

# GENERAL ORDER

G.O. 1-041

**SUBJECT: USE OF FORCE AND DEADLY FORCE**

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| DATE EFFECTIVE: 7/20/20   |
| DATE WRITTEN: 6/16/20   |
| AMENDS: ART I SEC 1.10 PM, GO 1-012 dated 5/1/90, GO 1-012 dated 4/1/91, GO 1-012 dated 10/1/94, GO 1-012 dated 12/7/05, renumbered TO go 1-041 11/1/2018, GO 1-041 dated 3/5/19 and absorbed GO 1-013 on 6/16/20.  |
| DISTRIBUTION: ALL SWORN PERSONNEL   |
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| ADMIN: SIGNATURE ON ISSUE   |
| SIGNATURE:  |
| INDEX: ASP BATON, BEAN-BAG SHOTGUN, CHEMICAL WEAPONS, DEADLY FORCE, DISCHARGE OF FIREARM, FORCE, LESS LETHAL FORCE, MACE, NON-DEADLY FORCE, OC, ORGANIC SUBSTANCE WEAPON, PEPPER SPRAY, ROADBLOCKS, SHOOTING POLICY, TASER, USE OF LESS LETHAL FORCE, USE OF WEAPONS, WEAPONS |

**I. PURPOSE AND RESPONSIBILITY:**

- A. Purpose: To establish Wethersfield Police Department's guidelines and limitations concerning the appropriate and acceptable use of deadly and non-deadly force.
- B. Responsibility:

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1. It will be the responsibility of all sworn personnel at this Police Division to follow the procedures and to study, understand, and adhere to the rules and regulations addressed in this general order.
2. It will be the responsibility of the Support Services Bureau (SSB), Training Unit, to issue to all sworn personnel a copy of this general order.
3. It will be the responsibility of the SSB Training Unit supervisor to obtain a signed or digital receipt from all sworn personnel upon the original issuance of this general order and any subsequent changes.
4. It will be the responsibility of the SSB Training Unit to conduct instruction of this directive and to test the knowledge of all sworn personnel at least once a year to ensure that all officers fully comprehend this order. The SSB Training Unit supervisor will submit to the Chief of Police, an annual report of the test results.
5. It will be the responsibility of the SSB Training Unit that all newly sworn personnel be instructed and satisfactorily pass a test on this general order before being authorized to carry Division weapons.
6. It will be the responsibility of all sworn personnel of this Police Division to study, to understand, and to follow the rules and regulations addressed in this general order.

## **II.    DISCUSSION:**

- A. It is the policy of the Wethersfield Police Department to provide clear procedures to sworn officers regarding the use of force in the performance of their duties. The safety of innocent persons and officers is of paramount importance.
- B. The main responsibility of sworn personnel is to protect the life and property of civilians. In compliance with applicable law, officers shall use only the amount of force necessary and reasonable to accomplish lawful objectives and to control a situation, affect an arrest, overcome resistance to arrest, or defend themselves or others from harm. When force is necessary, the degree of force employed should be in direct relationship to the amount of resistance exerted, or the immediate threat to the officers or others. There is a compelling public interest

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that officers authorized to exercise the use of force do so in an objectively reasonable manner and in a way that does not violate the civil rights guaranteed by our Constitution and applicable law. Officers who use excessive or unjustified force degrade the confidence of the community that they serve, undermine the legitimacy of a police officer's authority, and hinder the Department's ability to provide effective law enforcement services to the community.

- C. Sworn personnel who use excessive or unauthorized force shall be subject to discipline, possible criminal prosecution, and/or civil liability. The use of force is only authorized when it is objectively reasonable and for a lawful purpose. Accordingly, the Department will thoroughly review and/or investigate all uses of force by officers to assure compliance with all legal requirements and this policy.

