

4.1 Use of Force

Purpose: The purpose of this policy is to provide law enforcement officers with guidelines for the use of deadly and non-deadly force.

Policy: The Upper Arlington Police Division recognizes the value of human life and is committed to protecting those we serve.

Definitions:

1. *Active Aggression* – Behavior with a purpose of directly causing physical harm to another.
2. *Active Resistance* – Physical, confrontational behavior with a purpose of directly obstructing the lawful efforts of a law enforcement officer to make an arrest. Asking questions, going limp, holding onto a fixed object, locking arms to another during a protest or refusing to comply with an officer’s verbal commands are NOT active resistance.
3. *Deadly Force* – Any force which carries a substantial risk that will proximately result in the death of any person.
4. *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, use of distance and/or cover, advisements, warnings, verbal persuasion and tactical repositioning.
5. *Force* - Force means any violence, compulsion or constraint physically exerted by any means upon or against a person or thing (ORC 2901.01). Minor hand to hand control techniques, such as those used in handcuffing, physically touching or gripping to overcome minor resistive tension or pointing of a firearm or Taser with no physical contact are NOT considered a use of force (see 4.2.1 C).
6. *Objectively Reasonable* – The reasonableness of an officer’s use of force will be determined by the totality of the circumstances known to the officer at the time of his or her actions and decisions. Objectively Reasonable includes determining the necessity for an appropriate level of force, including, but not limited to, the seriousness of the crime, the threat of resistance presented by the subject and the danger to the community. The test is whether the officers actions are objectively reasonable in light of the facts and circumstances confronting them, without regard to their underlying intent or motive. Officers are often forced to make split-second judgements – in circumstances that are tense, uncertain and rapidly evolving – about the amount of force that is necessary in a particular situation (Graham v. Connor, 490 U.S. 386 1989).
7. *Physical Force* – Contact with a person intended to subdue that individual until resistance is subdued.
8. *Physical Harm* – Any injury, illness or other psychological impairment, regardless of its gravity or duration.



9. *Progressive Force* – The application of various types of force used to overcome an individual’s resistance.
10. *Reasonable Belief* – Depends upon the specific facts and circumstances within the knowledge of the individual officer and which would warrant a ‘reasonable person’ in the position of the officer to exercise the same or similar action.
11. *Serious Physical Harm* – Defined (pursuant to ORC 2901.01) as follows:
 - Any mental illness requiring hospitalization or prolonged psychiatric treatment;
 - Any physical harm carrying a substantial risk of death;
 - Any physical harm which involved some permanent incapacity, whether partial or total, or which involves some temporary, substantial incapacity;
 - Any physical harm which involves some permanent disfigurement, or which involves some temporary, serious disfigurement;
 - Any physical harm involving permanent though partial disfigurement, or temporary though serious disfigurement repairable through plastic surgery;
 - Any physical harm that involves acute pain of such duration as to result in substantial suffering, or which involves any degree of prolonged or intractable pain.

4.1.1 Use of Reasonable Force

Police Division personnel shall use only the amount of force which is objectively reasonable to control a situation or person, affect an arrest, overcome resistance to arrest or defend him/herself or others from harm. When practical and when it does not create a risk of endangering the officer or other civilians, de-escalation techniques should be the first option for officers responding to a non-compliant and/or non-combative subject.

The use of force by personnel will, when practical, be progressive in nature. The officer is to consider the severity of the offense, the threat of safety to officers and others when making this determination. The officer’s response may be in the form of de-escalation techniques, verbal commands, hands-on contact, use of less-lethal weapons and the use of deadly force.

Division of Police personnel will not use unreasonable or excessive force toward any person. Personnel witnessing another officer using what he/she reasonably believes to be unreasonable or excessive force, shall actively intervene in order to stabilize the scene safely with a priority on protecting the wellbeing of all involved. After an officer(s) has used force and the situation has been stabilized, when available, another officer(s), not involved in the use of force, shall assume responsibility for the suspect until the suspect is ready to be transported.

The test is “reasonableness at the moment” of the use of force as “judged from the perspective of a reasonable officer on the scene, rather than with the 20/20 vision of hindsight” (Graham at 396).

4.1.2 Use of Deadly Force

An officer acting within the scope of his/her employment shall be justified in the use of ‘deadly force’ under the following circumstances:

1. To defend him/herself from what is reasonably believed to be an imminent threat of serious physical harm or death;
2. To defend another person from what is reasonably believed to be an imminent threat of serious physical harm or death;



3. When the officer reasonably believes that there is substantial risk of death or serious physical harm to any person if the apprehension of the offender is delayed.

Definitions of conditional terms, such as those for reasonable belief, serious physical harm, and imminent threat shall be included and reviewed during annual in-service training.

Deadly Force Restrictions

- When practical and when it does not create a risk of endangering the officer or other civilians, a verbal warning should be given prior to using deadly force.
- Firearms shall not be discharged from or at a moving vehicle unless a person in the vehicle is immediately threatening the officer or another person with serious physical harm or death by means other than the vehicle, except when discharging a firearm is the only reasonably perceived method to protect the officer's life or the life of another from serious physical harm or death.
- Deadly force shall not be used against persons whose actions are a threat only to themselves or property.
- Deadly force shall not be used if the suspect is merely evading arrest (Tennessee v. Garner 1985 105 S.C. 1694).

