



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



2022-1316
Officer Involved Critical Incident – Ackerman Izak (V)

Investigative Activity: Document Review, Review of Records
Date of Activity: 06/27/2022
Author: SAS Scott A. Stranahan, #98

Narrative:

On June 27, 2022, Ohio Bureau of Criminal Investigation (BCI) Special Agent (SA) Tiffany Vollmer received the use of force policy utilized by the Allen County Sheriff's Office at the time of this incident. The document received is attached to this investigative report for further review.

Attachments:

Attachment # 01: Policies and Procedures

This document is the property of the Ohio Bureau of Criminal Investigation and is confidential in nature. Neither the document nor its contents are to be disseminated outside your agency except as provided by law – a statute, an administrative rule, or any rule of procedure.

Allen County Sheriff's Office
Law Enforcement
Policies and Procedures

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| Subject: Use of Force / Use of Deadly Force | Policy Number: 5.01 |
| Issue Date: February 28, 2021 | Revision Date: |
| Approval Authority: Matthew B. Treglia, Sheriff <i>Matthew B Treglia</i> | |

Policy statement for the State of Ohio standard for Use of Force

Employees may only use the force which is reasonably necessary to affect lawful objectives including: affecting a lawful arrest or overcoming resistance to a lawful arrest, preventing the escape of an offender, or protecting or defending others or themselves from physical harm.

Policy statement for the State of Ohio standard for Use of Deadly Force

The preservation of human life is of the highest value in the State of Ohio. Therefore, employees must have an objectively reasonable belief deadly force is necessary to protect life before the use of deadly force. Deadly force may be used only under the following circumstances:

1. To defend themselves from serious physical injury or death; or
2. To defend another person from serious physical injury or death; or
3. In accordance with U.S. and Ohio Supreme Court decisions, specifically, Tennessee v. Garner and Graham v. Connor.

DEFINITIONS:

I. Purpose: The purpose of this policy is to direct officers in the appropriate use and reporting of force.

II. Policy: In an effort to: protect and serve all citizens and visitors within this jurisdiction; respect the rights of suspects; and maximize officer safety in response to resistance events, it is the policy of this department that officers will only use reasonable force to bring an incident or event under control and that all response to resistance events directed against active resistance be reported and reviewed as outlined in this policy. All uses of force must be objectively reasonable.

III. Definitions

- A. Deadly Force:** Any force that creates a substantial likelihood of causing serious bodily harm or death.
- B. Non-Deadly Force:** All uses of force other than those that are substantially likely to cause serious bodily harm or death.
- C. Imminent:** Impending or about to occur or circumstances are such that it is reasonable

to believe it is impending or about to occur.

- D. **Objectively Reasonable:** The amount of force that would be used by other reasonable and well-trained officers when faced with the circumstances with which the officer using the force is presented.
- E. **Reasonable Belief:** Reasonable belief means that the person concerned, acting as a reasonable person, believes that the prescribed facts exist.
- F. **Serious Bodily Harm/Injury:** Serious bodily injury shall mean bodily injury which involves a substantial risk of death, or which involves substantial risk of serious permanent disfigurement, or protracted loss or impairment of the function of any part or organ of the body.
- G. **Active Resistance:** a subject actively resists when they take affirmative action to defeat an officer's ability to take them into custody.
- H. **Passive Resistance:** A subject who takes no affirmative action to defeat the member's ability to make an arrest but who does not respond to verbal commands and presents a refusal to move by sitting down or acting as dead weight.
- I. **Electronic Control Device:** Electronic Control Devices, TASER™, or stun-guns (electronic control weapons) that disrupt the central nervous system of the body. (SEE ECD POLICY)

IV. Response to resistance Procedure:

- A. In determining the appropriate level of force officers should apply the levels of force under the department's trained response to resistance options , along with the following three factor test:
 - i. How serious was the offense the officer suspected at the time the particular force was used?
 - ii. What was the physical threat to the officer or others?
 - iii. Was the subject actively resisting or attempting to evade arrest by flight?
- B. **Deadly Force:** The use of deadly force is objectively reasonable when:
 - i. The officer is faced with an imminent threat of serious bodily harm or death to him/herself, or some other person who is present, or;
 - ii. To prevent the escape of an individual in cases where the officer has probable cause to believe that the subject has committed a violent felony involving the infliction or threatened infliction of serious bodily harm or death AND by the subject's escape they pose an imminent threat of serious bodily harm or death to another.
 - iii. Officers should warn the subject prior to using deadly force where feasible.
 - iv. The use of a respiratory restraint in any form, commonly referred to as a chokehold, is specifically limited to situations, wherein, utilizing deadly force would be objectively reasonable in light of the circumstances presented to the officer at the time the respiratory restraint was applied.
- C. Once the subject's active resistance has ceased and control has been gained an officer is no longer authorized to use force.
 - i. Officers should immediately provide any necessary medical assistance to the subject to the degree to which they are trained and/or provide for emergency medical response where needed and where reasonable to do so.

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- ii. Officers should immediately place the subject in a recovery position which facilitates breathing.
- D. Force Options:** Officers have several force options that will be dictated by the actions of the suspect upon the appearance of the police officer. Officers may be limited in their options due to the circumstances and actions of the subject. In any given circumstance there will be a range of options that may be reasonable. At no time should these options be considered a ladder which must be attempted one progressive step at a time. For example, an officer who immediately observes a subject with a firearm unjustifiably threatening another may immediately respond with deadly force without considering other force options.
- i. **Command Presence:** Visual appearance of the officer where it is obvious to the subject, due to the officer's uniform or identification, that the officer has the authority of law.
 - ii. **Verbal Commands:** Words spoken by the officer directing the subject as to the officer's expectations.
 - iii. **Soft Empty Hand Control:** Officer's use of hands on the subject to direct the subject's movement; techniques that have a low potential of injury to the subject.
 - iv. **Chemical Spray:** Where subject exhibits some level of active resistance, officers may use chemical spray to temporarily incapacitate the subject.
 - v. **Electronic Control Devices:** Where subject exhibits some level of active resistance an officer may use an electronic control device to temporarily incapacitate the subject. See Electronic Control Device policy.
 - vi. **Hard Hand Control:** Punches and other physical strikes, including knees, kicks and elbow strikes that have the possibility of creating a stunned mental state and/or motor dysfunction.
 - vii. **Impact Weapons:** Batons, ASP/Expandable Batons, other impact weapons as allowed by departmental policy, or weapons of opportunity as may be dictated by the circumstances facing officers may be utilized in cases where the officers believe the use of these weapons would be reasonable to bring the event under control. Examples would be where other options have been utilized and failed or where based on the officer's belief at the time, the other options would not be successful in bringing the event to a successful conclusion.
 - viii. **Canine:** Use of canine to bite and hold subject to prevent escape or to gain control of a subject who is actively aggressing toward officer(s). Prior to deployment of a canine, a warning in the form of an announcement should be made when reasonable to do so.
 - ix. **Deadly Force:** Force that creates a substantial likelihood of causing serious bodily harm or death.
- E. Firearms Restrictions:**