### III. DEFINITIONS:

- A. **ACTIVELY RESISTING:** When a subject makes physically evasive movements to interfere with an officer's attempt to control that subject; including bracing, tensing, pulling away, actual or attempted flight, or pushing.
- B. **DEADLY FORCE:** Any physical force that can reasonably be expected to cause death or serious physical injury. Officers must understand that deadly physical force is an extreme measure and should only be used in accordance with the law and as stated in this policy.
- C. **DE-ESCALATION:** A decrease in the severity of force used in an incident in direct response to a decrease in the level of resistance.
- D. **ELECTRONIC CONTROL WEAPON:** An incapacitating weapon used for subduing a person by administering an electric shock for the purpose of disrupting voluntary muscle functions. This is an intermediate-range weapon and is classified as non-deadly. The weapon should only be used when an officer is met with a certain degree of resistance or aggression through either actions or words. The TASER is an electronic control weapon.
- E. **FORCE:** Any physical strike or instrumental contact with a person; any intentional attempted physical strike or instrumental contact that does not take effect; or any significant physical contact that restricts the movement of a person. The term includes the discharge of a firearm, use of chemical spray, chokeholds

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or hard hands, taking of a subject to the ground, or the deployment of a canine. The term does not include escorting or handcuffing a person with minimal or no resistance. Use of force is lawful if it is objectively reasonable under the circumstances to affect an arrest, or protect the officer or other person.

- F. **IMMINENT THREAT:** An officer's reasonable perception of impending danger, death, or serious injury from any action or outcome that may occur during an encounter. A subject may pose an imminent or impending threat even if he or she is not pointing a weapon at the officer but has, for example, a weapon within reach, is running for cover carrying a weapon, or running to a place where the officer has reason to believe a weapon is available.
- G. **IMPACT WEAPONS:** Department-approved tools that provide a method for gaining control of a subject when lethal force is not justified, but when empty-hand control techniques are not sufficient to effect control. An ASP baton is an example of an impact weapon.
- H. **NON-DEADLY:** Any force used by an officer that would not reasonably be expected to cause death.
- I. **LESS LETHAL FORCE:** The force that is not likely to cause death or serious physical injury.
- J. **LEVEL OF CONTROL:** The amount of force that an officer uses to gain control over a subject.
- K. **LEVEL OF RESISTANCE:** The amount of force used by a subject to resist compliance with the lawful order or action of an officer.
- L. **NON-VERBAL AND VERBAL NON-COMPLIANCE:** When a subject expresses his/her intentions not to comply with an officer's directive through verbal and non-verbal means. An officer may encounter statements ranging from pleading to physical threats. Such statements may also include physical gestures, stances, and subconscious mannerisms.
- M. **OLEORESIN CAPSICUM (OC) SPRAY:** An inflammatory agent that irritates the mucus membranes and eyes to cause tears and pain. It is an intermediate range weapon that is classified as being Non-deadly. It should only be used,

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however, when an officer is met with a certain degree of resistance or aggression through either actions or words.

- N. PASSIVE RESISTANCE: When a subject does not cooperate with an officer's commands, but does not take action to prevent being taken into custody. For example, a protestor who lies down in front of a doorway and must be carried away upon arrest.
- O. PHYSICAL FORCE: The type force that could cause injury.
- P. REASONABLE FORCE: The force necessary to effect the arrest, prevent the escape of, or overcome the resistance of a person being taken into custody.
- Q. REASONABLE BELIEF: Facts or circumstances that would cause a reasonable, similarly-trained police officer to act or think in a similar manner, under similar circumstances.
- R. SERIOUS PHYSICAL INJURY / GREAT BODILY HARM: Serious 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.
- S. SOFT HAND CONTROL: The use of physical strength and skill in defensive tactics to control arrestees who are reluctant to be taken into custody and offer some degree of physical resistance. Such techniques are not impact oriented and include pain compliance pressure points, takedowns, joint locks, and simply grabbing a subject. Touching or escort holds may be appropriate for use against levels of passive physical resistance.
- T. VERBAL COMMANDS: The use of advice, persuasion, warnings, and or clear directions prior to resorting to actual physical force. In an arrest situation, officers shall, when feasible, give the arrestee simple directions with which the arrestee is encouraged to comply. Verbal commands are the most desirable method of dealing with an arrest situation

### IV. POLICY:

- A. It will be the policy of the Division of Police, Wethersfield, CT that all sworn

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personnel will use only the force necessary to affect lawful objectives.

