



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



2025-2991

Officer Involved Critical Incident – 513 South Isabella St.,
Springfield, OH 45506 (L)

Investigative Activity: Records Received, Review of Records
Involves: Springfield Police Department (O)
Date of Activity: 09/19/2025
Author: SA Lauren Frazier, #129

Narrative:

On September 26, 2025, Ohio Bureau of Criminal Investigation (BCI) Special Agent Lauren Frazier (SA Frazier) received the Use of Force Policy utilized by the Springfield Division of Police at the time of this incident. SA Frazier received the policy and noted the following:

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6. Officers are generally permitted to use a CEW (Conducted Electrical Weapon) in accordance with training in the following instances:

- a. The subject's actions are actively resisting in a manner that, in the officer's judgment, is likely to result in injuries to themselves or others (active resistance) when lower levels of force are not reasonable or are ineffective.
- b. To stop a subject who poses a threat of physical injury to himself or herself.
- c. Officers should only use a CEW against a fleeing subject when the subject has committed, or is about to commit, a felony offense of violence. Fleeing, in and of itself, cannot be the sole justification for using a CEW against a subject. Officers must consider the severity of the offense, the subject's threat level to others, and the risk of serious injury to the subject before deciding to use a CEW on a fleeing subject.

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10. When deploying a CEW, officers will make efforts to comply with the following directives, when reasonable:

- a. A command for compliance should be given prior to activating the CEW. The subject should be given an opportunity to comply with an officer's verbal command unless doing so would place the officer or any other person at risk.

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- b. When feasible, alert other law enforcement officers present that you are about to deploy a CEW by saying "Taser, Taser, Taser." This statement will prepare the officers at the scene for the CEW deployment and help prevent sympathetic weapon discharges.
- c. Use the laser and/or fixed sights to aim the CEW, per training and manufacturer instructions. Officers should attempt to aim for the subject's back, whenever possible, or below the breastbone for frontal deployments.
- d. Officers should use the CEW for one standard cycle (five seconds) and then evaluate the situation to determine if subsequent cycles are necessary.
 - 1. Officers must consider that exposure to the CEW for longer than 15 seconds (whether due to multiple applications or continuous cycling) may increase the risk of death or serious physical injury.
 - 2. Any subsequent applications must be independently justifiable, and the risks weighed against other force options.
- e. Personnel should not intentionally activate more than one CEW at a time against a subject.
- f. Personnel should not intentionally target the sensitive areas of the body, to include, the head, neck, genitalia, or female breasts.
- g. CEW's should be used only against subjects whose actions rise to the level of active resistance or active aggression who are resisting in a manner that, in the officer's judgment, is likely to result in injuries to themselves or others.
- h. In an attempt to minimize the number of CEW discharges necessary for subject compliance, officers should, while deploying the CEW clearly and reasonably give direction to the subject as the incident mandates.

Not all information is contained in this report, and it is suggested that the full use of force policy be reviewed. The use of force policy is attached to this investigative report for further review (see attachment #01).

References:

No references.

Attachments:

Attachment # 01: SPD Use of Force Policy

Springfield Police Division

Policy & Procedure

Number: 1.30
Subject: Response to Resistance
Revised: March 1, 2025

OCLEAP STANDARDS 6.01 & 6.02

- 1.30.1 Response to Resistance
- 1.30.2 Response to Deadly Resistance
- 1.30.3 Unauthorized Discharge of Weapons and Warning Shots
- 1.30.4 Response to Resistance using Less-Lethal Force
- 1.30.5 Appropriate Medical Aide After Lethal and/or Less Response to Resistance
- 1.30.6 Response to Resistance Reporting
- 1.30.7 Supervisors Review of Officers Response to Resistance
- 1.30.8 Employee Removal Pending Administrative Review after Serious Incident
- 1.30.9 Lethal and Less-Lethal Weapons Authorized_amended 09152020 (page 11)
- 1.30.10 Demonstrating Proficiency with Weapons
- 1.30.11 Annual Proficiency Demonstration Training
- 1.30.12 Annual Distribution of Response to Resistance Directives
- 1.30.13 Annual Review of Response to Resistance and Firearms Discharge Reports
- 1.30.14 Firearms and Defensive Weapons While Off Duty
- 1.30.15 Conducted Electrical Weapon (CEW)- Less Lethal_amended 01202016
- 1.30.16 Dynamic Response to Resistance Model Training
- 1.30.17 Reporting, other
- 1.30.18 Less Lethal Shotgun
- 1.30.19 Prohibited Control Methods_amended 09152020 (page 33)
- 1.30.20 Duty to Intercede_amended 09152020 (page 33)
- 1.30.21 Requesting Medical Personnel and Providing First Aid_amended 09152020 (page 33)

1.30.1 Response to Resistance

Commentary: Officers who use excessive or unjustified force degrade the confidence of the community that they serve, undermine the legitimacy of an officer's authority, and hinder the Division's ability to provide effective law enforcement services to the community.

Purpose: The policy of the Springfield Police Division (SPD) is to use only that amount of force reasonably necessary to affect an arrest, control a situation, or defend themselves or others from harm. SPD recognizes that combative, non-compliant, armed, and/or violent subjects cause handling and control problems that require specialized training and equipment. Because of this, SPD has adopted the use of less lethal force options to assist with the de-escalation of potentially violent confrontations. **<STANDARD 6.01, BULLET A>**

A. General Policy

1. This policy is for division use only and does not apply in any criminal or civil proceeding. This policy should not be considered as establishment of a higher legal standard of conduct for officers in case of third party claims. Violations of this policy will

only form the basis for divisional administrative sanctions. Violations of law will form the basis for civil and criminal sanctions in a recognized judicial setting.

2. The Supreme Court of the United States (SCOTUS), in its ruling in the case *Graham v. Connor* (1989) (490 U.S. 386, 109 S. Ct. 1865), set the standard which governs the use of force by law enforcement officers as “Objective Reasonableness”. It is the policy of this Police Division that officers use only that force which is “objectively reasonable” in light of the facts and circumstances, which they are confronted with to accomplish a lawful objective.
3. All force must be reduced as the level of the threat or resistance is clearly reduced.
4. Officers of this Division shall not use force:
 - a. As an investigative tool to threaten or attempt to gain information from a person.
 - b. Against a person already in custody and who is under control.
 - c. As retaliation for physical or verbal abuse.

B. Definitions

1. Deadly force - the Ohio Revised Code defines deadly force as any force, which carries a substantial risk that it shall proximately result in the death of the person (ORC 2901.01 a, 2.)
2. Force: conduct on the part of a police officer that is designated to assist the officer in controlling a situation or the actions or behavior of a person or persons.
3. Levels of Resistance:
 - a. No resistance (Cooperative): Suspects who do not resist and follow all commands are compliant. No physical force above handcuffing techniques is required.
 - b. Passive resistance: Physically non-aggressive actions that do not prevent the officer’s attempt to control a subject. For example, a person who remains in a limp-prone position or passive demonstrators.
 - c. Active resistance: A subject’s physical actions to defeat an officer’s attempt at control and to avoid being taken into custody. Verbal statements that do not impede a legitimate law enforcement function do not constitute active resistance.
 - d. Active aggression: A threat or overt act of an assault (through physical or verbal means), coupled with the present ability to carry out the threat or assault, which reasonably indicates that an assault or injury to any person is imminent.
 - e. Deadly Resistant: A deadly resistant subject will seriously injure or kill the officer or another person if immediate action is not taken to stop the threat.
4. Objectively Reasonable – Officers shall evaluate each situation in light of the known facts and circumstances confronting the officer.

5. Physical force: involves actual physical contact with a person and forcibly subduing that individual until resistance is overcome.
6. Serious physical harm: Harm to persons means any of the following (2901.01 A, 5, a-e):
 - a. Any mental illness or condition of such gravity as would normally require hospitalization or prolonged psychiatric treatment;
 - b. Any physical harm that carries a substantial risk of death;
 - c. Any physical harm that involves some permanent incapacity, whether partial or total, or that involves some temporary, substantial incapacity;
 - d. Any physical harm that involves some permanent disfigurement or that involves some temporary, serious disfigurement;
 - e. Any physical harm that involves acute pain of such duration as to result in substantial suffering or that involves any degree of prolonged or intractable pain.
7. Reasonable belief: The facts or circumstances the officer knows, or should know, are such as to cause an ordinary and prudent police officer to act or think in a similar way under similar circumstances. Personal beliefs (or conclusions) are generally appropriate, if supported by facts.

