



WHITEMARSH TOWNSHIP POLICE DEPARTMENT Lafayette Hill, Pennsylvania	
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Subject: Use of Force		
Relevant Pennsylvania Law Enforcement Accreditation Commission Standards: 1.3.1 / 1.3.2/ 1.3.3 / 1.3.4 / 1.3.5/ 1.3.6/ 1.3.7/1.3.10/ 1.3.11/ 4.15.1		
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Amends General Order 1.3.1 of August 23, 2017		Rescinds
Authorization: Chief Christopher P. Ward		
Distribution <ol style="list-style-type: none"> 1. General Order Manuals 2. Master Records File 3. Training Verification for all Personnel 		

I. Purpose

To establish Department guidelines on using both lethal and less lethal force. To provide for the proper documentation and investigation of incidents involving the use of force.

II. Policy

It is the policy of the Police Department to provide clear procedures to sworn members regarding the use of force in the performance of their duties. The safety of innocent persons and officers is of paramount importance. The use of weapons is classified as a use of force and is governed by this policy. The officers of this agency are authorized to carry lethal and less lethal weapons so that they may successfully defend themselves and others from combative, resisting and/or violent individuals. A less lethal weapon is not necessarily a replacement or substitute for other authorized weapons, devices and/or techniques and therefore should be used when, in the officer's opinion, it is the best choice of weapon in a use of force situation. A less lethal weapon is another tool that can be used at the discretion of the officer when the decision is made that the use of force is necessary and reasonable under the circumstances. As with any use of force, the officer is accountable to this agency for the use of a less than lethal weapon. Only force reasonably necessary to defend a human life, effect an arrest or control a person shall be used by sworn officers of the Police Department. The force used by an officer shall only be that which is reasonable to overcome the resistance being offered by an offender and to effect lawful objectives. All sworn personnel must be issued copies of, and instructed in the Department's Use of Force procedure before carrying any firearm or other police weapon.

III. Law

PA Crimes Code (18 Pa.C.S.A.) Section 508 subsection (a) forms the reference on which this Department's use of force policy is based. These laws are included in this procedure for reference purposes. Employees must be aware of prohibitions and restrictions in this procedure that place a higher standard on the use of force than are contained in state statute.

Section 508, Subsection a:

- A. Peace officer's use of force in making arrest.
 - 1. A peace officer, or any person whom he has summoned or directed to assist him, need not retreat or desist from efforts to make a lawful arrest because of resistance or threatened resistance to the arrest. He is justified in the use of any force, which he believes to be reasonable to affect the arrest, and of any force, which he believes to be reasonable to defend himself or another from bodily harm while making the arrest. However, he is justified in using deadly force only when he believes that such force is reasonable to prevent death or serious bodily injury to himself or such other person, or when he believes both that:
 - a. Such force is necessary to prevent the arrest from being defeated by resistance or escape; and
 - b. The person to be arrested has committed or attempted a forcible felony or is attempting to escape and possess a deadly weapon, or otherwise indicates that he will endanger human life or inflict serious bodily injury unless arrested without delay.
 - 2. A peace officer making an arrest pursuant to an invalid warrant is justified in the use of any force, which he would be justified in using if the warrant were valid, unless he knows that the warrant is invalid.

IV. Definitions

- A. Reasonable Belief or Reasonably Believes – the person concerned, acting as a reasonable man, believes that the described facts exist. (PLEAC 1.3.10a)
- B. Deadly Force– Force which, under circumstances in which it is used, is readily capable of causing death or serious bodily injury.
- C. Serious Bodily Injury – bodily injury that creates a substantial risk of death, causes serious or permanent disfigurement, or results in long-term loss or impairment of the functioning of any bodily member or organ.
- D. Choke Hold- A physical maneuver that restricts an individual's ability to breathe for the purpose of incapacitation. This does not include vascular neck restraints.
- E. De-Escalation- Taking action or communicating verbally or non-verbally during a potential force encounter in an attempt to stabilize the situation and reduce the immediacy of the threat so that more time, options, and resources can be called upon to resolve the situation without the use of force or with a reduction in the force necessary. De-escalation may include the use of such techniques as command presence, advisements, warnings, verbal persuasion and tactical repositioning. (PLEAC 1.3.11)
- F. Less Than Lethal Force- Force other than that which is considered deadly force that involves physical effort to control, restrain or overcome the resistance of another.