Neck Restraints

- The use of neck restraints or other potentially lethal weaponless control techniques are not approved less-lethal techniques. The use of these techniques is not allowed except where deadly force would otherwise be permissible

Animals

- When confronted with an imminent threat from a dangerous animal, officers may use a lethal or less-lethal weapon to protect the officer or others from serious physical harm.

4.1.3 Warning Shots

Officers shall not discharge a firearm for the purpose of a warning shot.

4.1.4 Use of Authorized Less-Lethal Weapons

A less-lethal weapon is any instrument that may be used to defend the officer or another from physical harm and to affect lawful arrests.

- A. Carrying approved weapons – Sworn members of this agency, on uniformed duty, shall carry only the approved less-lethal weapons authorized by the Chief of Police, as recommended by the Training Section, for the purpose of affecting an arrest, detention or mission-specific seizure.
- B. The use of other instruments readily at hand for defensive purposes are only authorized when an authorized less-lethal weapon is not immediately available or accessible and only within the scope of training received by an officer with regard to the use of force.

4.1.5 Rendering Aid

The Division requires that appropriate medical aid is rendered as quickly as reasonably possible following any law enforcement action in which injuries have been sustained, medical distress is



apparent, or the individual is unconscious. When an officer has used lethal or less-lethal force, he/she shall adhere to the following procedures after a Use-of-Force incident:

1. Officers shall notify NRECC, who will initiate the appropriate EMS response.
2. Officers shall notify the shift supervisor as soon as practical.
3. The Patrol Supervisor shall respond to the scene. All visible injuries and reported injuries shall be photographed.
4. The supervisor or designee shall ensure that the chain-of-command is notified of any incident involving any use of lethal force.
5. When it is safe to do so, officers will promptly render first aid and/or ensure that aid is made available to the subject(s). Aid may include:
 - a. First aid administered by certified Division personnel;
 - b. Treatment on the scene by EMS;
 - c. Transportation to a medical facility by EMS.

A complete written account of the aid provided shall be included in the officer's incident report, as well as in the Use-of-Force report.

4.1.6 Vascular Neck Restrictions

The use of vascular neck restraints or other potentially lethal weaponless control techniques are not approved less-lethal techniques. The use of these techniques is not allowed except where deadly force would otherwise be permissible

4.1.7 Choke Holds

The Division prohibits the use of any technique restricting the intake of oxygen for the purpose of gaining control of a subject unless deadly force would be considered reasonable.

4.2.1 Reporting Uses of Force

- A. An officer shall prepare/submit a Use of Firearms Report whenever he/she discharges a firearm, with the following exceptions: during supervised training, target practice, sport/recreational shooting, or when destroying an injured/sick animal (see #2 below).

All unintentional discharges shall be documented on use of firearms report. An unintentional discharge occurring during supervised training that results in physical injury to persons or the facility require the notification of the Training Section Supervisor, if available, otherwise the on-duty supervisor shall report to the scene. ***The responding supervisor shall conduct a preliminary investigation into the unintentional discharge and forward his/her findings to the Staff/Investigative Bureau Lieutenant.***

1. An officer shall complete a Use of Force Report (if appropriate) and a Use of Firearms Report when he/she has deliberately or accidentally discharged a firearm on or off duty with the following exceptions: during supervised training, target practice, sport/recreational shooting, or when destroying an injured/sick animal. Officers are required to complete Use of Force Reports and/or Use of Firearms Reports by the end of their shift or as soon as practical. On-duty supervisor(s) shall be verbally notified as soon as practical



immediately following the incident. In cases of serious injury or incidents involving the intentional discharge of a weapon, the on-duty supervisor shall notify his/her immediate supervisor. The chain-of-command is followed so that the Chief of Police and City Manager are notified as soon as practical. If the officer is unable to complete the required report(s), the on-duty supervisor or his/her designee shall submit the written report(s) before the end of the current shift or as soon as practical.

2. An officer may use a firearm to destroy an animal to prevent serious physical harm to an officer or others and/or to relieve the further suffering of an injured or sick animal. An officer who destroys an animal pursuant to this section shall complete a miscellaneous incident report that details the circumstances of the event. A .22 caliber pistol is available for use in the gun safe located in the Police Locker Room. A Gun Sign-Out Log (also located in the safe) is completed.

Officers shall notify the on-duty supervisor and NRECC, if practical, before an animal is intentionally destroyed. If circumstances permit, officers shall avoid destroying an animal in front of the public, especially small children.

- B. Sworn officers complete a Use of Force Report when he/she uses force and/or takes an action that results, or allegedly results in injury or death of another individual as well as when he/she applies physical force as defined in Chapter 4.1 of the General Orders. Officers are required to complete Use of Force Reports and/or Use of Firearms Reports by the end of their shift or as soon as practical. Officers shall notify the on-duty supervisor verbally as soon as practical immediately following the incident. In cases of serious injury or incidents involving the intentional discharge of a weapon, the on-duty supervisor shall notify his/her immediate supervisor.

The chain-of-command is followed so that the Chief of Police, City Manager and City Attorney are notified as soon as practical. If the officer is unable to complete the required report(s), the on-duty supervisor or his/her designee shall submit the written report(s) before the end of their current shift.