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- i. Warning Shots are prohibited
 - ii. Discharge of firearms is prohibited when the officer is presented with an unreasonable risk to innocent third parties.
 - iii. *Discharging a firearm at an occupied vehicle is prohibited unless deadly force is justified.*
 - iv. Whenever possible, officers should avoid placing themselves in a position where use of deadly force is the only alternative.
- F. Less Than Lethal Weapons/Tactics:** Prior to deployment of any less than lethal weapon, officers must be trained and certified where applicable in the proper use of the weapon. *All deployments must be consistent with departmental response to resistance training and policy.*
- i. Chemical Spray:**
 - i. Chemical Spray shall not be deployed as a compliance technique for a person who is passively or verbally non-compliant.
 - ii. Chemical Spray shall never be used as a punitive measure.
 - iii. Officers should never spray from a pressurized can directly into a subject's eyes from a close distance due to the potential for eye injury as a result of the pressurized stream. Officers should never spray directly into a subject's eyes from closer than three feet or the distance recommended by the manufacturer of the spray (whichever is shorter), unless deadly force would be justified.
 - iv. *Officers should consider alternatives to chemical spray when attempting to control a subject in a crowded-enclosed area due to the innocent over-spray that may cause the onset of panic.*
 - v. Officers should consider alternatives to chemical spray when the event is inside a building, particularly where the building has a closed-ventilation system due to the potential impact on innocent persons who may have to be evacuated (temporarily) from the locations.
 - vi. Once control is gained, officers should immediately provide for the decontamination of the subject when reasonable and practical to do so.
 - vii. If the person shows any signs of physical distress or does not recover in a reasonable amount of time, officers should immediately direct an emergency medical response and render first-aid at the degree for which they are trained.
 - ii. Impact Weapons: Batons, ASP/Expandable Batons**
 - i. Impact weapons may be utilized in cases where the officers believe the use of these weapons would be reasonable to bring the event under control.

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- ii. Examples would be where other options have been utilized and failed or where based on the officer's perception at the time, the other options would not be successful in bringing the event to a successful conclusion.
- iii. Officers shall not intentionally strike a person with an impact weapon where it would create a substantial likelihood of causing serious bodily harm or death, unless the use of deadly force would be justified.

V. Reporting Response to Resistance

- A. Whether on or off duty, Officers will report responses to resistance, via approved departmental response to resistance form, when one of the following force options are utilized in response to active resistance.
 - i. Chemical Spray
 - ii. Electronic Control Devices
 - iii. Hard Hand Control
 - iv. Impact Weapons
 - v. Pointing of Firearms: Any time a member points a firearm at an individual, notwithstanding the fact that deadly force is not ultimately deployed is a reportable event under this policy. This does not include drawing a firearm and maintaining at the low-ready position.
 - vi. Firearms discharges: Any intentional or unintentional discharge of a firearm, not inclusive of training scenarios or approved humane life terminations of injured animals.
 - vii. Canine use: Use of an Agency canine will be reported on a special form to capture any form of use whether there is contact with a subject or not.
 - viii. Deadly Force
 - ix. Any incident, arrest, or circumstance, which in the officer's or supervisor's opinion involved a physical confrontation necessitating documentation of circumstances.
- B. Officers involved in an incident where a reportable response to resistance did not involve death or serious bodily injury, the Officer will:
 - i. Notify their supervisor as soon as practical.
 - ii. Document the response to resistance via Police Report
 - iii. Complete the approved Sheriff's Office response to resistance form and forward it to their immediate supervisor prior to ending their tour of duty. The form will be completed in detail including a narrative account describing the following:
 - a. Actions of the subject that necessitated a response
 - b. Force utilized in overcoming the resistant subject

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- c. Injuries or complaints thereof sustained by the subject and/or Officer
 - d. Medical treatment received.
- C. Officers involved in an incident where a reportable response to resistance involved death, serious bodily injury, or the discharge of a firearm will notify the on duty and/or designated supervisor immediately.
- D. In the event of a reportable response to resistance involving death or serious bodily injury, the agency will ensure that:
 - i. Criminal Investigation: A Detective/Investigator will respond to the scene, conduct investigation, and complete the initial police report. In the event a department has no available personnel for this purpose or the agency believes it is in their best interest to request an outside agency conduct the investigation, they may utilize an outside agency (such as another Sheriff's Office) for this purpose.
 - ii. Officers are reminded that a criminal investigation will be conducted and that criminal liability may attach to their actions. In order to ensure Officers 5th amendment protections are not violated the following procedure is established:
 - (a) Officers will be removed from the scene as soon as practical.
 - (b) Officers will be allowed time to reflect about their actions and speak with an attorney if they desire prior to any criminal questioning.
 - (c) Officers are not required to submit to a criminal investigative interview and are subject to 5th Amendment protections if they so choose.
 - iv. Internal Investigation: Officers should understand that an Internal Affairs Investigation may begin at any time as determined by the Sheriff or his/her designee. Internal Affairs Investigations will be separate and distinct from the criminal investigation. Prior to Internal Affairs interview, Garrity warnings will be issued and signed by the Officer(s) investigated. Involved Officers are required to provide truthful information to internal affairs investigators, are not afforded protection under the 5th Amendment to the United States Constitution, and therefore may not refuse to provide complete and truthful information. Internal Affairs Investigations will follow procedures established under separate policy.
- E. **Supervisory Responsibilities:**
 - i. If available, an on duty supervisor will respond to the scene of all incidents involving a reportable response to resistance.
 - ii. Irrespective of duty status, supervisory and investigative staff, delineated under separate policy or directive, will respond to all response to resistance events involving death or serious bodily injury (or the likelihood thereof).
 - iii. The ranking supervisor at the scene of an incident involving a reportable response to resistance will ensure that adequate investigation is conducted,

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forensic evidence is preserved, video graphic evidence is obtained, case investigation is sufficiently reported, and that response to resistance forms are completed. In those cases where a supervisor is not present, the Reporting Officer will ensure that adequate investigation and all required reports are completed.

- iv. For all response to resistance events not involving death or serious bodily injury, the Officer's immediate supervisor or the Supervisor responding to the scene will review the response to resistance form and preliminary investigative information to determine policy compliance. The Supervisor will meet with the involved officer(s) to discuss the event, review policy, and clarify any matters of concern. The supervisor will forward the response to resistance form via the chain of command to the Sheriff or their designee. Anytime during the supervisor's review he or she believes that a serious policy infraction or criminal act occurred, the supervisor will immediately cease investigation and forward all information to the Office of the Sheriff or their designee. The designee responsible for the investigation will conduct logical investigation per departmental policy.
- v. All response to resistance events involving death or serious bodily injury will be reviewed for legal and policy compliance by the Sheriff or their designee.

VI. Training:

All sworn personnel will receive a copy of this policy and will be required to acknowledge that they have read the policy. Sworn personnel will receive annual training and will be tested on their understanding of this policy.