1.30.2 Response to Deadly Resistance

Commentary: Our society places tremendous value upon human life. Law enforcement officers have been delegated an awesome and sometimes conflicting responsibility to protect life and property and apprehend offenders.

The potential use of deadly force involves an inherent balancing test, with the value of human life usually tending to tip the scales of law and prudence against the use of deadly force for purposes of apprehension or capture. The fact that a violent felony has been or is being committed and even the fact the perpetrator may otherwise escape, does not necessarily justify the use of deadly force; however, we have an awesome obligation to protect ourselves, others, and the community from persons whom we have probable cause to believe pose an immediate threat of serious physical harm and/or death if that person is allowed to escape apprehension. Deadly force is constitutionally permissible if there is a reasonable belief it is necessary for apprehending dangerous suspects.

1.30.2.1 Goal

1. Our goal is to promptly prevent or stop aggression or the risk of aggression when we have probable cause to believe there is a threat of death or serious physical harm to ourselves or others.

1.30.2.2 Justification for response to deadly resistance. <STANDARD 6.02, BULLETS A, B, C, E, G & I>

1. An officer is justified in using deadly force when he or she reasonably believes such force is necessary to (TN v Garner, 1985):

- a. Defend the officer from the imminent threat of death or serious physical harm.
 - b. To defend another human being from the threat of death or serious physical harm.
 - c. To prevent the escape of a fleeing felon suspect when the reasonableness requirements have been met. Those requirements are:
 - i. The suspect has threatened the officer with a weapon or the officer has probable cause to believe that the suspect has committed a crime involving the infliction or threatened infliction of serious physical harm, and the use of deadly force is necessary to prevent the suspect's escape, and
 - ii. The Officer gives the suspect some warning of the imminent use of deadly force, if feasible.
2. Deadly force should not be used against persons whose actions are a threat solely to themselves or property unless the individual poses an imminent danger of death or serious physical injury to the officer or others in close proximity.

1.30.3 Unauthorized Discharge of a Firearm and Warning Shots <STANDARD 6.02, BULLETS F & H>

1.30.3.1 When Firearms may not be discharged

- 1. Warning shots may not be fired. Warning shots differ from cover or suppressive fire, which may be necessary to protect the lives of officers. Cover or suppressive fire should only be used when other options are not reasonable and only to stop serious physical harm or deadly assaults, or to prevent the offender(s) from initiating a serious physical harm or deadly assault.
- 2. Shooting at or from Moving Vehicles
 - a. Officers should not discharge their firearms at or from a moving vehicle, motorcycle, or bicycle (collectively, "moving vehicle") unless officers reasonably believe deadly force is necessary to defend the officer or a third person from the use, or imminent use, of deadly force.
 - i. For purposes of this policy, officers will not discharge their firearms at moving vehicles except under extreme circumstances. Such discharges will be rigorously scrutinized.
 - ii. Officers shall, as a rule, avoid tactics that could place them in a position where a vehicle could be used against them. When confronted with an oncoming, moving vehicle, officers should attempt to move out of its path.

1.30.4 Response to Resistance Using Less-Lethal Force

- A. Officers shall use only the amount of force necessary to affect his or her lawful objective (Graham v. Connor (1989)). **<STANDARD 6.02, BULLET C>**
- B. Sworn members of this agency are allowed to carry and utilize certain items to assist them in defending themselves or another from harm and/or effect a lawful arrest.

1. Conducted Electrical Weapon (CEW) also see CEW Policy 1.3.15.)
 - a. All members of the Division who carry and/or use a CEW must successfully complete a division approved, training program. This training shall include a review of this policy and the Divisions Response to Resistance policy. In addition, officers shall receive instruction on the functionality of the device, familiarization with the device, deployment of the device, and care of individuals post deployment. No officer may carry a CEW without first successfully completing this training.
 2. Oleoresin Capsicum Aerosol (OC)
 - a. Oleoresin Capsicum is the authorized defensive aerosol to be used by the officers certified in its use. Use of this product is strictly limited to sworn officers who have received and passed the approved training. Certified instructors will conduct such training and the records maintained by the Police Division.
 3. Monadnock Auto Lock collapsible baton may be carried only after basic baton training and certification have been obtained. The size and design are subject to approval by the Chief of Police.
 4. Specialty Impact Munitions are available for use by members of the SOT. Only SOT members trained in the use of these munitions will use them operationally.
 5. Flash Sound Distraction Devices are available for use by members of SOT. Only SOT members trained in the use of flash sound distraction grenades will use them operationally.
- C. Division personnel may have at their disposal certain restraint options used to assist in controlling various situations:
1. Handcuffs are issued to each officer for their use in temporarily restraining persons they have taken into custody. Each officer will receive basic instruction in the proper and legal use of handcuffs prior to assuming street duties.
 2. Leg shackles are also available when transporting prisoners who might propose a flight risk.
 3. Transport belts are available for use when needed. It is recommended that transport belts be used when transporting a prisoner(s) long distances (to and from state correctional facilities and/or psychiatric centers, etc.)
 4. The Supreme Court of the United States and other lower courts has defined the use of handcuffs and other restraints as a use of force. As such, the use of handcuffs is subject to the "object reasonableness" standard set forth in *Graham v. Connor* (490 U.S. 386, 109 S. Ct. 1865).
- D. Any less-lethal weapons not specifically authorized by the Chief of Police will not be carried.

1.30.5 Appropriate Medical Aide After Lethal and/or Less-Lethal Response to Resistance

- A. Appropriate Medical Aide

1. Officers will make medical treatment available to all persons who request it or exhibit evidence of injury following any response to resistance.
2. If a prisoner is ambulatory and/or still resisting, the prisoner will be transported to the hospital emergency room by at least two officers.
3. If a prisoner is unconscious, seriously injured, or claims serious injury or incapacitation paramedics will be called to evaluate the prisoner's medical needs. If paramedics remove the prisoner to the hospital, at least one officer will accompany the paramedics. If manpower permits, two officers will accompany the paramedics to the hospital.
 - a. Prisoners being transported to the hospital for treatment will be secured with handcuffs.
4. In the event an officer must use physical force on a subject and the subject does not appear to be injured or complain of injury, the officer will maintain increased observance of the individual watching for obvious physical changes of the subject. This increased observance of the subject is to aid in guarding against a subject not getting medical aid when needed but not immediately known.
5. Person(s), who that has been subject to a CEW, see 1.3.15 F, 1 through 12.
6. An on-duty supervisor will be called to the scene any time a response to resistance results in the need for medical treatment.

1.30.6 Response to Resistance Reporting <STANDARD 6.01, BULLET D>

A. SPD officers shall submit a Response to Resistance report when:

1. An officer applies weaponless physical force above soft hand control techniques (grabs, holds, joint locks, balance displacement, or escort techniques, etc.) for passive resistant subjects, applied for the purpose of handcuffing and do not result in injury or complaint of injury.
2. An officer applies force or threat of force through the use of lethal or less-lethal weapons.
 - a. To include the pointing of lethal and less-lethal weapons at or toward any person or any specific group of persons
3. An officer discharges a firearm at another person.
4. An officer takes an action that results in, or is alleged to have resulted in injury or death to any person.
5. Only one subject may be listed per form.
6. The only exception is for SWAT activity.
 - a. The SWAT commander will write a thorough summary of the entire operation to cover the pointing of weapons at subjects. If an officer uses force other

than the pointing of weapons at subjects, the individual officer(s) will complete a Response to Resistance report as outlined here.

1.30.7 Supervisors Review of Officers Response to Resistance and Report
<STANDARD 6.01, BULLET E>

- A. The shift supervisor is responsible for reviewing each officer's Response to Resistance report prior to it being forwarded to the officer-in-charge, sub-division commander, and the chief of police.
 - 1. If the shift supervisor reviews the report and finds that the document is accurate and complete, and agrees that the officer's response to resistance was appropriate, the shift supervisor will sign off on the report and forward it to the officer-in-charge, sub-division commander, and the chief of police.
 - 2. In the event that the officer's response to resistance is deemed to be inappropriate, the shift supervisor will conduct an initial inquiry into the suspected violations and forward the shift supervisor's report to the officer-in-charge, sub-division commander, and the chief of police, along with the Response to Resistance report submitted by the officer(s) involved.