- B. It will be the policy of the Division of Police, Wethersfield, CT that when the use of force becomes necessary and appropriate, all sworn personnel shall, to the extent possible, use an escalating scale of options and will not employ a more forceful measure unless it is determined that a lower level of force would not be adequate, or such a level of force is attempted and actually found to be inadequate.
- C. It will be the policy of the Division of Police, Wethersfield, CT that when an officer injures a subject, it is that officer's primary responsibility to render first aid and/or obtain medical assistance.
- D. It will be the policy of the Division of Police, Wethersfield, CT that the rules and regulations that follow will be strictly enforced. Officers must understand that deadly physical force is a most extreme measure and should only be used as a LAST RESORT. It should be borne in mind that there is always a danger of injuring innocent persons when firing a weapon, and every officer is admonished to always use the utmost caution in such cases.

## **V. PROCEDURES:**

- A. VERBAL PERSUASION / DE-ESCALATION:
  - 1. Officers shall use advisements, warnings, verbal persuasion, and verbal instructions when possible before resorting to force.
  - 2. Force shall be de-escalated immediately as resistance decreases.
  - 3. When feasible based on the circumstances, officers will use disengagements; area containment; surveillance; waiting on a subject; summoning reinforcements; and/or calling in specialized units, in order to reduce the need for force and thereby increase officer, suspect and civilian safety.
  - 4. Officers shall allow individuals time to submit to arrest before force is used, wherever possible.

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5. When tactically feasible, an officer will identify him/herself as a police officer and issue verbal commands and warnings prior to the use of force. When feasible, an officer will allow the subject an opportunity to comply with the officer's verbal commands. A verbal warning is not required in circumstances where the officer has to make a split second decision, or if the officer reasonably believes that issuing the warning would place the safety of the officer or others in jeopardy.

### B. PHYSICAL STRENGTH:

1. Frequently arrestees are reluctant to be taken into custody and offer some degree of physical resistance. Normally all that is required to overcome this resistance is physical strength and skill in defensive tactics;
2. Defensive tactics are those physical techniques intended for use when weapons are not available or not reasonable, given the circumstances. Officers must ensure that they are capable of utilizing physical skills to subdue a person. Good judgement is extremely important in deciding which tactics to use and how much force to apply;
3. When confronted with a situation that may necessitate the use of physical force, consideration must be given to calling for additional officers prior to contact.

### C. ORGANIC SUBSTANCE WEAPON, OLEORESIN CAPSICUM (pepper spray-OC): OC is an intermediate weapon and is classified as being less lethal but should only be used when an officer is met with a certain degree of resistance or aggression.

### D. CHEMICAL WEAPONS: Chemical weapons are intermediate weapons that could cause serious physical injury or death and should only be used at the officer's perception of that level of threat. Chemical agents utilized by this Division are generally known as tear gas and mace:

1. Chemical agents should only be used as a tactical weapon;
2. Personnel should not use chemical agents without the approval of a supervisory or command officer;

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3. Consideration should be given to the indiscriminate nature of chemical agents before employing them; and
  4. It is the responsibility of the officer using the chemical agents to see that the arrestee receives the proper first aid.
- E. TASER: X26 and X26P Advanced TASERS are hand held battery operated units designed to immobilize a suspect by means of an electrical current. The TASER should only be used against subjects who are actively resisting in a manner that, in the officer's judgement, is likely to result in injuries to themselves or others. Deployment of the TASER will be evaluated using the criteria in this directive. Officers must assess the effectiveness of each application and determine whether further applications are warranted or a different tactic should be employed. The decision to use the TASER will be dependent upon the actions of the subject, the threat facing the officer, and the totality of circumstances surrounding the incident.
1. An approved TASER device may only be used by officers that have successfully completed the Division approved training in its use taught by a certified instructor. Officers will be annually recertified in the use of the TASER. Officers failing to demonstrate proficiency will not be recertified to use the TASER until they have demonstrated proficiency.
  2. Uniformed officers will carry the TASER in a Division issued holster. The holster will be carried on the duty belt or leg holster, on the side opposite the duty firearm. Non-uniformed officers will carry the TASER in an approved holster.
  3. The Taser shall be carried with the safety engaged ("safety on" position), and with battery and loaded cartridge installed in preparation for immediate use.
  4. Officers approved to use the TASER, at the discretion of the Chief of Police, shall be issued a minimum of one spare cartridge as a back up in case of cartridge failure, the need for reapplication, or in case the first cartridge's leads break during engagement. The spare cartridges shall be stored and carried in a manner consistent with training and the cartridges

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replaced consistent with the manufacturer's expiration requirements. Only cartridges distributed by authorized Division personnel will be used.

