



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



2025-3290  
Officer Involved Critical Incident – 3810 Louise Ct., Grove City,  
OH 43123 (L)

**Investigative Activity:** Review of Records  
**Involves:** Dominique Jalen Byrdsong (S)  
**Date of Activity:** 10/24/2025  
**Activity Location:** Grove City Police Department – Business – 3360 Park Street, Grove City, OH 43123  
**Author:** SA Richard Ward, #55

**Narrative:**

On Friday, October 24, 2025, Ohio Bureau of Criminal Investigation Special Agent Richard Ward received the following requested policies from the Grove City Police Department related to this incident:

- Use of Force – Chapter 4.1
- Weapons and Training – Chapter 4.3
- Body-Worn Camera – Chapter 41.3
- Barricaded Persons Plan – Chapter 46.1

These policies were reviewed and are attached to this report.

**References:**

No references.

**Attachments:**

Attachment # 01: Chapter 46.1 Barricaded person Plan Grove City PD  
Attachment # 02: Chapter 41.3 Body Worn Camera policy Grove City PD  
Attachment # 03: Chapter 4.3 Weapons and Training  
Attachment # 04: Chapter 4.1 Use of Force Grove City PD

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**GROVE CITY DIVISION OF POLICE  
GENERAL ORDER 46.1**

**Subject:**

Critical Incidents

**Date of Approval:**

August 10, 2023

**Effective Date:**

August 24, 2023

**Issued By:**

Eric M. Scott, Chief of Police

- 46.1.1 Planning Responsibility**
- 46.1.2 All Hazard Plan – City Emergency Management and Operations Manual (All Hazard Plan) with Command and General Staff Assignments including Department and Division specific responsibilities**
- 46.1.3 Open**
- 46.1.4 Open**
- 46.1.5 Open**
- 46.1.6 Open**
- 46.1.7 Open**
- 46.1.8 Equipment Inspections**
- 46.1.9 All Hazards Plan Training**
- 46.1.10 Active Threats**
- 46.1.11 Personnel Identification**
- 46.1.12 Crowd Control Response Training**
- 46.1.13 Open**
- 46.1.14 Police Annexes (Plans)**
  - Command Function (Division of Police)**
  - Operations Function (Division of Police)**
  - Planning Function (Division of Police)**
  - Logistics Function (Division of Police)**
  - Finance/Administration Function (Division of Police)**
  - Continuity of Operations Plan**
  - Hazardous Materials Plan**
  - Conducting Evacuations Plan**
  - Civil Disturbance Plan**
  - Mass Arrest Plan**
  - Barricaded Person/Hostage Plan**
  - Bomb Threat/Emergency/Disposal Plan**

## **Annex -Barricaded Person/Hostage Incidents**

Barricaded person and hostage incidents occur for a variety of reasons. Armed persons confronted by police while committing a crime, violent domestic disputes, mental or emotional instability, or, as a means to gain publicity, are but a few situations that result in a barricaded person or hostage incident. Criminals often view hostage taking as an effective means of dealing with law enforcement officers at the scene of a crime and to aid their escape.

It is the policy of the division to settle a hostage-taking situation without the use of force, if possible, giving the hostage-taker continual opportunity to release the hostage(s) and surrender to authority without injury. However, the life of the hostage remains the first priority. A criminal suspect, who purposely places the life of a hostage in imminent risk of serious physical harm or death of the hostage(s) by use or threatened use of deadly force, is not permitted to continue to do so. Should an opportunity arise allowing for the safe release of the hostage by the use of force, including deadly force, against the hostage-taker, police officers take advantage of such opportunity as a final option.

The decision, if the situation allows, authorizing the use of force, including deadly force, to neutralize a hostage-taker, rests with the incident commander, and is based upon the following priorities, in descending order:

- The life of the hostage;
- The safety of by-standers and area residents;
- The safety of involved police officers; and
- The life of the hostage taker.

Based upon these priorities, the following criteria is established and considered:

- Does the suspect(s), in fact, hold a hostage by force or threat of force?
- Does the suspect(s) indicate by actions, or statements that they are willing to kill the hostage?
- Can the fact that the suspect is armed or has the potential for killing the hostage be reasonably verified?

If the three criteria are positively verified, the decision is made to authorize the use of force, including deadly force, to neutralize the hostage-taker, if a tactically viable opportunity is available. This decision is communicated to affected personnel, who

must understand their responsibility to exercise it if necessary. (This does not prohibit any officer taking that action, or, using that force necessary to protect their life or the life of another, according to established division use of force policy 1.1.3).

It is the policy of the division that all reasonable efforts are made to secure the surrender of a barricaded person that is not holding a hostage, through negotiation. However, if after reasonable efforts to negotiate the surrender of the barricaded person fails, the decision to authorize the use of force, including deadly force, or chemical agents against a barricaded person rests with the incident commander, after consideration of the following criteria:

- If the suspect is armed with firearms, and the ability of authorities to evacuate
- Weapons known in the possession of the suspect; that area; and
- The suspect's threat to the safety of and imposition upon citizens working or residing in the affected area.

(This does not prohibit any officer taking that action, or, using that force necessary to protect their life or the life of another, according to established division use of force policy.)

Circumstances encountered at individual barricaded person/hostage situations dictate actions taken by police. The following provisions are intended to serve as a basic procedure for dealing with barricaded person/hostage situations and are followed when possible. It is understood that all provisions do not apply to every situation.

- Officers immediately notify CIC of the situation and request assistance from the supervisor and other on-duty personnel.
- The supervisor immediately responds to the scene and assesses the situation to determine if a barricaded person situation actually exists. If so, is the suspect holding hostages? An attempt is made to establish communications with the person/hostage-taker. If the barricaded person/hostage-taker does not respond to initial attempts at communication, or is uncooperative, the supervisor directs CIC to contact the field services lieutenant, who assesses the situation prior to an SRT call-out.

The incident commander is responsible for requesting additional assistance through mutual aid, if required.

- Although the first officers on the scene attempt to contain and stabilize the situation, they are prepared to neutralize the suspect and use that force which is necessary to protect the life of the hostage(s), or the lives of others, including their own.
- Officers at the scene attempt to determine the exact location of the suspect(s), number of suspects and their identity, number of hostages and their identity, type of weapons used by the suspects, nature and extent of injuries, and any other pertinent information that is available.
- Once the suspect(s) location is determined, the supervisor directs officers to establish an inner perimeter. As additional officers become available, the supervisor establishes an outer perimeter.

Officers assigned perimeter duties are kept informed of developments and plans so they are prepared to take action if the incident extends to their position. Scheduled relief is given to officers so they remain alert and capable.

- Once the scene is secured, the first action taken is the safe evacuation of persons in the vicinity, with special attention given to those who have been injured.
- The supervisor requests that the fire department have an E.M.S. unit, rescue unit, and fire equipment in the vicinity on stand-by.
- Once the scene is stabilized, a field command post is established. The field command post has radio and telephone capabilities and serves as a briefing and staging point. The field command post is the sole source of instructions and orders concerning the situation, and the chain of command is strictly adhered to.
- The chief of police assigns an officer as the public information officer. This officer has the responsibility of choosing a site for meeting with news media representatives and addressing their inquiries.
- Communications with the suspect(s) is established by crisis negotiators.

When negotiating, reasonable demands are negotiable. Some

reasonable negotiating items include physical comforts, such as food, water, heat or electricity.

Non-negotiable items include, but are not limited to: weapons, drugs (illegal or prescription), alcohol, supplying additional hostages, or exchanging existing hostages.