- C. The agency will conduct an administrative investigation of all use of force incidents to determine if the use of force used was objectively reasonable and consistent with agency policy. A supervisor will respond to the scene and conduct the investigation.

Officers shall complete a Use of Force Report when he/she applies force through the use of lethal or less-lethal weapons. An attempt to apply force is applicable under this section.

1. An officer completes a Use of Force Report and Use of Taser Report when a Taser probe is deployed or drive stun utilized. This section also applies to an accidental discharge of a Taser probe that results in injury or death of another individual.
2. In the event of an accidental discharge of a Taser not resulting in injury or property damage, an officer will notify his/her on-duty supervisor as soon as practical immediately following the incident and completes a Use of Taser Report. Spent cartridges are forwarded to the Training Section.
3. In the event an officer points his/her Taser at a subject and the subject then complies with the orders of the officer without discharging probes or using the drive stun mode, a Use of Taser Report shall be completed and then forwarded to the



Training Sergeant. This includes pointing, spark warning and/or laser display which results in the de-escalation of an incident. This does not include maintaining the Taser at a ready position.

4. In the event an officer points his/her firearm at a subject and the subject then complies with the orders of the officer, a Use of Firearms Report shall be completed and then forwarded to the Training Sergeant. The report is not required when an officer draws his/her firearm to a ready position and the muzzle is not pointed at another person.
- D. A sworn officer shall complete a Use of Force Report when he/she applies physical force as defined in Chapter 4.1 of the General Orders. The officer shall also complete a Use of Force Report when he/she applies physical force which is likely to result in an actual or claimed injury. As soon as practical after the use of force, the employee shall verbally report the information to the on-duty supervisor who shall report to the scene.

4.2.2 Written Use of Force Reports and Administrative Review

In the event that an officer uses force on a subject as defined in 4.1 the officer will report the use of force as soon as practical to the on-duty shift supervisor and as soon as practical, complete a Use of Force Report.

All Use of Force incidents will be thoroughly investigated by the supervisor on duty. He/she will be responsible for conducting necessary interviews and gathering all statements, audio/video, and photographs. The supervisor shall submit the reports to his/her immediate supervisor. When the supervisor is involved in a use of force, he/she will be responsible for gathering all statements, audio/visual, and photographs. His/her supervisor shall be responsible for further investigation and review of the reports.

- A. Upon completion, Use of Force Reports shall be forwarded to the Training Section Supervisor. The Training Sections Supervisor shall review the action to determine reasonableness of the force and whether there are training, policy, weapon, or equipment issues which should be addressed. After review, the Training Section Supervisor shall forward the report(s) to the Bureau Lieutenant to determine whether an internal investigation is needed. The Bureau Lieutenant shall forward the reports to the Chief of Police or his/her designee for final review. The Chief of Police may refer the report to the Staff/Investigative Bureau Lieutenant for Internal Affairs review and possible further investigation.

If the use of force results in, or is likely to result in the death of any person, or is the result of an officer involved shooting, an outside law enforcement agency will be called in to conduct any such investigation. Officers should refer to the *Section XIII of the Unusual Occurrences Manual* providing guidance on how to proceed after an incident of this type.

Concurrently, this agency will conduct an administrative investigation and review any incident of this type involving an Upper Arlington Police Officer to ensure all policies of this agency have been followed. For incidents involving the use of force where death or the likelihood of death occurs or for any officer involved shooting the Chief of Police will assign a supervisor to conduct the administrative investigation.

- B. All Use of Firearms and Use of Taser Reports involving both on and off-duty *unintentional discharge* incidents are forwarded to the Training Section Supervisor through the respective



Bureau Lieutenant. After review, the Training Section Supervisor shall forward the report(s) to the appropriate Bureau Lieutenant for review. The report(s) is then forwarded to the Chief of Police for final review and disposition. The Chief of Police may refer the report to the Staff/Investigative Bureau Lieutenant for Internal Affairs review and possible further investigation.

- C. Use of Firearms reports involving an *intentional discharge* of a weapon by an officer shall be forwarded through the respective Bureau Lieutenant to the Staff/Investigative Bureau Lieutenant, who reviews the report in order to conduct an administrative review.

Upon completion of the administrative review, the report shall be forwarded to the Chief of Police, who convenes a Firearms Review Board. This Board should consist of the following voting members: a Bureau Lieutenant, two Sergeants and two Officers. In addition, the Upper Arlington City Attorney or his/her designee shall be a non-voting member of this Board. In most circumstances, the Staff/Investigative Lieutenant is responsible for presenting the facts of the case with the assistance of the appropriate personnel.

Upon review of the facts, the Chair of the Firearms Review Board, as appointed by the Chief of Police, shall forward the Board's findings in writing to the Chief of Police.

The Chief of Police shall review all the facts of the incident, including the Firearms Review Board findings, the Internal Affairs Officer's recommendation(s), and any other additional recommendations from staff that is deemed appropriate. The Chief of Police determines if disciplinary action is required and may send the review to Internal Affairs for investigation. Any disciplinary action may be appealed or reviewed pursuant to provisions of the Bargaining Unit Contract.

Upon completion of the review by the Chief of Police, Use of Force, and Use of Firearms Reports are forwarded to the Training Section Supervisor to be maintained.