- F. ASP COLLAPSIBLE BATON: Officers will carry the Division issued impact tool the ASP collapsible baton.
1. The impact tool is generally used against an aggressive, unarmed suspect or when lesser levels of control have failed or have been determined by the officer to be inadequate.
  2. The impact tool, when properly used, is capable of delivering extremely powerful blows to stun and incapacitate an aggressive opponent. It is also capable of delivering lethal or permanently disabling blows. Blows to the head, throat, and side of the neck, armpit or chest cavity must be avoided, whenever possible.
- G. BEANBAG SHOTGUN: The 12gauge less lethal shotgun is a shoulder-mounted weapon capable of firing a projectile to immobilize a suspect by means of pain compliance. Its use can assist an officer in the protection of life and property and/or the restoration of order. The less lethal shotgun shall be considered whenever the use of non-deadly options would assist in an arrest, restoring order, and/or reducing the risk of a more serious injury.
- H. DEADLY FORCE:
1. A police officer is justified in employing deadly physical force only when the officer reasonably believes that such force is necessary to:
    - a. Defend the officer or a third person from the use of, or the imminent use of, deadly physical force;
    - b. Effect the arrest of, or prevent the escape from custody of, a person the officer reasonably believes has committed a felony which involved the infliction, or threatened infliction, of serious physical injury; and the officer reasonably believes this person still poses a significant threat of death or serious physical injury to the officer or other persons; and

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- c. Where feasible, the officer has given verbal warning of intent to use deadly physical force.

### VI. RULES AND REGULATIONS:

- A. LESS LETHAL FORCE: Less lethal force may be used by a police officer in the performance of the officer's duty under the following circumstances:
  1. When it is necessary to preserve the peace, prevent the commission of crime, prevent a self-inflicted injury or prevent a suicide;
  2. When it is necessary to overcome resistance to a lawful arrest or a lawful search and seizure, and to prevent the escape from custody;
  3. When in defense of violent acts against the officer or a third person.
- B. DEGREE OF FORCE: The force used shall be no greater than is necessary and reasonable in any given situation. Unless immediate action is required, an officer should call for and wait for assistance. All sworn personnel should exhaust reasonable means of employing the least amount of force before escalating to a more severe application of force. The amount and degree of force that may be employed will be determined by the circumstances including, but not limited to:
  1. The nature of the offense;
  2. The behavior of the arrestee against whom the force is to be used;
  3. Actions by third parties who may be present;
  4. Physical odds against the officer (outnumbered, outweighed, etc.);
  5. The feasibility or availability of alternative actions.
- C. WEAPONS: No weapon should be brandished as a threat unless its actual use in the situation would be proper. This does not prohibit an officer from having a weapon readied when it is anticipated that a weapon may be required. The following are Division issued weapons:

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1. CHEMICAL AGENTS:
  - a. Chemical agents may be used when physical force is necessary:
    1. To protect an officer from assault;
    2. To subdue a person who resists arrest;
    3. To deter persons engaged in riotous conduct;
    4. To prevent actions potentially harmful to the officer or others.
  - b. Chemical agents may not be used when in close proximity to innocent bystanders or uninvolved citizens;
  - c. Chemical agents should not be used when the officer is in close proximity to the target or in a confined area. This is due to the fact that the chemical agents could overcome the officer or officers.
2. ORGANIC SUBSTANCE WEAPON, PEPPER SPRAY, OC:
  - a. Maybe used at any distance less than ten (10) feet, the closer to the subject's face, the more effective and faster the results;
  - b. Should be used in short bursts rather than a prolonged spray and only the amount necessary to bring the subject under control;
  - c. Should be sprayed directly into the subject's face, especially the eyes, nose, and mouth. OC can also be used and is effective on animals;
  - d. Causes no lasting damage or injury. OC causes acute inflammation of the eyes and all other mucous membranes, resulting in immediate blindness, coughing, choking, and nausea with extreme discomfort for up to thirty minutes;