1.30.8 Employee Removal Pending Administrative Review After a Serious Incident

- A. The chief of police, in order to provide safety for the community and the employee, shall remove the employee from a line-duty assignment pending an administrative investigation and review when the incident resulted in a death or serious physical harm while the employee was acting in an official capacity.
 - 1. Incidents that may result in an officer's removal pending administrative review include, but may not be limited to:
 - a. Officer's response to resistance incidents;
 - b. Fatal or serious automobile accidents involving an officer;
 - c. In-custody deaths or serious injury, or;
 - d. Situation in which an employee's actions results in death or serious injury to any person.
 - 2. These incidents may be inherently traumatic for the officer involved. Quite often, the officer's outward demeanor is not indicative of the officer's mental well-being. For that reason, during this period the officer may be required to meet with a psychologist and/or psychiatrist, at the discretion of the chief of police, to determine the effects of the incident.
 - a. The officer may request in writing, to meet with a psychologist or psychiatrist through the police supervisor.

- b. All personnel should be familiar with available mental health services and avail themselves of these services following officer critical incidents (42.2.13 (C), (6), (b), (1), (a.))

- 1. Section 502 - Health Counseling Program / Employee Assistance Program (EAP)

- a. The City of Springfield is concerned about employees whose lives are affected by health and personal problems. The purpose of the Health Counseling Program is to offer assistance to employees in solving health and personal problems. If you have a personal problem that is affecting your work, attendance, health, family or social life, you can get help. Assistance is provided for excessive drinking, drug misuse or other personal and behavioral problems. The program can provide assistance to any employee who is experiencing a health or personal problem or who has a family member with a problem.

Discussion will be strictly confidential and will not be reflected in personnel records. You or your family may contact the Personnel Department or go through your health insurance carrier for assistance. Only a minimum of information will be necessary to make the referral to the proper agency. In most cases, your health insurance will pay for the assistance.)

- 3. Officers reassigned as a result of this rule can have the matter reevaluated upon their written request to the chief of police.

1.30.9 Lethal and Less-Lethal Weapons Authorized

- A. The Springfield Police Division will only permit authorized weapons to be carried by its officers. The Chief of police must approve division issued weapons, as well as any authorized weapon.
- B. The lethal and less-lethal weapons approved by the Springfield Police Division for sworn personnel include:

- 1. Lethal:

- a. Glock 45 9mm pistol
 - b. Sig Sauer P365 9mm pistol
 - c. Colt M-4, 5.56 x 45mm NATO
 - d. Remington 700-P, .308 Winchester rifle
 - e. Remington 870, 12 gauge shotgun

- 2. Less-Lethal:

- a. Monadnock Auto Lock expandable baton.
 - b. Fox 10% oleoresin capsicum (OC) spray (2.0 oz. canister)

- c. Taser International, Conducted Electrical Weapon (CEW)
 - d. 37mm and 40mm Single Shot Launchers (SOT)
 - e. 40MM Multi-shot Launcher (SOT)
 - f. Flash Bangs (SOT)
 - g. Monadnock wood 36" riot baton.
- C. Only currently issued ammunition shall be used in the performance of duties.
- 1. .45 ACP
 - 2. .40 cal.
 - 3. .380 cal.
 - 4. 38 cal.
 - 5. 9mm
 - 6. 5.56mm rifle ammunition
 - 7. .308 caliber match grade rifle ammunition
 - 8. 12 gauge, 00 buckshot
 - 9. 12 gauge, slug round
- D. Although not required, officers are permitted to carry their approved handgun(s) off duty in accordance with the Ohio Revised Code 2923.12 B and C, (1), (a) and (b.)
- E. A range officer will inspect all firearms annually to ensure the weapons are safe and serviceable. This inspection will be done when the officer qualifies, or at the range officer's discretion. The Chief of Police or any supervisor may inspect a subordinate officer's weapon at any time. Any weapon that is authorized and found to be unacceptable will be removed from service and repaired.
- F. All firearms issued by the agency will be secured when not in use.
- 1. Acceptable methods include:
 - a. Secured it in a locker;
 - b. Locked desk drawer;
 - c. Gun safe, etc.
 - 2. Any weapon found unsecured at headquarters will be confiscated.
- G. This policy regarding secondary weapons, commonly known as a back-up weapon, is hereby set forth to allow officers to carry a second firearm in addition to the issued handgun, while on duty.

1. Carrying of a back-up firearm shall be optional for each officer, however, in order to carry such a weapon, the officer must first qualify with the weapon to demonstrate proper proficiency with such weapon. The qualification will be on an annual basis.
2. Weapons permitted to be carried:
 - a. Only weapons of quality manufacture will be considered for carry. Examples include:
 1. Sig-Sauer;
 2. Beretta;
 3. Smith & Wesson;
 4. Glock;
 5. Colt;
 6. Any other firearm deemed of quality manufacture by the chief of police.
3. Calibers permitted.
 - a. The only calibers of carry are: .380 ACP, .38 special, 9mm, 40 S&W, and .45 ACP.
 - b. No ammunition will be carried in a Secondary Weapon, other than that which is issued by the division.
4. Costs associated with the secondary firearm:
 - a. Officer's responsibility
 1. Practice ammunition;
 2. Holster and related items;
 3. Maintenance;
 4. Time needed for practice and qualification.
 - b. Provided by the department:
 1. Ammunition for annual qualification;
 2. On-Duty ammunition.
5. Method of carry:
 - a. Officer shall carry the secondary weapon in a safe, secure manner, concealed on their person, with the utmost attention in concealing the weapon from the view of the public. It is preferred officers carry the weapon in an ankle or vest holster, which is firmly secured, with a working retention device to ensure the weapon will not fall out of such holster.
6. Officers will submit a Request to Carry form to the Chief of Police.

- a. This form will include the make, model, caliber, and serial number of the weapon, along with the method of carry. Officers will also notify their Supervisor that they are carrying a secondary weapon during roll call. This is necessary so that the firearm can be accounted for in time of emergency.

7. Use of Secondary weapon:

- a. Officer shall first resort to their issued firearm in a deadly force situation. However, it is understood that circumstances may arise that dictate the officer use of the secondary weapon first, in order to protect themselves or the life of another.

H. Prohibited Weapons and/or Equipment

1. Throw away weapons, illegal weapons, blackjacks, sap gloves, hard knuckle tactical gloves, nunchakus, hunting knives, brass knuckles and any instruments not specifically authorized will not be carried by employees.
2. A flashlight is a major part of the Patrol Officer's equipment and is usually at hand, if the need arises that the flashlight becomes involved in defense of the officers or other persons, the flashlight should be used in accordance with and under the same outlines as the expandable baton.
3. It is recognized that the carrying of one or more specialty knives is common for most emergency services personnel, police officers included. These items are normally carried and employed as tools for tasks such as cutting a seatbelt at a crash scene. Nothing in this policy is intended to prevent this practice or to condone the carrying of any such item for the primary purpose of using such item as a weapon.
 - a. All uniformed and plain-clothes officers are restricted to a specialty knife that is small enough to either clip inside the officer's pocket or stowed in a case on the gun belt.
 - b. The respective supervisor will approve SOT members, the knife size and style.
4. The Springfield Police Division realizes and acknowledges that in tense, uncertain and/or rapidly evolving confrontations an officer may have to reasonably use techniques, weapons and/or improvised weapons that are:
 - a. Not a part of the agency's formal training program;
 - b. Or that may not be covered in this policy;
 - c. Or that the officer may have to use a technique or weapon in a manner that is not in conformity to training;
 - d. Or due to the suspect's action, the technique or weapon used has an unintentional point of impact or an outcome that is not part of the agency's training curriculum.

I. Removal of unsafe Weapons

1. If any of an officer's issued duty weapons is found to be unsafe it will be taken out of service, the officer will be issued another divisionally owned weapon comparable with the one surrendered. The unsafe weapon shall not be carried or used until it is repaired or rendered safe, and has been re-inspected by the Division's Weapons

specialist. The officer will be required to qualify with newly issued firearms prior to taking active street duty if the make/model is different from the one previously carried.

2. Personally Owned Weapons:

- a. If a personally owned weapon is found to be in need of maintenance beyond the capabilities of the firearm training staff, it will be the responsibility of the Officer who owns the weapon to have the weapon repaired at his/her own expense. Weapons in need of repair will not be authorized for carry until the weapon has been repaired to the satisfaction of the firearms supervisor.

J. Weapons Records:

1. Detailed records of individual history will be maintained on all city owned weapons. These records will contain but not be limited to the following:

- a. The weapon's divisional identification number,
- b. The weapon's manufacturer identification number,
- c. The brand, model, and if applicable caliber of the weapon,
- d. To whom the weapon has been issued,
- e. Dates of issue and return to stock,
- f. Service history of the weapon
- g. Any other information that would seem relevant to the weapon specialist.