- SRT personnel and the crisis negotiating team maintain close communication to ensure each is aware of the other's actions and responsibilities.
- Only in the most extreme circumstances is the suspect furnished, or permitted, to use a motor vehicle. If the hostage/taker threatens the life of the hostage to demand a vehicle, the crisis negotiator stalls so preparations are made for the SRT to execute an assault on the suspect, prior to the suspect's exiting the containment perimeter. The decision to allow the suspect to leave the containment perimeter is made by the chief of police or incident commander. Should such authorization be given, the following guidelines apply:

If the vehicle is supplied by police, it is not capable of receiving the tactical channel;

The vehicle is modified with a device allowing the engine to be shut down by remote control;

The vehicle is marked in such a manner that allows it to be easily identified;

The amount of gasoline available is considered; if possible the fuel gauge is made to register full, regardless of the amount of fuel supplied;

If escorts are supplied, they are done with marked cruisers, and the route and destination chosen beforehand and explained to the suspects, including vehicle speed.

Communications with other jurisdictions, which the suspect(s) and escort cruisers pass through, are made prior to any travel.

- At the conclusion of a barricaded person/hostage incident, all supervisors assigned specific tasks submit an after-action report to the chief of police.



## GROVE CITY DIVISION OF POLICE GENERAL ORDER 41.3

**Subject:**

Patrol Equipment

**Date of Approval:**

June 6, 2024

**Effective Date:**

June 6, 2024

**Issued By:**

Eric M. Scott, Chief of Police

- 41.3.1 Patrol Vehicles Lights, Sirens**
- 41.3.2 Patrol Vehicle Equipment and Replenishment Procedures**
- 41.3.3 Occupant Safety Restraints**
- 41.3.4 Authorized Personal Equipment**
- 41.3.5 Body Armor**
- 41.3.6 Body Armor/ Pre-Planned, High-Risk Situations**
- 41.3.7 Mobile Data Access**
- 41.3.8 In-car and Body-Worn Audio-Video**
- 41.3.9 Automated License Plate Readers (LPR)**

### **41.3.1 In-Car and Body-Worn Audio-Video**

#### **A. In-Car Audio – Video**

- Officers operating vehicles equipped with recording equipment record all traffic stops, pursuits, arrests, and crash scenes where practical. Officers record other events, situations, and circumstances including, but not limited to, armed encounters, acts of physical violence, serious calls and complaints, and criminal conduct whenever video recording can be done without compromising officer safety. Recording includes the activation of the microphone transmitter.
- Prior to each shift, officers check the recording equipment to ensure it is working properly. Officers immediately bring any problems, at this time or any other time during the shift, to the attention of the supervisor. The audio/video equipment is powered on for the duration of the officer's shift. Officers are required to wear the audio microphone for the duration of their shift. The recording equipment is designed to activate when the vehicle's emergency warning devices are in operation. The officer can also manually activate the equipment.

Officers may manually de-activate the recording equipment during non-emergency or non-enforcement activities such as protecting accident scenes.

Whenever the recording equipment is manually de-activated during an emergency or enforcement event, officers document the reason for this activity.

- While recording events, officers ensure that:

The video recorder is positioned and adjusted to record the events;

The recording equipment is not de-activated until the enforcement action is completed; and

The wireless microphone is activated in order to provide narration of the events.

Whenever possible, officers manually activate the recording equipment to record driving performance of a motorist, or any other event that assists the officer with the collection of evidence.

Audio/video recordings are treated as evidence. Intentional alteration or destruction of these recordings may result in criminal, administrative and disciplinary action.

Officers only use audio/video devices or digital medium provided and/or approved by the division.

Officers inform those who ask, that audio/video recording equipment is in use.

Officers are not required to cease recording an event, situation or circumstance solely at the demand of anyone other than the officer or their supervisor.

When officers transport anyone in their patrol vehicle, the recording equipment is utilized.

Officers note, in incident, arrest and related reports when recordings were made.

## B. Body-Worn Cameras

- The Grove City Division of Police utilizes body-worn cameras to enhance the delivery of law enforcement services to the community.

- All sworn officers are equipped with body-worn cameras.

Uniformed officers wear body-worn cameras at all times, while on-duty.

Personnel assigned to a plain clothes position carry their body-worn camera any time they believe it would be appropriate or valuable to record an incident.

The chief of police wears a body-worn camera at his/her discretion.

- Officers ensure the battery of their issued body-worn camera and holster activation batteries are properly charged to last their entire shift.
- Officers ensure all software is up to date, checking for software updates weekly, at a minimum.
- Officers ensure body-worn cameras are connected to the appropriate Wi-Fi connection and to their assigned vehicle.

C. In addition to automated activation of body-worn cameras, cameras are manually activated as soon as practicable under the following circumstances:

- Any self-initiated or dispatch-initiated contact that would normally generate a call for service;
- Any other contact that becomes adversarial after the initial contact, unless to do so would jeopardize the officer's safety; and
- Any other specific period of time while on duty when a supervisor requires an officer to keep his/her body-worn camera on.
- Any citizen contact that becomes a contact for law enforcement purposes.

D. Body-worn cameras may be activated when officers feel it is necessary to document a scene or incident.

E. At no time is a member of the division expected to jeopardize his/her safety to activate/deactivate the body-worn camera.

F. Body-worn cameras are not activated while inside restrooms or locker rooms.

G. Once activated, the body-worn camera may be muted and/or deactivated for the following reasons:

- During a lunch break;

- During an errand at the safety complex or police annex;
  - During an errand at an officer's personal residence;
  - When interacting with a person seeking to anonymously report a crime or assist in an ongoing law enforcement investigation;
  - When engaged in communications with a confidential informant or undercover officer;
  - When engaged in a privileged communication with an attorney or union representative;
  - When discussions between law enforcement personnel involve coaching, counseling or discipline;
  - When discussions between law enforcement personnel involve strategy and/or tactics that may risk public or officer safety if they don't remain confidential;
  - When conducting death notifications; and/or
  - Upon approval from a supervisor
- H. Notwithstanding the provisions mentioned above, officers remain sensitive to the dignity of all individuals being recorded and exercise sound discretion to respect privacy by deactivating their body-worn cameras whenever it appears to the officer that such privacy may outweigh any legitimate law enforcement interest in recording.
- I. The deactivation of the camera during an incident, including the reasoning for deactivation, is documented in the call for service and/or incident report.
- J. Personnel are prohibited from using division-issued body-worn cameras for recording media for personal use and are prohibited from making personal copies of recordings created while on duty or while acting in an official capacity.
- K. Personnel are prohibited from retaining recordings of activities or information obtained while on-duty. Personnel are prohibited from duplicating or distributing such recordings, except for authorized legitimate division business purposes. When any video is exported, a reason is entered into the program (i.e., records request, pursuit review, etc.)
- L. Personnel are prohibited from using personally owned recording devices while on-duty.

- M. Body-worn cameras are not remotely activated without the officer's knowledge, unless such activation is immediately necessary for purposes of officer safety. This provision does not prohibit the activation of body-worn cameras by automatic triggers, such as activation when cruiser emergency lights are activated.
- N. Body-worn cameras are not intentionally activated to record conversations with other employees with or without their knowledge during routine, non-enforcement activities. This includes, but is not limited to, surreptitious recordings of conversations with other employees.
- O. Body-worn cameras are not used in the following situations:
- For the purpose of embarrassment, harassment, ridicule or horseplay;
  - During administrative meetings without the approval of the chief of police;
  - During performance evaluations, shift briefing, while on break or while otherwise engaged in personal activities;
  - During strip searches of any person; and
  - In any location where individuals have a personal expectation of privacy, such as restrooms or locker rooms, unless for legitimate investigative or law enforcement purposes.
- P. Personnel do not physically alter, nor attempt to physically alter, any division owned recording device.
- Q. Body-worn camera recordings are kept consistent with the current records retention schedule.
- R. Requests for the release of audio/video recordings are processed in accordance with Records Laws.
- S. Video Security and Access
- Mobile video recordings automatically upload to the Grove City computer system and are stored on the server.
  - Body-worn video recordings automatically upload to the cloud via body-worn services.