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| Subject: Use of Restraints and Confinement of Pregnant and Postpartum Arrestees and Inmates | Policy Number: 5.01 B Related Policies: Use of Force, Medical Care |
| This policy is for internal use only and does not enlarge an employee's civil liability in any way. The policy should not be construed as creating a higher duty of care, in an evidentiary sense, with respect to third party civil claims against employees. A violation of this policy, if proven, can only form the basis of a complaint by this office for non-judicial administrative action in accordance with the laws governing employee discipline. | |
| Applicable Ohio Jail Standards 5120:1-8-09 Medical/mental health 5120:1-8-03 Security | |
| Revised Code Sec. 2152.75 Pregnant Postpartum Juveniles | |
| Approval Authority: Matthew B. Treglia, Sheriff <i>Matthew B. Treglia</i> | Issue Date: 9-23-2021 |

I. Purpose: To establish specific guideline for the use of restraining devices and on pregnant or postpartum juvenile arrestees and inmates. This policy focuses on the limits on restraints for arrestees, detainees, and inmates during their pregnancy, delivery and any period of postpartum recovery up to six weeks after the pregnancy. With regard to the use of restraints on pregnant females this agency recognizes the need to balance the safety, health, and well-being of the pregnant female and her fetus/newborn with that of all other parties involved, including care givers, corrections staff and medical staff.

II. Policy: The sanctity of human life is of the highest value in the State of Ohio. It is the policy of this agency to utilize restraints for the protection of the pregnant female, the staff, and overall security of the jail, courts and facilities.

It is the policy of this agency that pregnant juvenile females or juvenile females in postpartum recovery up to six weeks after the pregnancy shall not be knowingly restrained using any shackles, handcuffs, or other physical restraint unless the pregnant juvenile female presents an emergency circumstance.

III. Definitions:

IV. Discussion: Pregnant females present special concerns for arresting officers, the correctional administrator, health authority and the courts. Pregnancy is a medically fragile time where neither the expectant mother nor fetus should be exposed to unnecessary risks of falls or injury, particularly when security restraints are applied.

Restraint is potentially harmful to the expectant mother and fetus. The use of restraints can pose health risks for pregnant inmates and their fetuses / newborns, not only by limiting movement that is necessary for balance, circulation, and safety, but also by potentially interfering with urgent medical examinations and procedures.

V. Definitions Sec. 2152.75. (A) :

- A. Charged or Adjudicated Delinquent Child:** means any female child to whom both of the following apply:
 - a. The child is charged with a delinquent act or, with respect to a delinquent act, is subject to juvenile court proceedings, has been adjudicated a delinquent child, or is serving a disposition.
 - b. The child is, following arrest, transportation, and routine processing and booking, in custody of any law enforcement, court, or corrections official.
- B. Health Care Professional:** has the same meaning as in section 2108.61 of the Revised Code.
- C. Law Enforcement, Court, or Corrections Official:** means any officer or employee of this state or a political subdivision of this state who has custody or control of any child who is a charged or adjudicated delinquent child
- D. Restrain:** means to use any shackles, handcuffs, or other similar appliance or device.
- E. Unborn Child:** means a member of the species homo sapiens who is carried in the womb of a child who is a charged or adjudicated delinquent child, during a period that begins with fertilization and continues until live birth occurs.
- F. Emergency Circumstance:** means a sudden, urgent, unexpected incident or occurrence that requires an immediate reaction and restraint of the charged or adjudicated delinquent child who is pregnant for an emergency situation faced by a law enforcement, court, or corrections official.

VI. Procedures:

- A.** Except as otherwise provided in **Section VI. B. a.** of this policy, beginning on the date on which a pregnancy is confirmed to law enforcement by a health care professional, no law enforcement, court, or corrections official, with knowledge that the female child is pregnant or was pregnant, shall knowingly restrain or confine a female child who is a charged or adjudicated delinquent child during any of the following periods of time:
 - a. If the child is pregnant, at any time during her pregnancy;
 - b. If the child is pregnant, during transport to a hospital, during labor, or during delivery;
 - c. If the child was pregnant, during any period of postpartum recovery up to six weeks after the child's pregnancy.
- B.** A law enforcement, court, or corrections official may restrain or confine a pregnant and / or postpartum female child who is a charged or adjudicated delinquent child during a period of time specified in **Section VI. A.** of this policy if:
 - a. An official determines that the child presents a serious threat of physical harm to herself, to the official, to other law enforcement or court personnel, or to any other person, presents a serious threat of physical harm to property, presents a substantial security risk, or presents a substantial flight risk.
- C.** A law enforcement, court, or corrections official who restrains a female child who is a charged or adjudicated delinquent child during a period of time specified in **Section VI. A.** of this policy shall not use any leg, ankle, or waist restraint to restrain the child.


- D. If a law enforcement, court, or corrections official restrains a female child who is a charged or adjudicated delinquent child during a period of time specified in **Section IV. A.** of this policy the official shall remove the restraint if, at any time while the restraint is in use a health care professional who is treating the child provides a notice to the official or to the official's employing agency or court stating that the restraint poses a risk of physical harm to the child or to the child's unborn child.
- E. A law enforcement, court, or corrections official shall not restrain a female child who is a charged or adjudicated delinquent child during a period of time specified in **Section IV. A.** of this policy if, prior to the use of the restraint a health care professional who is treating the child provides a notice to the official or to the official's employing agency or court stating that any restraint of the child poses a risk of physical harm to the child or to the child's unborn child. A notice provided as described in this policy applies throughout all periods of time specified in Section IV. A. of this policy that occur after the provision of the notice.
- F. General Procedures for Restraints Applied to Pregnant and Postpartum Juvenile Females: All use of restraints must be objectively reasonable.**
- a. Restraints are applied as humanely as possible.
 - b. The type of restraint should be reduced to the least restrictive level required as soon as the inmate is cooperative.
 - c. Staff will attempt to assist the inmate in gaining control by less restrictive interventions prior to considering application of restraints. Actions may include talking to inmate in a calm manner in attempt to de-escalate the situation.
 - d. Staff will encourage inmate compliance during the application of the restraints by calmly explaining the restraint procedure, providing reasons for decision to restrain, and by explaining the behavior required for terminating use of restraints.
- G. The following types of restraints and restraint practices are expressly prohibited under all circumstances:**
- a. Abdominal restraints, because they pose a danger to the fetus resulting from the risk of physical trauma, dangerous levels of pressure, and restriction of fetal movement.
 - b. Leg and ankle restraints, which increase the pregnant inmate's pre-existing elevated risk of a forward fall.
 - c. Wrist restraints behind the back, because they restrict the pregnant inmate's ability to protect herself and the fetus in the event of a fall.
 - d. Four-point restraints.

H. Wrist Restraints:

- a. When used, should be applied in such a way that the pregnant inmate may be able to protect herself and her fetus in the event of a forward fall (i.e., in front of her body).
- b. Pregnant females shall only be handcuffed in front. Officers shall check for proper fit, double lock and document the actions in the written report.
- c. Officers shall address any complaints of pain and document in their report the action taken.

