



Ohio Attorney General's Office
Bureau of Criminal Investigation
Investigative Report



2024-3413
Officer Involved Critical Incident – Bernard Park – 1105 Bernard
Ave., Findlay, OH 45840

Investigative Activity: Document Review
Involves: Findlay Police Department (O)
Date of Activity: 11/13/2024
Author: SA Joshua S. Rammel, #175

Narrative:

On November 13, 2024, Ohio Bureau of Criminal Investigation (BCI) Special Agent (SA) Josh Rammel (Rammel) received and reviewed the Use of Force Policy utilized by the Findlay Police Department (FPD) at the time of this incident. The document received is attached to this investigative report for further review.

References:

See Section (IV) Definitions and Section (V) Procedure for the complete policy regarding use of force.

Section (V) Subsection (D) Paragraph (d)(i) describes the use of Deadly Force/Lethal Force.

Attachments:

Attachment # 01: Findlay PD Use of Force

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FINDLAY POLICE DEPARTMENT

USE OF FORCE

SECTION 4.1

DIRECTIVE TYPE: Procedure

CHIEF JAMES H. MATHIAS _____

REISSUED DATE: November 7, 2023

I. POLICY

The Findlay Police Department places the highest value on human life. The Department is authorized and trained in the use of force and it recognizes that, unfortunately, officers are often placed in the situation of having to use force for their own protection and the protection of citizens.

II. PURPOSE

The purpose of this policy is to establish a written directive, which delineates policies and procedures regarding the use of force. It will provide written guidelines for officers concerning the appropriate use of force including less-lethal force and progressing to lethal force.

III. OBJECTIVES

- A. To specify what parameters are available to officers, concerning the extent of reasonable force used.
- B. To specify the restrictions concerning the discharge of "warning shots".
- C. To specify under what parameters less lethal weapons may be used.
- D. To establish when officers should seek appropriate medical treatment, after a use of force incident.
- E. To establish under what circumstances a written report is issued in regards to a use of force incident.
- F. To establish the parameters for administrative reviews of use of force incidents.

- G. To establish under what conditions an officer will be removed from line-duty assignments.
- H. To establish what weapons and ammunitions are authorized to be used by sworn officers.
- I. To establish the proficiency standards for the use of agency-issued weapons.
- J. To establish the proficiency standards for the use of officer owned weapons.
- K. To establish the training requirements for departmental weapons and use of force parameters.
- L. To adopt and comply by standards in support of both CALEA (Commission on Accreditation for Law Enforcement Agencies) and the Ohio Collaborative under the Office of Criminal Justice Services.

IV. DEFINITIONS

- A. **Reasonable Belief**-Exists when facts or circumstances that the officer knows, or should know, are such to cause an ordinary prudent person to act or think in a similar way under similar circumstances. (CALEA 4.1.2)
- B. **Reasonable Means**-Are those that an ordinary person would consider the methods used by an officer to be sound and logical under similar circumstances.
- C. **Probable Cause**-Exists “when known facts and circumstances are sufficient to warrant a man of reasonable prudence in the belief that an offense has been or is being committed.” *United States v. Davis (D.C. Cir.1972), 458 f.2nd819,821.*
- D. **Serious Physical Injury/Bodily Injury/Physical Violence/Physical Harm**-Any act which carries a substantial risk of death, permanent incapacity, disfigurement or prolonged or intractable pain. (CALEA 4.1.2)
- E. **Deadly Force/Lethal Force**-Any force that carries a substantial risk of death to another person.
- F. **Less Lethal**-Any force that is intended to incapacitate or stop a person without causing death. The term Taser and CEW shall be used synonymously when used in policy.
- G. **Imminent**-Any condition that is impending, urgent and significant in nature.
- H. **Imminent Danger**-Any condition that is impending, urgent and significant; and that could reasonably be expected to cause serious physical injury to persons.
- I. **Passive Resistance**-The subject’s actions offer no active opposition or resistance to the officer’s control.
- J. **Psychological Intimidation**-The size of, appearance of, gestures or any action exhibited by a subject that may be perceived by the officer as a threat.
- K. **Verbal Non-Compliance**-The subject has verbalized the intent not to comply with the officer’s directions.
- L. **Defensive Resistance**-The subject’s actions or verbalization offer active resistance to the officer, by attempting to escape the officer’s control by any means.
- M. **Active Aggression**-The subject takes physical aggression towards any person.
- N. **Aggravated Active Aggression**-The subject’s actions may cause serious physical harm to anyone or the subject is using deadly force against any person.
- O. **Verbal Direction**-The verbalization by an officer directing a person to perform in some manner.

- P. **CEW** – Conducted Electrical Weapon
- Q. **Vascular Neck Restraint**-The application of pressure to the lateral sides of the neck to interfere with the vascular supply to the brain to render an individual unconscious or gain compliance while controlling the individual's head and protecting the airway. A Vascular Neck Restraint can be referred to as a Carotid Neck Restraint, Lateral Vascular Neck Restraint, or other similar name; regardless of the term used, this definition shall apply.
 - 1. This definition does not include Headlocks, Body Locks that do not involve pressure to the neck, or a Choke Hold. A Choke Hold (or Arm Bar Choke) is a technique that involves intentional pressure to the throat or trachea for the purposes of restricting an individual's ability to breath. A Choke Hold is a high-risk technique that causes the risk of death. Therefore, use of a choke hold should be considered deadly force and should not be attempted unless the use of deadly force is considered reasonable for the situation.
- R. **Knife** - An instrument composed of a blade and a handle for use as a cutting instrument or weapon. The blade can either be permanently fixed upon a handle (fixed blade knife) or mechanically folded into a handle (folding blade knife).
- S. **De-escalation** – Taking action, either verbally or non-verbally, during a potential use of force situation with the design of such action to stabilize the situation and reduce the threat, thus lowering the need for use of force. De-escalation can be accomplished through command presence, verbal skill/persuasion, tactical positioning, and/or utilizing time and distance, etc.

V. **PROCEDURE**

- A. Use of reasonable force necessary to accomplish lawful objectives (CALEA 4.1.1)
 - 1. Officers may use force only when necessary to accomplish lawful objectives and then only when all other reasonable means to accomplish the objectives have been exhausted, or are reasonably deemed to be inadequate.
 - 2. The degree of force used must be based on reasonable and articulable facts or beliefs, taking into consideration the totality of the circumstances of the events giving rise to the use of force, including:
 - a. Level of resistance encountered;
 - b. Ratio of officers to offenders;
 - c. Special circumstances/psychological intimidation;
 - d. Availability of other options.
 - 3. While recognizing the need to demonstrate authority and control over criminal suspects and prisoners, employees shall adhere to this agency's use-of-force policy and shall observe the civil rights of others and protect the well-being of those in their charge. Employees observing other employees, or agents of another law enforcement agency, in the act of violating a person's civil rights, or using unreasonable force against a person, will immediately intervene and stop the act. Serious violations will be reported to the on-duty supervisor, or the division lieutenant if the on-duty supervisor is directly involved. (CALEA 1.2.10)
- B. Approved Compliance and Control Techniques