2. Personally owned Weapons:

- a. When an officer qualifies with his/her personally owned weapon(s), the firearms instructor will inspect the weapon and document the following on the qualification form. The form will then be filed in the officer's training file.
 1. The weapon's manufacturer identification number,
 2. The brand, model, and if applicable caliber of the weapon,
 3. The owner of the weapon,
 4. Any other information that would seem relative to the range officer(s.)
- b. No ammunition will be carried in a personally owned weapon that has been approved for off duty carry by SPD, other than that which is issued by the division.

1.30.10 Demonstrating Proficiency with Weapons

- A. The Chief of Police will only grant authorization to carry weapons (Division issued or personally owned) to Officers who have demonstrated their proficiency to use those weapons. Proof of proficiency will be the ability to obtain a passing score on a State of Ohio, O.P.O.T.C. approved qualification course or divisionally approved course.
- B. Each weapon qualification course:

1. Shall be an approved State of Ohio, O.P.O.T.C. Qualification course and/or a divisionally approved course and lesson plans shall be maintained by the Police Division.
 2. Shall be taught by a certified instructor.
- C. Division issued and personally owned weapons requiring an annual demonstration of proficiency are:
1. Division issued and personally own firearms that the officer intends to carry as a secondary or off duty weapon.
 2. All firearms issued to vehicles
 3. Members of the Special Operations Team (SOT) must qualify on all specialty firearms used by the team.
 4. CEW

1.30.11 Annual Proficiency Demonstration/Training <STANDARD 6.01, BULLET F, STANDARD 6.02, BULLET J>

Commentary: Annually, each officer will receive in-service training on the division's use of force policies and procedures, legal updates, de-escalation techniques, affirmative duty to intercede and affirmative duty to request and/or render medical aid. Also annually, each officer will demonstrate proficiency with any approved lethal weapons including the Conducted Electrical Weapon (CEW) that the officer is authorized to use. Each officer will have to read and acknowledge the Response to Resistance Policy Annually, and will be tested on the policy.

- A. The Chief of Police will only grant authorization to carry weapons (Division issued or personally owned) to Officers who have demonstrated their proficiency to use those weapons. Proof of proficiency will be the ability to obtain a passing score on a State of Ohio, O.P.O.T.C. approved qualification course or divisionally approved course.
- B. Each weapon qualification course:
1. The Springfield Police Division re-qualification course(s) shall be at least as difficult as the current OPOTA qualification course, as mandated under section 109.801 of the Ohio Revised Code and Chapter 109:2-3 of the Ohio Administrative Code.
 2. Shall be taught by a certified instructor.
- C. Division issued and personally owned weapons requiring an annual demonstration of proficiency are:
1. Division issued, and secondary firearms;
 2. Off duty firearms in accordance with this section;
 3. All firearms issued to vehicles;
 4. Members of the Special Operations Team must qualify on all specialty firearms used by the team;

5. And CEW.

D. Firearms Instruction and Annual Re-qualification

1. All officers are personally responsible for maintaining proficiency with all generally or personally issued firearms and such special weapons as may be issued or authorized, including off-duty firearms and back-up weapons.
2. All officers must attend a training or re-qualification session whenever directed, but no less than annually. The training/re-qualification will be conducted while the officers are on-duty.

3. Procedure

a. Scoring

1. Scoring Method - Full diameter holes will be counted as hits.
2. Scoring System - An aggregate system will be used. The total number of hits in the preferred area of the target must equal eighty percent (80%) of the total number of rounds shot in all events. The range instructor, under the general direction of the Chief, may require a higher standard of scoring.

4. Safety

- a. All firearms practice or instruction must always be conducted within the general and specific rules of safe handling of firearms, the rules of the range facility, and in full compliance with all instructions of range or training personnel.
- b. Any willful, knowing, or reckless disregard of safety or of any instruction from any officer (of any rank) charged with range or instructional duties constitute insubordination or other serious violations of good conduct. Negligent misconduct especially that which is likely to endanger persons or property, is also a violation of this or other directives.
- c. The following safety devices, as approved by a range officer, must be worn whenever anyone is participating in range instruction, training, or re-qualification:
 1. Eye protection.
 2. Ear protection.
 3. Ballistic vest.

5. Qualification Procedure

- a. Sworn officers must qualify with any assigned or authorized weapon, prior to carrying the weapon on or off-duty.
- b. Officers who fail to qualify on the first attempt will be given a second opportunity to qualify, the same day.
- c. Officers who do not qualify on their second attempt will be required to wait 24 hours prior to their third attempt.

- d. Officers who do not qualify on their third attempt will be required to attend comprehensive re-training, as directed by the chief.
 1. Officers who do not annually attain and maintain minimum qualification with any standard issue firearm shall not possess, use, or control such weapons- other than as directed- during the period of comprehensive re-training.
 2. If after comprehensive re-training any officer has still failed to achieve the minimum qualification standard, he or she shall be referred to the Office of the Chief for such action as is deemed reasonable.
 3. Such determination and action may include, but is not limited to:
 - a. Issue of a different service weapon with which the officer can and does qualify;
 - b. Eye or general medical examination by the officer's own physician and/or by a City physician;
 - c. Disciplinary action;
 - d. Any combination of such actions, or other actions, as determined by the Chief of Police
 - e. Officers who cannot meet minimum standards of competence with firearms cannot adequately perform the basic duty of protection of self or others from deadly assault. Therefore, eligibility for continued employment may cease at any time such lack of competence is reasonably established.

1.30.12 Annual Distribution of Response to Resistance Directives

All agency personnel of this police division shall be issued copies of, and receive instruction in, the policies described in sections 1.3 Response to Resistance before being authorized to carry lethal and less-lethal weapons, make an arrest, or function in an official capacity. The instruction and issuance shall be documented and a copy of this document will be included in the officers' training file.

1.30.13 Annual Review of Response to Resistance Reports

Annually, an analysis of response to resistance reports will be conducted to determine if a pattern or trend is developing that may indicate a need for training and/or policy modifications. This analysis will take the form of a written report completed by the Professional Standards Unit and forwarded to the Chief.

1.30.14 Firearms and Defensive Weapons While Off Duty

- .1 Except as herein provided, no member shall carry or immediately control for purposes of going armed any defensive weapon off duty, except those issued or authorized by the Division.
- .2 Because of the nature of police services, there are a variety of reasons officers may wish to carry or control firearms or other defensive weapons while off duty; therefore, if all standards of qualification and authorization

have been met or exceeded, sworn officer may, at their discretion, carry a firearm or other authorized defensive weapon while off duty.

- .3 Such weapons must, when officers are in public view, be kept satisfactorily concealed and otherwise both appropriate and discreet in manner of carry or display. Weapons, which cannot be or are not safely, conveniently and completely concealed are prohibited.
- .4 Firearms which can be conveniently and completely concealed shall be defined as those which can, without significant force, fit within the height/length outline of the issue Uniform handgun equipped with authorized replacement grips plus an additional 1/4" in each direction.
- .5 No officer of this Division is authorized to possess, carry, or control any firearm in any "D" permit premises while consuming any alcoholic beverages.
- .6 Should an officer seek authorization to carry any off-duty firearms other than the issued firearm(s), the officer must qualify with such firearms to the satisfaction of the training staff, subject to Divisional policy or rules. Such qualification is required every calendar year following initial qualification with a particular firearm and all ammunition consumed during such qualifications shall be equivalent to that used when the firearm is carried and shall be provided at the expense of the officer seeking such qualification. All time consumed shall be personal time of the officer, and no payment of any sort shall be considered by City.

1.30.15 Conducted Electrical Weapon (CEW) – Less-Lethal

Purpose: The purpose of this directive is to establish guidelines and limitations for Springfield Police Division (SPD) sworn police personnel reference the required training and use of Conducted Electrical Weapons (CEW).

Policy: The policy of SPD is to use only that amount of force reasonably necessary to affect an arrest, control a situation, or defend themselves or others from harm. SPD recognizes that combative, non-compliant, armed, and/or violent subjects cause handling and control problems that require specialized training and equipment. Because of this SPD has adopted the use of a less-lethal force option to assist with the de-escalation of potentially violent confrontations.

A. Definitions

1. **Activation:** Pulling the trigger, or depressing the ARC switch of a CEW, causing arcing or probe discharge.
2. **Anti-Felon Identification (AFID) tags:** Small identifying cards expelled from a CEW cartridge when probes are discharged. Each card (sometimes referred to as confetti tag) contains a serial number unique to the specific cartridge used.
3. **Application:** The actual contact and delivery of electrical impulse to the subject via probe discharge or drive stun.