- G. Exigent Circumstances- These circumstances that would cause a reasonable person to believe that a particular action is necessary to prevent physical harm to an individual, the destruction of relevant evidence, the escape of a suspect, or some other consequence improperly frustrating legitimate law enforcement efforts.
- H. Objectively Reasonable- The determination that the necessity for using force and the level of force used is based upon the officer's evaluation of the situation in light of the totality of the circumstances known to the officer at the time the force is used and upon what a reasonably prudent officer would use under same or similar situations.
- I. Forcible Felony-
 - 1. Murder – CC2502
 - 2. Rape – CC3121
 - 3. Involuntary Deviate Sexual Intercourse – CC3123
 - 4. Robbery – CC3701
 - 5. Kidnapping – CC2901
 - 6. Arson – CC3301
 - 7. Aggravated Assault – CC2702

V. Procedure

Authorized Force Options- Officers shall use force only when no reasonably effective alternative appears to exist and shall only use the level of force which a reasonably prudent officer would use under the same or similar circumstances. Reasonable and necessary force may be used and is appropriate to effect an arrest, to overcome unlawful resistance, to prevent escape from custody, or to neutralize an unlawful assault upon the officer or another person. (PLEAC 1.3.1)

Authorized Force Options:

The authorized force option selected by the officer should correspond with the level of threat presented by the suspect and perceived by the officer at that time. Use of physical force should be discontinued when resistance ceases or when the incident is under control. A reasonable amount of force shall be used to gain compliance and a higher level force option is authorized in response to continued or increased resistance or threat. It is recognized that the subject's actions, behaviors and/or choices may necessitate the immediate use of higher force options authorized by the Department and consistent with their training, including: Police Presence, Verbal Commands, Restraint and Control Holds, Taser, Oleoresin Capsicum Spray (O/C or Pepper Spray), Impact weapons and Deadly Force.

- A. Officer's Presence - An officer's appearance may be enough to dissuade some persons from engaging in resistive behavior. Factors which contribute to this level include perceptions of the officer's attitude, ability, and self-confidence.
- B. Verbal Direction –
 - 1. Verbal- Dialogue used by an officer can serve to diffuse potentially violent confrontations. It is important to observe that this level concerns WHAT an officer says and HOW he says it. The factors involved in this level include the officer's language, tone of voice, confidence and/or posture and body language.

2. De-escalation;
 - i. An officer shall use de-escalation techniques and other alternatives to force consistent with his or her training whenever possible and appropriate before resorting to force and to reduce the need for force. (PLEAC 1.3.11)
 - ii. Whenever possible and when such delay will not compromise the safety of the officer or another and will not result in the destruction of evidence, escape of a suspect or commission of a crime, an officer shall allow an individual time and opportunity to submit to verbal commands before force is used

C. Empty Hand Control or Use of O/C Spray / Taser–

1. “Soft” techniques that have minimal chance of causing serious injury are to be used with cooperative, passive resisters and low level active resisters. These techniques include holds, wrist locks, escorts and some pressure point control techniques.
2. “Hard” techniques, which may have a probability of causing injuries, should be used with high level active resisters and low level assailants.. These techniques include take downs, knee and elbow strikes, punches and kicks.
3. The use of O/C spray / Taser is authorized if, in the opinion of the officer, the use of empty hand techniques would pose unnecessary risk of injury to the offender and or the officer or if empty hand technique would be ineffective in gaining control of the offender.

D. Impact Weapons – An officer may need to resort to the use of an impact weapon to control resistive behavior. These “hard” techniques have a probability of causing injuries. These techniques include impact weapon strikes. Impact Weapons: A weapon (e.g., straight baton, collapsible baton, less lethal munitions- Bean bags, or flashlight), which causes blunt trauma upon striking the soft tissue or skeletal frame of the human body to impair an individuals mobility or motor functions.

E. Lethal Force – Lethal force can be realized through the application of a variety of measures. Although commonly related to an officer’s use of a firearm, lethal force can also be applied by use of severe hard empty hand control or hard intermediate weapon control techniques.

Note: It is not the intent of this part of the procedure to direct officers to try each of the level options before escalating to the next. Each situation will dictate at which level a member will start.