#### T. Explosive Device

- Many portable recorders, including body-worn cameras and audio-video transmitters, emit radio waves that could trigger an explosive device. Therefore, these devices are not used where an explosive device may be present.

#### U. Video Storage and Retention Schedule

- Cruiser video recordings are stored on the division cruiser video server.
- Body-worn video recordings are stored on the cloud through AWS.
- All video recordings are retained per the city's records retention schedule.
- Video recordings used as evidence are placed on hold until the case has been disposed of.

#### V. Review of Video Recordings

- Audio/video recordings generated on division equipment are and remain the property of the Division and are not be duplicated or released outside of the division without authorization from the chief of police. Exceptions include those copies made for public record requests, prosecution and/or subject to motion for discovery and/or disclosure to defense counsel.

Request may be forwarded to the city's law director for review and determination of release authority prior to the recording being copied and released.

- Personnel may view recordings, as necessary, by logging onto the system software linked to the city's intranet. Personnel needing access to the video system software are issued a user account that includes a unique user I.D. and password.
- Supervisors review ten random video recordings per month, including five cruiser videos and five body-worn videos. The reviews are documented on the audit log to ensure established procedures for the use of the recording equipment are being done, to assist in officer performance, and identify material that may be useful for training. If the material is used for training, the supervisor forwards his/her recommendations through the chain of command.
- When unusual or exceptional incidents are recorded and are perceived to be of training value, the recording is held for the support services lieutenant for review and use.
- Recorded incidents, especially those with evidentiary value, will not be reviewed for the entertainment of any officers or employees.

W. Sworn personnel receive initial training on the use of division owned recording devices.



**GROVE CITY DIVISION OF POLICE  
GENERAL ORDER 4.3**

**Subject:**

Weapons and Training

**Date of Approval:**

August 28, 2025

**Effective Date:**

August 28, 2025

**Issued By:**

Eric M. Scott, Chief of Police

- 4.3.1**      [Authorization: Weapons and Ammunition](#)
- 4.3.2**      [Demonstrating Proficiency with Weapons](#)
- 4.3.3**      [Annual/Biennial Proficiency Training](#)
- 4.3.4**      [Prerequisites to Carrying Lethal / Less Lethal Weapons](#)
- 4.3.5**      [Firearms Range](#)
- 4.3.6**      [National Law Enforcement Officer Safety Act](#)

**4.3.1**      **Authorization: Weapons and Ammunition**

- A.      Only division authorized weapons and ammunition are to be used by division personnel in the performance of their duties.
- B.      Authorized lethal weapons
  - 1.      The authorized division issued weapon, based on assignment, is one of the following:
    - a.      Glock 45 MOS .9mm
  - 2.      Other authorized duty weapons include at the chief's discretion, based on assignment and firearm qualification:
    - a.      Uniformed officers carry sufficient ammunition to reload the firearm twice.
    - b.      Non-uniformed officers and those assigned to staff functions, carry sufficient ammunition to reload the weapon at least once.
    - c.      Officers are permitted to carry an authorized secondary firearm while off duty or on duty but are not required to do so.

- 1) Firearms carried by off duty officers are carried concealed from casual view.
  - 2) Officers are armed with an authorized firearm whenever they are on duty, but do not carry a firearm when to do so would constitute a violation of policy or law.
  - 3) Off duty officers do not carry firearms or take any official action while under the influence of alcohol or drug use.
3. Officers must carry a flashlight on duty.
  4. Uniformed officers carry a division owned - Remington 870 12-gauge shotgun and/or an AR-15 style 5.56 NATO/.223 rifle in the patrol cruiser.
  5. Personally owned rifles are authorized for on-duty use under the following conditions:
    - a. The officer submits a request, via weapons authorization, form 1.103, to the chief of police or his designee and the request is approved.
    - b. The rifle is inspected by a division armorer and is found to be in compliance with established rifle specifications. Rifle specifications are found in the clothing and equipment manual.
    - c. The officer passes the division's rifle qualification course with their respective personally owned rifle.
    - d. The rifle is carried in the same manner as a division owned rifle.
    - e. The use of a personally owned rifle in any official capacity is subject to the same use of force guidelines as division issued rifles.
    - f. Only authorized ammunition is approved for on-duty use with a personally owned rifle.
    - g. In all cases, division use of force and firearms policies apply to a personally owned rifle.
    - h. Personally owned rifles are subject to inspection upon request.
  6. In addition to the weapons listed above, the division may authorize other division owned lethal weapons for exceptional circumstances or activities, such as SRT, including: specialized Remington 870 12-gauge shotguns; and precision scoped rifles. The use of these weapons is restricted to

officers selected for part-time SRT duties or officers trained and qualified in the use of the specific weapon system.

- a. A list of officers trained and certified as competent in the use of these weapons is maintained in the firearms training file.

7. Officers maintain firearms proficiency standards for all weapons carried.

C. All firearms carried or used by officers for the performance of official duties are loaded only with ammunition issued by the division.

1. The authorized calibers of ammunition used by division personnel are listed below [CALEA 4.3.1B].

- a. .40 caliber
- b. .45 caliber
- c. 9 mm
- d. .380 caliber
- e. .38 caliber
- f. 12-gauge rifled slugs  
12-gauge 00 buckshot
- g. 5.56 NATO.223 center-fire
- h. .308 center-fire

2. The specific manufacturer, model and load of each caliber of ammunition is authorized by the chief of police based on recommendations from the firearms training staff. The recommendations are based on, but limited to the following criteria:

- a. Manufacturer ballistic comparisons
- b. Availability of acquisition
- c. Inclusion in the state procurement listing
- d. Recommendation of local law enforcement firearms training staffs
- e. When possible, comparison testing by the firearms training staff

- D. The procedure for weapon authorization:
1. A weapon authorization, form 1.103 is completed by the requesting officer and submitted to the firearms training supervisor.
    - a. All weapons are examined by a qualified weapons instructor and/or armorer, prior to approval.
    - b. If the weapon meets specifications, the firearms training supervisor refers the request to the chief of police for final approval.
    - c. All personally owned weapons carried on duty, including handguns and rifles, may not be modified in any way unless approved by the chief of police. This includes engraving or personalizing weapons.
    - d. The chief of police may rescind authorization for officers to carry personally owned weapons at anytime, at the expense of the officer.
  2. An officer submits a weapon authorization, form 1.103 for approval/disapproval prior to the purchase of a firearm.
  3. If approved by the chief of police, the form is forwarded to a firearms instructor who conducts training and qualification.
  4. At the time of inspection or qualification, officers choosing to carry weapon mounted lights must also present the handheld flashlight they will carry on their person. The firearms instructor notes this on the authorization form.
  5. Following the successful completion of training and qualification, the firearms instructor signs and dates the Weapon Authorization form certifying the officer's competency to carry and use the firearm.
  6. The firearms instructor forwards the completed form to the firearms training supervisor. The firearms training supervisor files the form in the following manner:
    - a. Firearms training file
    - b. Copy to firearms instructor
    - c. Copy to requesting officer
  7. In the event an officer disposes of a firearm for which a weapon authorization was issued, the officer notes on their copy the date and manner by which the firearm was disposed. The officer submits a copy to

the firearms training supervisor, who forwards all copies to the chief of police.