1. Occasionally officers will be faced with a passive or violent individual who refuses to be taken into custody. Incidents of this nature require the arresting officer to use some combination of strength, leverage, takedowns, holds and come-alongs with sufficient force to make the arrest. The object of these types of force is to gain control and compliance, while minimizing the risk of injury to the officer or the person being placed in custody. In such situations, the following compliance and control techniques are approved:
 - a. **Escorts or balance displacements.**
 - b. **Soft empty hand compliance techniques**-These include physical joint manipulations, use of pressure points, wristlocks, arm locks which involve some pain compliance.
 - c. **Hard empty hand strikes to large muscle groups**-These involve empty hand strikes, pushes, knee strikes or kicks direct to major muscle groups such as the thigh, calf, forearm, biceps, or associated nerve motor points such as common perineal nerve, tibia nerve, and radial and medial nerves.
 - d. **Hard empty hand strikes to structural areas**-These include empty hand strikes, pushes, knee strikes, or kicks directed to structural areas such as the knee, elbows and other joints.
 - e. **Restraints**-These include handcuffs, plastic cuffs, "flex cuffs", leg restraints, belly and leg chains, or any other device approved by the Chief of Police.
- C. The use of the Vascular Neck Restraint is for officers in response to individuals displaying active aggression in order to prevent injury or death to the officer or others. The Vascular Neck Restraint is for those times when lower levels of force have been used and failed; or there is an immediate urgency and lower levels of force are not appropriate or not practical under the circumstances. Use of the Vascular Neck Restraint should be considered a use of deadly force and should only be attempted if the situation warrants the officer to use deadly force. Only officers who have been properly trained by a certified instructor shall use this technique, and updated training must occur on a biennial basis.
 1. If the application of the Vascular Neck Restraint appears reasonable based on the totality of the circumstances known to the officer at the time, the officer should:
 - a. Expect a normal person to lose consciousness in 5-15 seconds once the hold is on and pressure applied. Alcohol or drugs may have an effect on this.
 - b. Continually monitor the correct positioning and placement of the hold on the individual's neck to prevent serious injury.
 - c. If the hold is ineffective, the officer should consider re-positioning the hold or transitioning to another force option as a prolonged hold could result in brain damage.
 - i. Application of the hold is preferred while in a ground position, however, there is no prohibition to the application of the hold in the standing position.

- ii. If an individual becomes unconscious in the standing position, the officer should take care not to drop them due to the increased risk of injury.
 2. Once the officer reasonably believes the individual has complied, or upon the state of unconsciousness, the officer shall release bilateral pressure and transition to handcuffing.
 - a. Once handcuffed, position the individual onto their side into a lateral recovery position, check vital signs, and administer first aid as needed.
 3. After any application of the Vascular Neck Restraint, the officer shall ensure the following after-care steps occur:
 - a. Notify EMS to respond and evaluate the individual prior to any prisoner transport. Any doubt regarding the need for further medical treatment shall be resolved by having the individual transported to a medical facility.
 - b. Notify the supervisor of the use of the Vascular Neck Restraint.
 - c. Receive medical clearance from a medical facility prior to incarceration.
 - d. Inform any person receiving custody or any person placed in a position of providing care that the Vascular Neck Restraint has been used on the individual.
 - e. Maintain visual monitoring of the individual for signs of medical distress for a minimum of two hours after application. If the subject is incarcerated or has been transported to a medical facility, advise the appropriate personnel of the two-hour monitoring time.
 4. The officer shall thoroughly document and explain the use of the Vascular Neck Restraint in an investigative narrative and Use of Force report.
 5. If an officer attempts a Vascular Neck Restraint and is unsuccessful in its application, but the officer reasonably believes forceful pressure or impact has occurred to the trachea, the officer should follow the after-care procedure outlined in step 3 above.
- D. Response to Confrontational Behaviors
1. Most physical confrontations are dynamic and officers must constantly evaluate and respond to rapidly changing situations and factors. Use of force will be progressive in nature, beginning at the lowest possible level and escalating and de-escalating as the dynamics of the situation change. Officers are not required to start at the lowest level and progress through every step, but must instead rely on their assessments of these rapidly evolving incidents. At all times, the officer must evaluate the level of force being used and determine its appropriateness based on the totality of the circumstances
 - a. **Verbal control and force**-The manner in which an officer speaks can be an effective means of exerting verbal force in order to control a situation. Verbal control may be in the form of advice, persuasion, admonitions, or orders. By using reasonable and necessary verbal control and force, officers may not have to resort to the use of higher levels of force.
 - b. **Physical Force**-Physical force involves actual body contact with a person, forcibly subduing that person until resistance is overcome. The objective is to gain control and compliance, while minimizing the risk of injury to the officer, the person being placed in custody, or any innocent bystanders.

Physical force can involve any one or more of the following levels of force.

- i. Escorting, the person away from the scene.
 - ii. Takedowns, holds, or come-along techniques.
 - iii. Control and compliance techniques.
 - iv. Hard empty hand strikes to large muscle mass areas.
 - v. Hard empty hand strikes to structural areas of the body.
- c. **Intermediate Force**
- i. Intermediate force involves the use of less-lethal weapons against a person and forcibly subduing him with assistance of these weapons until resistance is overcome. The use of intermediate force will be limited to quelling confrontations where the use of verbal or physical force would be or has been ineffective. Only officers who have been approved for and have met all qualifications for each specific less-lethal weapon may carry that weapon. (CALEA 4.1.4)
- d. **Deadly Force/Lethal Force**
- i. An officer will use deadly force on another in defense of a person's life (including the officer's), in defense of another person in imminent danger of serious physical injury, or to prevent the escape of a known fleeing felon (convicted felon who is an escapee on that charge) presenting imminent danger of serious physical injury to the officer or other persons. In addition to one of the above criteria, ALL of the following need to apply: (CALEA 4.1.2)
 - (i.) When legally justified;
 - (ii.) When the need to do so is strong and compelling;
 - (iii.) As a last resort;
 - (iv.) When lower levels of force have been ineffective or would be inappropriate, given the threat level confronting the officer.
 2. Force is considered deadly force whenever the use of a certain technique, weapon, or ammunition is substantially likely to cause death, whether or not death actually occurs.
 3. Less-lethal force weapons are considered to be deadly force weapons when they are used in such a manner to cause substantial risk of death. This includes directing these weapons to the head, neck, throat, groin, or other vital body structures.
 4. When a deadly situation exists officers are encouraged, when reasonably practical, to identify themselves as law enforcement officers and verbalize their intent to use deadly force prior to using deadly force.
- E. Escalating Factors to the Use of Force
1. Officers are authorized to use a higher degree of force than described in the above procedures under any of the following circumstances:
 - a. When there is more than a single offender, or there are bystanders or others who may intervene or interfere with the situation.
 - b. Whenever there exists the possible use of drugs and/or alcohol, or the mental capacity of the offender is impaired as to escalate the level of

- hostility and aggressiveness towards the officer or innocent bystanders.
- c. Whenever there is the reasonable and articulable suspicion of the presence of a weapon (fake gun, bulge in jacket, etc.).
 - d. If there are any physiological capabilities, or size differential which work to the disadvantage of the officer.
 - e. Whenever there is an unavailability of backup, or there are time constraints; or whenever the officer is required to make an immediate arrest.
 - f. When there is a known history of violent behavior by the assailant, based on the officer's experience or credible information, such as a transmission from dispatch.
 - g. Whenever there are unusual circumstances or factors beyond the officer's control that introduce a higher than normal degree of risk to the officer or others.
- F. Other Considerations in the Use of Force
1. **Assistance from other officers**-When the circumstances permit, an officer may choose to delay or defer action until sufficient officers are present to handle the situation.
 2. **Disengagement from confrontation**-Officers are authorized to disengage from a confrontation and retreat to a position of safety whenever, in the officer's opinion, such disengagement may decrease the threat of immediate harm to the officer, the offender, or others. The decision to disengage should include consideration of exigent and potential circumstances and the risk to the officer or the public.
 3. **Display of firearm**-An officer shall not draw or exhibit a firearm unless the circumstances surrounding the incident create a reasonable belief that it may be necessary to use the firearm to prevent serious physical harm or death to the officer or others.
 4. **Display of less-lethal weapon**-An officer may display issued weapons, such as an ASP baton, **Taser** or OC spray, whenever the officer determines that such display will have the effect of diminishing aggressive behavior in any situation. In addition, an officer may display a Taser in attempt to diffuse a situation. Such display should be coupled with verbal commands and/or warning that if the aggressor does not cease the behavior, the officer will use the weapon.
 5. **Shooting at or from moving vehicles**-No officer will discharge a firearm at or from a moving vehicle except when all other reasonable means have been exhausted, and it is necessary for the preservation of life of the officer or others; or when the officer has reasonable belief that the offender will cause serious physical harm or death to the officer or others unless such action is taken. Officers should take into account what risk the person would have to other officers and the public, should that person be incapacitated.
 6. **Risk to bystanders**-When officers are about to discharge their firearms, they should be aware of their surroundings, as not to create unnecessary

risk of harm to bystanders. An exception is permitted under circumstances wherein the risk of harm from discharging a firearm was outweighed by the risk of harm to persons caused by the offender.

