree of responsibility. Misuse of firearms by police officers violates the trust vested in them. No other area of police work is so sensitive or important to the peacekeeping mission of UW-Eau Claire's University Police. The exercise of sound judgment by the individual police officer and conformity to department policy and procedure is essential.

XVIII. Procedure

- A. It is the policy of the University of Wisconsin-Eau Claire that department issued firearms only be carried by authorized police officers that have completed Law Enforcement Academy training and departmental firearms training, and only during assigned duty hours.
 1. No officer shall be authorized to carry any firearm at any time while on assigned duty until that officer has successfully completed the firearms training requirements approved by the Director of University Police.
 2. No firearm that is the personal property of an individual will be carried during assigned duty unless authorized by the Director of University Police.
 3. Only ammunition furnished by the department will be authorized for use in the firearms.
 4. When an officer resigns, is suspended, or is removed from the department for any reason, he/she shall immediately return his/her departmental firearm to a supervisor, along with his/her badge and police identification.
 5. No officer may carry a department-issued firearm until he/she has been instructed in and understands the firearms training policy and use of force policy.

6. It is the policy of the University Police that its employees do not carry department issued firearms while off duty.

B. Training

1. All police officers must be properly trained in the use of department-authorized firearms. Department training will emphasize proficiency, safety, and discipline.
 - a. All sworn personnel must participate in training with department approved weapons at all scheduled department training sessions unless excused by the Director of University Police.
 - b. Firearms instructors shall schedule training and qualification sessions with duty weapons for sworn personnel on a quarterly basis. Qualifying sessions will be evaluated on a pass/fail basis.
 - c. The type of course fired, and results will be kept on file by the Director of University Police and the lead firearms instructor. Names of individuals who do not participate in scheduled training or do not successfully pass the training will be provided to the Director of University Police.
 - d. If an officer fails to successfully pass the mandatory training, the instructor will provide additional training to attempt to correct problems.
 - e. A police officer that has taken extended leave or suffered an illness or injury that could affect his/her use of firearms ability will be required to re-qualify before returning to enforcement duties.

2. Range Safety Rules

- a. The firearms instructor will provide and explain range safety rules to all officers prior to qualifying sessions.
- b. The firearms instructor has complete control and authority while at the range. It is the firearms instructor's responsibility to ensure that range rules are being followed.

C. Firearm Maintenance

1. The care and cleaning of firearms is the responsibility of the employee. Firearms shall be cleaned at the earliest reasonable opportunity after use and prior to leaving the range.
2. Modifications to a department owned or approved firearm are not permitted unless authorized by the Director of University Police.
3. The firearms instructor will inspect all firearms prior to shooting at the range to ensure that the firearms are in a safe condition.

D. Discipline

1. Violation of the University's Firearm/Use of Force policy may result in disciplinary action ranging from a reprimand to discharge, depending upon the specific violation.

For Department Use Only

This policy is for departmental use only and does not apply to any criminal or civil proceeding. This procedure should not be construed as a creation of higher legal standards of safety or care in an evidentiary sense with respect to third party claims. Violations of this directive will only form the basis for departmental administrative review and/or sanctions.

Jay S. Dobson
Chief of Police

Date

APPENDIX A

INTERVENTION OPTIONS

| Mode | Purpose |
|----------------------------|---|
| A. Presence | To present a visible display of authority |
| B. Dialog | To verbally persuade |
| C. Control Alternatives | To overcome passive resistance, active resistance, or their threats |
| D. Protective Alternatives | To overcome continued resistance, assaultive behavior, or their threats |
| E. Deadly Force | To stop the threat |

Control Alternatives are designed to control subjects who are resisting or threatening to resist lawful police orders. Control Alternatives include:

- Escort Holds
- Control Holds
- Control Devices (Pepper spray, Electronic Control Devices)
- Passive Countermeasure (Directing subjects to the ground, “take-downs”)

Protective Alternatives are designed to protect officers in situations when they face subjects continuing to resist or threatening to assault. Protective alternatives include:

- Active Countermeasures (Strikes and kicks)
- Incapacitating Techniques (Diffused hand strike)
- Intermediate Weapon (Baton, impact weapons)

Passive resistance refers to non-compliant, but non-threatening behavior, e.g. a person refuses to get out of a car when ordered to do so.