E. Process for removing unsafe weapons [CALEA 4.3.1D]

1. Division owned firearms issued to officers for use in the performance of official duties, and personally owned firearms authorized for official use, are subject to inspection upon demand of any division supervisor.
2. Any modification to a division owned firearm is approved by a qualified armorer and is of a non-permanent nature, allowing the firearm to be readily restored to its original condition. Modifications are limited to reasonable accommodations necessary for proper fit.
3. Any firearm authorized for use in the performance of official duties, is maintained in proper working order, and cleaned frequently.
4. In the event that a mechanical problem develops with an officer's authorized firearm, the officer promptly refers the firearm to a division armorer for repair. If a mechanical problem is noticed in another type of authorized weapon, such as a CEW, the weapon is referred to the appropriate training officer for repair. If the mechanical defect is related to the safety or functional reliability of the firearm/weapon, the firearm/weapon is immediately removed from service until repaired.

F. Procedure for maintaining a record on each weapon [CALEA 4.3.1C,E]

1. An inventory record on each division owned weapon is maintained by the firearms training supervisor. The inventory is updated annually.
2. At the conclusion of each division firearms training, all division owned firearms are inspected for cleanliness and functionality by firearms staff.

G. Guidelines for safe and proper storage of authorized firearms [CALEA 4.3.1F]

1. Division-issued firearms are carried in holsters designed to safely hold the specific firearm. Uniformed officers' holsters are issued or approved and have at a minimum, a thumb break-type retaining strap or mechanical release. Back-up and/or second weapons are carried in a holster designed to safely hold the firearm.
  - a. Officers are to demonstrate proficiency in use of their holster(s) to a firearms instructor during live fire exercises.
  - b. The holster is used only with prior approval from the chief of police.

2. Officers, assigned to non-uniformed or staff function, can carry a firearm conforming to the division specifications as an on-duty weapon, with written authorization by the chief of police.
  3. Officers are provided locking cases and trigger guards and make every effort to secure division weapons to prevent unauthorized access within the division and at home.
  4. When not in use during a tour of duty, the shotgun and/or rifle is carried and secured in a rack or in a padded case in the trunk of the patrol vehicle. The weapon is stored with the chamber empty.
    - a. With the exceptions of the sergeant's vehicle, shotguns and rifles are not left in patrol vehicles at the end of an officer's tour of duty. Shotguns and rifles must be returned to the armory at the end of the tour of duty unless released into another officer's possession.
- H. Officers, while on duty, do not carry on their person or within any police vehicle any unauthorized or unregistered firearm.

**EXCEPTION:**Transportation of firearms that are confiscated as evidence or for other legitimate reasons.

- I. Division personnel are permitted to carry knives primarily as a cutting or rescue tool. Officers are prohibited from using knives as an offensive weapon. Knives may be used for defensive purposes in a deadly force situation.
- J. Division officers are authorized to carry the following less lethal defensive weapons [CALEA 4.3.1A]:
  1. Division owned/issued Taser Conducted Electrical Weapon (CEW)
    - a. Sworn officers will carry their Taser on their non-dominant side. Officers can choose whether they want a cross-draw or non-dominant draw.
    - b. Each Taser will be marked with yellow for better identification
    - c. The Taser must be deployed with both flashlight and laser function activated. An exception may be approved for a planned stealth operation.
    - d. The Taser will be deployed with a warning of, "Taser, Taser, Taser" prior to deployment.
  2. Straight baton or nightstick, solid or collapsible, not more than 36" in length and 1 3/4" in diameter, designed for police use.

3. Personal defense weapons, such as short batons, and kubatons.
4. Individual officers carry the following type(s) of chemical defensive weapons:
  - a. OC-inflammatory (cap stun) color code (orange) as issued
    - 1) A material safety data sheet for the current issue remains on file
    - 2) Special care is given to selecting the chemical agent used to assure the propellant is water based with no flammable contents to avoid adverse reaction to electronic defensive weapons
5. Officers engaged in tactical groups or specifically trained carry and use the following types of chemical defensive weapons:
  - a. CN-lacrimator (tear gas) color code (red)
  - b. CS-irritant (mace) color code (blue)
6. Division officers, specially trained and certified are authorized to carry and utilize less lethal defensive weapons and delivery systems.
  - a. Specialty Impact Munitions (SIMS), or extended range impact weapons
  - b. Specialty Impact Munitions include beanbags, launchable wooden and foam singular and multiple baton, rubber pellets and other like items. Delivery methods include 12-gauge shotgun, 37mm, and 40mm launchers.
7. Division officers, specially trained and certified are authorized to carry and utilize chemical munitions and delivery systems for the purpose of encouraging compliance, overcoming resistance or preventing serious injury without posing a significant potential of causing death.
  - a. Chemical munitions include CN-lacrimator (tear gas), color code (red), CS-irritant color code (blue), OC-inflammatory (cap stun) color code (orange), smoke, gas foggers, pressurized or aerosol propelled gases, gas grenades, and ferret rounds.
8. Brass knuckles, sap gloves, nunchakus, and similar martial arts weapons are prohibited.

### **4.3.2 Demonstrating Proficiency with Weapons**

- A. Officers are certified by a division firearms instructor, as competent in the use of any firearm authorized for the performance of official duties [CALEA 4.3.2].
- B. Officers are required to qualify on all division weapons systems.
- C. Officers are required to achieve a minimum score of 80% on individual firearm qualification courses, utilizing the Ohio Peace Officer Training Council (OPOTC) scoring method, as well as demonstrate safe weapon handling practices.
  - 1. Officers will have two opportunities to qualify before an instructor will set aside time for remedial training. The officer will attempt a third time within the same day of qualification.
  - 2. If the officer fails the third qualification attempt, this is considered a failure to achieve minimum qualification standards and the following sections apply.
  - 3. The ranking firearms instructor reports training issues, poor performance, or repeated qualification failures to the officer's subdivision lieutenant.
- D. If an officer fails to achieve a minimum OPOTC score of 80% during a scheduled firearm qualification, the following procedures are followed:
  - 1. In the event an officer fails to achieve the OPOTC minimum qualification score of 80% with their duty firearm, the firearms instructor immediately forwards written notice to the chief of police that the officer has failed to meet minimum OPOTC standards and is not competent to carry the weapon.
    - a. The ranking firearms instructor immediately notifies the respective subdivision lieutenant of the officer who failed to meet the minimum OPOTC standards.
    - b. The lieutenant notifies the officer's immediate supervisor that the officer will not be available for their regular assignment.
    - c. The chief will assign the officer to administrative duty until such time that officer qualifies or other determinations are made.
  - 2. Upon receiving notification that an officer has failed to meet minimum OPOTC standards, the chief of police immediately revokes the officer's authorization to carry a firearm until minimum standards are achieved.