4. ARC display: Depressing the ARC switch, visibly and audibly energizing the CEW as part of a warning tactic, typically accompanied by verbal commands.
5. Cartridge: A replaceable vessel that generally contains compressed gas, probes, connecting wires, and AFID tags.
6. Cycle: The period during which electrical impulses are emitted from the CEW following activation. In most models, a standard cycle is 5 seconds for each activation. The duration of a cycle may be shortened by turning the CEW off but may be extended in certain models by continuing to pull the trigger.
7. Display: Drawing and exhibiting the CEW as part of a warning tactic, typically accompanied by verbal commands.
8. Drive stun: Drive stun mode is possible whether or not the cartridge has been expended or removed from the CEW. (If the cartridge is not removed, the probes will enter the body.) This action requires pulling the trigger and placing the CEW in direct contact with the subject, causing the electric energy to enter the subject directly. Drive stun is frequently used as a non-incapacitating pain compliance technique. It may also be used to incapacitate the subject where at least one probe is attached to the subject's body and the CEW contact will complete the circuit.
9. Conducted Electrical Weapon (CEW): A less-lethal weapon designed primarily to discharge electrical charges into a subject that will cause involuntary muscle contractions and override the subject's voluntary motor responses.
10. Duration: The aggregate time that the CEW is activated. It is important to note that the duration of activation refers to the length of time the device is activated. However, the duration of the electrical impulse the subject feels is directly related to whether or not the device is in contact with their body.
11. Excited delirium: State of extreme mental and physiological excitement, characterized by behaviors and symptoms such as extreme agitation, elevated body temperature, watering eyes, hostility, exceptional strength, and endurance without fatigue.
12. Exigent circumstances: Circumstances that would cause a reasonable person to believe that prompt and unusual action is necessary to prevent physical injury to self or others.
13. Firing: Discharging CEW probes at an intended target.
14. Fleeing: An active attempt by a person to avoid apprehension by a law enforcement officer through evasive actions while attempting to leave the scene.
15. Frail or infirm person: A person who is feeble or weak in body or health, especially because of age.
16. Laser painting: The act of un-holstering and pointing a CEW at a subject and activating the CEW's laser dot to show that the weapon is aimed at the subject.

17. Less-Lethal weapon: Any apprehension or restraint tool that, when used as designed and intended, is less likely to cause death or serious physical harm to persons than a conventional police lethal weapon (e.g., firearm).

18. Levels of Resistance:

- a. No resistance (Cooperative): Suspects who do not resist and follow all commands are compliant. No physical force above handcuffing techniques is required.
- b. Passive resistance: Physically non-aggressive actions that do not prevent the officer's attempt to control a subject. For example, a person who remains in a limp-prone position or passive demonstrators.
- c. Active resistance: A subject's physical actions to defeat an officer's attempt at control and to avoid being taken into custody. Verbal statements that do not impede a legitimate law enforcement function do not constitute active resistance.
- d. Active aggression: A threat or overt act of an assault (through physical or verbal means), coupled with the present ability to carry out the threat or assault, which reasonably indicates that an assault or injury to any person is imminent.
- e. Deadly Resistant: A deadly resistant subject will seriously injure or kill the officer or another person if immediate action is not taken to stop the threat.

19. Probes: Projectiles with wires contained in a CEW cartridge. When the CEW is discharged, probes are expelled from the CEW and penetrate the subject's clothing and/or skin, allowing application of the electric impulse.

20. Sensitive areas: An area of the subject's body that may cause more serious injury to the subject if struck with an CEW probe (e.g., head, neck, female breasts, genitalia)

21. "Serious physical harm to persons" means any of the following (2901.01 A, 5, a-e):

- a. Any mental illness or condition of such gravity as would normally require hospitalization or prolonged psychiatric treatment;
- b. Any physical harm that carries a substantial risk of death;
- c. Any physical harm that involves some permanent incapacity, whether partial or total, or that involves some temporary, substantial incapacity;
- d. Any physical harm that involves some permanent disfigurement or that involves some temporary, serious disfigurement;
- e. Any physical harm that involves acute pain of such duration as to result in substantial suffering or that involves any degree of prolonged or intractable pain.

B. The following are the applicable response to resistance standards directly related to the deployment of the CEW:

1. The use of a CEW involves the application of force and each application of a CEW involves an additional use of force.
2. Multiple applications of a CEW cannot be justified solely on the grounds that a subject fails to comply with a verbal command, absent other indications that the subject is about to flee, or poses an immediate threat to an officer or other person.
3. Any decision to apply multiple applications of a CEW must take into consideration whether a subject is capable of complying with the officers' commands.
4. The CEW is not intended to replace firearms when deadly force is necessary, but rather to provide a less-lethal alternative within the guidelines of the SPD Response to Resistance policy.
5. Authorized officers who carry and use CEW shall:
 - a Carry the CEW in a Division approved holster on the opposite side from their firearm, with the cartridge(s) attached, while working their assigned shift.
 - b Point the CEW in a safe direction when loading, unloading, or testing the device.
 - c Visually and physically inspect the CEW and cartridges at the beginning of their shift.
 - d Spark test the CEW before each working day.
 - e Officers will secure and store the CEW, both on and off duty, in such a way as to ensure that no unauthorized person (especially children) will have access to, or gain control over, the CEW.
 - f Any use or accidental discharge of a CEW must be immediately reported to a supervisor.
6. Officers are generally permitted to use a CEW in accordance with training in the following instances:
 - a The subject's actions are actively resisting in a manner that, in the officer's judgment, is likely to result in injuries to themselves or others (active resistance) when lower levels of force are not reasonable or are ineffective.
 - b To stop a subject who poses a threat of physical injury to himself or herself.
 - c Officers should only use a CEW against a fleeing subject when the subject has committed, or is about to commit, a felony offense of violence. Fleeing, in and of itself, cannot be the sole justification for using a CEW against a subject. Officers must consider the severity of the offense, the subject's threat level to others, and the risk of serious injury to the subject before deciding to use a CEW on a fleeing subject.

- d Displaying a CEW when “painting the subject with the CEW laser,” or giving a visual ARC display, to attempt to gain compliance of the subject where active resistance, active aggression, assault, and/or violence is reasonably anticipated.
 - e It is understood that in dynamic, rapidly evolving situations, the probes may impact unintended areas of the subject.
 - f During Division authorized training programs and demonstrations.
 - g Any use of the CEW while off duty is subject to the same rules as outlined here.
7. The use of the CEW is generally prohibited (absent exigent circumstances) in the following situations:
- a. Subject that is not resistant (cooperative) or passively resisting.
 - b. A subject that is in an elevated position where the officer knows or is likely to know that a fall may cause substantial injury or death.
 - c. Against persons who may have come into contact with flammable liquids or in environments where flammable liquids or fumes are likely present.
 - 1. This includes any OC spray used on an individual by any other agency.
 - 2. SPD officers may only deploy a CEW against a subject that the officer knows was sprayed with OC by a SPD officer.
 - d. An operator in control of a vehicle, including automobiles, trucks, motorcycles, ATV's, bicycles, scooters, unless exigent circumstances exist. Any such tactic will result in careful and detailed review by the administrative authority and may result in severe disciplinary action if any improper conduct is determined to have occurred.
 - e. Any person the officer knows or reasonable knows is less than 80 pounds, pregnant women, elderly persons, young children, and visibly frail persons. Personnel should evaluate whether the use of the CEW is reasonable, based upon all circumstances, including the subject's age and physical condition. In some cases, other control techniques may be more appropriate as determined by the subject's threat level to others.
 - e Against a subject who is not resisting (cooperative) or passively resisting the lawful commands of the officer.
 - f Against a handcuffed person, except to prevent that person from seriously harming themselves or others, or when they are actively resisting or exhibiting aggression.
 - g. To rouse unconscious, impaired, or intoxicated individuals.
 - h. For horseplay or any other unprofessional conduct.