4.2.3 Operational Assignment

- A. Any employee, acting in an official capacity, whose action or use of force results in death or serious physical injury, shall be removed from his/her line of duty assignment, pending an administrative review. The procedures for coordinating the Division's response are detailed in *Section XIII of the Unusual Occurrences Manual*.
- B. When an officer's actions, including a use of force results in the death or serious physical injury of another, the officer shall be removed from the scene as soon as practical. In addition, the employee shall be afforded the services of the Critical Incident Team, an F.O.P. representative and/or psychological assistance. The officer may be released from duty with pay for the remainder of his/her shift pending an investigation and administrative review of the incident. The employee shall be removed from line duty and placed on administrative duty or administrative leave as determined by the Chief of Police. This release from duty is not considered as disciplinary action taken against the officer. The purpose of this release from duty is to assist the officer in coping with the emotional consequences of the incident.

Before returning to active duty status, the officer shall be required to utilize the Employee Assistance Program or arrange an acceptable alternative with the Chief of Police. Such alternatives may include: Critical Incident Teams, Clergy, and /or a counselor of his/her choice.



Upon returning to active duty status, the officer may be assigned to administrative duty for a period of time as deemed appropriate by the Chief of Police.

- C. Critical incidents are those occurrences that bring an overwhelming emotional response from an employee, and that goes beyond the employee's normal coping abilities. Examples of critical incidents include, but are not limited to, large-scale disasters with multiple deaths, motor vehicle accidents involving serious trauma and incidents involving the death of children.

The on-duty shift supervisor shall have the authority to release an employee for the remainder of his/her workday/shift, when he/she believes that the employee has been affected by a critical incident. An employee may also request relief from duty, after being affected by a situation that he/she deems a critical incident. When such action is taken, the Chief of Police shall be immediately notified by the normal chain-of-command. Before returning to active duty status, the employee shall be offered the services of the Employee Assistance Program.

Members of an employee's family shall be offered or may request Employee Assistance Program services after a use of force or other critical incident. The Chief of Police of any Bureau Lieutenant may authorize the use of this service.

4.2.4 Analyze Reports from Use of Force

In the first quarter of the calendar year, the Training Section Supervisor shall analyze all use of force activities to include Use of Force, Use of Taser, Use of Firearms, policies and practices from the preceding year. The analysis should identify:

- a. The date and time of incidents
- b. The types of encounters resulting in a use of force
- c. Trends or patterns related to race, age, and gender of subjects involved
- d. Trends and patterns resulting in injury to any person including employees
- e. The impact of findings on polices, practices, equipment and training

The analysis of these reports shall be documented and forwarded to the Chief of Police for review. The Training Section Supervisor maintains the final report.

4.2.5 Assault on Sworn Officer Review

Annually, the Training Section Supervisor shall conduct a review of all assaults on law enforcement officers within the Division. The Sergeant shall conduct a review identifying trends and/or patterns with recommendations to enhance safety through policy and training recommendations. The review shall be documented and forward to the Chief of Police for review.

4.3.1 Authorization: Weapons and Ammunition

- A. Weapons – The agency issued lethal and less-lethal weapons specifications for sworn officers will be maintained by the Training Section Supervisor, after approval by the Chief of Police. Officers carrying any lethal or less-lethal weapon must carry and have at hand proper identification, including badge and Department identification card (see G.O. 1.2.2 B).

- 1. Handguns



- a. Uniformed officers are issued a Glock, Model 17, 19, or 21 which is designated as the officer's primary weapon. Officers may opt to change the sights from the factory sights with the approval of the training section supervisor.
- b. With the permission of the Chief of Police, officers assigned to the Training Section, Criminal Investigations Section or plainclothes duty and officers in the rank of Lieutenant and above (when wearing the uniform blouse) may carry a personally-owned weapon that meets the criteria in Section C in lieu of his/her City issued weapon while on duty.
- c. With the permission of the Chief of Police, an officer may carry a personally-owned weapon as a secondary weapon while on duty. Personally-owned weapons carried while on duty must be registered with and inspected by the Training Section. The Training Section makes a written recommendation for approval or denial of this weapon, based on the following criteria:
 - i. Capable of firing a minimum of five rounds of ammunition without needing to be reloaded
 - ii. Revolver capable of firing .38 special ammunition
 - iii. Semi-automatic capable of firing either .380, 9MM, .40 or .45 ACP calibers
 - iv. The weapon must be inspected and approved by a Division armorer and determined to be safe and in good working order.
 - v. The weapon must be carried in a concealed manner when carried as a secondary weapon or in an off-duty capacity.
 - vi. Officers may opt to change the sights from the factory sights with the approval of the training section supervisor.

2. Shotguns

The Upper Arlington Police Division utilizes the Benelli M-4 Shotgun for Patrol and the Criminal Investigations Section.