I. Detention Booking:

- a. The admission of a pregnant or postpartum detainee into this facility demands close attention by the staff, supervisors, the Jail Administrator and the medical authority.
- b. Booking officers who intake a pregnant female or postpartum female shall make a notification to the on-duty supervisor and the medical authority.
- c. Advance planning among members of the inmate's care team (i.e., health care and corrections professionals) should be conducted before hospital admittance.

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| <p>Subject: Use of Restraints and Confinement of Pregnant and Postpartum Arrestees and Inmates.</p> | <p>Policy Number: 5.01 B (II) Related Policies: Use of Force, Medical Care</p> |
| <p><i>This policy is for internal use only and does not enlarge an employee's civil liability in any way. The policy should not be construed as creating a higher duty of care, in an evidentiary sense, with respect to third party civil claims against employees. A violation of this policy, if proven, can only form the basis of a complaint by this office for non-judicial administrative action in accordance with the laws governing employee discipline.</i></p> | |
| <p>Applicable Ohio Jail Standards 5120:1-8-09 Medical/mental health 5120:1-8-03 Security R.C. 2901.10 Pregnant and Postpartum Adults</p> | |
| <p>Approval Authority: Matthew B. Treglia, Sheriff </p> | <p>Issue Date: 9-23-2021</p> |

I. Purpose: To establish specific guideline for the use of restraining devices and on pregnant or postpartum arrestees and inmates. This policy focuses on the limits on restraints for arrestees, detainees, and inmates during their pregnancy, delivery and any period of postpartum recovery up to six weeks after the pregnancy. With regard to the use of restraints on pregnant females this agency recognizes the need to balance the safety, health, and well-being of the pregnant female and her fetus/newborn with that of all other parties involved, including care givers, corrections staff and medical staff.

II. Policy: The sanctity of human life is of the highest value in the State of Ohio. It is the policy of this agency to utilize restraints for the protection of the pregnant female, the staff, and overall security of the jail, courts and facilities.

It is the policy of this agency that pregnant females or females in postpartum recovery up to six weeks after the pregnancy shall not be knowingly restrained using any shackles, handcuffs, or other physical restraint unless the pregnant female presents an emergency circumstance.

III. Definitions:

A. Charged or Convicted Criminal Offender: means any woman to whom both of the following apply:

- a. The woman is charged with a crime or, with respect to a crime, is being tried, has been convicted of or pleaded guilty, or is serving a sentence.
- b. The woman is, following arrest, transportation, and routine processing and booking, in custody of any law enforcement, court, or corrections official.

B. Health Care Professional: has the same meaning as in section 2108.61 of the Revised Code

- C. **Law Enforcement, Court, or Corrections Official:** means any officer or employee of this state or a political subdivision of this state who has custody or control of any woman who is a charged or convicted criminal offender.
- D. **Restrain:** means to use any shackles, handcuffs, or other similar appliance or device.
- E. **Unborn Child:** means a member of the species homo sapiens who is carried in the womb of a woman who is a charged or convicted criminal offender, during a period that begins with fertilization and continues until live birth occurs.
- F. **Emergency Circumstance:** means a sudden, urgent, unexpected incident or occurrence that requires an immediate reaction and restraint of the charged or convicted criminal offender who is pregnant for an emergency situation faced by a law enforcement, court, or corrections official.

IV. Discussion: Pregnant females present special concerns for arresting officers, the correctional administrator, health authority and the courts. Pregnancy is a medically fragile time where neither the expectant mother nor fetus should be exposed to unnecessary risks of falls or injury, particularly when security restraints are applied.

Restraint is potentially harmful to the expectant mother and fetus. The use of restraints can pose health risks for pregnant inmates and their fetuses / newborns, not only by limiting movement that is necessary for balance, circulation, and safety, but also by potentially interfering with urgent medical examinations and procedures.

V. Procedures:

- A. Beginning on the date on which a pregnancy is confirmed to law enforcement by a health care professional, no law enforcement, court, or corrections official, with knowledge that the woman is pregnant or was pregnant, shall knowingly restrain a woman who is a charged or convicted criminal offender during any of the following periods of time:
 - a. If the woman is pregnant, at any time during her pregnancy;
 - b. If the woman is pregnant, during transport to a hospital, during labor, or during delivery;
 - c. If the woman was pregnant, during any period of postpartum recovery up to six weeks after the woman's pregnancy.
- B. A law enforcement, court, or corrections official may restrain or confine a pregnant and / or postpartum woman who is a charged or convicted criminal offender during a period of time specified in **Section V. A.** of this policy if the official determines that the woman presents a serious threat of physical harm to herself, to the official, to other law enforcement or court personnel, or to any other person, presents a serious threat of physical harm to property, presents a substantial security risk, or presents a substantial flight risk.
 - a. The official shall not use any leg, ankle, or waist restraint to restrain the woman.
 - b. The official shall remove the restraint if, at any time while the restraint is in use a health care professional who is treating the woman provides a notice to the official or to the official's employing agency or court stating that the restraint poses a risk of physical harm to the woman or to the woman's unborn child.
- C. A law enforcement, court, or corrections official shall not restrain a woman specified in **Section V. A.** of this policy if, prior to the use of the restraint a health care professional


who is treating the woman provides a notice to the official or to the official's employing agency or court stating that any restraint poses a risk of physical harm to the woman or to the woman's unborn child.

- D. General Procedures for Restraints Applied to Pregnant and Postpartum Females: All use of restraints must be objectively reasonable.
 - a. Restraints are applied as humanely as possible.
 - b. The type of restraint should be reduced to the least restrictive level required as soon as the inmate is cooperative.
 - c. Staff will attempt to assist the inmate in gaining control by less restrictive interventions prior to considering application of restraints. Actions may include talking to inmate in a calm manner in attempt to de-escalate the situation.
 - d. Staff will encourage inmate compliance during the application of the restraints by calmly explaining the restraint procedure, providing reasons for decision to restrain, and by explaining the behavior required for terminating use of restraints.
- E. The following types of restraints and restraint practices are expressly prohibited under all circumstances:
 - a. Abdominal restraints, because they pose a danger to the fetus resulting from the risk of physical trauma, dangerous levels of pressure, and restriction of fetal movement.
 - b. Leg and ankle restraints, which increase the pregnant inmate's pre-existing elevated risk of a forward fall.
 - c. Wrist restraints behind the back, because they restrict the pregnant inmate's ability to protect herself and the fetus in the event of a fall.
 - d. Four-point restraints.
- F. **Wrist Restraints:**
 - a. When used, should be applied in such a way that the pregnant inmate may be able to protect herself and her fetus in the event of a forward fall (i.e., in front of her body).
 - b. Pregnant females shall only be handcuffed in front. Officers shall check for proper fit, double lock and document the actions in the written report.
 - c. Officers shall address any complaints of pain and document in their report the action taken.