Active resistance refers to behaviors that physically counteract an officer’s attempt to control a subject and which post a risk of harm to the officer, subject, or others, e.g. attempting to pull away from an officer’s grasp.

Source: State of Wisconsin Department of Justice Training and Standards Bureau



UW - Eau Claire Police

Taser® Use / Deployment Report

Deployment includes removing the Taser from the squad car's holster or the officer's pants pocket in anticipation that it may be used during the incident.

GENERAL INFORMATION

| | | |
|---|------------------|--|
| Taser Officer's Name – (officer completing this report) Choose one... | | Other Officers Involved – (badge numbers) / / / / |
| Date of Incident | Time of Incident | Location |
| Nature of Call or Incident | | |

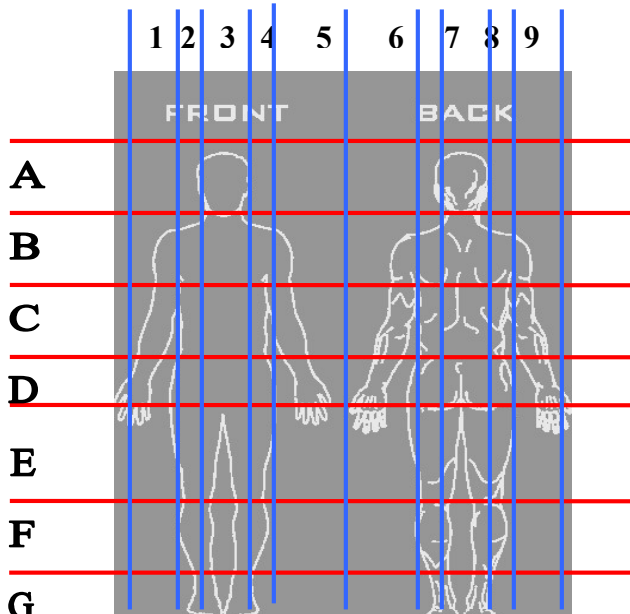
SUSPECT DATA

| | | | | |
|---|--------|--|--|------|
| Suspect Name | | Date of Birth | Age | Race |
| Height | Weight | Sex <input type="checkbox"/> M <input type="checkbox"/> F | Influences – Check all that apply | |
| Incident Type – Check all that apply | | | <input type="checkbox"/> Alcohol <input type="checkbox"/> Marijuana <input type="checkbox"/> Methamphetamines <input type="checkbox"/> Cocaine <input type="checkbox"/> PCP <input type="checkbox"/> Other Unknown Drugs <input type="checkbox"/> Emotionally Disturbed <input type="checkbox"/> Other | |
| <input type="checkbox"/> Civil Disturbance <input type="checkbox"/> Resisting Arrest <input type="checkbox"/> Warrant Service <input type="checkbox"/> Assaulted Officer <input type="checkbox"/> Barricade <input type="checkbox"/> Other (describe) | | | Suspect Weapons Involved – Check all that apply <input type="checkbox"/> None <input type="checkbox"/> Blunt Weapon <input type="checkbox"/> Edged Weapon <input type="checkbox"/> Firearm <input type="checkbox"/> Other (explain) | |
| Threat Level – Check all that apply <input type="checkbox"/> Potentially Violent <input type="checkbox"/> Violent <input type="checkbox"/> Active Resistance <input type="checkbox"/> Threatening Active Resistance <input type="checkbox"/> Potentially Suicidal <input type="checkbox"/> Suicidal <input type="checkbox"/> Necessary to prevent injury to person, officer or other persons. | | | | |

DEPLOYMENT DATA - TASER® X26

| | | |
|---|---|---|
| Level of Deployment - Check all that apply <input type="checkbox"/> Removed from pocket or holster and displayed <input type="checkbox"/> Removed from pocket or holster, displayed with verbal caution / threatened use <input type="checkbox"/> Spark Demo to Suspect <input type="checkbox"/> Touch Stun / Drive Stun <input type="checkbox"/> Air Cartridge Fired | | Serial Number of Taser Used Choose one... |
| How Many Cartridges Fired? Choose one... Air Cartridge Serial Number (s) / / / | Was Taser® Successful? <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A Display and / or Threatened Use with Suspect Surrender should be considered successful. | |
| Deployment Distance Choose one... | Did probes hit the suspect? Choose one... | |
| Probe Penetration Choose one... | Duration Choose one... | Number of Cycles Choose one... |