- a. The shotgun shall be secured in a locked gun rack in the front passenger compartment of each marked patrol cruiser assigned to the Patrol fleet with the chamber empty, four rounds in the magazine tube, one round on the carrier, and the safety on. Each officer shall inspect his/her shotgun at the beginning of the shift to ensure it is functioning properly.
- b. Each officer assigned to the Criminal Investigations Section (CIS) may be issued a shotgun. Shotguns are secured in the gun safe located in the Criminal Investigations Section office with the chamber empty, four rounds in the magazine tube one round on the carrier, and the safety on. Each detective may store the shotgun in the trunk of his/her unmarked vehicle while on-duty, but must return the shotgun to the gun safe at the conclusion of their shift.
- c. Surplus shotguns are locked in the Police Division Armory at the indoor range facility located at 3861 Reed Road.
- d. When a vehicle with an assigned shotgun is taken outside the City of Upper Arlington for maintenance or radio repair, or loaned to another City Department, the shotgun shall be removed from the vehicle and placed in the weapon safe located in the Police Locker Room. This includes routine maintenance at the Roberts Road Public Service Center.



3. Specialized Weapons

a. Rifles

The Upper Arlington Police Division utilizes a Semi-Automatic and Select-Fire Rifles. An officer who obtains a qualifying score on a Rifle Course of fire approved by the Training Section Supervisor and the Chief of Police is required to place the rifle in-service while on duty. No other person(s) are authorized to do so.

An officer may carry a personally-owned rifle in lieu of a Division-owned rifle upon successful qualification of the approved course of fire.

The personally owned rifle shall be approved by the Training Section Supervisor and the Chief of Police using the criteria below:

1. The rifle shall be in good working order.
2. Any changes to the stock trigger mechanism must be approved by the Training Section Supervisor. Polishing or altering the weight of the trigger is strictly forbidden.
3. Patrol Rifles shall be of caliber 5.56. Precision Rifles must be of caliber .308.
4. The barrel length of the personal rifle shall be:
 - a. no shorter than 10.5" and no longer than 18" for caliber 5.56
 - b. no shorter than 16" and no longer than 28" for caliber .308
5. Patrol Rifles may be equipped with a silencer when ALL of the following apply:
 - a. The rifle was equipped with the silencer during qualification.
 - b. The silencer is in good working condition, as determined by the Training Section Supervisor.
 - c. The silencer is registered properly with the ATF and the officer (or a legal entity to which he is a responsible person) is listed on the Form 4.
 - d. The overall length of the rifle with the silencer does not exceed the above barrel length restrictions.
6. Patrol Rifles may be equipped with an electronic optical sighting system so long as all of the following apply:
 - a. The optic is in good working order and is approved by the Training Section Supervisor.
 - b. The optic was in place during qualification
 - c. The rifle contains at least one sighting system that does not require batteries, such as iron sights.
 - d. The magnification is 0-1X or can be adjusted to 0-1X.
7. Personal rifles shall be equipped with a functioning light.
8. Personal rifles shall be equipped with a sling.

When qualified personnel carry a rifle while on duty, it shall be considered 'in-service'. This policy applies to both City and personally-owned rifles.

When the rifle is 'in-service', the following guidelines shall apply:

- i. Prior to the officer's assigned shift, the rifle shall be removed from the gun locker located in the Police Locker Room and signed out on the Equipment Sign-Out Log. This rifle shall be signed back in at the end of the officer's shift and



returned to the gun locker. An officer placing his/her personally-owned rifle in-service shall also sign the same Equipment Sign-Out Log. Each officer who places a rifle 'in-service' ensures that his/her supervisor is notified.

- ii. The rifle shall be secured in a soft rifle case locked in the trunk of this cruiser/unmarked vehicle, or, if equipped, in the cruiser's rifle rack, as follows: chamber empty; safety engaged; magazine in magazine well; four loaded 30-round magazines containing a minimum of 28 rounds per magazine in the rifle case magazine pouch or carrier. Only ammunition issued by the Division is authorized for use in either a City or personally-owned rifle.
- iii. The rifle is the primary weapon to be considered for use in most tactical situations, as well as those in which distances exceed the officer's effectiveness with the handgun or shotgun.
- iv. It is the responsibility of the deploying officer to ensure that the rifle is returned to the cruiser/unmarked vehicle and secured in the approved manner as soon as practical.
- v. In all cases, the Division's Use of Force policies apply.
- vi. When the rifle is not 'in-service', it is secured either in the gun locker located in the Police Locker Room or at the Division's Indoor Firing Range, 3861 Reed Road.

b. Other Specialized Weapons

The precision rifle is only authorized for use by officers who have received appropriate training and/or certification. The precision rifle may only be used in accordance with established Division standards as outlined in the Upper Arlington Operational Procedure – Policy Update 2007-02.

4. Less-Lethal Weapons

Officers are issued and certified in the use of the Taser, ASP Tactical Baton, and OC Chemical Irritant (see Appendix J for OC Chemical Irritant specifications). The Taser and OC Chemical Irritant shall be carried by all uniformed officers on his/her duty belt. Officers may choose not to carry the ASP Tactical Baton but are strongly encouraged to do so.

a. Conducted Energy Device (CED) Protocol (Taser)

The approved use of a Conducted Energy Device (CED)(Taser) is intended to control a violent or potentially violent individual, while minimizing the risk of injury. The appropriate use of such a device should result in fewer injuries to officers and suspects. The Taser is the only conducted energy device approved by the Upper Arlington Police Division. Only Taser units owned and maintained by the Upper Arlington Police Division shall be carried or deployed by officers. Privately-owned Tasers or conducted electrical weapons are prohibited. The Taser will be carried as a less-lethal force option, and each officer will be required to qualify annually on a course approved by the Chief of Police as recommended by the Training Section Supervisor. Prior to carrying the Taser, the officer shall be trained by a certified CED instructor in the guidelines set forth by Taser and Upper Arlington Police Division.