3. The firearms supervisor will schedule the officer for remedial training and qualification at the earliest available time [CALEA 4.3.3C].
  4. In the event that an officer fails to meet minimum OPOTC firearms qualification standards with any secondary firearm, such as a shotgun or an off duty/second weapon, the firearms instructor immediately forwards written notice to the chief of police that the officer failed to meet minimum OPOTC standards, and specify the weapon involved.
  5. Upon receiving notification that an officer failed to meet minimum OPOTC qualification standards with any secondary weapon, the chief of police immediately revokes the officer's authorization to carry the specified weapon until minimum OPOTC standards are met.
- E. If a firearm instructor observes hazardous or unsafe firearms handling practices being exhibited by an officer, the firearm instructor immediately brings the deficiencies to the attention of the officer and provides corrective instruction. If the officer is unable to demonstrate satisfactorily corrected safe firearms handling practices after corrective instruction, the firearms instructor immediately submits to the chief of police, a detailed letter describing the officer's deficiencies, corrective actions taken, and the firearms instructor's recommendation as to the officer's competency to carry a firearm. The chief of police determines the action to be taken on an individual basis.
- F. During firearms qualification and training, the firearms instructor is the officer-in-charge and has the authority to seize any division issued firearm and ammunition, and, to eject from the firearms range any person whose actions or condition creates an immediate hazard to the safety of others present.
1. Specifically, no person is permitted to remain on range or handle a firearm that exhibits any evidence of alcohol or drug usage. The firearms instructor immediately notifies the ranking officer on duty in the event it is necessary to remove a person from the range.
- G. Officers complete the weapons authorization process as outlined above to be authorized to carry a firearm off-duty. The following requirements must be met:
1. Back-up Weapons
    - a. If officers request to carry a back-up weapon, they must qualify from the holster method they use while on-duty.
    - b. All duty holsters for back-up weapons have at a minimum, a level 1 retention, or a safety on the weapon.

- c. Holsters are approved by firearms staff prior to use and are documented on the weapons authorization, form 1.103.

## 2. Off-Duty Weapons

- a. If officers have previously qualified on a weapon as an on-duty back-up weapon, they are not required to separately qualify for off-duty carry.
- b. If officers qualify solely for the purpose of off-duty carry, they use a holster they intend to use while carrying.
  - 1) All holsters intended for use are inspected by firearms staff
  - 2) All holsters intended for use have some level of retention or safety and are documented on the weapons authorization, form 1.103
- c. If officers choose to carry off-duty in a holster that does not comply with the above regulations, they must carry the weapon with an empty chamber
- d. Any modifications to off-duty weapons are authorized by the chief of police, to include weapon mounted lights, pistol optics, etc.

### **4.3.3 Annual / Biennial Proficiency Training**

- A. All sworn officers are required to successfully complete a firearms requalification program approved by the Ohio Peace Officer Training Commission at a minimum of one time a year. Firearms requalification will be administered by a certified firearms instructor [CALEA 4.3.3A].
- B. In addition to annual firearms requalification, all sworn officers will complete annual firearms training approved by the division. Firearms training will be administered by certified weapons instructor [CALEA 4.3.3B].
- C. At least annually, all division personnel authorized to carry weapons receive in-service training on the division's use of force policies and demonstrate proficiency with all approved lethal weapons and electronic control weapons that the employee is authorized to use. Officers are tested annually on use of force policies by means of written examinations, decision-type, less lethal weapons, firearms courses (shoot/don't shoot), or other accepted testing methods.
- D. The division conducts in-service training biennially for other less lethal weapons and weaponless control techniques. Officers are tested annually on proficiency

and knowledge of the division approved electronic control weapons. All training and proficiency scores are documented and kept in officer's training file. Training is monitored by a certified weapons or tactics instructor.

- E. Any officer failing to demonstrate proficiency with a lethal or less lethal weapon is not permitted to return to duty with such weapon until such time as proficiency is demonstrated and documented (See G.O. 4.3.2).

#### **4.3.4 Prerequisites to Carrying Lethal/Less Lethal Weapons**

- A. All sworn officers are issued copies of, and instructed in, the policies described in 4.3.1 through 4.3.5 prior to being authorized to carry a lethal or less lethal weapon. Probationary officers are issued, and instructed in, the policies by their supervisor. The field-training officer assigned the probationary officer attends the instruction and documents the training on the field training daily observation report, form 33.104A [CALEA 4.3.4].

#### **4.3.5 Firearms Range**

- A. Division Personnel utilize firearms ranges belonging to surrounding law enforcement agencies for the purposes of firearms training and qualifications [CALEA 4.3.5A].
- B. Prior to each training event at the range, division personnel review the firearms safety rules and procedures, form 1.114 [CALEA 4.3.5B].
- C. The firearms training supervisor or assigned firearms instructor is the designated range supervisor during all firearms training [CALEA 4.3.5C].
- D. Only authorized weapons and ammunition, as listed in general order 4.3.1 are permitted to be used during division firearms training [CALEA 4.3.5D].
  - 1. Other approved weapons include those being used for qualification, including back-up and off-duty weapons, and weapons being test-fired for law enforcement purposes.
  - 2. Approved ammunition is approved by the chief of police, based on the recommendations of firearms staff. No reloaded ammunition or ammunition not approved by the chief of police is authorized.
  - 3. Targets used for law enforcement training are approved by the instructor in charge of the range event. Targets may include paper, steel, and rubber, and will be in accordance with division directives and applicable range rules.

- E. All personnel must wear personal protective equipment at all times when on the firing line. This includes vest, eye protection, ear protection and hat [CALEA 4.3.5E].
- F. All training staff are training in first aid, CPR/AED prior to assignment as firearms instructor [CALEA 4.3.5F].
- G. Ammunition is secured in a location approved by the professional services bureau sergeant. Access to ammunition is restricted to firearms staff and is to be used for law enforcement purposes [CALEA 4.3.5G].
  - 1. All firearms are secured in the safety complex armories or the property annex firearms cage [CALEA 4.3.5G].

#### **4.3.6 National Law Enforcement Officer Safety Act**

- A. The Law Enforcement Officers Safety Act of 2004 permits the nationwide carry of concealed handguns by qualified current and retired law enforcement officers and amends the Gun Control Act of 1968 to exempt qualified current and retired law enforcement officers from state and local laws prohibiting the carry of concealed firearms.
- B. The Law Enforcement Officers Safety Act does not exempt current or retired officers from any state or local firearm owner registration laws.
- C. The Law Enforcement Officers Safety Act does not authorize retired officers to:
  - 1. Carry a machine gun, silencer, or other destructive device.
  - 2. Act in the capacity of a law enforcement officer of the Grove City Division of Police.
  - 3. Carry a firearm on any government property, installation, facility, building, base or park with laws or regulations prohibiting or restricting the carrying of firearms (such as airport boarding areas, courthouses, etc.).
  - 4. Carry a firearm on any public or privately owned property, facility, building or area, where carrying of firearms is prohibited or restricted (such as private schools, commercial aircraft, etc.).
- D. The Grove City Division of Police complies with the Law Enforcement Officers Safety Act and provides identification to permit retired Grove City Division of Police officers to carry under the following conditions and provisions:

1. Be retired and in good standing from service as a law enforcement officer for the Grove City Division of Police, other than for reasons of mental instability.
  - a. The term retired means the applicant meets the legal definition of a retiree with an aggregate of at least fifteen years of service as an active law enforcement officer or have retired from service, due to a service-connected disability, as determined by the Grove City Division of Police.
  - b. The retiree is recognized as a retired member of The Ohio State Police and Fire Pension Fund.
  - c. The retired officer meets the definition of qualified retired law enforcement officer according to the Law Enforcement Officers Safety Act.
  - d. The provision of in good standing means, at the time of retirement, the officer was not the subject of an investigation or facing disciplinary action that could have resulted in termination for misconduct or unfitness for office.
  - e. The term mental stability means that the officer either was medically separated from mental instability or, at the time of years-of-service or disability retirement, the officer was facing removal for reasons of mental instability.
2. Additional provisions for retired law enforcement officers include:
  - a. The retiree must not be prohibited by federal law from owning or possessing a firearm.
  - b. The retiree must not be under the influence of alcohol or drugs while possessing a firearm.
  - c. The retiree must successfully complete the standards of training and qualification for handguns applicable to law enforcement officers in the State of Ohio once every five (5) years.
  - d. The retiree must complete all necessary forms and comply with all directives required by the chief of police or designee.
  - e. The retiree must provide notification to the Grove City Division of Police of any change in status as defined by the Law Enforcement Safety Act.