7. **Vehicle pursuits and roadblocks**-Vehicle pursuits could constitute deadly/lethal force. See Departmental Policy 41.2.1 (“Call Response and Motor Vehicle Pursuits”) on vehicle pursuits.
 8. **Use of firearms to destroy animals**-An officer may use a firearm to destroy an animal in self-defense, in defense of others, or in a situation where the animal is sick, badly injured, or near death and is suffering. In all cases, any such use of a firearm will be immediately reported to the officer’s supervisor.
 9. **Warning shots**-The use of deadly weapons will be limited to the parameters laid forth for the use of deadly force. Discharging “warning shots” to stop a disturbance or halt a fleeing suspect are prohibited. (CALEA 4.1.3)
 10. **Taser**-Only the drive-stun mode of the Taser may be used on a secured prisoner to gain compliance. A verbal warning should be made to the prisoner prior to use of the drive-stun function. Only two cycles of the drive-stun function may be used and must be in the presence of another officer. The use of the Taser probe mode is prohibited on any person in handcuffs.
- G. Weapons authorized for use
1. Less-lethal weapons that are approved for carry and use by officers are commonly accepted for use by law enforcement officers, and more specifically, those listed and approved by the Findlay Police Department, as listed below: (CALEA 4.3.1.a)
 - a. **ASP baton**-An ASP expandable baton in either a chrome or black finish, constructed of high impact aluminum.
 - b. **Straight stick or baton**-A baton made of aluminum or wood.
 - c. **PR-24**—May be high impact plastic or aluminum. They may be either the fixed 24” or expandable baton.
 - d. **OC (Oleoresin Capsicum) Pepper Spray**-5-10% OC aerosol canisters designed to be carried in a pouch on the officer’s duty belt as approved by the Chief of Police.
 - e. **Rubber projectile rounds**-K01LE baton rounds, delivered via the Sage SL6-37mm less-lethal weapon.
 - f. **Twelve-gauge bean bag rounds**-Defense Technologies Model 3027, 12 gauge drag stabilized bean bag rounds. Due to the inherent danger of mistaking a shotgun loaded with lethal rounds, instead of less-lethal rounds, the slide and stock of less-lethal shotguns shall be distinctly marked with a fluorescent orange stock and slide and the words “LESS LETHAL” stenciled on the stock. No lethal rounds shall ever be loaded into a less-lethal shotgun and no less-lethal rounds shall ever be loaded into a lethal shotgun.
 - g. **TASER**-The TASER X-2 or TASER 7 conductive electrical weapons (or CEW) are the only such devices authorized by the Department.

- Only personnel who have been trained and certified in its operation may carry or use this device. Personnel must continue to demonstrate proficiency on an annual basis. The use of any other electronic-controlled weapon is not authorized.
- h. **Flashlight**-Officers are permitted to carry several types of flashlights while on duty. They may be constructed of plastic, aluminum, or hardened aluminum. The primary purpose of the flashlight is for illumination. However, when circumstances dictate, it may be used as an impact weapon. All policies, procedures and rules and regulations regarding the use of impact weapons shall apply.
 - i. **Canine**-Use of a trained police canine for aggression, under the supervision of a trained, certified handler, is considered to be intermediate force. Refer to the Canine Policy (41.1.5) for further information.
 - j. Other less lethal rounds approved by the Chief of Police for use by the Emergency Response Team. See "Approved Tactical Weapons and Ammunition" (Appendix "B")
 - k. Officers are not permitted to use a less-lethal weapon unless qualified in its proficient use as determined by training standards.
 - l. Less than lethal weapons that are approved for carry and use by officers are commonly accepted for use by law enforcement officers, and more specifically, those listed and approved by the Findlay Police Department. Any weapon not specifically mentioned in this policy shall not be carried or used.
 - m. Weapons not currently listed as approved may be added later as technology, need, or law changes and authorization is approved by the Chief of Police.
2. Lethal Weapons (CALEA 1.2.2)
- a. The following weapons have been approved by the Chief of Police for use as regular duty weapons.
 - i. Glock Model 21, .45 caliber semi-automatic handgun
 - ii. Remington Model 870 Twelve Gauge shotgun with an 18-20" barrel.
 - iii. Savage 64 caliber .22 long rifles - animal destruction weapon.
 - iv. M-16A2 .223 caliber automatic rifle
 - v. Ammunition for the above weapons shall meet the specifications laid forth in Appendix "A" (CALEA 4.3.1.b)
 - b. Officers assigned to undercover or plain clothes details are authorized to carry weapons listed in the secondary weapon appendix, provided they have met qualification standards with said weapon (at their own expense), supply their own holster which has been approved by a Range Officer, and are engaged in an undercover or plain clothes detail. Approved holsters and ammunition carried shall be documented on the appropriate qualification sheet by Range Officers.
 - i. When confronted with an active physical assault, an undercover and/or plain clothes officer is authorized to use the force necessary

- and employ any alternative weapon, weapon of opportunity, or the means as justified under the standards of 'Graham v. Conner', 'Tennessee v. Garner' and their progeny irrespective of whether such alternative force or weapon has been specifically approved for use by the department.
- c. Officers are authorized, but not required, to carry a handgun while off duty. An officer that elects not to carry a handgun off duty shall not be subject to disciplinary action if an occasion should arise in which that officer could have taken police action if that officer had been armed. The following stipulations apply to carrying a handgun while off duty.
- i. All officers that elect to carry a firearm off duty shall have their badge and police identification physically on their person.
 - ii. All officers, while carrying a firearm off duty, shall comply with all requests or demands from law enforcement personnel to show either the badge or identification.
 - iii. Officers who carry an off-duty firearm must wear it in such a manner that it is completely concealed and not unnecessarily exposed to public view.
 - iv. Officers may carry their department-issued firearm off-duty. Officers may also elect to purchase their own firearm and carry it as an off-duty weapon or secondary on-duty weapon provided the following apply:
 - (i.) Weapon is of reliable quality and manufacture, inspected by a range officer and a model approved by the Chief of Police. (see appendix "A")
 - (ii.) A holster of suitable quality is used to carry the firearm, inspected by a range officer.
 - (iii.) The officer meets the same annual training, proficiency, and certification requirements as those for his on-duty weapon. Failure to do so will result in the authorization to carry it being rescinded.
 - (iv.) All ammunition is supplied by the officer, meeting the criteria approved by the Chief of Police (see appendix "A").
 - v. Officers are reminded that when carrying weapons off-duty, they have no arrest or enforcement powers outside of the State of Ohio. As such, said weapons are carried for defensive purposes only and may not be used to effect an arrest or other enforcement action.
 - (i.) While off duty, officers are permitted to engage in recreational and sporting events involving firearms, without being subjected to qualification standards for the weapon used, provided that said activity is done so safely and in compliance with all applicable laws and regulations for the venue of the event, as well as during transportation to and from the event.
 - (ii.) Officers should be aware that even weapons that are classified as less-lethal could, under some circumstances, be used as a

deadly weapon. In this case, all policies, procedures and rules and regulations governing such weapons will apply.