VI. Deadly Force

- A. Police Officers of this Law Enforcement Agency shall, when feasible, exhaust all reasonable alternatives before resorting to the use of deadly force.
- B. The use of deadly force must be based upon reasonable belief by the officer that such force is necessary.
- C. Deadly force must never be used against any person based on mere suspicion alone.
- D. This directive is for internal use only and does not enlarge an officer’s civil or criminal liability in any way. It should not be construed as the creation of a higher standard of safety or care in an evidentiary sense concerning third party claims. Violations of this directive, if proven, can only form the basis of a complaint by this Department and then only in a non-judicial administrative setting.

- E. Use of deadly force against a fleeing forcible felony suspect is prohibited unless the officer has probable cause to believe that the use of deadly force is warranted based on the limitations as set forth in this procedure.

United States Supreme Court decision U.S. S. Ct. 1694 (1985) (Tennessee vs. Garner) ruled that the use of deadly force to prevent the escape of a suspected felon violates the Fourth Amendment prohibition against unreasonable seizure if used against an apparently unarmed, non-violent suspect (the case involved a burglary suspect). The Supreme Court further stated that deadly force may be used against an offender who has attempted or committed an offense involving the infliction or threatened infliction of great bodily harm. **Deadly force may not be used against an unarmed, non-violent, property crime offender who poses no threat of death or serious bodily harm to the officer or others.**

The United States Supreme Court decision went on to state that when an officer is justified in the use of deadly force he will, **if feasible**, first give a verbal warning and warn of his or her intent to use deadly force. (Example: "Police Officer, Halt").

(PLEAC 1.3.2 and 1.3.10h)

VII. Prohibitions

- A. The discharging of firearms at a moving vehicle is generally prohibited with the following exceptions when authorization is provided:
 - 1. A person in the vehicle is threatening the officer or another person with deadly force by means other than the vehicle; or
 - 2. The vehicle is operated in a manner deliberately intended to strike an officer or another person and all other reasonable means of defense have been exhausted which includes moving out of the path of the vehicle.
- B. Officers are prohibited from discharging their firearms from a moving vehicle except in exigent circumstances. In these situations, an officer must have articulable reason for this use of deadly force.
- C. No warning shots will be fired. (PLEAC 1.3.3)
- D. No shots will be fired into buildings or through doors, windows, or other openings unless the situation becomes one of self-defense or defense of other lives.
- E. The use of airway-restraints, carotid artery restraints or similar techniques, commonly called "choke holds", are prohibited except in situations where it is a weapon of last resort. (PLEAC 1.3.10g)
- F. Officers shall never display or draw their weapons unnecessarily without due regard for safety.
- G. Officers shall not use or handle weapons in a careless or imprudent manner. Officers shall use weapons in accordance with the law, their training and departmental procedures.

VIII. Less Lethal Force

(PLEAC 1.3.4)

- A. Officers are justified in the use of force they reasonably believe necessary to effect an arrest. They need not retreat or desist from efforts to make a lawful arrest because of resistance or threatened resistance to the arrest.

- B. Officers are justified in the use of force against another insofar as the officer reasonably believes that such conduct is necessary to defend the officer or another person against the imminent use of unlawful force.
- C. Only the amount of force reasonably necessary to affect an arrest or control a person shall be used.
- D. Force shall not be used punitively and officers will always de-escalate the use of force when the offender stops resisting.
- E. A Department specified and approved police baton, beanbag, ASP, Oleoresin Capsicum, and X-26/ X26P Tasers are the only authorized less lethal weapons. Officers are prohibited from using or carrying chemical agent, blackjacks, saps, weighted gloves, etc. Uniform officers shall carry the TASER CEW and one other less lethal weapon, either OC or ASP baton.
- F. The baton may also be used as a barricade or repelling device in crowd control situations, or a temporary restraining device.
- G. The Department provides officers with a rechargeable flashlight system. Officers using these flashlights in low light conditions are considered to possess a defensive tool. If a situation makes necessary the use of the flashlight as a defensive tool, it will be used in a manner consistent with the use of similarly approved less lethal weapons.
- H. Officers shall provide for appropriate medical attention to any subject injured or reporting an injury as a result of an officer's use of force. (PLEAC 1.3.5)