G. Detention Booking:

- a.** The admission of a pregnant or postpartum detainee into this facility demands close attention by the staff, supervisors, the Jail Administrator and the medical authority.
- b.** Booking officers who intake a pregnant female or postpartum female shall make a notification to the on-duty supervisor and the medical authority.
- c.** Advance planning among members of the inmate's care team (i.e., health care and corrections professionals) should be conducted before hospital admittance.

**Allen County Sheriff's Office
Law Enforcement
Policies and Procedures**

| | |
|---|----------------------------|
| Subject: Chemical Agents – Oleoresin Capsicum (OC) | Policy Number: 5.02 |
| Issue Date: February 28, 2021 | Revision Date: |
| Approval Authority: Matthew B. Treglia, Sheriff  | |

POLICY:

Oleoresin Capsicum [OC] and similar chemical spray agents are authorized for use as a non-deadly force option by officers of this agency, when officers are trained in its use and decontamination.

DEFINITIONS:

- **Chemical agent** – Chemical agents are divided into *lethal* and *incapacitating* categories. A substance is classified as incapacitating if less than 1/100 of the lethal dose causes incapacitation, e.g., through nausea or visual problems. The distinction between lethal and incapacitating substances is not fixed, but relies on a statistical average called the LD₅₀.
- **Oleoresin Capsicum - OC gas, capsicum spray, or oleoresin capsicum** is a lachrymatory agent (a chemical compound that irritates the eyes to cause tears, pain, and even temporary blindness) that is used in riot control, crowd control, and personal self-defense, including defense against dogs and bears. It is a non-lethal chemical agent often used in law enforcement instead of tools more likely to cause serious injury. The active ingredient in pepper spray is capsaicin, which is a chemical derived from the fruit of plants in the Capsicum genus, including chilies.

PROCEDURES:

Allen County Sheriff's Office officers are authorized to carry and deploy agency approved chemical agents, to include OC. However, before such use, officers are required to complete a training course approved by the Sheriff. OC (Pepper Spray), and similar approved chemical agents are a **Level 3** or higher force option, and requires an officer threat perception equal to higher than **Actively Resistant**. Any use of chemical agents must be in compliance with ACSO use of force policy. For more information see policy 5.01 Response to Resistance, and the associated Response to Resistance Chart. As used in this policy, the terms *OC* and *chemical agents* are interchangeable.

Application of OC is authorized to affect lawful arrest, prevent escape from custody, defend one's self, defend others from the imminent use of physical force, and to restore institutional integrity in a detention facility.

OC is a force option for officers and employees of the agency; however, it is not intended to be an alternative to the use of *deadly force* when deadly force is imminently necessary to save human life, and is clearly authorized.

The following guidelines apply to the carrying and use of OC chemicals.

Training Requirements:

The following training requirements apply to all uniformed officers, civilian-clothed officers, and civilian employees authorized to carry and dispense chemical agents:

1. OC or other agents are only authorized for carrying and use by officers and employees of this agency who have successfully completed a basic course of instruction in the specific chemical agent. Each course must be approved by the agency and consist of *limits on use and application, decontamination procedures, liability, use of force*, and an individual *demonstration of proficiency*.
2. Officers and employees authorized to carry and use OC agents must demonstrate *proficiency* in its use and decontamination procedures at least every 12 months. Any officer or employee who had not *demonstrated proficiency* within this 12-month period may not carry or use OC or any other chemical agent.

Using OC or Similar Spray:

1. Uniformed officers wear the dispensing canister externally in a holster. The device may not be pocketed or otherwise concealed by uniformed officers, since one purpose of chemical agents is to create a *visible deterrent* to potential offenders. This provision does not apply to employees or officers assigned to *civilian clothes or under cover duties*.
2. In most cases, a chemical dispenser will not be drawn and used against an individual holding a deadly weapon.
3. When reasonable efforts have failed to calm a person who is acting violently and presenting a danger to himself or others, a *minimum* stream of OC may be dispensed at the person.
4. Chemical agents are best applied to terminate aggressive or violent behavior, or a threat of violent behavior, which could result in physical injury or death to the officer, other persons, or the offender.
5. Chemical agents may not be discharged in the immediate vicinity of an infant, young child, physically disabled, or obviously physically ill individuals unless the infant's life is endangered, since their respiratory system is small and especially sensitive to irritating vapors.
6. Chemical agents are normally discharged from a distance recommended by the manufacturer of the dispensing device.
7. Before dispersing any chemical agent, the officer gives a clear command, warning other officers, to clear the subject before the agent is dispersed, leaving those officers unaffected by the agent.
8. Officers should point the dispensing device at the violent or threatening person's body, in accordance with the manufacturer's recommendations.

9. Discharging of the device is limited to one successful hit, not exceeding one (1) full second of target suppression, or the termination of the violent or threatening behavior.
10. Suspect persons exposed to chemical agents are handcuffed after exposure, and before decontamination for their and others safety.

Decontamination:

1. Sprayed individuals are assisted in decontamination, as soon after the scene is secured as is reasonably possible.
2. No officer applies, or permits others to apply, oil or grease medications such as butter, cold cream, lanolin, Vaseline®, lotion, or salves, which could trap the irritant to the skin and cause blistering, unless directed by a physician.
3. Exposed areas should not be bandaged, but exposed to fresh air for evaporation. Flushing with water is also recommended.
4. If a person exposed to OC or other chemical agents requests medical attention, have a jail nurse determine if any further medical attention is needed. If so transport to the emergency room for further treatment
5. The officer will notify a Shift Supervisor whenever any type of force is used to make an arrest or any injury occurs to a suspect or arresting officer
6. Vehicle exteriors exposed to chemical agents must be washed or hosed off before being returned to normal use.

Reporting Procedures:

Officers utilizing the OC or other chemical devices must prepare a use of force incident report, which describes the use of the chemical irritant, and includes:


1. Justification for use
2. Date and time of exposure
3. Time lapse before wash-up or decontamination
4. Any injuries observed during decontamination procedure
5. Whether the individual sprayed asked for medical treatment, and, if so, resulting actions taken.

Care and Testing of O/C Spray:

O/C spray has an expiration date usually stamped on the bottom of the canister. Officers are required to check the expiration date on a monthly basis. An expiration date that is within 30 days should be reported to your supervisor for replacement.

Officers should test their O/C spray, in an area in which no one will be affected, at least once a week. A check should only consist of a one second disbursement. If the O/C spray fails in any way, report it and replace it. Should an officer empty the O/C spray or observe its strength or distance has diminished, report it and replace it immediately.

**Allen County Sheriff's Office
Law Enforcement
Policies and Procedures**

| | |
|---|----------------------------|
| Subject: Special Munitions – Distraction Devices | Policy Number: 5.03 |
| Issue Date: February 28, 2021 | Revision Date: |
| Approval Authority: Matthew B. Treglia, Sheriff  | |

POLICY:

The ACSO may employ *special munitions - distraction devices* when the application of such devices aid in the accomplishment of the mission, without unreasonable risk to human life.