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- e. When the subject has been secured and resistance has ceased, the officer should make every reasonable effort to relieve the discomfort of the subject and any affected bystander. If conditions permit, clear water may be used to flush the eyes and other affected parts. If no water is available, fresh moving air and the body's natural actions will dissipate the discomfort in less than thirty minutes. No medical treatment should be necessary.
3. TASER:
    - a. Only Division issued, and manufacturer approved, battery power sources shall be used in the TASER.
    - b. The TASER should be inspected; assuring that the battery is charged and checked prior to each tour of duty. A five second "spark test" shall be conducted as part of the check.
    - c. A use of force report should be completed anytime a TASER is used, except in training.
    - d. The use of force report shall contain at a minimum:
      1. The officer's approximation of the range at which the unit was employed.
      2. The point(s) of impact on the subject;
      3. The number of five-second cycles used;
      4. The type of clothing the probes encountered;
      5. The type of cartridge used;
      6. The type of discharge (probe, drive stun, or both);
      7. Evaluation of the effectiveness of the device;
      8. After-discharge actions taken by the officers;

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9. Any injuries that the officer is aware suffered by the subject as a result of the use of the device;
  10. The justification for the use of force and description of the Subject's actions / resistance;
  11. Photographs of the probe or drive stun site on the subject's body, if feasible.
- e. Any Taser discharge will be reported to a supervisor as soon as practical and any unintentional discharge will be treated the same as the unintentional discharge of a firearm.
  - f. The TASER may only be used under the following circumstances: Subjects who are actively resisting in a manner that, in the officers judgement, is likely to result in injuries to themselves or others.
  - g. Use of the TASER under the following circumstances is prohibited, unless exigent circumstances are present:
    1. Against handcuffed subjects;
    2. Against subjects fleeing on foot;
    3. At an individual operating a moving vehicle, or a vehicle which may move uncontrolled;
    4. Against subjects who the officer reasonably believes is pregnant;
    5. Against children weighing less than ninety (90) pounds or other persons of very small stature;
    6. Against subjects who are visibly elderly or physically disabled and/or suffering from a debilitating illness;
    7. Against subjects with known neuromuscular disorders such

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as muscular sclerosis, muscular dystrophy or epilepsy;

8. In a situation where deadly force is clearly justifiable unless another officer is present and capable of providing deadly force to protect the officers and/or civilians as necessary. No officer shall simultaneously draw / hold a Taser and a firearm due to the possibility of confusion and unintentional discharge of either weapon.
- h. The TASER shall not be used under the following circumstances:
1. For coercion or intimidation;
  2. To escort or prod subjects;
  3. To awaken unconscious or intoxicated subjects;
  4. When the officer knows the subject has come in contact with flammable liquids or is in a flammable atmosphere;
  5. When the subject is in a position where a fall may cause substantial injury or death;
  6. On subjects engaged in mere passive resistance to verbal directives, without showing signs of imminent active physical resistance.
  7. When another officer is currently and effectively deploying his / her Taser against the subject.
- i. In preparation of firing, when reasonable, the TASER shall be pointed in a safe direction, taken off safe and then aimed. Center mass of the subject's back is the primary aiming point and splitting of the belt line between the abdomen and thigh are the secondary target zone;
- j. Prior to use, when practical, a warning to the subject and other officers should be given;

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- k. Fixed sights should be used as the primary aiming device and the laser dot as the secondary aiming device;
- l. TASER probes may not be intentionally fired at the face, head, neck or groin, unless the use of deadly force would be justified.
- m. Use of the "Drive Stun" is discouraged except in situations where the "probe" deployment is not possible. If initial application is ineffective, officer will reassess situation and consider other available options.
- n. Booking personnel shall be notified at the time of processing that the subject has been stunned with TASER probes or received a drive stun.
- o. The TASER shall be pointed at the ground in a safe direction with the safety on during loading, unloading, or when handled in other than an operational deployment.
- p. Officers shall evaluate all subjects against whom the TASER has been deployed, and shall provide emergency medical treatment if needed or requested. If the TASER probes have penetrated the skin in a sensitive area (head, neck, groin or breast of a female,) or officers have difficulty removing the probes (i.e. probe/barb separation) EMS will be called to the scene to remove the probes or the subject will be conveyed to an emergency room for removal. If the probes are embedded in non-sensitive areas, a trained officer may remove them. Unless a competent refusal is obtained, a qualified medical evaluation should be conducted of those persons who fit into the following classification:
  - 1. A child under the age of 10;
  - 2. An adult over the age of 70;
  - 3. A pregnant woman;

