

1.3.8 Less-lethal Weapons (CALEA Stds 1.2.2, 1.3.4, 1.3.5, 1.3.9, 1.3.10, 1.3.11)

To successfully respond to situations requiring justifiable use of reasonable force and minimize risk to the public and the officer(s) involved, certain less-lethal weapons are authorized for use by Police Department members. The authorized less-lethal weapons are Oleoresin Capsicum, Tasers, Impact Weapons, Chemical Agents, Canine Team, and Extended Range Impact Munitions. These weapons are not listed in any intended order of use. The Chief of Police may designate by general order other less-lethal weapons authorized for use by Police Department members.

- A. Use of less-lethal weapons, except in a training situation, will be documented in incident reports and on the Use of Force form as noted in 1.3.13.
- B. Training
 - 1. Officers are not authorized to carry/use any less-lethal weapon until s/he is formally trained by a Police Department authorized instructor.
 - 2. The Police Department will provide authorized personnel with annual training in the use of the less-lethal weapon(s) they are authorized to carry. Training will be noted in the Police Department training files.
 - 3. Any employee who fails to demonstrate proficiency with his/her authorized less-lethal weapon(s) during annual training shall have a 15 calendar day grace period in which to receive additional training from a Police Department authorized instructor and to meet the proficiency standards.
 - a. If an employee is unable to qualify during this grace period s/he will be assigned to an authorized instructor for additional training.
 - b. Disciplinary action may be taken if the employee is still unable to meet the proficiency standards following the remedial training.
- C. Oleoresin Capsicum (OC) – Punch II 5% concentration, nonflammable stream spray.
 - 1 Uniformed officers below the rank of Lieutenant shall carry a container of Police Department issued OC while on duty.
 - 2. OC shall only be used when an officer reasonably believes a suspect is an immediate threat to an officer, a citizen or her/himself and that weaponless techniques would be less effective or more dangerous.
 - 3. OC shall not be discharged into an enclosed area unless the ability to enter and remove any person who may be incapacitated exists.
 - 4. An arresting officer will, as soon as practical given the circumstances, thoroughly flush the affected parts of the suspect with water.
 - 5. OC may be used on an animal as a deterrent to aggressive behavior when an officer reasonably believes it is an immediate threat to an officer or others.
 - 6. All Oleoresin Capsicum (OC) issued by the Department and carried by Corvallis Police Department personnel shall be non-flammable.
 - 7. Officers may not use OC on a suspect who displays only passive resistance or simple flight unless the suspect has displayed previous threatening or resistive behavior and refuses to consent to custody or control and the conditions of 1.3.8C2 above are present.
 - 8. OC will be taken out of service by a patrol supervisor upon the OC reaching its expiration date or having been discharged regardless of amount by accident or in line of duty.
- D. Taser – X26 or X2 (when purchased.) with the 25' XP Cartridge
 - 1. Uniformed officers below the rank of Lieutenant will carry a Police Department-issued Taser while on patrol duty.
 - 2. A Taser shall only be used when an officer reasonably believes a suspect is an immediate threat to an officer, a citizen or her/himself and that weaponless techniques would be less effective or more dangerous.
 - 3. A Taser may be used in either the contact/drive-stun (without air cartridge) mode or deployed with the air cartridge (probes).