IX. Use of Less Lethal Extended Range Projectiles

- A. Less Lethal Extended Range Impact Projectiles - An officer is not permitted to use less lethal weapons unless qualified in their proficient use as determined by training procedures. When appropriate, less lethal weapons may be used in an attempt to de-escalate a potentially deadly situation. Less lethal weapons shall be targeted to areas of the body designated during training. Officers deploying less lethal weapons shall do so with the following safety issues in mind: Safety of hostages, safety of innocent civilians, safety of police officers, and the safety of the suspect/subject. Items in this option include electronic restraint devices and less lethal munitions.
- B. Bean-Bag Projectiles
 - 1. A 12 gauge Remington Model #870 comprises the delivery system for a beanbag less lethal projectile. This designated delivery system is color coded orange, and is to be used only for the delivery of authorized less lethal beanbag projectiles.
 - 2. Officers will be trained and re-qualified annually with the beanbag extended range projectile.
 - 3. Officers shall deploy and use the bean bag projectile only if they reasonably believe it to be justified based on their training and departmental policy.
 - 4. All suspects/subjects struck with a beanbag projectile will be restrained and transported to a medical facility for examination and/or treatment. The deploying officer shall complete the Use of Force Report and investigative report.
 - 5. Beanbag projectiles and delivery system shall be secured in the locked equipment drawer of designated police vehicles.

6. The shift supervisor is responsible to insure that all evidence is obtained and documented at the scene when a beanbag projectile is deployed as a use of force. The on scene supervisor will insure that all reports including, but not limited to, Use of Force Reports are completed in a timely manner. The patrol supervisor will notify the Lieutenant as soon as possible. Unless exigent circumstances exist, the Lieutenant should be contacted via normal channels. If immediate contact is deemed unnecessary by the supervisor, the notification can be made via the voice mail system or e-mail system.

X. Use of Taser

- A. Definition- X-26/ X26P TASER is a less lethal conducted energy weapon that uses propelled and fixed probes to conduct electrical energy to a subject posing a threat, or the potential of a threat, thereby overriding the central nervous system of the target subject's body. X-26/ X26P Advanced Tasers fall into the category of less lethal force technology and equipment.
- B. Operation
 1. Only those officers who have been trained and certified in the use of the X-26/ X26P TASER will utilize this weapon.
 2. The X-26/ X26P TASER is deployed as an additional police tool and alternate force option and is not intended to replace the police firearm or other self-defense techniques.
 3. The X-26/ X26P TASER is equipped with a data port. This allows the downloading of firing data containing the date and time. This allows accurate and complete documentation for each firing.
- C. Storage, Maintenance and Issuance
 1. The X-26/X26P TASER will be issued to each uniformed officer. The list of issued TASERS and serial numbers will be maintained by the Lead TASER Instructor. Headquarters.
 2. Officers assigned a TASER will perform a spark test prior to each shift, to ensure the weapon is functioning properly. If it is determined that the weapon is in need of batteries or repairs, it will be placed out of service and serviced by a TASER Instructor prior to deployment in the field.
- D. Deployment
 1. It is intended that the X-26/X26P TASER be deployed in those situations where the need exists for an increased level of force against a subject who is failing to comply with **lawful orders**. The X-26/ X26P TASER is never to be used punitively or for the purposes of coercion. The use of the X-26/ X26P TASER is comparable with that of OC spray on the Use of Force Continuum.
 2. Expired cartridges are to be replaced through the department's certified instructors.
 3. Expended cartridges are to be retained and secured as evidence. The deployed TASER will be placed out of service until the data is downloaded and reviewed. The unit will then be checked and placed back into service by a TASER Instructor.

4. **The X-26/ X26P TASER has the ability to ignite flammable liquids.** The X-26/ X26P TASER will not be deployed under any circumstances when flammable liquids or materials are present or thought to be present.
5. Particular consideration and caution should be exercised where the target subject is in an elevated position or in circumstances where a fall may cause physical injury or death. X-26/ X26P TASER will not be utilized against an obviously pregnant woman.
6. Any subject exposed to contact with the X-26/ X26P TASER's probes, contacts or wires that receives an electrical shock must be offered the opportunity to be examined by professional medical personnel. A report thoroughly documenting the event will be completed. A medical refusal form will be completed if the subject refuses medical treatment. If the subject refuses medical treatment but exhibits any signs of abnormal behavior they will be immediately transported to a medical facility to obtain medical clearance prior to being placed in the police detention facility.
PLEAC 1.3.5 & 1.3.6(b&c)
7. If the probes penetrate the skin, the puncture sites are to be photographed and the photographs will become part of the case file. Probes that penetrate the skin should be treated as bio- hazards and disposed of as medical sharps.
8. The use of the X-26/ X26P TASER is to be documented on a Department Use of Force form and reviewed by the Lieutenant and Chief of Police.