8. To experiment on a person or allow a person to experience the CEW, even if the person requests it, when the CEW's use would not otherwise be allowed under this policy. This does not apply to voluntary CEW training exposures or CEW demonstrations authorized by the Division.
9. For illegal purposes (abuse, coercion, punishment, torture, etc.)
 - a. Any such usage that involves the generally prohibited use of the CEW, even where an exigent circumstance exists, will result in a careful and detailed review by the administrative authority and may result in severe disciplinary action if improper conduct is determined to have occurred.
10. When deploying a CEW, officers will make efforts to comply with the following directives, when reasonable:
 - a. A command for compliance should be given prior to activating the CEW. The subject should be given an opportunity to comply with an officer's verbal command unless doing so would place the officer or any other person at risk.
 - b. When feasible, alert other law enforcement officers present that you are about to deploy a CEW by saying "Taser, Taser, Taser." This statement will prepare the officers at the scene for the CEW deployment and help prevent sympathetic weapon discharges.
 - c. Use the laser and/or fixed sights to aim the CEW, per training and manufacturer instructions. Officers should attempt to aim for the subject's back, whenever possible, or below the breastbone for frontal deployments.
 - d. Officers should use the CEW for one standard cycle (five seconds) and then evaluate the situation to determine if subsequent cycles are necessary.
 1. Officers must consider that exposure to the CEW for longer than 15 seconds (whether due to multiple applications or continuous cycling) may increase the risk of death or serious physical injury.
 2. Any subsequent applications must be independently justifiable, and the risks weighed against other force options.
 - e. Personnel should not intentionally activate more than one CEW at a time against a subject.
 - f. Personnel should not intentionally target the sensitive areas of the body, to include, the head, neck, genitalia, or female breasts.
 - g. CEW's should be used only against subjects whose actions rise to the level of active resistance or active aggression who are resisting in a manner that, in the officer's judgment, is likely to result in injuries to themselves or others.
 - h. In an attempt to minimize the number of CEW discharges necessary for subject compliance, officers should, while deploying the CEW clearly and reasonably give direction to the subject as the incident mandates.

1. A five second delay, between CEW discharges, is the generally accepted practice of the Springfield Police Division.
2. The circumstances of the situation will dictate the response.
- i. Whenever possible reasonably possible the CEW shall be deployed using a back-up officer to assist with providing cover and handcuffing.
- j. After deployment the subject shall be handcuffed as soon as it is safe to do so.
- k. Dispatch will be notified of the CEW deployment as soon as the subject is compliant, and the situation is under control.

D. Training and Certification

1. CEW Training: All members of the Division who carry and/or use a CEW must successfully complete a division approved, training program. This training shall include a review of this policy and the Divisions Response to Resistance policy. In addition, officers shall receive instruction on the functionality of the device, familiarization with the device, deployment of the device, and care of individuals post deployment. No officer may carry a CEW without first successfully completing this training.
2. SPD policy and training discourages the use of the drive stun mode as a pain compliance technique. The drive stun mode should be used only to supplement the probe mode to complete the incapacitation circuit, or as a countermeasure to gain separation between officers and the subject so that officers can consider another force option.
3. SPD Officers are trained to attempt hands-on control tactics during CEW application, including handcuffing the subject during CEW application (i.e., handcuffing under power). Training emphasizes that personnel who touch a subject during CEW application will not receive exposure to the electrical charge, so long as caution is taken not to touch the subject along the circuit (i.e., between the locations of the two probes).
4. SPD command staff, supervisors, and investigators receive awareness training appropriate to the investigations they conduct and review.
5. In addition to providing an overview of CEWs, SPD provides annual CEW awareness training to personnel who are not certified to carry the devices, which emphasizes their responsibilities. The training covers situations such as attempting to handcuff subjects during CEW deployments.
6. Annual Re-Certification
 - a. A mandatory annual re-certification program must be successfully completed. Officers who fail to attend training and allow their certification to lapse will not be authorized to carry the CEW.
7. Certified Instructors

- a. A certified instructor will conduct all Division CEW programs.
- 8. Training Records
 - a. The division-training officer shall maintain CEW Training and certification records.
- 9. Annual audit
 - a. The division-training officer will conduct an annual audit of the CEW training records to ensure that all officers carrying a CEW have met proficiency training for the year. The division training officer will notify the appropriate division commander reference the names of those officers who have not completed the required training no later than December 1st, of each year. This notification provides ample opportunity to schedule the training.

E. Medical Considerations

- 1. Absent exigent circumstances all subjects who have been exposed to CEW application should receive a medical evaluation by EMS in the field or at a medical facility.
- 2. Personnel conducting the medical evaluation should be made aware that the suspect has experienced CEW activation, so they can better evaluate the need for further medical treatment.
- 3. Subjects who have been exposed to prolonged application (i.e., more than 15 seconds) should be transported to a hospital for evaluation.
- 4. SPD Command Staff shall establish a protocol for this procedure with SFD Emergency Medical personnel.
- 5. Post CEW application SPD Officers, if needed, will use a restraint technique that does not impair the subjects breathing. Officers need to pay particular attention to the possibilities of position asphyxiation.
- 6. If any subject displays respiratory problems post CEW application medical attention shall be sought immediately.
- 7. Medical attention shall be sought immediately for individuals identified as "At Risk," on whom the CEW has been deployed. (See section F, 3, b through g. for a list of persons identified as "At Risk.")
- 8. Officers should be aware that there is a higher risk of sudden death in subjects under the influence of drugs and/or exhibiting symptoms associated with excited delirium.

9. In the event the subject must be removed from the scene, due to exigent circumstances, either EMS should be called to the new location or the subject should be transported to the hospital.
10. All subjects who have received a CEW application should be monitored regularly, during the time while in police custody even after they have received medical care.
11. The officer discharging a CEW operationally will verbally notify jail personnel that the subject they are booking in has been exposed to a CEW. Officers will also make a note of that fact, in their court statement.
12. Probe removal:
 - a. The CEW operator must have the areas photographed after the probes are removed (including a ruler to show distances) and attach copies of the photos to the CEW Use Report.
 - b. Wearing protective gloves, generally the CEW operator will remove the probes as instructed during training.
 - c. Officers will not remove the probes in the event of any impact to the FACE, NECK, FEMALE BREAST, or GENITALS. These removals must be performed by medical personnel at a medical facility.
 - d. Probes should be removed as soon as reasonably practical.
 - e. CEW probes should be treated as a biohazard. Use Universal Precautions to avoid the transfer of bodily fluids when dealing with a subject who has been struck by a CEW probe.
 - f. Wearing protective gloves, the CEW operator will remove the probes as instructed during training.
 - g. The probes will be placed in the empty (fired) cartridge and submitted in an evidence envelope.
 - h. The spent cartridge and probes must be submitted, with a property receipt, as evidence, even in cases of a miss.

F. Notification and Documentation.

- a. Display, laser painting, and/or visual ARC display.
- b. Deployment of a CEW whether by display, laser painting, and/or visual ARC display used as tactics to deter a subject or gain their compliance, is considered force.
- c. The officer using the CEW in these capacities shall complete an SPD Response to Resistance report by the end of the officer's shift.

- d. The Response to Resistance report will detail whether or not the display, laser painting, or visual ARC display tactic deterred the subject and gained compliance.
2. Discharging (Firing) or Drive Stun.
- a. The officer discharging a CEW will verbally notify dispatch, and an on-duty supervisor, as soon as possible.
 - b. Accidental discharges, where no person was struck, should be documented on an Inter-office communication.
 - c. Deployment of a CEW whether by discharging or drive stun is considered a use of force.
 - d. The officer using the CEW in these capacities shall complete an SPD Response to Resistance report and a CEW Response to Resistance report by the end of their shift.
 - e. Prior to the end of their shift, the officer shall also:
 - 1. Collect the spent cartridge(s), probes, & AFID tags.
 - 2. Photograph the spent cartridges and probes.
 - 3. Complete the required CEW Response to Resistance report and attach it to the Chief's copy of the Use of Force Report.
3. A Response to Resistance report and a CEW Response to Resistance report shall contain the following information:

Note- the two reports have specific areas where the following information is called for. The list, below, should be used as a template for completing the reports.

- a. Date, time, and location of the incident.
- b. If an officer displayed the CEW, or painted a subject with the CEW laser, in an attempt to gain compliance they must document that fact on a Response to Resistance form. They must also document whether or not the tactic(s) deterred the subject and gained compliance.
- c. Identifying and descriptive information and any investigative statements of the subject (including membership in an at-risk population), a list of all personnel firing CEWs, and a list of all witnesses.
- d. The number of CEW activations, the duration of each cycle and the duration between activations must be documented in the narrative.
- e. Level of aggression encountered.
- f. Any weapons possessed by the subject.