4. A Taser shall not be used in situations where known flammable materials such as gasoline fumes, methamphetamine labs or natural gas would be in danger of being contacted by the Taser probes or wires when activated.
 5. If the suspect has been sprayed with Oleoresin Capsicum (OC), a Taser shall not be deployed unless it is certain that the Oleoresin Capsicum (OC) is non-flammable.
 6. A Taser shall not be used on visibly pregnant women due to possible muscle contractions and/or possible falling injuries.
 7. Taser probes that remain lodged in the skin should only be removed by emergency medical technicians or emergency room staff. Once removed, these probes shall be placed into a puncture-proof container and submitted to evidence, where they will be held for a period of not less than one year.
 8. The Taser shall be worn in a "cross-draw" position on the duty belt, opposite from the position of the duty firearm.
 9. To reduce the possibility of injury, the Taser is not to be directed at the head, neck or groin area of the suspect.
 10. A Taser may be used on an animal as a deterrent to aggressive behavior when it poses an immediate threat to an officer or others.
 11. A Taser should not be used on a suspect when the suspect is in an elevated position and would likely suffer serious physical injury from a fall from that position (example: suspect is in a tree and would fall onto uncushioned ground).
 12. Officers may not use a Taser on a suspect who displays only passive resistance or simple flight unless the suspect has displayed previous threatening or resistive behavior and refuses to consent to custody or control and the conditions of 1.3.8D2 above are present.
 13. The serial number of the Taser shall be documented in the Use of Force report
 14. The supervisor completing the Use of Force Report shall download the use information from the Taser used. A printout of the Taser usage history shall be attached to the Use of Force report.
 15. Tasers instructors have basic training on maintenance and serviceability of the weapons system. Weapons will be checked by an instructor to determine serviceability. Weapons not serviceable will be removed from service and sent to Taser, Inc for repair/replacement.
- E. Impact Weapons – ASP 26"
1. Uniformed officers below the rank of Lieutenant will have a Police Department-issued retractable police baton available for use while on duty. (i.e. available in the duty bag, police vehicle, etc.) Officers have the option of wearing the baton on the duty belt.
 2. A police baton shall only be used when an officer reasonably believes a suspect is an immediate threat to an officer, a citizen or her/himself and that weaponless techniques would be less effective or more dangerous.
 3. To reduce the possibility of inflicting a lethal or permanently disabling blow, a strike is not to be directed to the head, side of the neck, armpit or chest cavity unless deadly physical force is justified.
 4. Other forms of impact weapons should not be used except in emergency situations.
 5. Impact weapons may be used on an animal as a deterrent to aggressive behavior when it poses an immediate threat to an officer or others.
 6. Officers may not use impact weapons on a suspect who displays only passive resistance or simple flight unless the suspect has displayed previous threatening or resistive behavior and refuses to consent to custody or control and the conditions of 1.3.8E2 above are present.
- F. Chemical Agents - First Defense Aerosol Pepper Projector MK9 and MK21; Combined Tactical Systems 5230 Riot CS Smoke Grenade and 5210 White Smoke Grenade.

1. Tear gas will only be used in extreme circumstances where a serious danger to life and property exists and all other methods of control or apprehension would be ineffective or more dangerous.
 2. Use of tear gas can only be authorized by a Division Manager or designee.
- G. Extended Range Impact Munitions – L1 Combined Tactical 37mm Launcher or L8 Defense Technology's 37 mm 6-shot Launcher. Authorized Ammunition – Bean Bag Round, .60 Cal Sting Ball Round, White Smoke Round and/or CS Smoke Round (when authorized by a Division Manager or designee).
1. Specialty impact munitions shall only be used when an officer reasonably believes a suspect is an immediate threat to an officer, a citizen or her/himself and that weaponless techniques would be less effective or more dangerous.
 2. To reduce the possibility of inflicting a lethal or permanently disabling blow, specialty impact munitions shall not be fired directly at the head or neck unless deadly physical force is justified.
 3. Specialty impact munitions may be used on an animal as a deterrent to aggressive behavior when it poses an immediate threat to an Officer or others.
 4. Use of specialty impact munitions can only be authorized by an on-duty supervisor.
 5. Only personnel who are trained to use the device(s) are authorized to utilize the specialty impact munitions.
 6. Officers may not use extended range impact munitions on a suspect who displays only passive resistance or simple flight unless the suspect has displayed previous threatening or resistive behavior and refuses to consent to custody or control and the conditions of 1.3.8G1 above are present.
 7. Supervisors will inspect the L1/L8 weapons systems for functionality. If either weapon is determined not to be functional, it will be removed from service and return for repair/replacement.
- H. Other Less-lethal Weapons
1. The Canine Team shall be utilized in accordance with G.O. 41.4.1
 2. Other forms of less-lethal weapons should not be used except in emergency situations. However, in all cases the weapon/force used shall be in compliance with the following:
 - a. The weapon shall only be used when an officer reasonably believes a suspect is an immediate threat to an officer, a citizen or her/himself and that weaponless techniques would be less effective or more dangerous.

Officers may not use the weapon on a suspect who displays only passive resistance or simple flight unless the suspect has displayed previous threatening or resistive behavior and refuses to consent to custody or control and the conditions of 1.3.8H2a above are present.