(iii.) All ammunition in department issued and secondary firearms shall be set forth and approved by the Chief of Police (See Appendix "A"). (CALEA 4.3.1.b)

3. Specialized firearms and ammunition for tactical response
 - a. The Police Department has certain specialized weapons, such as select-fire weapons, semi-automatic rifles, and tear gas guns. Only authorized and trained personnel are permitted to possess or use these weapons. All specialized weapons and ammunition must be approved by the Chief of Police. (See Appendix "B")
 - b. Special weapons, devices, materials, ammunition or cartridges normally assigned to the ERT may be used only when authorized by the ERT Commander or the Chief of Police.
 - c. Members of the ERT are authorized to deploy chemical agents other than Oleoresin Capsicum, concussion grenades, or other devices, commensurate with the team member's specialized training, in conformance with the ERT operating procedures, while functioning in their capacity as a trained team member.
4. Patrol Rifles
 - a. Officers are permitted to purchase their own patrol rifle, commonly called a carbine rifle, and to carry it on duty as long as it meets the following requirements:
 - i. Weapon must be an AR15/M16 style platform, chambered in 5.56mm or .223 caliber, with a minimum barrel length of 16 inches with a flash suppressor.
 - ii. Weapon will be semi-automatic only.
 - iii. Weapon will be equipped with fixed or modular sights, and with a fixed or adjustable stock.
 - iv. Weapon will be primarily black, but may include olive drab or tan accessories such as the fore end, pistol grip, etc.
 - v. Weapon must be of reliable quality and manufacture, inspected by a range officer and a make/model approved by the Chief of Police. (see appendix "A")
 - b. Optional accessories
 - i. Sling;
 - ii. Magnified optic system up to 4x magnification, or a red dot sight; (i.) Any optic or sight must be properly zeroed.
 - iii. Weapon mounted tactical flashlight;
 - iv. Laser sights are NOT permitted.
 - c. Magazines and ammunition
 - i. The department will provide a minimum of 40 rounds of .223 caliber duty ammunition to each officer. Officers are responsible to provide their own ammunition for training and qualification purposes. Officers may purchase additional duty rounds as long as

- it is the same standard that the department issues and it must be approved by a range officer prior to being put in service.
- ii. Magazine capacity will not exceed 30 rounds, and no more than 4 – 30 round magazines will be carried on duty.
- d. Training
- i. The officer must meet the annual training, proficiency, and certification requirements set forth by the department and OPOTA standards. Failure to do so will result in the authorization to carry it being rescinded.
 - ii. The annual qualification will be at the cost of the individual officer and no overtime and/or comp time will be approved without prior approval by the Chief of Police.
 - (i.) The department will attempt to conduct the annual qualification during a department training cycle.
- e. Deployment
- i. The qualified officer and/or supervisor has the discretion as to when to utilize the patrol rifle. The patrol rifle should be used when it helps put the officer(s) at a tactical advantage for the situation that they are in.
 - ii. The patrol rifle will NOT be used as an animal destruction weapon.
 - iii. The patrol rifle, when carried on duty, shall be kept in a hard/soft case in the secured patrol car trunk.
 - (i.) The officer that owns the rifle is responsible to keep it secured and it is the officer's responsibility to remove the weapon from the trunk at the end of his/her shift.
 - iv. The patrol rifle shall be stored with the chamber closed and empty, magazine loaded, and the safety on.
 - v. A Patrol Rifle may be carried in any police vehicle where a gun rack designed for the AR15/M16 platform is available.
 - vi. When in a gun rack the Patrol Rifle is to be left secured in the locked gun rack of the patrol vehicle except when it is deployed for use, removed for normal inspection and maintenance/training.
 - vii. When the rifle is stored in the patrol vehicle, it shall be stored with the chamber closed and empty, magazine loaded, and the safety on.
5. Knives
- a. Officers are authorized to possess and use knives while on duty. It is recognized that an officer may have the need for such an instrument for general work duties. While not considered to be a weapon of choice in a deadly force situation, officers may use a knife as a defensive weapon when it is deemed necessary to protect the life of the officer or another person's life during a situation where there is a risk of serious injury or death.
 - b. Officers are permitted to carry folding blade knives or fixed blade knives. The blade length shall not exceed 4 inches (4").
 - c. Knives may be carried by uniform and non-uniformed personnel. A knife must be carried as unobtrusively as possible.

- d. A fixed blade knife must be carried in a sheath or designed carrier so that the blade is not visible and the blade is also concealed in a manner to prevent accidental lacerations. The knife must be carried in one of the following manners:
 - i. The knife may be worn on the duty belt;
 - ii. Inside the duty belt (waistband);
 - iii. Concealed inside the wearer's clothing; or
 - iv. Concealed in or on the wearer's footwear.
 - e. A folding blade knife must be carried in one of the following manners:
 - i. In a closed sheath or carrier on the duty belt. The sheath or carrier should be black as the others items on the duty belt.
 - ii. Securely clipped in the inside of a pocket or inside the waistband so that only the clip or small portion of the handle is visible.
 - iii. If a folding knife is carried in another position, it must be concealed, i.e. on the boot, attached to concealable body armor, or entirely inside a pocket.
 - f. Tactical team members may carry either style of knife on their tactical vest, so long as the knife is secured and not easily accessible to an unauthorized person.
 - g. All knives must be carried in a manner that they are secured and do not fall off of the officer's body during normal activities, to include running. Knowing that physical confrontations are dynamic, officers should make every effort to ensure that a carried knife stays secured on their person in the event that a physical confrontation occurs.
 - h. Prohibited Uses
 - i. Officers shall not display a knife in any offensive or threatening manner without a legitimate use of force justification.
 - ii. Officers shall not carry a knife in hand while handling a prisoner or dealing with a member of the public unless it is necessary for rescue, suicide prevention, a lethal force situation, or it is necessary to use it as a tool for evidence collection.
 - iii. Officers shall not carry a knife in any other manner other than described in the policy above.
 - (i.) Any knife that is carried off duty does not fall under this policy. The knife must conform to local and state laws applicable to knives.
6. Prohibited Weapons
- a. Officers are prohibited from carrying or using any weapons on the following list during the performance of their duties. Officers are also prohibited from carrying or using any other weapon not listed which could be considered a defensive weapon, unless approved by the Chief of Police. The list is not an inclusive listing, and includes weapons of the same design or type listed, identified by other common names.
 - i. Brass knuckles
 - ii. Saps

- iii. Any Stun guns or other conducted electrical weapons (or CEW) not specifically approved by the Chief of Police.
 - iv. Weapons specifically used as martial arts weapons
 - v. Sap gloves
- H. Handling and Storage of Weapons (CALEA 4.3.1.f)
1. No member shall carry, display or use a firearm while under the influence of alcohol and/or drugs.
 2. Whenever an officer is in the department and removes his duty weapon, it must be secured in a locked area that is not readily accessible to the public or arrestees.
 3. Except for general maintenance/ training, or in conformity with the use of deadly force stated in this policy, no officer shall draw or exhibit his duty weapon.
 4. Officers shall secure and store their duty weapons, both on and off duty, in such a way as to ensure that no unauthorized person will have access to or gain control over that weapon.
 5. No weapon may be removed from the departmental armory unless the officer has authorization from the Chief of Police and has been properly trained in its use.
 6. Officers shall exercise all normal safety precautions and obey all appropriate rules and directives while practicing or participating in firearms training on the departmental range.
 - a. Body armor shall be worn while the range is in use, both indoor and outdoor. This will apply to anyone, on or off duty, including range officers and civilians.
 7. Department Issued Primary Shotgun
 - a. When not in use, shotguns shall be secured, unloaded, in the Patrol Equipment Room's weapon storage locker or in the Armory.
 - b. A box of slugs shall be issued to each Sergeant. In the event they are needed, the Sergeant, or OIC, will issue rounds to the officer. Once the officer is cleared from the call, the officer shall return any unused or spent shells back to the Sergeant, or OIC, totaling the number they were issued.
 - c. Shotguns may be deployed and used by officers when necessary, at their own discretion, in accordance with the provisions outlined in this policy on the use of lethal force.
 - d. When used, shotguns will be transported in the locked trunk of the cruiser.
 - e. Range officers are responsible for inspecting the shotgun on a quarterly basis (or on complaint) to make sure they are operating properly. (CALEA 17.5.2)
 - f. The Patrol Equipment Room weapons storage locker will be under lock and key. The Range Officers and Fleet Manager will have a key. A key will also be maintained by the on-duty Patrol Supervisor for access when neither of the above is available.
 8. Less-Lethal Shotgun