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4. A person who is medically / physically fragile (disability, disease, medical alert bracelet, etc.);
5. Persons suffering from hyper stimulation, agitated or excited delirium (before or after deployment..
- q. Medical personnel shall evaluate subjects who do not appear to be fully recovered within ten (10) minutes after TASER deployment.
- r. After the TASER is used, probes should be removed from the suspect as soon as the suspect is handcuffed. If there is an indication that there is serious injury or any complications EMS should be called to the scene before the probes are removed.
- s. When the TASER has been used operationally, the officer will collect the air cartridge, wire leads, darts, and AFID Tags as evidence and process it as such. The supervisor shall be notified of the Taser use as soon as practical.
- t. Authorized supervisors shall:
  1. Download the data record of the TASER prior to the end of the shift in which a reported use of TASER incident occurs and save the data to the appropriate file.
  2. Download the data record of each TASER under their command annually regardless of reported use.
  3. The downloaded data shall be tabulated and a summary prepared for inclusion in the Division's annual use of force report.
- u. The use of the Taser for the extraction of prisoners from cellblocks shall be done at the direction of the supervisor, whenever feasible.
4. ASP COLLAPSIBLE BATON:
  - a. Officers will carry only impact tools authorized by the Division. Only

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those officers trained and/or certified will be authorized to use impact tools.

- b. Reporting requirements:
  - 1. Complete a Use of Force Report anytime the ASP is used, except in training.
  - 2. Document the circumstances that led to the ASP use, as well as aftercare provided, in the Use of Force Report.
  
- 5. BEANBAG SHOTGUN: Deployment:
  - a. The less lethal 12-gauge shotgun will be used by Division personnel specifically trained in the deployment of this weapon and must be used in accordance with manufacturers' instructions. The weapon may be used in emergencies that require deployment of personnel in dangerous situations, or as considered alternative to the use of more lethal force.
  - b. Normally used in planned assaults that require the temporary disabling of target individuals, or facilitate maneuver, or capture.
  - c. Officers assigned to deliver these rounds should be backed up by other officers armed with Division approved firearm(s).
  - d. Officers trained in emergency first aid or emergency medical personnel will assist after the deployment of the weapon to provide emergency first aid if applicable. Subjects who are struck with a beanbag shall be restrained and transported to a medical facility for examination.
  - e. Reporting: After using the less lethal 12-gauge shotgun in tactical incidents, an incident report will be completed that includes:
    - 1. The supervisor authorizing the use of the weapon;
    - 2. Identification of officers deploying the weapon;

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3. Number of rounds expended;
4. Effects on targeted person(s) and injuries;
5. Any collateral or unintended injury or damage;
6. Use of Force report including any medical report.

### VII. DEADLY FORCE / FIREARM RESTRICTIONS:

- A. Warning Shots Prohibited: Officers are prohibited from discharging their firearms as a means of warning or frightening a person.
- B. Shooting at or from Moving Vehicles: Officers are prohibited from discharging their firearms at or from a moving vehicle, motorcycle, or bicycle (collectively, "moving vehicle") unless officers reasonably believe deadly force is necessary to defend the officer or a third person from the use, or imminent use, of deadly force. For purposes of this policy, officers will not discharge their firearms at moving vehicles except under extreme circumstances. Such discharges will be rigorously scrutinized. Officers shall, as a rule, avoid tactics that could place them in a position where a vehicle could be used against them. When confronted with an oncoming, moving vehicle, officers must attempt to move out of its path, when possible, and should generally avoid placing themselves in situations where the use of deadly force is more likely.
- C. Roadblocks/Barricades: The employment of a roadblock or barricade must be considered a force likely to result in death or serious physical injury and may only be employed as outlined in G.O. 5-413 Vehicle Pursuits.
- D. Risk to Innocent Bystanders: When officers are about to discharge their firearms they should be aware of their field of fire, including the backdrop, so as to avoid creating an unnecessary, substantial risk of harm to innocent persons. Officers are prohibited from discharging their firearms when, based on the totality of the circumstances, discharging a firearm would constitute a greater risk to innocent human life than the subject's actions. (i.e. discharging a firearm into a crowd, or shooting into a building or through a wall, where the subject is not clearly identified and it is unknown if there are other occupants present.)