E. Responsibilities

1. The patrol supervisor on the scene is responsible to insure that all evidence is obtained and documented at the scene when an X-26/ X26P TASER is deployed. The on scene supervisor will insure that all reports including but not limited to Use of Force Reports are completed in a timely manner. The patrol supervisor will notify the Lieutenant as soon as possible. Unless exigent circumstances exist, the Lieutenant should be contacted via normal channels. If immediate contact is deemed unnecessary by the supervisor, the notification can be made via the voice mail system or e-mail system.

It is the responsibility of the manufacturer's certified instructors to instruct, evaluate, certify and maintain training records for those officers selected to carry, deploy and utilize the X-26/ X26P TASER in accordance with the manufacturer guidelines.

XI. Use of O/C Spray

- A. O/C Spray is considered to be a less lethal weapon. Officers are not permitted to use O/C Spray unless qualified in the use as determined by training procedures. An officer need not attempt empty-hand control before using O/C Spray. The officer need only justify the empty-hand skill would not be sufficient or practical to safely and effectively place an offender under control. O/C Spray is generally useful against drug abusers, emotionally disturbed persons, intoxicated persons, violent individuals who have reduced sensitivity to pain, and animals. O/C may be used to effect the removal of a person(s) from a locked vehicle who refuses to exit the vehicle and may also be used when a removal is necessary.
- B. Officers who employ the use of O/C Spray should do so as a means of obtaining control of an individual and shall never be used for any other unlawful purpose, such as a means of dispensing punishment. Only that amount of O/C Spray reasonably needed to obtain control of an individual should be used. Once the desired results have been achieved, the officer will stop dispensing O/C. Primary targets of O/C Spray are the face, eyes, nose and mouth.

- C. Officers should consider the following, in addition to specific officer subject factors, when deciding whether or not to use O/C Spray in a use of force situation:
1. Distance from the individual to be sprayed (generally recommended to be between 3 and 12 feet)
 2. Environmental conditions (e. g., wind, rain, snow, etc.);
 3. Potential hazards to the individual after being sprayed with O/C that could cause injury (e.g., walking into traffic, falling off elevated surfaces or stairs, etc);
 4. The presence of infants (birth to two years of age). If infants are in the immediate area the use of O/C Spray should be avoided if possible.
- D. After spraying an individual with O/C, and control of that person has been obtained, the officer will make reasonable efforts to allow the individual relief from the discomfort associated with the application of O/C. Reasonable decontamination or relief efforts may include (as is practical under the circumstances of a situation):
- (PLEAC 1.3.5)
1. Calming the individual;
 2. Removing the person from the affect area to an area of fresh air or other form of ventilation;
 3. Instructing the individual to blow his nose;
 4. Allowing the individual to flush affected areas with saline solution or clear water;
 5. Allowing the individual to wash exposed skin with soap and water;
 6. Allowing the individual to remove contact lenses;
 7. Advising the individual not to rub affected areas or to apply any type of ointment to affected areas;
 8. Summoning paramedics if the person complains of injury, or if the officer reasonably believes that the person needs medical attention.
- E. When an officer is attacked by an offender who is threatening the use of O/C Spray (or any other chemical agent), which can easily be debilitating, the officer should try to avoid being sprayed, but, if being sprayed is unavoidable, the officer should immediately concentrate on weapon retention, as an officer may now be blind to attack. Should an officer need to use force on an individual who is threatening the use of O/C Spray, such force should be necessary and reasonable.