- g. The type of crime/incident the subject was involved in.
 - h. Determination of whether deadly force would have been justified.
 - i. The type of clothing worn by the subject.
 - j. The range at which the CEW was used.
 - k. The type of mode used (probe deployment or drive stun).
 - l. The point of probe impact on a subject with the device in probe mode.
 - m. The point of impact on a subject with the device in drive stun mode.
 - n. Location of missed probe(s).
 - o. Terrain and weather conditions during CEW use.
 - p. Lighting conditions.
 - q. The type of cartridge used.
 - r. Suspicion that subject was under the influence of drugs (specify if available.).
 - s. Medical care provided to the subject.
 - t. Any injuries incurred by personnel or the subject.
4. With the assistance of the Officer-in-Charge, download the CEW database information from the device and attach a printed copy to the Response to Resistance report.
- G. Prior to downloading the CEW, demonstrate that the CEW is functioning properly by cycling it for five full seconds in the presence of the supervisor who is going to perform the download.
- H. Accidental discharges:
- 1. The Officer involved in an accidental discharge of a CEW will immediately notify an on-duty supervisor.
 - 2. The Officer involved in an accidental discharge will document the event in an Inter-Office Communication to the Chief of Police, and submit the cartridges(s) as property.
 - 3. A supervisor will conduct a follow up investigation, and forward the results to the Chief of Police.
- I. Supervisory responsibilities:
- 1. Ensure trained personnel, who are issued and carry the CEW, comply with this policy while working their assigned shift.

2. Immediately respond to any scene in which the CEW was used in either the drive stun capacity or fired.
3. When possible, a supervisor should anticipate the likelihood that officers will use a CEW at an incident and should respond.
4. Obtain a data port download for all CEW's deployed in the incident.
5. Supervisors shall ensure all required information is documented in the appropriate reports, and all appropriate evidence is collected and submitted following the use of a CEW.
6. Ensure that photographs are taken of the probe penetration sites and any secondary injuries (caused, for example, by falling to the ground).
7. Review the circumstances surrounding the use of the CEW to determine if the use, or deployment, of the CEW was in compliance with policy and procedures.
 - a. In situations where the Use of Force appears to be outside of policy and procedure, or serious physical injury to persons resulted out of the Use of Force, the supervisor shall require all officers at the scene to submit a detailed inter-office concerning the event.
 - b. The supervisor shall also prepare a detailed inter-office communication listing the results of their administrative review of the unusual event.

J. Other CEW Downloads

1. Quarterly, the Shift Lieutenants will conduct a download of all CEW's assigned to their shift or unit, to insure that unreported deployments are not taking place and as a quality control component for our agency.
2. These downloads will be saved on the server in the file specified.

K. Conducted Electrical Weapon Coordinator (CEWC)

1. The CEWC, or his designee, is responsible for maintaining the equipment and records associated with the deployment of the Divisions CEW's.
2. Be responsible for issuing CEW's and cartridges, and ensure they are recorded either in NWS, or otherwise.
3. Ensure cartridges are replaced before their expiration date.
4. Conduct data port downloads when requested by investigating supervisors.
5. Maintain overall responsibility for coordination of purchase, repair, and replacement of CEW's and cartridges.

L. Professional Standards Unit

1. Will collect and maintain copies of all Response to Resistance reports and CEW use reports.
2. Will review each report as it comes in for:
 - a. Whether or not the tactics of, laser painting, or visual ARC display deterred the subjects and gained compliance.
 - b. Usage trends.
 - c. Policy compliance.
3. At the end of each quarter, the Professional Standards Unit will audit and reconcile the quarterly data downloads described above.
4. Annually, the Professional Standards Unit will analyze all CEW statistics and make them available for review.

M. CEW Cartridge Retention Schedule

1. The spent cartridge(s), probes, & AFID tags will be held for a minimum of two (2) years, or until the criminal case or any internal investigation is complete, whichever is longer.

1.30.16 Dynamic Response to Resistance Model Training

- A. The following provides officers with a source of reference on the response to resistance. All officers who are authorized to carry weapons shall become familiar with the following guidelines related to the Dynamic Response to Resistance Model. (DRRM.)
- B. The DRRM is a graphic representation and description of the escalation and de-escalation of force used by police officers in response to actions taken by a suspect or offender.
 1. The appropriate level of force that may be used by a police officer to control a person depends upon the particular circumstances in which the officers find themselves at the time the force is used.
 2. Important factors to consider when determining the level of force that may be applied to control a situation include, but are not limited to, the age, size, fitness, experience, skill level, relative strength, and number of the officer(s) and suspect(s) involved in an incident.
- C. When dealing with suspects and offenders, officers should attempt to apply the DRRM, at the most appropriate level based upon the particular circumstances.
 1. In the DRRM diagram, no resistance (compliance) is in the center of the square, emphasizing that as the goal of every encounter. If a suspect's resistance level places him on one of the four corners of the square, the officer's response (appropriate use of force) is intended to move the suspect's behavior to the center of the square and compliance. If the officer in response to the suspect's resistance level uses force, the sole purpose of the application of force is to gain compliance.

D. Considerations of Force Escalation or De-escalation.

1. The totality of the circumstances reasonably known to a police officer at the time force is used affects the appropriate level of force the officer may use in response to a threat.
2. Among the important issues that may affect the determination of what level of force is appropriate in a given situation are the following:
 - a. Has the threat had the opportunity to comply with commands, if commands were possible and appropriate?
 - b. Is the current course of action achieving control or compliance?
 - c. Does the threat warrant the risk of injury to yourself or the threat?

E. Basic Principles of Justification

1. The threat always dictates the degree of force to be used. Therefore, the threat is responsible for any injury the threat may incur while resisting.
2. It is incumbent on the officer to overcome the threat's resistance as quickly as possible to control the threat and the situation.

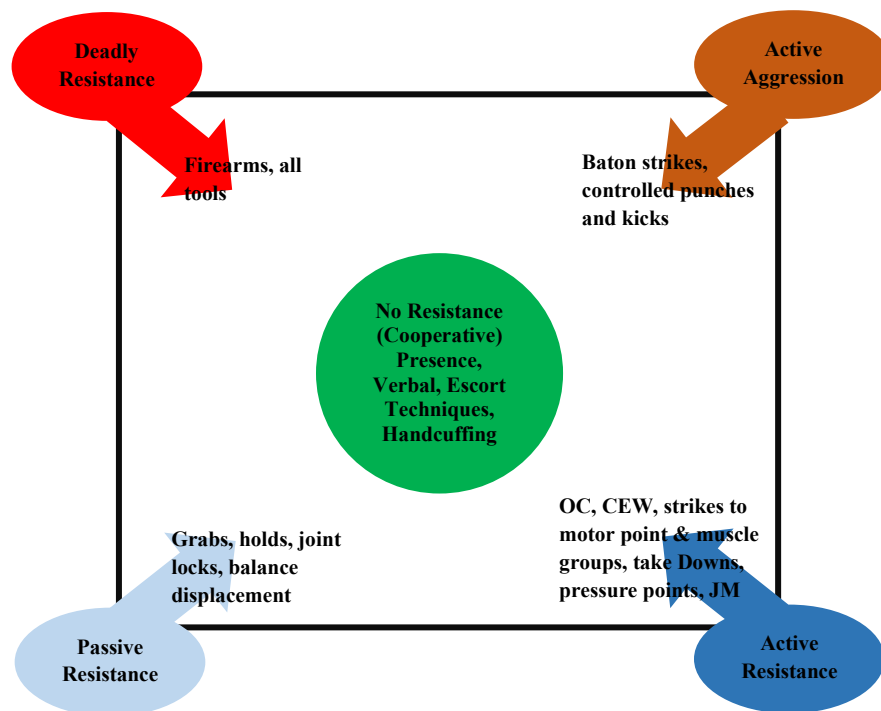
F. The Springfield Police Division realizes and acknowledges that in tense, uncertain or rapidly evolving confrontations, an officer may have to use reasonable techniques that could cause physical harm.

G. All officers' actions that are deemed Objectively Reasonable (Graham v. Connor, 490 U.S. 386 (1989) United States Supreme Court)), will be considered to be within policy, even if the specific action or operation are not specifically addressed here.

H. *Levels of Resistance:*

1. *No resistance (Cooperative):* Suspects who do not resist and follow all commands are compliant. No physical force above handcuffing techniques are required.
2. *Passive resistance:* Physically non-aggressive actions that do not prevent the officer's attempt to control a subject. For example, a person who remains in a limp-prone position or passive demonstrators.
3. *Active resistance:* A subject's physical actions to defeat an officer's attempt at control and to avoid being taken into custody. Verbal statements that do not impede a legitimate law enforcement function do not constitute active resistance.
4. *Active aggression:* A threat or overt act of an assault (through physical or verbal means), coupled with the present ability to carry out the threat or assault, which reasonably indicates that an assault or injury to any person is imminent.
5. *Deadly Resistant:* A deadly resistant subject will seriously injure or kill the officer or another person if immediate action is not taken to stop the threat.