The training and annual testing shall incorporate the specific legal materials prepared by the City Attorney's office. Training will stress the best practices and upon completion of training, all officers should fully understand the following concepts:



1. Three most important factors courts will consider are:
 - a. Severity of crime;
 - b. Threat of imminent danger;
 - c. Attempts to resist arrest or flee
2. Taser cases are very fact specific
3. Taser cases set minimum constitutional standards, not best practices
4. Refusing to comply with an officer is not justification for deploying the Taser
5. Refusing to come out of the house is not justification for deploying the Taser
6. OVI is not a severe crime which justifies deploying the Taser
7. Prior violent behavior is not justification for deploying the Taser
8. Possible possession of a gun is not justification for deploying the Taser unless the officer reasonably believes there may be an imminent risk or harm to self and/or others
9. A second or third Taser cycle done too soon may be excessive force
10. Passive resistance is not justification for deploying the Taser
11. Active resistance and refusing to be handcuffed may be enough depending on strength of factors under #1 above
12. Diminished capacity should be considered prior to deploying the Taser
13. Inmates have similar rights to non-inmates
14. The age of the person may be a consideration prior to deploying the Taser

All training and certification should be documented for each officer.

Nothing in this policy shall prevent the Chief of Police from removing a Taser from an officer.

Taser Guidelines

The Taser may be used to stop person(s) who are actively resisting, exhibiting active aggression or to prevent individuals from harming others or causing serious physical harm to themselves.

The officer should give a verbal warning prior to deployment of the Taser unless it would otherwise endanger the safety of officers or when it is not practical due to the circumstances. The purpose of the warning is to provide the individual with a reasonable opportunity to voluntarily comply and provide other officers and individuals with a warning that the Taser device may be deployed.

The Taser may be used on fleeing subjects when the officer reasonably believes that a crime has occurred that involved the actual, threatened or attempted infliction of physical harm to a person.

Mere flight from a pursuing officer, without other known circumstances or factors, is not a reasonable use of the Taser to apprehend an individual.

The Taser should only be used in the spark warning mode when the use of the Taser in probe or stun modes would be warranted.

The Taser should never be used:

1. Punitively
2. In drive stun mode as a prod or escort device



3. To rouse unconscious, sleeping, impaired or intoxicated individuals
4. For horse play or entertainment
5. To experiment on a person or allow a person to experience the Taser, even if the person requests it, when the Taser use would not be otherwise allowed by this policy
6. For illegal purposes (torture, illegal coercion, etc.)

The Taser may be used for official training approved by the Training Section Supervisor.

Unless the officer has determined that the safety risks to the officer or others as well as other factors outweighs the increased risks to the subject, officers should generally not use the Taser when:

1. The individual is on an elevated surface, or structure where a significant fall could result and cause further injury
2. The individual is running away from the officer for a nonviolent misdemeanor, unless the subject poses a significant risk of physical harm to the officer or others
3. The individual is in water sufficient to drown
4. The individual is in physical control of a vehicle in motion
5. The individual is an obviously pregnant female
6. The individual is elderly, or physically disabled, while taking into consideration the size, aggressiveness and intent of the subject
7. The individual appears to weigh less than 80 pounds, while taking into account the aggressiveness and intent of the subject
8. The individual appears to be a minor (17 or less), while taking into consideration the size, weight, aggressiveness and intent of the subject and the safety risks to the officer, subject or others

Officers should not use the Taser on a passive subject as a pain-inflicting device to ensure compliance.

Officers should not use the Taser on a handcuffed person unless they are exhibiting active aggression, and only in order to prevent them from harming others or causing serious physical harm to themselves.

Officers should never knowingly fire the Taser or conduct a spark warning near flammable materials.

Following the use of a Taser on an individual, officer(s) should promptly attempt to utilize physical restraint techniques in order to minimize additional Taser activations and duration of the struggle.

Officers should avoid multiple activations or continuous cycling unless justified by the individual's continued actions in order to minimize the potential for over-exertion of the subject or potential impairment of the subject's ability to breathe over a protracted period of time.

In determining the need for additional activations, officers should be aware that an energized subject may not be able to respond to commands during or immediately following exposure. The use of more than three cycles is strongly discouraged unless the officer has determined that the safety risks to the officer or others as well as other factors outweighs the increased risk to the subject. Each subsequent five-second cycle requires separate justification.



When deploying the Taser in the probe-firing mode, the preferred target areas are the lower center mass (below sternum) for the front and below the neck area for the back.

When deploying the Taser in the drive stun mode, the officer should not intentionally target the head, back of the neck, throat, chest/breast area (above sternum) or groin.

The drive stun mode should be used only to supplement the probe-firing mode to complete the NMI circuit, or as a countermeasure to gain separation between the officer and the individual.

Officers are strongly discouraged to deploy more than one Taser at a time against an individual.

When confronted with a threat from a potentially dangerous animal, officers may use the Taser to protect the officer or others from physical harm.

Taser Operations

Personnel working a uniformed assignment are required to carry a Taser, unless the Chief of Police has removed Taser from the officer.