- a. A less-lethal shotgun, conspicuously marked as indicated above, is assigned to all marked patrol vehicles.
 - b. The shotgun is to be left secured in the locked gun rack in the marked vehicles except when it is deployed for use, removed for normal inspection and maintenance/training, or when the vehicle is to be taken for repairs. When the less-lethal shotgun is not stored in the vehicle, it shall be secured in the Patrol Equipment Room or in the Armory.
 - c. The rack shall be in the locked position and the gun shall be stored with the chamber empty, magazine loaded to full capacity (with less-lethal rounds), un-cocked, and the safety off.
 - d. Officers are responsible for inspecting the shotgun at the beginning of each shift to make sure that it is operating properly.
 - e. Less-lethal shotguns may be deployed and used by qualified officers when necessary, in accordance with the provisions outlined in this policy on the use of less-lethal force.
9. Specialized Tactical Weapons-Patrol Sergeant
- a. An M-16A2 select-fire weapon is assigned to the Patrol Sergeant's patrol vehicle.
 - b. The M-16 is to be left secured in the locked gun rack of the sergeant's patrol vehicle except when it is deployed for use, removed for normal inspection and maintenance/training, or when the vehicle is to be taken for repairs. When the M-16 is not stored in the patrol vehicle, it shall be secured in the Patrol Equipment Room or in the Armory.
 - c. The gun rack shall be locked and the gun shall be stored with the chamber closed and empty, magazine loaded, and the safety on.
 - d. Supervisors are responsible for inspecting the M-16 at the beginning of each shift to make sure that it is operating properly.
 - e. The M-16 may be deployed and used by qualified officers when necessary in accordance with the provisions outlined in this policy on the use of lethal force.
10. Specialized Tactical Weapons-ERT
- a. Except when in possession of an ERT member or range officer, removed for normal inspection and maintenance or training, all specialized tactical weapons shall be secured in the Departmental Armory or in the ERT Weapons safe.
 - b. ERT members who have qualified with a specialized weapon, may maintain possession of that weapon for rapid deployment to tactical scenes from their homes or regular duty assignments as approved by the ERT Commander. ERT members shall secure and store their specialized weapons, both on and off duty, in such a way as to ensure that no unauthorized person will have access to or gain control over that weapon.
- I. Inspection/Issuance of Firearms
1. Every department-owned firearm shall be inspected by a range officer upon original receipt of the firearm. The inspection shall be made to determine if the firearm meets department specifications, is safe and in

good working order. The range officer completing the inspection shall document the inspection or any repairs on the Weapon Issue/Maintenance Record, Appendix "E", including the following information: (CALEA 4.3.1.c) (CALEA 4.3.1.e)

- a. Weapon type
 - b. Manufacturer
 - c. Model
 - d. Serial Number
 - e. Assignee or owner (if secondary weapon is owned by the officer)
 - f. Condition of weapon
 - g. Approving Range Officer
 - h. Date of Approval
2. On at least an annual basis, each weapon shall be re-inspected by a range officer and its condition noted, as well. (CALEA 4.3.1.c)
 3. If a range officer determines that any department-owned weapon is in an unsafe condition, he shall immediately seize such weapon and forward a report concerning the circumstances to the Chief of Police. (CALEA 4.3.1.d)
 4. Prior to qualification, a range officer shall inspect any personally-owned secondary weapon or patrol rifle. The condition of said weapon shall be noted on "Weapon Issue/Maintenance Record" (Appendix "E"), with the officer's name and "personally owned" written in the Receiving Officer block. (CALEA 4.3.1.c) (CALEA 4.3.1.e)
 5. If a range officer determines that any personally owned firearm utilized as a secondary firearm or patrol rifle, is in an unsafe condition, he shall immediately revoke the authorization to utilize the firearm and forward a report concerning the circumstances to the Captain of Police (CALEA 4.3.1.d)
 6. No weapon, which is removed from use because of an unsafe condition, shall be returned to use until which time the unsafe condition has been corrected and a range officer has inspected, test fired and approved the weapon for use. The results of the inspection shall then be documented by the inspecting range officer on the "Weapon Issue/Maintenance Record", Appendix "E".
- J. Taser Issuance
1. The Department has enough Taser devices for each sworn officer to be issued one along with a holster to fit the issued Taser device. The Taser devices will be assigned to personnel by serial number of the device. The Taser device will be issued with two 25' duty cartridges that are assigned to the issued Taser device by the serial number.
 2. Taser devices will be kept with the assigned officer and stored off-duty in a safe manner as to prevent non-authorized users access to the device. There will be no need to sign the Taser device out at the start of each day. There will be spare Taser devices stored in the equipment room in the event the need would arise. If a spare Taser device is being used, the

officer will be required to sign it in and out on the written log in the equipment room.

3. At the beginning of your shift, or start of an off-duty detail, officers should conduct a 3-5 second spark test of the Taser device. Officers should also check the battery life of their assigned Taser device at this time as well. No taser shall be used with a battery life of under 20%. Please notify the on-duty supervisor if the Taser is not functioning properly. The on-duty supervisor, upon notification, shall email the Taser instructors to advise them of the malfunction.
4. The life span of the Taser device/battery is dependent upon the 3-5 second spark test each day before you start your shift. In order to help assist officers in remembering to complete the spark test, officers are required to carry their issued Taser devices with them while on duty or while working a uniformed off-duty detail. This prevents officers from permanently storing the Taser device after issuance.
5. In the event of an accidental discharge of a Taser cartridge, the officer shall immediately notify the on-duty supervisor. The on-duty supervisor shall email the Taser instructors and the Patrol Lieutenant with details of the event. The Taser instructors shall record the events for consideration of future training or remedial training if warranted.