- f. The retiree surrenders any issued retiree identification card to the Grove City Division of Police and no longer carry a firearm if the applicant becomes non-compliant with any terms of the Law Enforcement Safety Act or the provisions of the this policy.
  - g. The chief of police has the exclusive authority to approve the issuance or revoke the Grove City Division of Police retired officers identification issued for purposes of the National Law Enforcement Safety Act.
3. Procedures for issuance of a retired law enforcement officer identification for purposes of complying with the National Law Enforcement Safety Act.
- a. Retiree completes retired law enforcement weapons qualification application, form 1.116 and submits the form to firearms staff prior to qualification.
  - b. The Grove City Division of Police does not qualify retired officers from other police departments, except by written approval from the chief of police.
  - c. The firearms staff designates the dates, times, and location for retirees to participate in qualifications. Division retirees are contacted and advised of the qualification opportunities and provided an application as well as materials related to the National Law Enforcement Officers Safety Act, Ohio's Concealed Carry Law, and the Ohio Revised Code.
  - d. The retiree submits the application prior to participating in the qualification process.
  - e. The application is reviewed by the firearms staff and submitted through the chain of command with supporting documents as necessary for the chief's approval.
  - f. After approval, firearms staff notify the retiree the dates available to qualify. When qualifying, retirees follow all instructions of the range officer related to safety and qualification procedures of the course of fire.
  - g. Retirees are provided a maximum three attempts to qualify on the course of fire.
  - h. Retirees may be limited to a total of two weapons based on range officer's available time.
  - i. Retirees participate in qualifications every five (5) years.

- j. After a successful qualification, the firearms instructor endorses the application and forwards it to the chief of police for consideration. If approved, the division issues a retiree firearms qualification identification card.

Reference: [USC 18 926C](#); [ORC 2923.126](#)



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Eric M. Scott  
Chief of Police



## GROVE CITY DIVISION OF POLICE GENERAL ORDER 4.1

**Subject:**

Use of Force

**Date of Approval:**

January 24, 2025

**Effective Date:**

January 24, 2025

**Issued By:**

Eric M. Scott, Chief of Police

- 4.1.1**      [Use of Reasonable Force](#)
- 4.1.2**      [Use of Deadly Force Guidelines](#)
- 4.1.3**      [Warning Shots](#)
- 4.1.4**      [Use of Less Lethal Weapons](#)
- 4.1.5**      [Rendering Medical Aid Following Police Action](#)
- 4.1.6**      [Vascular Neck Restrictions](#)
- 4.1.7**      [Choke Holds](#)

### **4.1.1      Use of Reasonable Force**

- A.      The use of force against an individual by an officer is justified when
- Required to overcome resistance to arrest, to defend against an assault upon the officer, and to provide for the defense of a third party.
    - “the ‘reasonableness’ of a particular use of force must be judged from the perspective of a reasonable officer on the scene, rather than with the 20/20 vision of hindsight...the question is whether the officers’ actions are ‘objectively reasonable’ in light of the facts and circumstances confronting them.”<sup>1</sup>
    - Graham v. Connor, 490 U.S. 386 (1989) provided the following guidance for officers facing force applications;
      - severity of the crime at issue,
      - whether the suspect poses an immediate threat to the safety of the officers or others, and
      - whether he is actively resisting arrest or attempting to evade arrest by flight
    - Palma v. Johns, 18-cv-294 (N.D. Ohio Sep. 6, 2022) added the following;
      - why the officer was called to the scene,<sup>2</sup>

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<sup>1</sup> Graham v. Connor, 490 U.S. 386 (1989)

<sup>2</sup> 490 U.S. at 396, 109 S.Ct. 1865

- whether the officer knew or reasonably believed that the person was armed,<sup>3</sup>
  - whether the person verbally or physically threatened the officer or disobeyed the officer,<sup>4</sup>
  - how far the officer was from the person,<sup>5</sup>
  - the duration of the entire encounter,<sup>6</sup>
  - whether the officer knew of any ongoing mental or physical health conditions that may have affected the person's response to the officer,<sup>7</sup> and
  - whether the officer could have diffused the situation with less forceful tactics,
    - Officers should consider the spirit of this language, apply division training, and use objectively reasonable force as described by the Supreme Court of the United States.
- Required to assist a person needing medical attention or to protect a person from self-harm.
  - Officers are guided by the following criteria and consider the subject's mental state during force applications. Additionally, criteria may change as the person in crisis may turn their attention to others or arm themselves.<sup>8</sup>
    - Was the person experiencing a medical emergency that rendered him incapable of making a rational decision under circumstances that posed an immediate threat of serious harm to himself or others?
    - Was some degree of force reasonably necessary to ameliorate the immediate threat?
    - Was the force used more than reasonably necessary under the circumstances (i.e., was it excessive)?
    -
  - Officers remember the purpose of their assignment in these situations is to help the person in crisis.
    - Officers use patience and planning to minimize force applications for the duration of the event.
    - When appropriate, have medical staff on-scene or nearby to assist with immediate medical attention and rapid transport if appropriate.
    - Supervisors or others may assign an officer or request a medic monitor the patient as a safety precaution and can advocate for a stop in action if conditions change.

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<sup>3</sup> Bougness v. Mattingly, 482 F.3d 886, 891 n.5 (6th Cir. 2007) (citing Dickerson v. McClellan, 101 F.3d 1151, 1151–62 (6th Cir. 1996))

<sup>4</sup> Wright, 962 F.3d at 868 (quoting Smith, 874 F.3d at 945)

<sup>5</sup> Zulock v. Shures, 441 F. App'x 294, 302 (6th Cir. 2010)

<sup>6</sup> Untalan v. City of Lorain, 430 F.3d 312, 316 (6th Cir. 2005)

<sup>7</sup> Roell, 870 F.3d at 482

<sup>8</sup> Estate of Hill v. Miracle, 853 F.3d 306 (6th Cir. 2017)

- Although conditions may change as people in crisis commit violations of law, officers consider the potential diminished capacity of the subject.<sup>10</sup>
  - Assaultive behavior may be knowingly committed or occur due to the subject's fear or confusion.

Officers only use reasonable force to accomplish lawful objectives and apply de-escalation techniques when possible [CALEA 4.1.1].

B. The degree of force used by officers is based upon the principles of the progression of force and is determined by the actions of the arrestee, patient or person in crisis. Policy will refer to all as “subjects” as opposed to suspect or arrestee, but officers remain alert to the reason they are using force.

- This progression of force may begin with pre-seizure conduct but typically begins with officer presence and verbal commands. Dependent upon the actions of the subject, force progresses through physical contact, use of non-lethal weapons, and when required in life-threatening situations, use of lethal force.
- Pre-seizure conduct or intentionally placing self in harm's way may rise to excessive force. “Where a police officer unreasonably places himself in harm's way, his use of deadly force may be deemed excessive”<sup>11</sup>
  - Officers are guided by a reverence for human life, including the officer's own life
  - Officers use tactics including backup officers, proper lighting, distance, cover and concealment, technology such as phones, ballistics material, etc. to mitigate risks when possible and appropriate.
  - Officers avoid intentionally attaching themselves to vehicles or standing in front of vehicles.
  - This policy is designed to keep people and officers safe. It does not equate to a mistake without proper investigation or review since situations may evolve fast, or an officer may accidentally or unintentionally place themselves in harm's way. District courts are in conflict and the spirit of this policy is to prevent tragedy whenever reasonably possible.
- The totality of circumstances of individual situations dictates the level of force used by the officer.
- De-escalation techniques are encouraged, when possible, but officers remain alert to dangers to others and themselves that may be caused through delayed action.
  - De-escalation techniques may include use of distance, phone, active listening, empathy, minimizing the severity of the incident without making false promises, tone of voice, and other strategies taught through CIT or negotiation courses.