At the beginning of each shift, the officer will perform a five-second spark test to ensure proper operation. The officer will then sign out the Taser on the appropriate form.

Officers will remove from service a Taser which fails the spark test or displays a battery reading of **thirty percent** or less. The defective Taser or defective (low battery) Taser battery will be replaced by the on-duty supervisor and then forward to the Training Section Supervisor.

The Taser will only be carried in the approved holster in the cross-draw location. Officers may carry the following less lethal weapons on their duty belts; OC spray, ASP baton, and the Taser. Officers have the option to remove the ASP baton, but must carry the OC spray and Taser.

The Training Section Supervisor or their designee is responsible for conducting all required maintenance to include quarterly downloads and for promptly providing all officers with any updated Taser product warnings issued by the manufacturer.

Officers will remove their Taser prior to entering the Temporary Holding Facility when a detainee is present.

Officers shall properly store the Taser when it is not in use.

Post Deployment

After deployment, the officer shall ensure the subject is monitored for injury as soon as practical after control is established and shall request EMS response to the scene to evaluate the subject. If appropriate, EMS personnel will remove the probes from the subject. The EMS will make the determination if the subject should, or should not be transported to the hospital. Transportation to a medical facility will be by EMS and an officer will accompany the arrestee. The officer will collect and package the probes in an appropriate container, along with the related cartridge and wires. This material will then be marked appropriately and placed into evidence until all criminal or civil litigation or statute of limitations involving the incident has ended.



The on-duty supervisor will report to the scene and ensure that photographs of the probe marks and/or drive stun impact area are taken, in addition to collecting a representative sample of AFIDS. The AFIDS will then be placed into evidence along with the cartridge and wires.

Every probe deployment (including accidental discharge when involving a citizen encounter) and drive stun shall be reported to the on-duty supervisor as soon as practical and shall be reported on a "Use of Force" form. The "Use of Force" form shall be reviewed in accordance with the Use of Force Policy. In addition, officers will complete the "Use of Taser" form.

An accidental probe deployment or accidental drive stun not involving a citizen encounter shall be reported to the on-duty supervisor as soon as practical and shall be reported on a "Use of Taser" form. The deployed cartridge will be collected and returned, along with the "Use of Taser" form, to the Training Section Supervisor. The deployed cartridge will be removed from the Taser cartridge file and a new cartridge will be reissued to the Taser by the on-duty supervisor.

In the event an officer points his/her Taser on a subject and the subject then complies with the orders of the officer without discharging probes or using the drive stun mode, a Use of Taser report shall be completed and forwarded to the Training Sergeant. This includes pointing, spark warning, and/or laser display which results in the de-escalation of an incident.

After an officer has fired a Taser cartridge, a new cartridge will be issued to the officer by the on-duty supervisor and the serial number and replacement date shall be recorded.

After deployment, the officer will provide his Taser to the on-duty supervisor so that the data can be downloaded.

Before placing the Taser back into service, the on-duty supervisor will ensure that all operational checks have been successfully completed.

An electronic file for each Taser will be maintained by the Training Section Supervisor. The file will contain the data which shall be downloaded from the Taser at least annually and after every drive stun, probe deployment, or supervisor's request regarding the Taser usage. The file will also contain the serial numbers of each cartridge assigned to the Taser.

Accountability

Officers placing a Taser in-service, who are not issued their own Taser or when their assigned Taser is out of service, will retrieve the Taser from the secured Taser drawer then sign out the Taser on the equipment sign-out sheet. At the end of the officer's duty assignment the officer shall return the Taser to the Taser drawer. Officers are responsible to ensure the Taser drawer is secured after retrieving or returning a Taser to the drawer. Officers placing a Taser in service, who are issued their own Taser, will log it on the equipment sign-out sheet. Possession and control will be the responsibility of the officer who signed out the Taser or is issued the Taser.

Audit

All Tasers shall be audited by the Support Services Bureau Lieutenant or designee on an annual basis. Audits should be conducted to verify that all Taser deployments are consistent with the Use of Force reports or documented training.



Any unauthorized deployments shall be identified and an investigation shall be conducted regarding the circumstances of the deployment. Unauthorized deployments may be subject to disciplinary action.

All deployments shall be analyzed to identify trends in Taser usage

Record Retention

All Use of Force Reports, User of Taser Reports, Taser Audit Reports and Taser electronic file downloads shall be maintained in accordance with the record retention schedule.

b. Chemical Irritant Protocol – Oleoresin Capsicum (OC)

1. The Chemical Agent/Oleoresin Capsicum (OC) may be used in conjunction with other techniques, to stop persons who are actively resisting, exhibiting active aggression, or to prevent individuals from harming themselves or others
2. When practical, the officer should give verbal warning when the Chemical Agent/Oleoresin Capsicum (OC) is going to be deployed
3. Officers should not use the OC on subjects in physical control of a vehicle in motion
4. Officer shall not use the OC on a passive subject as a pain-inflicting device to ensure compliance
5. Officers shall not use the OC indiscriminately in a crowd as a pain-inflicting device to ensure compliance
6. Officers should only target the eye brows of a subject and direct the ballistic stream in a side-to-side direction when using the OC

c. Straight/Collapsible Baton Protocol (ASP)