XII. Use of Impact Weapons

- A. Impact weapons are considered to be less-than-lethal weapons. An officer need not attempt empty-hand control or the use of O/C Spray before using an impact weapon. The officer need only justify that empty-hand control or the use of O/C Spray would not be sufficient or practical to safely and effectively place an individual under control.
- B. Officers who employ an impact weapon should do so with the intent to temporarily disable an individual and not to cause permanent injury or dispense punishment. Primary targets of a strike from an impact weapon should be an individual's major muscle groups, motor points, abdomen,

limbs and/or joints. Striking an individual with an impact weapon in the groin, any part of the body above the shoulders, or the back is permitted **only** in situations where deadly force would be justified.

- C. After striking an individual with an impact weapon, and control of the person has been obtained, the officer will afford the individual medical treatment should, in the officer's judgment, medical treatment be required or if requested by the person himself. (PLEAC 1.3.5)
- D. Impact weapons are permitted to be used for other lawful purposes during an officer's duties (e.g. gaining entry to vehicles, gaining entry to residences, etc.).
- E. If there is an emergency, other objects or pieces of equipment may be used as an impact weapon "of necessity" (e.g. flashlights, tree branches, metal or plastic pipes, or tubes.)

XIII. Reports and Investigation

(PLEAC 1.3.6)

- A. Any officer who discharges a firearm for other than training or recreational purposes will submit a report in the department records management system documenting the circumstances regarding the discharge.
- B. A Use of Force report will be submitted when an officer:
 - 1. Takes any action that results in, or is alleged to have resulted in, injury or death of another person;
 - 2. Applies force through the use of lethal or less lethal weapons; and
 - 3. Applies force through the use of soft or hard empty hand techniques.
- C. The Use of Force report will fully document the incident and be submitted to the officer's immediate supervisor the same day under most circumstances.
- D. The Shift Supervisor will review the Use of Force report and forward a memorandum to the Lieutenant evaluating the officer's use of force.
- E. The Use of Force report will be reviewed by the Lieutenant and the Chief of Police.
- F. Accidental discharges will be documented by the officer and investigated by the supervisor in charge at the time. The officer's report should fully explain the circumstances surrounding the discharge and the supervisor's report should include recommendations for disciplinary action or training.
- G. When shots are fired the shift supervisor will immediately respond to the scene and, as soon as possible, notify the Lieutenant and Chief of Police.
- H. In instances where use of force results in death or injury, an outside Law Enforcement Agency and/or the Detective Sergeant, may conduct an independent investigation if deemed necessary by the Chief of Police. All findings, recommendations, and reports of the investigators shall be forwarded to the Chief of Police.
- I. The following checklist may be used as a guide to ensure complete details of the incident:
 - 1. Time and date of incident;
 - 2. Place of occurrence; address and location;

3. Officer involved; name, rank and badge number;
 4. Suspect involved; address, name, D.O.B., sex, race and telephone number;
 5. Place of arrest;
 6. Complainant's name, address, D.O.B., sex, race and telephone number;
 7. Type of offense and case number;
 8. Investigating supervisor, rank, badge number.
 9. Original reason for contact with suspect by officer involved;
 10. Injuries; be specific as to nature, extent, and how it was inflicted (e.g. three inch laceration, right side of head), where & who treated;
 11. Witnesses to the fact; address, name, D.O.B., sex, race and telephone number; and
 12. Statement of witnesses should be made a part of this report but need not be incorporated in its entirety.
- J. Upon completion of a use of force investigation, the officer's immediate supervisor will submit a report as to:
1. Propriety of action taken;
 2. Endorsement of action taken; and
 3. Outline corrective measures taken or suggestions, if deemed necessary.
- K. The report shall be immediately routed as follows:
1. Original to the Case File.
 2. Copy forwarded to the Lieutenant.
- L. This report shall be submitted immediately. Necessary supplemental reports may be forwarded within a reasonable length of time.
- M. Any agency personnel whose actions resulted in a death or serious physical injury will be immediately detailed to a staff assignment pending an administrative review of the incident. The purpose of this assignment is to protect the interest of the community and the officer and this should not be construed as a disciplinary measure. Incident debriefing and confidential counseling will be provided to the involved officers. (PLEAC 1.3.7)
- N. The Lieutenant will conduct an annual audit of all Use of Force reports filed. This report will investigate any patterns or trends that could indicate training needs and/or procedure modification necessary.
- O. The Chief of Police will determine if a Firearm Use Committee shall be convened.
- P. Four sworn members of the Department will comprise the Firearms Use Committee. Two Sergeants, one Patrol Officer/ Range Officer, and one Patrol Officer. These members will be appointed by the Chief of Police to review and make recommendations concerning the use of

firearms by Department personnel. Such members will be answerable only to the Chief of Police.