I. Dynamic Response to Resistance Model. (DRRM) graphic representation



1.30.17 Reporting, other <STANDARD 6.01, BULLET D>

With the exception of instruction, practice or qualification sessions, members shall promptly submit a detailed written report to the Chief, their Sub-Division Commander and their Shift or Unit Commander whenever they deliberately or accidentally discharge any firearm. Included with the report will be a reasonable diagram of the scene of such discharge showing the object of the discharge, the apparent path of the projectile(s), and all person, structures, vehicles or substantial property in the immediate area as well as such pertinent facts or figures as distances between persons and objects, angles of fire, addresses, geographical directions, and so forth. Such diagram shall be completed and approved by the appropriate supervisor.

1.30.18 Less Lethal Shotgun

1.30.18.1 Policy

- .1 Less-lethal impact projectiles or bean bag rounds are an effective weapon to resolve confrontational situations quickly and in a method less likely to result in death or serious injury. The department recognizes bean bag rounds as an intermediate weapon. Any deployment will be consistent with the established use of force or less lethal policies.
- .2 Less-lethal shotguns and bean bag rounds will only be authorized for use by officers who have received training through the department from a certified weapons instructor.

- .3 Use of force incidents involving the deployment of less-lethal impact projectiles will be investigated in the same manner as any police shooting. Investigators from an Internal Affairs team will conduct a post use investigation and report their findings to the Chief of Police

1.30.18.2 Authorization

- .1 Only SWAT officers and supervisors specifically trained in the use of the beanbag shotgun are permitted to use the weapon.
- .2 A beanbag shotgun shell has a standard 2 3/4 inch, 12 gauge shotgun shell with a transparent hull.
- .3 Stocks on beanbag shotguns are orange and clearly labeled as "less-lethal".
- .4 Never load regular shotgun ammunition into beanbag shotguns; or vice versa.

1.30.18.3 Training

- .1 Only officers who have successfully completed an approved training course conducted by a certified weapons instructor will deploy bean bag rounds.
- .2 Officers trained in the use of bean bag rounds will be re-certified each year as part of their in-service training. Only officers who are currently certified may use bean bag rounds.

1.30.18.4 Deployment

- .1 The less lethal shotgun will always be carried in an unloaded condition. The less lethal rounds shall be carried in the butt stock carrier of the orange, less lethal shotgun. Upon preparing to deploy the less lethal shotgun the officer shall visually confirm that they are loading bean bag rounds. Only after such confirmation will the officer deploy the less lethal shotgun.
- .2 The decision to use bean bag rounds will be based on the officer's determination that other less-lethal weapons (e.g. TASER or baton) would place officer(s) and/or suspect(s) unacceptably close to one another. Officers must consider the actions of the offender(s) or threat facing the officer(s), as well as the totality of the circumstances surrounding the incident.
- .3 Bean bag rounds are not meant to replace deadly force. A second officer, who is prepared to use deadly force, and/or a TASER, should be present when bean bag rounds are deployed, if possible.
- .4 Proper consideration and care should be taken when using bean bag rounds on offenders in elevated positions or other circumstances where a fall may cause substantial injury or death.

- .5 Officers should not target the face or head unless the only other recourse would be deadly force.
- .6 When using a beanbag shotgun, target a specific part of the body. Avoid the head, neck, throat, heart, and genitals, if possible.
- .7 Officers should avoid using the beanbag shotgun on persons who reasonably appear to be, or are known to be, young children, elderly, medically infirm, pregnant, or users of a cardiac pacemaker. Officers are not prohibited from using the beanbag shotgun on such persons, but use is limited to those exceptional circumstances where the potential benefit of using the beanbag shotgun (i.e., injury reduction) reasonably outweighs the risks and concerns.
- .8 Beanbag shotgun rounds should not generally be deployed at distances less than twenty (20) feet unless the only other option is deadly force.

While multiple beanbag rounds may be expended as necessary, no more than two beanbag shotguns should be simultaneously deployed on an individual.
- .9 Whenever possible a warning will be given that bean bag rounds will be deployed. An announcement will be shouted stating “bean bag, bean bag, bean bag” in order to notify other officers that a bean bag deployment will occur.
- .10 Bean bag rounds should not be deployed under certain circumstances.
 - .1 Bean bag rounds should not be deployed on suspect(s) armed with firearms.
 - .2 Bean bag rounds will never be used punitively or for purposes of coercion.
 - .3 Bean bag rounds should not be deployed in circumstances or environments where flammables are obviously present.
 - .4 Bean bag rounds should not be used on pregnant offenders unless the only other option is deadly force.

1.30.18.5 Post Deployment

- .1 Immediate action should be taken to protect and secure the offender and to protect the scene.
- .2 EMS shall be called to the scene regardless of the offender’s apparent condition.
- .3 After using a beanbag shotgun, and after an individual is under control, notify onlookers a beanbag shotgun, not a regular shotgun, was used. Inform onlookers the beanbag shotgun is a less lethal alternative designed to apprehend individuals without causing serious injury
- .4 Each bean bag round deployment is to be reported on the standard Use of Force report.

- .5 A supervisor at the scene shall ensure the following-
 - .1 That the offender receives medical treatment, including transportation to the hospital, if necessary.
 - .2 That the offender has been properly restrained.
 - .3 That the Chief of Police has been notified.
 - .4 That the Use of Force report is properly completed and filed.
- .6 Bean bag round deployment data records will be reviewed annually as part of the Division's use of force analysis.

1.30.18.6 Equipment Care and Maintenance

- .1 Only less-lethal shotguns and bean bag rounds issued by the department will be used by officers.
- .2 Officers assigned less-lethal shotguns will regard them as firearms and secure them in the same manner as a firearm at all times.

1.3.19 Prohibited Control Methods <STANDARD 6.02, BULLET D>

- .1 Officers shall not knowingly use neck restraints or neck holds (also known as choke holds) unless deadly force would be authorized to prevent serious bodily injury or death.
- .2 Officers shall not knowingly use blows to the neck/throat or spinal cord unless deadly force would be authorized to prevent serious bodily injury or death.
- .3 Officers shall not knowingly place their knee, feet or body weight on the neck/throat, of a subject, in order to control or contain the subject's movements unless deadly force would be authorized to prevent serious bodily injury or death.
- .4 Officers shall not knowingly place direct pressure on the spinal cord of a subject unless deadly force would be authorized to prevent seriously bodily injury or death.

Commentary: Clearly, officers may need to lay across a person's back or place an arm/leg across a person's back to control them during a struggle. This policy is specifically aimed at avoiding direct pressure, blows, or strikes to the spinal cord unless deadly force would be authorized to prevent serious bodily injury or death.

1.3.20 Duty to Intercede <STANDARD 6.01, BULLET B>

- .1 Any officer present and observing another officer using force that is beyond that which is reasonable as defined by the Division's Use of Force policy shall, when in a position to do so, regardless of rank, safely intercede to prevent the use of such force.
- .2 Officers shall immediately report these observations to an on-duty supervisor.

1.3.21 Requesting Medical Personnel and Providing First Aid <STANDARD 6.01, BULLET C>

Any time force is used shall immediately request medical personnel to the scene when any of the following occurs:

- .1 A person sustains any bodily injury from the discharge of a firearm.
- .2 A person sustains serious bodily injury.
- .3 A person is struck by a less lethal munition. (See also: 1.30.18)
- .4 A person is sprayed with OC Spray and appears to be in increased distress due to a medical or physical condition. (See also: 1.30.5 and General Order #42.)
- .5 A person is darted by a CEW in the head, neck, groin area, or breast (male or female) or the person sustains physical trauma indirectly associated with the CEW use (e.g., injury from a fall) (See also: 1.30.15 E; CEW)
- .6 As otherwise needed.
- .7 While awaiting emergency medical services, employees shall provide first aid to their level of training without any unreasonable delay, taking into consideration that the first priority of all officers is scene safety.

Mitigating any potential threats prior to providing first aid shall remain the most important task, because once treatment begins, officers may quickly lose any tactical advantage due to the fact they will be kneeling or crouched and/or have their attention diverted during the assessment and rendering of first aid.