<sup>10</sup> *Champion v. Outlook Nashville, Inc.*, 380 F.3d 893 (6th Cir. 2004)

<sup>11</sup> *Estate of Kirby v. Duva*, 530 F.3d 475, 482 (6th Cir. 2008)

- Officers remain alert and aware that these techniques may fail and have a backup plan.
- Officers should advise a person they are under arrest as soon as reasonably safe or practical to do so, before deploying weapon systems, strikes, or force applications resulting any potential of harm.
  - “the mere failure of a citizen—not arrested for any crime—to follow the officer's commands does not give a law enforcement official authority to put the citizen in handcuffs.”<sup>12</sup>
  - Officers may use a ruse to lure a person to a safer location to make an arrest, still efforts are made to verbalize arrest during the arrest process to comply with legal best practices.
  - Additionally, officers may use force to protect themselves in fast evolving situations where the subject poses a threat.<sup>131415</sup>

“He also has a clearly established constitutional right not to be tased and punched for failing to follow directions if he is not under arrest and the officer does not reasonably believe he is a safety threat.”

- As an individual evades or offers resistance to arrest, by disregarding verbal commands, increasing the level of resistance offered, or initiating an assault against the officer or a third party, so must the officer escalate the level of force required to overcome the resistance offered and/or defend against an assault. Conversely, as an offender ceases resistance, the officer de-escalates the use of force to that degree required to gain control of an individual.
  - Use of force, against a cooperative, non-combative subject, is limited to a reasonable amount of force necessary to apply restraints and direct the movement of the person.
  - The degree of force justified to prevent the escape of an individual is limited to non-lethal force except in circumstances of life-threatening situations, where use of lethal force is justified.
- C. Subjects in crisis are restrained following best practices and may include soft restraints in cooperation with medics.
- D. The subject is handcuffed immediately upon being placed under arrest. Handcuffs are double locked and checked for fit at the time of arrest. Handcuffs are removed upon entering the booking area, except in cases of combative potentially violent individuals. The arresting officer exercises discretion as to the removal of restraints.

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<sup>12</sup> Smith v. City of Troy, 874 F.3d 938, 945 (6th Cir. 2017)

<sup>13</sup> Grawey v. Drury, 567 F.3d 302, 314 (6th Cir. 2009) pepper spray

<sup>14</sup> Wright v. City of Euclid, 962 F.3d. 852, 869–70 (6th Cir. 2020). “Finally, and significantly, at no point before Flagg deployed his Taser was Wright under arrest for any offense”

<sup>15</sup> Osborn v. Columbus, No. 22-3570 (6th Cir. 2023)

Prisoners demonstrating violent behavior or, those deemed an escape risk are restrained in a more secure manner.

- Excessively forceful handcuffing violates the Fourth Amendment prohibition against excessive force.<sup>16</sup>
  - o Ruled a clearly established right for purposes of qualified immunity.<sup>1718</sup>
- Court provided the following considerations to guide police.<sup>19</sup>
  - o (1) he or she complained the handcuffs were too tight;
  - o (2) the officer ignored those complaints; and
  - o (3) the plaintiff experienced “some physical injury” resulting from the handcuffing.

#### **4.1.2 Use of Deadly Force, Guidelines**

- A. The use of a firearm, or other form of deadly force, is in all probability the most serious act in which a law enforcement officer engages in. It has the most far-reaching consequences for all parties involved. It is imperative, therefore, that the officer act, not only within the boundaries of legal guidelines, ethics, and sound judgment, but also is prepared by training, leadership, and direction, to act wisely whenever required to use deadly force in the course of duty [CALEA 4.1.2].
- In considering the use of deadly force, officers are guided by a reverence for human life, including the officer's own life. The apprehension of criminal offenders and protection of property is subservient to the protection of life.
  - This policy is not intended to create doubt in the mind of an officer at a moment when action is critical and there is little time for meditation or reflection. The intent is to provide basic policies governing the use of deadly force and firearms so that officers are confident in exercising judgment of the propriety of the action taken. It is not to be considered a standard for any judgment concerning the propriety of any action taken before the effective date of this order, nor is it considered a standard by any court or jury in any criminal or civil litigation or proceeding concerning the lawfulness of any action taken. Established law, not this policy, governs an officer's civil and criminal liability of the use of force.
- B. Deadly force may only be used when an officer reasonably believes the action is in defense of any human life in imminent danger of death or serious physical harm.

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<sup>16</sup>Walton v. City of Southfield, 995 F.2d 1331, 1342 (6th Cir.1993)

<sup>17</sup>Kostrzewa v. City of Troy, 247 F.3d 633 (6th Cir. 2001)

<sup>18</sup>Baynes v. Cleland, 799 F.3d 600, 613-14 (6th Cir. 2015)

<sup>19</sup>Morrison v. Bd. of Trs. of Green Twp., 583 F.3d 394, 399 (6th Cir.2009)

- "Reasonable Belief" is defined as: "When facts and/or circumstances the officer knows, or should know, are such as to cause an ordinary and prudent person to act or think in a similar way under similar circumstances".
  - "Serious Physical Harm" is defined as: "A bodily injury that creates a substantial risk of death; causes serious, permanent disfigurement; or results in long term loss or impairment of the function of any bodily member or organ".
- C. Regardless of the justification for the use of deadly force, officers remember that their basic responsibility is the protection of the public. Discharging a firearm under conditions that subject bystanders or hostages to the risk of serious physical harm or death is not justified, unless the failure to do so at the time would create a substantial, immediate threat of serious physical harm or death to the officer or another person.
- E. Officers can use firearms to defend themselves or others from a dangerous animal. An officer can use firearms to destroy an animal that is so suffering from injury or disease that its destruction is humane, under the following conditions:
- The officer is unable to arrange for the timely removal of the animal by its owner or animal control authorities.
  - The animal can be shot without significant risk to the safety of persons or property.
  - The on-duty supervisor is notified and gives approval.
- F. Unnecessarily or prematurely drawing or exhibiting a firearm limits an officer's alternatives in controlling a situation and can result in an unwarranted or accidental discharge of the firearm. Except for maintenance, inspection, storage, or authorized training, officers do not draw or exhibit a firearm, unless the circumstances surrounding an incident create a reasonable belief that it is necessary to use the firearm in conformance with this directive on the use of deadly force.
- G. Facts unknown to an officer at the time that deadly force is used are not considered in determining whether the officer acted in conformance with this directive.
- H. The use of deadly force to affect the arrest and/or prevent the escape of a criminal suspect is justified only when:
- The suspect has threatened the officer with a deadly weapon, or the officer has probable cause to believe that the suspect has committed a felony involving the infliction, or threatened infliction, of serious physical injury or death, demonstrating a wanton disregard for human life;<sup>21</sup>

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<sup>21</sup>Tennessee versus Garner 105 Ct. 1694 (1985)

- The officer has a reasonable belief that apprehension is not possible, except by the use of deadly force, and the suspect's previously demonstrated threat to human life indicates that escape creates a further risk of serious physical injury or death; and
- The use of deadly force is used without subjecting bystanders to significant risk of serious injury or death.

#### **4.1.3 Warning Shots**

- A. Discharging a firearm for the purpose of warning or threatening, commonly referred to as "warning shots", is strictly prohibited [CALEA 4.1.3].