PROCEDURE:

Distraction Devices:

Distraction devices are usually considered *less-than-lethal*, and are employed to distract, mask, or attract attention. Both hand-thrown and shoulder fire weapon delivery systems are applicable within this policy. Shoulder fired or shoulder carried weapons include service shotguns, fog generators, and 40mm gun rounds, which produce a sudden loud noise or a flash of light. These devices, whether fired from a weapon or hand thrown may also be referred to as *flash-bang* systems. These tools are generally to be used to provide diversion or to mask law enforcement personnel movement activities.

Safety Precaution:

All munitions, including special munitions, are employed within the guidelines of the agency *Response to Resistance* policy. Such devices are not designed to produce shrapnel or expelled particles. However, these munitions are capable of causing bodily injury, serious bodily injury, or death in some circumstances, especially if not employed properly. Manufacturer's recommendations may require larger clearance or safety zones. If so, these recommendations replace the following. Flash-bang devices are:

1. Deployed in a manner that are calculated to not injure human life;
2. Not to be used within a 20-foot radius of any individual, unless a substantial wall or safety barrier protects persons within this radius;
3. Not to be used in enclosed structures when individuals inside the structure are at risk from shrapnel, expelled particles, fire, or burns caused by the devices; &
4. Not to be used in the proximity of highly flammable materials.

Deployment:

1. During normal operations, distraction devices are secured in munitions lockers at the agency, or transported in a secured container by one who is trained in transporting the containers safely.

2. Distraction devices are used consistent with agency training and manufacturers' instructions.
3. Distraction devices may be used in emergencies that require deployment of personnel in dangerous situations, or as an alternative to the use of more lethal force.
4. Distraction devices are normally used in planned assaults, which require the temporary disorienting or confusion of individuals without risk or injury to human life.
5. Only personnel trained in the use of distraction munitions and under direct supervision may employ these devices.
6. When practical, staff assigned to deliver distraction devices should be backed up by other staff armed with conventional weapons to provide protection to human life.
7. When practical, medically trained officers [first aid] or medical personnel are present during the deployment of distraction devices to provide *emergency first aid*.
8. Regardless of the level of support available, officers must render first aid to any injured person as soon as practical after the situation is stabilized.

Reporting:


After employment of special munitions in a tactical incident, a report must be completed that includes:

1. The supervisor authorizing the use of special munitions;
2. Supervisor's perception for the need to deploy special munitions;
3. Identification of officers deploying munitions;
4. Number and types of rounds expended;
5. Effects on targeted person(s) and any injuries;
6. Collateral or unintended injury or damage; &
7. Attachment of any associated medical or damage reports.

This data may be described in the incident or investigative report, and does not have to be reported by means of a special document.

Incident reports, where special munitions have been used, are reviewed on a yearly basis to determine the effectiveness of the munitions and to aid in developing additional training.

**Allen County Sheriff's Office
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| | |
|---|----------------------------|
| Subject: Special Munitions – Less Than Lethal | Policy Number: 5.04 |
| Issue Date: February 28, 2021 | Revision Date: |
| Approval Authority: Matthew B. Treglia, Sheriff  | |

POLICY:

Less-lethal special munitions may be used by the Allen County Sheriff's Office in situations when employment helps accomplish mission objectives and/or is calculated to reduce the risk to human life.

DEFINITION:

- ***Less than lethal or intermediate weapons*** - Procedures or weapons that are designed to provide *force*, but usually *less than deadly force*. *Less than lethal* is sometimes referred to as *less-lethal* or *non-deadly force*. Regardless of the name, officers know that any force, especially when applied under dangerous, tense, uncertain, and rapidly evolving situations, may cause harm, serious bodily harm, or death, despite the best intentions of the officer.

Special Munitions Devices:

This policy addresses the use of munitions usually considered *less-than-lethal*, including hand thrown [grenade] devices, and shoulder fired weapons such as service shotguns, fog generators, or 40mm rounds loaded with *rubber sabots*, *rubber pellets*, *beanbags*, *gas*, *smoke*, *stains*, *oleoresin capsicum*, or *similar* projectiles.

Precaution:

All special munitions are employed within the guidelines of the agency's *use of force* policy. These weapons can cause serious bodily injury or death under some circumstances. Special munition rounds must not be deliberately fired or thrown at the face, chest, neck, or spine of any individual. If reasonably known, officers should consider any special health conditions of persons in the proximity where a device is to be detonated. Likewise officers should take reasonable precautions to preclude a secondary fire. Special munitions usually come with manufacturer recommendations and guidelines. Officers designated to use these devices must be familiar with, and trained in the application of these recommendations and guidelines before deployment.

Deployment:

1. Special munitions are normally secured in munitions lockers at the station or transported in secured containers by supervisory personnel with the rank of

sergeant or above or his designee who is trained in transporting the containers safely.

2. Special munitions must be used in accordance with agency training and manufacturers' instructions.
3. Special munitions may be used in emergencies that require deployment of personnel in dangerous situations, or as a considered alternative to the use of more lethal force.
4. Special munitions rounds are normally used in planned assaults which require the temporary disabling of target individuals, or facilitate maneuver, capture, or temporary disabling of individuals.
5. Only personnel trained in the use of special munitions and under direct supervision expend these devices.
6. When practical, and to protect human life, staff assigned to deliver these rounds should be backed up by other staff armed with conventional weapons.
7. Emergency medical [first aid] trained officers or medical personnel assist in the deployment of special munitions to provide emergency first aid when available.
8. Officers render first aid and decontaminate those exposed to the effects of gas, chemicals, or OC as soon as practical after the situation is stabilized.

Reporting:


After using special munitions in tactical incidents, a report must be completed that includes:

1. The supervisor authorizing the use of special munitions;
2. Supervisor's perception for the need to deploy special munitions;
3. Identification of officers deploying munitions;
4. Number and types of rounds expended;
5. Effects on targeted person(s) and any injuries;
6. Collateral or unintended injury or damage; &
7. Attachment of any associated medical or damage reports.

This data may be described in the incident or investigative report, and does not have to be reported on a special document.

Reports are reviewed on a yearly basis to determine the effectiveness, of the munitions, and to aid in developing future training.

**Allen County Sheriff's Office
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|---|----------------------------|
| Subject: Knives & Edged Weapons | Policy Number: 5.05 |
| Issue Date: February 28, 2021 | Revision Date: |
| Approval Authority: Matthew B. Treglia, Sheriff  | |

POLICY:

Officers of the Allen County Sheriff's Office are authorized, but not required, to carry tactical knives and edged weapons for general service and defensive purposes. This policy is intended to instruct the officer in the acceptable use of the knife in common tasks and in defense of life.

DEFINITIONS:

- ***Edged weapon*** - Any blade for cutting, as in a tool or machine.
- ***Knife*** - An instrument for cutting, consisting of a sharp-edged metal or composite blade, fitted with a handle of some type.
- ***Immediate measure of defense*** - Taking action or using any implement to defend the officer's life or safety, or the life or safety of another, with implements or devices not normally intended to be weapons or issued as public safety equipment.
- ***Tactical folding knife*** - A knife with a hinged blade, designed primarily for tactical and defensive use.
- ***Tactical fixed-blade knife*** - Any tactical knife in which the blade and the grip or handle are permanently fused in some manner with a blade sharpened on one or more edges for cutting or stabbing.