- Q. Whenever a member of the Department is involved in the Use of Force, of any kind, on or off duty, in another jurisdiction, he shall, as soon as possible, notify the Shift Supervisor and relay the details of the incident. The Shift Supervisor shall notify the Lieutenant, who may assign a supervisor to investigate the incident.

XIV. Medical Attention Required Following Use of Force as Appropriate

A. General Rule

1. Officers must immediately arrange for emergency medical services (EMS) to examine, treat and/or transport to a medical facility if:
 - i. A suspect requests medical aid
 - ii. An injury from the use of force is known, suspected or alleged.
 - iii. A person who has been exposed to O/C Spray complains of itching, hives, difficulty swallowing, facial swelling (particularly around the eyes, lips or nose) or who states that they have a known allergy to any variety of pepper.
 - iv. A person who admits to being under the influence of, or appears to be under the influence of cocaine, amphetamines, barbiturates, PCP, opiates, heroin or high levels of alcohol.
 - v. Any person who admits a history of heart problems, lung problems, diabetes, high blood pressure or other potentially serious medical conditions.
2. Medical Aid may be provided when Less Than Lethal Force is used on a suspect under the following circumstances:
 - i. Empty Hand Control
 - ii. Taser
 - iii. Oleoresin Capsicum Spray (see above exceptions)
 - iv. Baton
 - v. At the discretion of the officer involved and/or the Duty Supervisor.
3. Medical Release Required
 - i. When the arrested is examined, treated and subsequently released from medical care, a written medical release shall be obtained from the attending physician.
 - ii. Refusals. When emergency medical services (EMS) are summoned to evaluate and/or treat an arrested and the individual refuses medical attention, the officer shall obtain a copy of the refusal and note the medical attention, or declination of medical attention, in his/her report of the incident, along with the name(s) of the attending EMS personnel and/or the attending physician.

XV. Use of Force In-Service and Weapons Proficiency Training

- A. All officers shall receive training, at least annually, on this agency's Use of Force Policy and related legal updates.
- B. Training shall also be provided on a regular and periodic basis and designed to:
 - 1. Provide techniques for the use of and reinforce the importance of de-escalation;
 - 2. Simulate actual shooting situations and conditions; and
 - 3. Enhance officers' discretion and judgement in using less than lethal and deadly force in accordance with this policy.
 - 4. Weapons proficiency and training shall be conducted in accordance with policy and procedures (G.O. 1.3.8 and 1.3.9).

XVI. Summary

Nothing stated in the procedure grants immunity to the officer involved since each case must be met and dealt with according to individual circumstances. Department personnel are reminded that the safety of innocent persons and bystanders must be given primary consideration whenever the use of force is contemplated.

XVII. Mandatory Counseling Requirements

- A. The Department will comply with Chapter 72, Section 7203 of the Pennsylvania Law and Justice (Title 44) in regard to mental health evaluations for police officers:
 - a. As a condition of continued employment, without cost to the officer, the Department shall provide an officer with a mental health evaluation for post-traumatic stress disorder by a licensed mental health professional:
 - i. Upon request of the law enforcement officer;
 - ii. Upon recommendation of the Chief of Police or other supervisor; or
 - iii. Within 30 days of the incident of the deadly (lethal) force during the course of his or her law enforcement duties.
 - b. Treatment, if a licensed mental health professional determines during the mental health evaluation under section (a) of the law that the officer has symptoms of post-traumatic stress disorder, the officer shall be provided the treatment under a license physician's care until the licensed physician determines in writing that the officer is able to return to full duties; and
 - c. An officer shall be assigned to administrative duties if the officer:
 - i. Fails to undergo a mental health evaluation for post-traumatic stress disorder when required under subsection (a) of the law; or
 - ii. Is experiencing symptoms of post-traumatic stress disorder as determined by a licensed mental health professional, and whom the licensed physician has not yet determined to be able to resume full duties under section (b) of the law.
(PLEAC 4.15.1)

In reference to mandatory counseling requirements and the use of deadly force, this action is not punitive and is separate and apart from Departmental disciplinary procedures.