1.3.11 Policy Training (CALEA Std 1.3.2, 1.3.11)

- A. A sworn Police Officer shall be instructed in and have access to both electronic and hard copies of General Order 1.3, Use of Force, prior to being authorized to carry a firearm.
- B. A Police Officer and/or member authorized to carry or use a firearm shall receive a minimum of biannual firearms training, which will include classroom instruction.
- C. Police Officers below the rank of Lieutenant will receive training annually in Defensive Tactics, which will include a review of policy, procedure, and State Statutes pertaining to the Use of Force; impact weapons techniques, Taser, and Oleoresin Capsicum procedures.
- D. The Professional Standards Lieutenant/designee will determine the frequency and type of training for specialized weapons and specialty impact munitions.
- E. Use of Force training will be presented annually, documented and recorded in each sworn employee's training file by the Professional Standards Lieutenant/designee.

1.3.13 Use of Force Report (CALEA Stds 1.3.5, 1.3.6, 1.3.7, 1.3.13)

- A. A member using physical force shall:
 - 1. Obtain medical assistance for subjects who have sustained injuries or complained of injury, or have been rendered unconscious;
 - a. Injured persons need to be closely monitored and then examined by medical personnel to verify the extent of their injury. Care shall always be taken to place persons in custody in a position to avoid positional asphyxia.
 - 2. Immediately notify his/her supervisor prior to leaving the scene unless exigent circumstances delay notification of reportable force as outlined in Section C;
 - 3. Document any use of force above the level of persuasion, including the complete circumstances and details of the incident in his/her incident report;
 - 4. Complete the investigative report and have the report reviewed and approved by a supervisor during the shift.
- B. Any member observing the use of force who does not believe the spirit and intent of the reporting requirements are being met shall promptly notify their supervisor.
- C. In every reportable use of force situation, once notified, the on-duty supervisor shall respond to the scene immediately. The on-duty supervisor will investigate the use of force incident and complete a use of force report and investigation prior to the end of shift. Use of force investigations will be necessary when:
 - 1. Use of deadly physical force,
 - a. In the case of an officer involved shooting or other use of deadly physical force, the on-duty supervisor will conduct a brief summary investigation only. The Professional Standards Lieutenant will submit the administrative review; which shall include the Use of Force Report.
 - 2. Use of Vascular Neck Restraint,
 - 3. Use of baton,
 - 4. Use of O.C. and/or Chemical Agents,
 - 5. Use of Specialty Impact Munitions,
 - 6. Use of the Taser
 - 7. Use of force which causes any visible or apparent physical injury, or which results in the subject saying s/he was injured.
 - 8. A member uses any other type of less-lethal/weaponless (i.e., elbow/fist) object to strike a blow to a subject.
 - 9. Any other incident that the on-scene supervisor determines a use of force report is necessary.
- D. The use of force investigation will include a narrative about the incident and any interviews and statements of victims, witnesses and suspect(s). A copy of the police report will be attached to the use of force report, as well as photographs of injuries, copies of doctor's reports and communications tapes when appropriate.
- E. The narrative should describe the use of force, whether the force was appropriate and no further action is required or further investigation is warranted.
- F. The completed report will be forwarded to the Chief of Police via the chain of command for review and approval.
 - 1. Each supervisor and manager will sign off on the report for concurrence or make a recommendation to the Division Manager for corrective action or discipline, if necessary.
 - 2. The Chief of Police will forward the completed documents to the Management Assistant who is responsible for maintaining the use of force files.
 - 3. A copy of the completed Use of Force report will be provided to the involved employee(s) by the Management Assistant.

- G. The Professional Standards Lieutenant will annually prepare an analysis of each Use of Force report, recording the type and resulting effectiveness/ineffectiveness of the force used, as well as compliance with this policy. The analysis will focus on patterns which may identify any training deficiencies, such as improper methods in the application of the force, i.e. incorrect handcuffing, hand holds, etc., and will make recommendations for additional training or to discontinue a particular method of force being used by the Police Department. This report will be forwarded to the Chief of Police and to the Use of Force Instructors.
- H. The Management Assistant shall maintain all completed Use of Force reports for at least three years following the date of incident.