#### **4.1.4 Use of Less Lethal Weapons**

- A. Officers are authorized to use less-lethal weapons for the purpose of overcoming resistance to arrest, defending themselves or others against assaults, restoring order during a jail or civil disturbance, animal attacks or restraining and controlling individuals in order to prevent escape or violence and to protect a subject when that person is either attempting to injure himself or commit suicide [CALEA 4.1.4].
  - Less lethal weapons are used in accordance with training and only at a reasonable level following the principles of the progression of force.
- B. Conducted Electrical Weapon (CEW) (Taser) is an alternative less lethal application of force. It is not intended to replace firearms, chemical sprays or self-defense devices or techniques. The use of the CEW will be in accordance with required training programs.
  - Only those officers who have received and documented their training in the use and reporting of the CEW are permitted to carry the CEW.
  - Officers only carry division issued CEW.
  - CEW's are maintained according to training documents provided by the manufacturer. The training documents are maintained with CEW lesson plans.
  - Carry Method

Only authorized holsters are used to carry the CEW.

CEW are worn according to training instructions.

The CEW remains holstered at all times unless it is being tested or used to respond to an incident.

CEW are not left unattended unless properly stored.

- Deployment of the CEW

The primary use of the CEW is as a defensive tool.

Is used to defend the officer or others against assault.

May be used to detain or arrest a subject when the officer has reason to believe that person has committed a criminal offense and is displaying active resistance, active aggression, or aggravated active aggression.

Officers follow training and current warnings from Axon or other organizations such as the Police Executive Research Forum, PERF, as trained and take steps to limit the use and duration of the weapon system.

- Most human energy weapon lab testing has not exceeded 15 seconds of energy weapon application.
- Use the shortest duration of energy weapon exposure objectively reasonable to accomplish lawful objectives, and reassess the subject's behavior, reaction, and resistance before initiating or continuing the exposure. (Axon Warnings)

May be used to protect a subject when that person is either attempting to injure himself or commit suicide.

Deployment of the CEW is backed up with the availability of deadly force.

Whenever possible, the use of the CEW is preceded by a verbal warning that force will be used if compliance is not obtained.

The deployment of the CEW is reasonable and based on the totality of the circumstances known to the officer.

The officer will not deploy the CEW on subjects who are running, traveling at high speeds (bikes, mopeds, skateboards, etc.), situated in elevated places (roofs, ladders trees, walls, utility poles, etc.). Age (the very young and the very old) and obvious physical handicaps are also taken into consideration.

Officers avoid using the CEW on females suspected of being pregnant.

Officers only use the CEW on individuals in bodies of water (lakes, ponds, streams & swimming pools) when they have the means and ability to immediately recover the individual should they submerge.

Officers do not deploy the CEW from or at moving vehicles.

The CEW is not used when a risk of fire or explosion is present, such as suicidal individuals doused in flammable substances or where there is a release of explosive gases.

C. Division officers, specially trained and certified are authorized to carry and utilize Specialty Impact Munitions (SIMS), or extended range impact weapons, which are fired, launched or otherwise propelled.

- The deployment and use of Specialty Impact Munitions assist in achieving the goal of protection of life or restoration of order. Specialty Impact Munitions are considered as a force option whenever the use of less lethal options can assist in enabling an arrest, restoring order and /or reducing the risk of more serious injury. Circumstances justifying the use of SIMS include, but are not limited to:

Restoring order during a jail or civil disturbance;

Safely controlling violent persons;

Subduing vicious animals;

Situation wherein the authorized person deems their use necessary to safely resolve and incident.

- The use of Specialty Impact Munitions, when practicable, requires supervisory approval and its use against a group or individual or attempted use (discharge) constitutes a use of force, and as such is reported in a use of force report, form 1.101.

D. Division officers, specially trained and certified are authorized to carry and utilize chemical munitions and delivery systems.

E. The deployment and use of chemical munitions can assist in achieving the goal of protection of life or restoration of order. Chemical munitions are considered as a force option whenever the use of less lethal options would assist in enabling an arrest, restoring order and/or reducing the risk of more serious injury.

#### **4.1.5 Rendering Medical Aid Following Police Action**

- A. Whenever officers use deadly or less lethal force pursuant to division policy, they initiate the appropriate medical aid response as quickly as reasonably possible following any law enforcement action in which injuries have been sustained [CALEA 4.1.5]. When obvious severe injuries have occurred, medical distress is apparent, or the individual is unconscious, officers
- Administer appropriate medical aid consistent with division policy<sup>22</sup>
  - Request Emergency Medical Services through CIC; and
  - Notify the on-duty supervisor.
- B. When medical assistance for a subject contaminated with chemical defensive agents is needed, the Material Safety Data Sheet and the first aid information that is provided for the product are used. If no first aid information is provided, the following guidelines apply:
- The subject is approached as a dangerous person. Proper restraints are used to assure officer safety.
  - The subject is monitored and verbally assured they are safe. The officer instructs the subject to calm down and breathe normally.
  - The subject is removed to fresh air and faced into the wind if possible. If the subject is an escape or assault risk, they are placed in a cruiser and windows may be opened to provide ventilation.
  - If the subject is cooperative, cool water is used to rinse the chemical agent from the face and eyes.
  - Efforts are made by the officer to keep the subject from rubbing or covering affected areas. Subjects wearing contact lenses, if practicable, are permitted to remove them.
  - Soap and water removes resin from the skin and speeds the recovery process.
  - The officer seeks medical attention if the subject requests or symptoms persist beyond 45 minutes.
  - All steps taken to provide medical assistance to the subject are documented in the use of force report.

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<sup>22</sup> *Heeter v. Bowers*, 2:20-cv-6481 (S.D. Ohio Aug. 28, 2024)

C. Subjects who have been struck with a defensive impact weapon, Conducted Electrical Weapon (CEW), or specialty impact munitions are evaluated by EMS personnel as soon as possible.

- The officer assists the subject in keeping the affected area immobilized.
- EMS personnel determine if the affected area requires additional evaluation, such as X-rays.
- Ice or chemical cold packs can be applied to affected areas.

If the pain persists or if requested by the subject, they are immediately transported to a health care facility by EMS personnel for further evaluation.

CEW Post-Use medical procedures:

Do not attempt probe removal if subject is combative or if the location of the barb is in the face, neck, ear, female breast tissue, groin, or deeply imbedded or imbedded in bone.

Barbs superficially in the skin are removed by an officer who is trained to do so and in the presence of another officer.

Officers use latex gloves for removal of probes.

Break the cords connecting the probes to the Taser cartridge.

Place the removed probes in spent cartridge barb side down.

Clean wound with antiseptic wipe and bandage.

Remove the gloves over the cartridge and probes to secure them.

Assess subject for injury or condition that may need medical attention and seek appropriate level of service.

Place cartridge with probes into biohazard waste container.

Clean hands with waterless hand sanitizer.

D. Subjects requesting medical attention, claiming an emergent medical ailment, or become unresponsive, receive medical attention.

Officers do not make assumptions or conclude a person is being deceptive to avoid incarceration. Officers guard against deliberate indifference.<sup>23</sup>

- E. Officers document their request for medical aid on the use of force report, form 1.101.

#### **4.1.6 Vascular Neck Restrictions**

- A. Vascular neck restrictions are prohibited for use as a control / compliance technique.

#### **4.1.7 Choke Holds**

- A. The use of any technique restricting the intake of oxygen, for the purpose of gaining control of a subject, is prohibited, unless deadly force would be considered reasonable; as is intentionally striking an individual on the head with a flashlight, baton, or other object used as a defensive weapon [CALEA 4.1.7].



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Eric M. Scott  
Chief of Police

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<sup>23</sup> *City of Canton, Ohio v. Harris*, 489 U.S. 378 (1989)