K. Training

1. Use of Force Training
 - a. All agency personnel authorized to carry lethal and less lethal weapons shall be instructed in the Police Department's policy and procedures, and related instruction, on Use of Force as follows: (CALEA 4.3.3)
 - i. Upon initial issuance, prior to being authorized to carry a lethal or less lethal weapon; (CALEA 4.3.4)
 - ii. Upon any revision to this policy after its initial issuance;
 - iii. Annually
 - (i.) The Use of Force policy shall be disseminated initially and annually and made available to each officer electronically through PowerDMS. The policy can also be accessed on any agency computer on the share drive. Issuance shall be documented via a read and sign in PowerDMS;
2. Defensive Tactics (CALEA 4.3.3.a)
 - a. Sworn officers designated by the Chief of Police shall be instructed in defensive tactics and handcuffing techniques by a qualified instructor on a biennial basis.
 - b. Each designated officer shall then demonstrate proficiency in defensive tactics and handcuffing techniques to the satisfaction of a certified defensive tactics instructor.
3. Less-Lethal Weapons
 - a. Officers are not permitted to use a less-lethal weapon unless qualified in its proficient use as determined by training standards. (CALEA 4.3.2)

- b. Officers will then receive biennial training and shall demonstrate proficient use of less-lethal weapons as determined by training standards to a certified less-lethal weapons instructor for the specified weapon. (CALEA 4.3.3.a)
 - c. Officers certified to use conducted electrical weapons (or CEW) shall recertify with those weapons on an annual basis to the satisfaction of a certified instructor. (CALEA 4.3.3.a)
4. Firearms
- a. Firearms Qualification
 - i. Upon an officer's initial hiring/certification, he shall qualify with his department issued firearm and shotgun prior to beginning enforcement duties.
 - ii. Following initial qualification, each officer shall qualify at least once each calendar year with the department-issued sidearm.
 - iii. Each officer shall qualify at least once each calendar year with department-issued shotguns.
 - iv. Each officer shall qualify at least once each calendar year with any authorized personal firearm used as a secondary or off duty weapon, or a patrol rifle.
 - v. Each patrol officer shall qualify once each calendar year with the department-issued animal control firearm.
 - vi. The ERT Commander shall determine training content and certification requirements for specialized weapons and ammunition, which shall be submitted to the Chief of Police for approval. At a minimum, tactical members shall meet the OPOTA requirements for the specific weapon.
 - (i.) The ERT Commander shall designate those qualified on these specialized weapons. Such weapons are assigned to the ERT and will be used pursuant to established policy and procedure for special operations incidents.
 - (ii.) ERT members assigned to the position of Precision Shooter shall complete a specialized training course approved by the ERT Commander, prior to qualification. Precision Shooters shall also be provided sufficient ammunition each month for practice purposes. They shall report to the ERT Commander the results of each practice session and shall maintain a log of each shot fired, both in practice and during operations, containing the following information:
 - 1. Date;
 - 2. Time;
 - 3. Round type, caliber, manufacturer and lot number;
 - 4. Distance;
 - 5. Range contour;
 - 6. Shot placement;
 - 7. Wind direction and speed;
 - 8. Temperature;

9. Humidity.

- vii. If an officer is absent from duty for an extended period of time or if the Senior Range Officer feels that an officer has suffered an injury that could hinder his weapons proficiency, that officer shall be required to qualify prior to his return to duty. These injuries could include, but are not limited to, injuries affecting either hand or arm, eyes, or a traumatic or chronic brain injury of any kind.
 - viii. Retired police officers seeking qualification from this agency to carry firearms, pursuant to the Law Enforcement Officers Safety Act of 2004, are required to meet the same qualification standards as current Findlay Police Officers with their sidearms. Applicant retirees are required to provide approved firearms and ammunition. Upon successful completion, the Range Officer will issue a certification card (Appendix "F") to the retiree, valid for one year from date of issue, at no cost.
- b. The firearms qualification course will be drawn up by the senior range officer.
- i. No less than once each year, the course of fire shall, at a minimum, meet the Ohio Peace Officer Training Academy (OPOTA) minimum firearms qualification guidelines. A copy of the course and the results of all scores shall be filed with the Special Services Lieutenant. (Appendix "D")
 - ii. Firearms qualifications shall include a proficiency demonstration in the handling and care of approved firearms. The requirements for the proficiency demonstration shall be in writing and a copy of each officer's results shall be filed with the department's training officer. A departmental Range Officer shall monitor the proficiency demonstration and forward the written results to the Special Services Lieutenant.
 - iii. All firearms shall be inspected by a departmental range officer once a year. Upon inspection, the range officer shall record the results of his findings on the Weapon Issue/Maintenance Record.
 - iv. Qualification courses shall require the officer to use the weapon in the same manner as they are accustomed to using them; i.e. to include qualifying with approved holsters, iron sights, optic systems, and/or body armor.
5. Training Documentation
- a. A record of all completed training and qualifications shall be forwarded to the Special Services Lieutenant, for inclusion in the employee's training record. (CALEA 4.3.3.b)
6. Failure to Qualify/Remedial Training (CALEA 4.3.3.c)
- a. If an officer fails to demonstrate proficiency on any lethal weapon, less lethal weapon, defensive tactics (if applicable), or understanding of use of force, to the satisfaction of the administering instructor/range officer, he shall be placed in remedial training.

- b. Additionally, if the officer fails to show understanding or proficiency in use of force, defensive tactics (if applicable), or fails to qualify with a department issued sidearm or shotgun, he shall be placed in a non-enforcement assignment until he completes remedial training and demonstrates proficiency.
 - c. If an officer fails to qualify or show proficiency in any secondary, tactical, patrol rifle, or animal control firearm; or any less than lethal weapon, he shall not be permitted to carry that weapon until he completes remedial training and demonstrates proficiency. (CALEA 4.3.2)
 - d. Upon an officer being placed in remedial training, a report shall be forwarded to the Captain of Police and Special Services Lieutenant.
 - e. Upon successful completion of remedial training, including demonstration of proficiency/qualification in the deficient areas, a report shall be forwarded to the Special Services Lieutenant and Captain of Police.
 - f. If an officer fails to show proficiency/qualification upon completing remedial training, a report shall be forwarded to the Special Services Lieutenant and Chief of Police. The Chief of Police shall then elect to enter the officer in at least one of the following:
 - i. Continued remedial training
 - ii. Medical evaluation
 - iii. Attendance of outside formalized training/workshops
 - iv. Discipline
7. Accommodations for Pregnant Officers
- a. Pregnant police officers are not required to participate in the mandatory firearms qualification, defensive tactics and/or less lethal weapons proficiency skills during the term of their pregnancy. Pregnant officers who wish to qualify or practice with a firearm or less lethal weapon may do so, but at their own risk. Pregnant officers choosing to do so shall be provided with lead-free, or equivalent, ammunition by the department.
 - i. The accommodation shall remain in effect until the officer is cleared for full duty status by their physician.
 - ii. Once medically cleared for full duty, the officer shall be scheduled for handgun qualification and/or less lethal weapons proficiency as soon as practical.
- L. Medical Aid (CALEA 4.1.5)
- 1. When any officer of this department finds it necessary to use force to effect an arrest or to control a situation, the officer shall determine whether the person is injured, continually monitor the medical condition of that person while in custody and arrange for appropriate medical treatment of any injury, if warranted.
 - 2. In the event that a person is subjected to a conducted electrical weapon (or CEW) more than twice, he shall be screened by EMS or by a medical facility.