PROCEDURES:

Precautions:

Officers are authorized to possess and use a tactical knife both on and off-duty. While in normal duty uniform or in civilian attire, officers may carry a *tactical folding knife* in a specifically designed holder on the duty belt or in a pocket. Folding tactical knife blades must not be casually visible to the public, except during intentional use by the officer. During special operations or assignments such as SWAT, search parties in rough terrain, and rescue operations, officers may carry *tactical fix blade knives* in sheaths on the belt, and the knife and sheath may be visible to the casual observer. All carriers, sheaths, and knives must be of the type normally carried by police officers, and subject to the approval of the officer's immediate supervisor.

It is recognized that officers may have many needs for a knife, including both general work and for limited defensive purposes. While not considered to be a primary weapon of choice in a defense-of-life situation, officers may, under *extraordinary circumstances*, use a tactical knife in defense of their life and the lives of others.

General Use:

The officer uses reasonable care in the general use of the knife as a tool to prevent injury to the officer and others. General use of tactical knives may be employed in such actions as *cutting injured occupants out of seat belts, to release flex restraints in emergencies, to pry, open, cut, etc.*

The carrying and use of any knife by on and off-duty officers is done as unobtrusively as possible so as not to alarm any bystander. Officers must use the tactical knife in a safe and responsible manner, taking care not to exhibit or handle the knife carelessly.

Defensive Use:

Officers may use a tactical knife as a weapon of defense under extraordinary circumstances. Any use of a knife as a defensive weapon must be in compliance with policy 5.1 - *Use of Force & Deadly Force*, maintaining that use of a knife as a defensive weapon is a Level 5 application of force.


Officers are cautioned that a tactical knife is primarily a cutting tool to assist them in their daily duties and is not intended to be a *primary weapon of defense*. Extraordinary circumstances, however, may dictate that the tactical knife be used as an *immediate measure of defense of life*.

The use of a tactical knife against an aggressive, life-threatening suspect can be employed only when the officer has an objective and reasonable belief that human life is in imminent danger of serious bodily injury or death, and this belief is based on the totality of the circumstances known to the officer at the time. Officers are cautioned that while any use of *deadly force* is a grave undertaking by police, the use of any knife against another human being may be viewed as an extraordinary defensive measure, and should be reserved for those extraordinary situations where defensive options are limited.

Reporting Use of Force:

Officers who cause bodily injury or death to other persons through the use of an edged weapon must first call for medical assistance, secure the scene as well as possible, and then notify their direct supervisor. Upon arrival, the supervisor takes charge of the scene, along with any investigation concerning the incident, and reports the incident to the Sheriff. See: Policy 05.10 Use of Force & Deadly Force.

**Allen County Sheriff's Office
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|---|----------------------------|
| Subject: Active Shooter | Policy Number: 5.06 |
| Issue Date: February 28, 2021 | Revision Date: |
| Approval Authority: Matthew B. Treglia, Sheriff  | |

POLICY:

The Allen County Sheriff's Office, in order to save innocent lives, recognizes the need for officers to deal swiftly and decisively during active shooter events. Responding officers are authorized to take immediate action to contain and if necessary, neutralize active shooters.

DEFINITIONS:

- **Active Shooter** - An active shooter is an armed person who has used or is attempting to use deadly physical force on other persons and continues to do so while having potential access to additional victims.
- **Immediate Action Rapid Deployment** - The swift and immediate deployment of law enforcement personnel and resources to ongoing, life threatening situation where delayed deployment of personnel could otherwise result in death or great bodily injury to innocent persons. *Immediate action rapid deployment tactics* are not a substitute, nor the same as conventional response tactics to a barricaded gunman.
- **Soft Targets** - undefended targets to be destroyed. For example, a soft target would be an automobile, a house or assembly of people. Hardening a *soft target* can be achieved by employment of active security elements such as the presence of armed security or law enforcement officers; or passive elements such as A.L.I.C.E. training physical barriers, and locking systems ect. Soft targets selected by active shooters most often include public schools, colleges and universities, malls and major retail.
- **Suicide-by-COP** - Is a suicide method in which a criminal actor deliberately acts in a threatening or destructive way towards a law enforcement officer or others, with the intent of provoking a lethal response, such as being shot to death. Similar phrases include *death-by-cop*, *suicide-by-police*, and *officer-assisted-suicide*.

DISCUSSION:

It is not unusual for tactical teams to arrive at the scene of a barricaded incident and find that patrol personnel have contained the suspect within a secure perimeter. There is generally time for the tactical team to deploy their personnel without serious concern of the suspect(s) escaping. Once the incident has been isolated, time enables patrol and/or tactical personnel to formulate a structured and deliberate plan.

However, there are scenarios that require immediate action and rapid deployment of patrol personnel prior to the arrival of the tactical team. In these cases delayed deployment could have catastrophic

consequences. These scenarios often involve an ongoing . . . *shots fired or downed officer/citizen rescue*. It may also necessitate the immediate and rapid deployment of armed personnel to contain or prevent the escape of an armed and dangerous person(s).

Over the past several years the world has experienced a growing trend of mass homicide violence committed by individuals. These episodes have come to be termed *active shooter incidents* and are unique in that the behavior of the suspects is very different from that typically associated with other violent behaviors. Suspect(s) generally begin to shoot at numbers of people without warning. In planning their attack, the active shooter will select soft targets. The motives for these behaviors include *political and religious agendas, rage, vengeance for perceived wrongs, and mental dysfunction*.

The incidents experienced across the country suggest that the typical police response involving containment, isolation, and negotiation is not adequate. Unlike most criminals, active shooters are likely to continue to use deadly physical force until intervention occurs or until the shooter decides to stop.

Unlike most law enforcement calls for service, an active shooter call and response, requires rapid response, quick evaluation of the situation, formulation of a plan, and tactical response to locate and contain the shooter. Initial officers arriving at the scene, will most often move to locate and contain the shooter, and rely on other arriving officers to rescue, move, and treat victims. The goal of intervention in active shooter incidents is to:

1. Neutralize the threat(s) by neutralizing the shooter;
2. Limiting access to potential victims; &
3. Rescuing injured persons or potential victims.

These goals can be achieved by various means, up to and including, the timely and effective use of deadly physical force.

The active shooter response concept represents a shift in patrol response tactics, equipment needs, and command protocol. These situations require the initial officer responders arriving on the scene to have the authority and the capability to take aggressive action without waiting for command staff or for the arrival of specialty units such as SWAT or Hostage Negotiators.