UW Eau Claire Police Taser® Use Report

| | |
|--|--|
|  | <p>First Shot:</p> <p>Top Probe: ----- -----</p> <p>Bottom Probe: ----- -----</p> <p>If Second Shot:</p> <p>Top Probe: ----- -----</p> <p>Bottom Probe: ----- -----</p> |
| <p>Were probes removed? Choose one...</p> | <p>Officer Injured? Choose one...</p> |
| <p>Suspect Injured? (other than probe penetration) Choose one...</p> <p>Describe any injuries to officers, suspects or anyone else involved</p> | <p>Location of Incident</p> <p style="text-align: center;"><input type="checkbox"/> Indoors <input type="checkbox"/> Outdoors</p> |
| <p>Medical treatment required for suspect? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> | <p>Where was the suspect treated?</p> |
| <p>Other Intervention Options Used? (Check all that apply)</p> <p><input type="checkbox"/> Presence<input type="checkbox"/> Effective <input type="checkbox"/> Not effective</p> <p><input type="checkbox"/> Dialogue.....<input type="checkbox"/> Effective <input type="checkbox"/> Not effective</p> <p><input type="checkbox"/> Empty Hand.....<input type="checkbox"/> Effective <input type="checkbox"/> Not effective</p> <p><input type="checkbox"/> O/C Spray.....<input type="checkbox"/> Effective <input type="checkbox"/> Not effective</p> <p><input type="checkbox"/> Intermediate weapons.....<input type="checkbox"/> Effective <input type="checkbox"/> Not effective (Baton, K-9)</p> <p><input type="checkbox"/> Firearm.....<input type="checkbox"/> Effective <input type="checkbox"/> Not effective</p> | <p><i>Describe Justification for Deployment</i></p> |
| <p>Did the suspect make any comments after deployment?</p> | <p>Photos taken? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>By (Officer badge number)</p> |
| <p>Additional Comments or Notes</p> | |

APPENDIX B

Case # _____ Date _____

UW-EAU CLAIRE POLICE DEPARTMENT
PUBLIC SAFETY STATEMENT (CRITICAL INCIDENT)

DIRECTIONS TO ON-SCENE SUPERVISORS:

The supervisor obtaining this statement:

- Will not deviate from its content.
- Will write down on this form the answers provided verbatim.
- Will disseminate public safety information immediately via radio as appropriate.
- Will provide this form to the first arriving detective/supervisor responsible for conducting the investigation into the critical incident (Critical Incident as defined by Critical Incident Policy)

The police supervisor receiving this information is required to submit a written statement to the investigators in charge of the officer involved critical incident. The statement is to include the fact that the Public Safety Statement was formally given to the involved officer(s) and the content of the answers given by the involved officer(s).

“Officer _____ we are required by policy to complete a public safety statement. Due to the immediate need to take action, you do not have the right to wait for legal or union representation before answering these limited questions.”

1. Are you injured, or do you need medical attention?

2. Do you know of anyone that is injured? Yes No If yes, what is her/his location?

3. From where and in what direction did you or other officers' fire your weapons?

4. In what direction did the suspect(s) fire their weapon?

Case # _____ Date _____

5. Are any suspects outstanding? Yes No
If the answer is no, proceed to question #6; if the answer is yes, ask the following questions:

5a What is the description of the suspect(s)?

5b What was their direction of travel?

5c How long ago did they flee?

5d With what weapons are they armed?

5e Are there any other safety risks known about the outstanding suspect(s)?

5f Did they leave the scene in a vehicle(s)? Yes No If yes, what is the description of their vehicle(s)?

6. Does any evidence need to be preserved?

Case # _____ Date _____

7. Are you aware of any witnesses? Yes No If yes, where are they located?

“Officer _____, in order to preserve the integrity of statement, I order you not to discuss this incident with anyone, including other supervisors or staff officers, prior to the arrival of the assigned investigators, with the exception of your legal representation.”

Supervisor’s Name: _____ Badge#: _____

Date _____

Time _____

Location _____

Supervisor’s Signature