3. The officer shall also notify the immediate supervisor or officer in charge that force was used and of any injuries that resulted from the use of force. The supervisor shall then respond to the scene.
 4. When a person in custody is injured, through no fault of the officer, or has a fresh injury which occurred prior to his arrest, the officer shall notify the immediate supervisor or officer in charge of the injury.
- M. If the person refuses treatment, the officer shall record such fact in the narrative report submitted on the incident. The names and statements of any witnesses to the refusal should also be documented. If the injured person is unconscious or unable to either consent or refuse treatment as a result of the force, or for a possible medical emergency, the person shall be deemed not to have refused to give consent, and immediate medical treatment will be sought.
- N. Incident Reporting
1. If it becomes necessary for the officer to use force to make an arrest or control a situation or **any** discharge of a firearm, other than recreational or training purposes, the officer shall document said activity on a case or investigative narrative. (CALEA 4.2.1.a)
 2. In the event that a detainee is injured or has any impact with a fixed object *while in custody* the officer shall document such on the case or investigative narrative.
 3. If the officer uses any force beyond escorts, balance displacement, or pain-compliance techniques, the officer will be required to fill out a “Use of Force” report, which is located in Tyler Tech Mobile, **in addition to the case or investigative report**. If multiple officers used force, each officer shall complete a Use of Force report. Examples of qualifying uses of force include, but are not necessarily limited to, the following:
 - a. Empty hand or closed fist strikes against any part of the detainee’s body; (CALEA 4.2.1.d)
 - b. An impact between the detainee and a fixed object (wall, ground, vehicle, etc.) caused by the officer during the arrest; (CALEA 4.2.1.d)
 - c. Use of Oleoresin Capsicum, tear-gas, or any other irritant dispersed by aerosol, powder, or gas; (CALEA 4.2.1.c)
 - d. Use of any gas-propelled breaching, distraction, or less-lethal device; (CALEA 4.2.1.c)
 - e. Use of any conducted electrical weapons (or CEW); (CALEA 4.2.1.c)
 - f. Use of carotid restraint, lateral vascular neck restraints, four-point restraints (“hog-tie”), or similar control techniques; (CALEA 4.2.1.d)
 - g. Use of any impact weapons, other than as an escorting or goose-neck tool; (CALEA 4.2.1.c)
 - h. Discharge of a lethal weapon, intended or not, while on duty. This includes incidents involving animals **only** when the officer acted in defense of himself or others when the animal is acting aggressively; (CALEA 4.2.1.a)
 - i. Use of any technique, device or weapon unauthorized or unapproved by this policy or the Chief of Police;

- j. Any action that results in, or is alleged to have resulted in, injury or death to another person; (CALEA 4.2.1.b)
- 4. The supervisor shall be immediately notified and respond to the scene, as soon as feasible.
- O. If an officer is involved in the discharge of a firearm, either accidentally, intentionally, or for recreational purposes that results in injury to any person, the on-duty supervisor shall be notified as soon as possible, regardless of venue.
- P. Review of Use of Force Incidents (CALEA 4.2.2)
 - 1. The "Use of Force" by officers is subject to scrutiny by the public, attorneys and the courts. It is also necessary for the Department to review such incidents. In addition to being used as a method of reviewing use of force and investigating alleged abuses by officers, use of force reports may be used to identify and update equipment needs, to identify training deficiencies, to monitor use of force practices by officers, and review of this policy
 - 2. Any use of force that involves the following will require a formal investigation:
 - a. Incidents resulting in serious injury or death to a human
 - b. Incidents when an officer used lethal force
 - c. Incidents when an officer discharged a firearm. This includes incidents involving animals **only** when the officer acted in defense of himself or others when the animal is acting aggressively.
 - d. Incidents when either the Chief of Police, Captain of Police, or his designee determines that a formal investigation is necessary, due to other circumstances present.
 - 3. Any time a person has visible injuries, complains of being injured, or alleges to have been injured as the result of the use of force against him by an officer, the officer's immediate supervisor or officer in charge will be advised as soon as possible and respond to the location as soon as feasible. The supervisor or officer in charge will determine the validity of the complaint and, if warranted, investigate the complaint further. This includes taking or obtaining photos of any injuries and obtaining witness names, evidence and statements of those involved.
 - a. The supervisor shall brief the Captain and affected Division Lieutenants of any serious use of force injury as soon as practicable; and shall forward any reports generated. Use of force injuries that are minor, or do not require medical attention, may be directed to the affected Division Lieutenants through normal communication channels.
 - b. When use of force complaints involve intoxicated or drug impaired persons, no statement will be taken until such time as the person can communicate intelligibly. Any complaint that results from a criminal incident, where the complainant is the arrestee, will not be investigated until the case is adjudicated.

- c. The affected Division Lieutenant shall then review the incident and will make a determination whether the incident falls within this policy, or whether the complaint is substantiated. The Lieutenant shall then make a recommendation and forward it to the Captain and Chief of Police for review.
 - d. The Captain and Chief of Police shall review all reports and findings from the use of force incidents and determine whether the actions of the officers involved were justified and in compliance with this policy. If the Chief of Police determines that a use of force incident violated policy and that remedial training, counseling or disciplinary action is warranted, the Chief of Police shall follow departmental procedures for such actions.
 - e. The Captain or Chief of Police shall then report his determination to the officer's division lieutenant along with any action that he is recommending. The division lieutenant shall then follow the procedures in the Department's collective bargaining agreement when warranted; or schedule any remedial training or counseling necessary.
 - f. After the review of a Use of Force instance is complete, the completed Use of Force report, along with the accompanied investigative narrative, shall be forwarded to the Accreditation Manager, who shall maintain a file of said incidents.
4. Annually, the Captain of Police shall conduct an analysis of all Use of Force instances, policies and practices for the preceding year. The Captain shall then forward a report to the Chief of Police, noting the following:
- a. Date and time of incidents; (CALEA 4.2.4.a)
 - b. Types of encounters resulting in Use of Force; (CALEA 4.2.4.b)
 - c. Trends or patterns related to race, age and gender of subjects involved; (CALEA 4.2.4.c)
 - d. Trends or patterns resulting in injury to any person including employees; and (CALEA 4.2.4.d)
 - e. Impact of finding on policies, practices, equipment, and training. (CALEA 4.2.4.e)
- Q. Notification of Corrections Facilities
1. In the event that a less-lethal device is used on a suspect, and that suspect is incarcerated, the correctional facility shall be notified of its use.
 2. In the event that a vascular neck restraint is used on a suspect, and that suspect is incarcerated, the correctional facility shall be notified of its use.
 3. If the suspect is medically screened by EMS or a medical facility, a copy of the medical clearance shall be provided to the correctional facility.
- R. Formal Investigations/Use of Force Incidents
1. When the on-duty supervisor or officer in charge becomes aware that an officer has been involved in a use of force incident, which has resulted in death or serious injury to any person, the supervisor shall immediately notify the incident to the appropriate Division Lieutenant, the Captain, and the Chief of Police. Use of force incidents meeting this criterion may

- include on duty, off duty, and extra duty incidents. Upon being notified, the Chief of Police shall assign the Captain, or his designee, to investigate the incident and report his findings directly to the Chief of Police. If a Lieutenant is involved in the incident, the Captain of Police shall investigate the incident.
2. When an officer is involved in any incident that results in death or serious injury to another person, and the officer is not rendered unable to do so, he shall immediately do the following:
 - a. Determine the physical condition of the injured person and render first aid, when appropriate.
 - b. Request necessary emergency medical aid.
 - c. Notify Dispatch of the incident and location.
 - d. Request that the supervisor or officer in charge report to the scene.
 3. The involved officer shall stay at the scene until the supervisor, officer in charge, or appointed person investigating the incident dismisses the officer from the scene. In the event that the presence of the involved officer could incite further problems from witnesses or others sympathetic to the injured person, that officer may leave upon advising the supervisor officer in charge of the situation and location where the officer may be located.
 4. The officer shall protect any firearm or weapon used in the incident for examination and submit it to the appointed investigator. The officer shall not make any public statements without the express consent of the Chief of Police, or his designee. The officer shall complete a detailed report of the incident, including the Use of Force Utilization Form, and submit it to the appointed investigator prior to going off duty for the day, unless directed to do differently by either the Captain or the Chief of Police.
 5. The Captain, or his designee, shall take possession of the involved firearm and ammunition as soon as practicable. The weapon shall be examined and a thorough investigation of the incident shall be conducted. A detailed report of the incident shall then be prepared and forwarded to the Chief of Police for review.
 6. All incidents, that involve serious injury or death to a person as a result of use of force by a Findlay Police Officer, shall be presented to the Hancock County Prosecutor, for review. If it is determined that the involved officers will be charged with a crime as a result of the use of force, the Chief of Police will coordinate the department's activity in this regard with the prosecutor.
 7. The Chief of Police shall report his findings to the involved officer and the affected Division Lieutenant, in writing, at the conclusion of his investigation of each use of force complaint forwarded to him.
- S. Reassignment of Employees during Administrative Review of Use of Force Incidents.
1. It is the policy of the Findlay Police Department to strike a balance between the rights of the community and those of the individual employee involved in a use of force incident or other critical incident involving serious physical harm or death. When a death or serious physical harm

results from the use of force by an employee, the employee shall, as soon as practical, be released from his/her normal duties by his supervisor, pending an investigation of the incident. The employee shall be placed on administrative leave with pay. The leave shall continue until terminated by the Chief of Police, following an administrative review of the incident. (CALEA 4.2.3)