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- E. Pointing Weapons: Officers are prohibited from pointing their firearms at or in the direction of a person, absent an objectively reasonable determination that the situation may escalate to the point where deadly force would be authorized under this policy. When it is determined that the use of deadly force is not necessary, officers shall, as soon as practicable, secure or holster their firearms. It is the rule of this Department that drawing a firearm and pointing it at a target is considered a use of force and must be documented as such.
- F. Use of Firearm to Destroy Animals: Officers may use deadly force against an animal that represents a threat to the officer or to public safety. Whenever possible, officers should seek the permission from the Patrol Bureau (PB) supervisor or the highest-ranking officer actually present at the scene prior to using deadly force against a dangerous animal. Deadly force may also be used as a humanitarian measure, where an animal is so seriously injured that humaneness demands its immediate removal from further suffering. Officers should seek the authorization of their supervisor and, whenever practical, authorization from the animal's owner.
- G. Use of Department Weapons for Training and Other Purposes: Officers may discharge their firearms for the purpose of practice, firearms training, when on the police range or other established shooting ranges, or when authorized by the Chief of Police to participate in law enforcement competition events.
- H. Use of Firearms While Under the Influence of Alcohol and/or Drugs: Officers shall not carry or use any firearms or weapons while impaired by alcohol, drugs, or any other medical condition that might interfere with their judgment or proficiency.
- I. Security, Storage, and Safe Handling of Firearms
  - 1. Officers shall be trained in accordance with Department guidelines, and shall obey all safety rules when handling any firearm or any other weapon. No person other than Wethersfield Police Department Officers shall be permitted access to any Department-owned firearm, with the exception of: police officers from other jurisdictions in the official performance of their duty; for repair or maintenance as approved by the Department; or other circumstances with the express permission of the Chief of Police.

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2. Officers will secure and store firearms, both on and off duty, in such a way as to ensure that no unauthorized person will have access to, or gain control over, the firearm. All Department firearms kept at home must be secured in a safe place inaccessible to family members, especially children. Whenever an officer is in the Department and removes his/her handgun or other weapon, the item must not be left in the open and must be secured so that it is not readily accessible to civilians, suspects, victims, or witnesses.

### J. Expectations and Onus of Officers

1. If an officer who directly observes a use of force that is unreasonable, excessive or otherwise in violation with the agency's use of force policy and/or a violation of state or federal statute, shall contact a supervisor as soon as practicable;
2. Officers will act to intervene and stop the unreasonable, excessive, or illegal use of force by another officer;
3. Officers who have knowledge of excessive, unreasonable, or illegal use of force against a person shall notify a supervisor and submit a written incident report to a supervisor in a timely fashion;
4. Retaliation is prohibited for any officer that intervenes against excessive use of force, reports misconducts, or cooperates in an internal investigation.

## VIII. NON-DEADLY FORCE RESTRICTIONS:

- A. The following tactics of non-deadly force are generally prohibited, and may only be employed only when deadly force is authorized by this policy:
  1. The intentional use of a chokehold or other method of restraint applied to the neck area of another person, including but not limited to;
    - a. Arm bar hold (involving pressure on the neck);

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## **SUBJECT:           USE OF FORCE AND DEADLY FORCE**

- b.     Carotid artery hold;
  - c.     Lateral vascular neck restraint; or
  - d.     Neck restraint or hold with a knee or other object.
2.     Any strike with an impact weapon / object that was aimed for a person's head or neck.
3.     Force shall not be used against persons in handcuffs except as objectively reasonable and to prevent imminent bodily harm to the officer, any other person, to prevent an attempted escape, or when physical removal of a handcuffed person is necessary to overcome their active or passive resistance.