CHARACTERISTICS OF AN ACTIVE SHOOTER:

The following is a list of characteristics commonly associated with active shooter suspects. This list was compiled from descriptions of past active shooters and not meant to be a comprehensive list describing all active shooters. Each active shooter situation is unique, however, it is helpful to know that an *active shooter*:

1. Prepared for the event.
2. May be prepared for a sustained confrontation with law enforcement or security officers.
3. Choose soft targets where there is a perception that people are disarmed and can not effectively respond.
4. Choose locations where potential victims are close at hand, such as schools, colleges, shopping malls, churches, theaters, and concerts,
5. Is intent on killing a number of people as quickly as possible.
6. Present a first indication of their presence when they begin to assault victims.

7. May act in the manner of a sniper, assaulting victims from a distance.
8. May also engage multiple targets while remaining constantly mobile.
9. Are not deterred or susceptible to containment or negotiation tactics.
10. Typically continue their attack despite the arrival of emergency responders.
11. Are often well armed and prepared than security and law enforcement officers.
12. Are not limited to the use of firearms in accomplishing their attacks on victims. They may use bladed weapons, vehicles, explosives, booby traps, body armor or any tool that, in the circumstance in which it is used, constitutes deadly physical force.
13. Historically have not attempted to hide their identity or conceal their attacks.
14. May employ some type of diversion.
15. May be indiscriminate in their violence or they may seek specific victims.
16. Usually have some degree of familiarity with the building or location they choose to occupy. In the case of school and college shootings, almost always attack fellow classmates.
17. Active shooter events are dynamic and may go in and out of an "active" status; a static incident may turn into an active shooter event or an active shooter may go "inactive" by going to a barricaded status without access to victims.
18. Escape is usually not a priority of the active shooter.
19. Active shooters may be suicidal, deciding to die in the course of their actions either at the hand of others or by self-inflicted wound. The original plan contemplates . . . suicide-by-COP.

TACTICS:

The following seven [7] tactical tenets set general tactical response guidelines for an active shooter incidents. Again, these incidents are sufficiently unique such that their effective handling can not be totally reduced to step-by-step procedures. This tactical discussion is not meant to limit conventional tactics that might be appropriate to a crisis situation. The significant factors regarding these, that they represent a means of intervention available to officers when there is an elevated risk to bystanders and officers. The risk is acceptable in light of the potential these tactics have for saving lives.

Another significant aspect of the active shooter tactical doctrine is that officers arriving at the scene of an active shooter incident are authorized to intervene immediately, prior to the arrival of command personnel or special units.

1. **Goals** - The overall purpose of these tactics is to save lives and limit serious injuries. Important goals for law enforcement response to an active shooter event are *neutralization the attacker*, denying *access to additional victims*, and *rescuing injured victims and potential victims*.
2. **Assume Tactical Responsibility** – Upon arrival the first officer at the scene must take charge of the incident. If more than one officer arrive simultaneously, or as the scene develop tactical responsibility may be based on rank, expertise, or seniority. However, it must be made imminently clear to both communications centers and other officers, who are in-charge. An officer of superior rank who is on scene and fully briefed may ultimately assume *incident command*.
3. **Situational Analysis** - The officer taking charge must, based on what information is available, make a rapid situation analysis. The analysis will be continuous, taking into account new information as it is received. The first decisions is *whether the situation is an active shooter event, whether an opportunity exists for immediate intervention leading to*

accomplishment of one of the goals listed above, and how responding resources should be employed at the scene. By their very nature, these decisions will need to be made within a few seconds or minutes, with incomplete data, and often unreliable and confusing facts. Officers placed in such a position, are simply expected to do the best they can with what is handed to them.

4. **Incident Command** - The first officer arriving on scene will initiate incident command. He/she will initiate the situation analysis and determine initial deployment of responding resources. This may involve deployment of resources as they arrive, by radio. Command personnel en route to the incident will monitor the radio to gain information, but shall not obstruct ongoing intervention. Any command personnel must be on scene and fully briefed before assuming responsibility of *incident command*.
5. **First Responder Tactical Intervention** - When responding to active shooter incidents, the concept of first responder tactical intervention applies. It is critical that all officers, supervisors, and command personnel are familiar with the definition of an *active shooter* as well as the tactics deemed appropriate for active shooter response and intervention. The traditional uniform responses of *contain, isolate, evacuate, and wait for SWAT and crisis negotiators is not adequate in an active shooter incident.* The first officer on scene will need to consider the following:
 - a. **Containment** - First responder intervention is based on opportunity. Tactical intervention is the primary component of an active shooter response. Individual action is discouraged, as it is usually counterproductive to a coordinated, focused response to an active shooter event. However in instances where officers are arriving at intervals, individual deployment and coordination via radio is the only practical option.
 - b. **Rescue/Contact Team** - Rescue teams are usually in the form of officers with an identified element leader. Team movement will be in a controlled and disciplined tactical action under the control and direction of the element leader.
6. **Active Shooter Site Security** - No location associated with an active shooter will be considered secure until the incident commander declares it is so. Officers assigned to security functions will maintain positions until properly relieved.
7. **Special Weapons and Tactics (SWAT)** - When SWAT units are prepared to deploy, the initial responding officers may be relieved or re-deployed by Incident Commander.

DEPLOYMENT CONSIDERATIONS – ACTIVE SHOOTER VS. HOSTAGE/BARRICADE EVENT:

Attempt to distinguish the difference between an *active shooter* and a *hostage/barricade situation*. At first glance a *hostage/barricade* and an *active shooter* call may look and feel very similar, but there are distinct differences for responding officers.

The main difference is that victims are currently being killed or attacked during an active shooter event, while a hostage/barricade event is more static. Take care as an active shooter situation can become a hostage/barricade event quickly and without warning and vice-versa. Here are some tactical considerations, if and when the situation changes:

Hostage/Barricade Patrol Response:

A practical patrol response to a barricade/hostage situation is defined:

- Contain;

- Control;
- Communicate;
- Call SWAT and negotiators; &
- Create an immediate action plan.

Once this is accomplished, gather intelligence and prepare for transition to tactical operations. In such operations with good organization, time is generally on your side.

Active Shooter Patrol Response:

The concepts and principles of patrol response to an active shooter (homicides in progress), are based around the concept of inserting a team into a hostile environment with limited to no intelligence, and getting the team to the exact location of the shooter(s) as soon as practical. The team must thereby insert itself and move past non-cleared areas while providing team security from counter strikes.

Guiding principles during these operations are based upon the following team movement axioms:

- Stay together as much as possible;
- 540° of coverage around the team;
- Communication;
- Work the angles;
- Threshold evaluations; &
- Move only as fast as you can shoot accurately and think

The rapid response of patrol officers to an active shooting has several advantages. By overwhelming the suspect(s) with effective tactics, the first responder(s) can:

- Isolate the suspect(s) from additional victims;
- Distract the suspect's attention away from innocent victims, & place the suspect under duress; &
- Neutralize the suspect(s) as a threat.

The first responding patrol officers to an active shooter scene realize that it is not a realistic objective to save everyone trapped inside. The number one goal must be to mitigate the damage and save as many lives as possible.

The initial response of 2 or 3 officers to the scene to form a single Contact Team to enter the structure, must understand the inherent risks of doing so. First responders should be able to make the decision based upon the information available to them at the time.