2. While an investigation of the incident is being conducted, the employee shall attend at least one professional counseling session to address the personal and emotional needs arising from such an incident. The professional counselor will be named by the Chief of Police, who may require more than one session, based on the recommendation by that professional counselor. Such relief from duty shall not be considered a suspension or disciplinary action taken against the officer, but an administrative action for the purpose of relieving the officer from performance of duty while participating in stress counseling, during the investigation.
 - a. The purpose of the debriefing session is to allow the employee to express his feelings and to obtain assistance in dealing with the after-effects of the incident. These services shall not be any part of the investigation into the incident. Any such sessions are protected by Doctor or Counselor-Patient Privilege. The administrator of such session will only advise the Chief of Police when the sessions have been completed and the officer is mentally prepared and ready to resume his/her full duties.
 - b. The involved employee's family members shall also be afforded the services of the department-furnished mental health professional, at no cost to the employee or his/her family. The purpose is to aid the employee's family with any emotional effects from the incident. The sessions shall not be part of the departmental investigation and are protected by the privileged relationship.
 3. While on administrative leave, the employee shall remain available for department interviews and statements and shall be subject to recall at any time.
 4. Civil Rights Investigations-The department will respect the rights of the Federal Government and the State of Ohio to conduct an independent investigation to identify any civil rights violations which are alleged to have been committed by an employee's use of force. Requests from these entities to interview an employee shall be made in writing and directed to the Chief of Police.
- T. **Use of Weapons for Demonstration/Display**-The use of any law enforcement weapon for the purpose of display or exhibition is prohibited unless authorized by the Chief of Police.
- U. **Use of Weapon Mounted Lights** – Weapon mounted lights on firearms will be used to aid in target acquisition and identification only. Weapon mounted lights will not be used in place of a regular flashlight when officer needs illumination of cars, homes, people, items, etc. Weapon mounted lights will

be used only when there is a legitimate reason to have the weapon ready at hand.

SOURCES: Recognition Standards for Law Enforcement Agencies, Chapter 1 (July 2006), Ohio Revised Code Title 29, Findlay Police Department Policies and Procedures “Call Response and Motor Vehicle Pursuits” 41.2.1, Law Enforcement Safety Act of 2004, OPOTA Firearms Qualification Standards, Ohio Collaborative Standards (August 2016), Rules and Regulations.

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APPENDIX "A"

Authorized Primary and Secondary Weapons and Ammunition for the Findlay Police Department

Primary Weapons

- Glock Model 21, .45 caliber semi-automatic handgun
- Remington Model 870, Twelve-gauge shotgun with 18-20" barrel
- Remington Model 870, Twelve-gauge shotgun with 18-20" barrel marked and used exclusively for less-lethal rounds
- Savage 64 caliber .22 long rifle animal destruction weapon
- M-16A2--.223 caliber automatic rifle

Primary Ammunition

- Speer Gold Dot .45 caliber, 230 grain hollow-point cartridges
- Speer Gold Dot 9mm, 115 grain hollow-point cartridges
- Speer Gold Dot 9mm, 124 grain hollow-point cartridges
- Federal 12 gauge 2 3/4" tactical rifle slug
- Federal 12 gauge 2 3/4" tactical buckshot (00 buck)
- CCI/Speer Gold Dot .22 caliber long rifle hollow-point cartridges
- Federal .223 caliber, 69 grain button tail hollow-point cartridges

Secondary Weapons

Any Double Action/Single Action or Double Action Only .32-.45 caliber production handgun made by one of the following manufacturers:

- Beretta
- Bersa
- Browning
- Charter Arms
- Colt
- CZ USA
- FN Herstal, Inc.
- Glock
- Heckler & Koch
- Kahr Arms
- Kimber
- Para-Ordnance
- Ruger
- SIG-Sauer
- Smith & Wesson
- Springfield Armory
- Taurus
- Walther
- Shadow Systems

Officers who have previously been given permission to carry a single-action only weapon are "grandfathered in" and may continue to carry the single-action only weapon, with the written permission of the senior range officer.

Secondary Ammunition

Any of the below jacketed hollow-point or jacketed soft-point ammunition by a manufacturer approved by a range officer:

- .32 ACP
- .38 S&W (.38 Colt New Police, .38 Super Police)
- .38 Special (9 x 29R)
- .357 Magnum (9x31R)
- 9 mm Luger (9 x 19 mm Parabellum, 9 x 19 mm NATO)
- .380 ACP (9 x 17 mm, 9 mm Browning Short, 9 mm Kurz)
- .38 Auto (.38 ACP)
- .38 Super Auto
- .357 SIG
- .40 Smith & Wesson (10.0 x 21 mm)
- 10 mm Auto
- .41 Action Express
- .44 Special
- .45 Colt
- .45 GAP
- .45 ACP (.45 Auto)

Patrol Rifles (Officer Owned)

Any semi automatic rifle (carbine) chambered in .223 caliber or 5.56mm, made by one of the following manufacturers:

- Alex Pro Firearms
- Anderson Manufacturing
- Armalite
- Bravo Company
- Bushmaster
- Colt
- Daniel Defense
- DPMS Firearms
- FN Herstal
- LaRue Tactical
- Lewis Machine & Tool (LMT)
- Ottawa Arms
- Rock River Arms
- Ruger
- Sig Sauer
- Smith & Wesson
- Sons of Liberty Gun Works
- Stag Arms
- Surplus Ammo/Aero Precision
- Windham Weaponry

APPENDIX "B"

AUTHORIZED TACTICAL WEAPONS AND AMMUNITION FOR THE FINDLAY POLICE DEPARTMENT

Weapons

- H & K MP-5--9mm automatic rifle
- Sig Arms P550/551--.223 caliber automatic rifle
- M-16A2--.223 caliber automatic rifle
- Remington 700P--.308 caliber bolt action precision rifle
- Defense Technology 40mm--gas delivery guns
- Sage SL6—37mm less than lethal, gas delivery gun
- Glock Model 21--.45 caliber semi-automatic handgun
- Remington Model 870--Twelve Gauge Shotgun
- Benelli Twelve Gauge Semi-Automatic Shotgun.
- FN "Five Seven" handgun

Ammunition

- Speer Gold Dot 9mm, 115 grain hollow-point cartridges
- Speer Gold Dot 9mm, 124 grain hollow-point cartridges
- Federal .223 caliber, 69 grain button tail hollow-point cartridges
- Federal .223 caliber, 62 grain soft-bonded soft-point cartridges
- Remington .308 caliber, 168 grain button tail hollow-point cartridges
- Federal .308 caliber, 168 grain hollow point
- Federal .308, 165 grain bonded soft-point
- Sage K01LE 37mm baton
- Defense Technology 40 mm CS Barricade Penetrating Projectile Liquid ferret rounds
- Defense Technology 40 mm CS Barricade Penetrating Projectile Powder ferret rounds.
- Speer Gold Dot .45 caliber, 230 grain hollow-point cartridges
- Federal twelve gauge 2 ¾" tactical rifle slug
- Federal twelve gauge 2 ¾" tactical buckshot (00 buck)
- SS 190 standard ball round
- L191 Tracer round
- SB 193 Subsonic round
- SS192 Soft round