1. The straight/collapsible baton, when used to strike, is classified as a defensive weapon and shall be used to defend the officer or another person from a subject exhibiting active aggression
2. Officers should strike the subject, targeting center mass of the arms, legs and/or torso
3. Officers shall not target the head, neck or groin area unless lethal force is justified.
4. The straight/collapsible baton may be operated in the open or closed mode when delivering strikes to a subject exhibiting active aggression
5. The straight/collapsible baton may be used to assist with pain compliance and joint lock techniques on non-combative and non-compliant subjects who are actively resisting.
6. Officers shall photograph the subject as soon as practical after using a straight/collapsible baton. The on-duty supervisor shall ensure that photographs of the impact area are taken and added to the Use of Force investigation packet

d. Knives as tools

Any knife to be carried by an officer on duty is subject to the conditions set forth



under G.O. 41.3.4(B).

Nothing in this policy precludes an officer from utilizing any object (i.e. portable radio, rock, stick, knife, etc.) for survival purposes not inconsistent with the remaining portions of this policy.

- B. The standard issued ammunition for the Police Division for all duty, secondary, and off-duty weapons is designated by the Chief of Police upon recommendation of the Training Section (see Appendix K for the current issue of approved ammunition).

This section does not preclude the purchase and use of ammunition for training purposes that differs from the approved ammunition listed in Appendix K.

All officers shall carry their handguns with one round in the chamber and all magazines fully loaded.

- C. Prior to an officer being permitted to carry and/or use any Police Division approved weapon, he/she must receive training from and demonstrate proficiency to a Division of Police certified firearms instructor. All City-issued weapons are inspected by the Division Armorer. Only the Division Armorer performs repairs on City-issued weapons.
- D. Any weapon deemed unsafe shall be immediately removed from service by the Training Section for repair or disposal. If an officer discovers an issue with an assigned weapon that they believe makes it unsafe, they should immediately notify their immediate supervisor. The immediate supervisor shall take the weapon out of service and replace it. Extra firearms are stored in the gun safe in the locker room. Extra chemical spray and ASPs are kept in the Patrol Sergeant's office. Tasers are stored in the Squad Room. The Supervisor removing the unsafe weapon shall notify the Training Section and secure the weapon until it can be inspected by the Training Section. All repairs will be documented.
- E. Inventory and qualification records are maintained on all approved weapons. Inventory records shall include manufacturer, model, caliber, and serial number of all weapons. Qualification records shall include firearms instructor, officer's name, weapon identification, course fired, and the results of the qualification. All records are maintained within the Training Section.
- F. Officers shall be responsible for properly storing all agency-authorized firearms and Tasers. Firearms should be kept in a locked storage compartment or be secured with a gunlock when not being carried. Tasers should be in a secured storage compartment when not being carried.

It is the responsibility of each officer to secure agency authorized firearms according to Ohio Revised Code §2923.19 (see G.O. 4.1 and 72.4.1).

4.3.2 Demonstrating Proficiency with Weapons

All officers are required to demonstrate proficiency with firearms they are authorized/approved to use both on and off duty. Firearms proficiency is conducted on a course approved by the Ohio Peace Officer Training Council (O.P.O.T.C.). Officers are also trained in the use, safe handling and familiarization of all other agency-authorized weapons (i.e., Taser, chemical sprays, striking weapons), as well as instruction on the Division's Use of Force Policy and laws concerning the use of authorized weapons (G.O. 4.1.1-4.3.5). All training is conducted by certified instructors, with the Training Section maintaining the



records of this required instruction.

4.3.3 Annual/Biennial Proficiency Training

- A. Upper Arlington Police Division Officers receive in-service training on the Division's Use of Force Policy (see G.O. 33.5.1, B.4.) and demonstrate proficiency with all approved lethal weapons and CEDs (Conducted Energy Devices) on an annual basis (see G.O. 33.5.1, B.2.). Lethal weapon Proficiency consists of an O.P.O.T.C. certified course in which the officer must meet or exceed State firearm standards. In-service training for all less-lethal weapons and weaponless control techniques is conducted at least biennially.
- B. All training and proficiency is documented and administered by an Upper Arlington Police Division certified instructor(s). All sworn personnel will be required to demonstrate proficiency over the written directive through a written test during the annual in service training regarding the Use of Force policy.
- C. If an officer fails to qualify or demonstrate proficiency with an authorized weapon, the following procedure is allowed:
 - 1. The officer is retested as soon as practical. If the officer fails to qualify or demonstrate proficiency, then;
 - 2. The officer is given remedial training in the specific problem area and retested as soon as practical. If the officer again fails to qualify or demonstrate proficiency, then;
 - 3. The Training Section Supervisor notifies the Chief of Police in writing of the officer's failure to qualify or demonstrate proficiency after remedial training. The Chief of Police, in consultation with the Training Section, determines the proper course of action.
 - 4. If the proper course of action is additional training and the officer still fails to qualify or demonstrate proficiency, he/she is removed from any duties requiring the use of said weapon. The Chief of Police takes appropriate measures which could include disciplinary action up to and including dismissal.

4.3.4 Prerequisites to Carrying Lethal/Less-Lethal Weapons

Prior to being authorized to carry a firearm or less-lethal weapon in any status, Upper Arlington Police Division Officers are issued copies of, and receive instruction in, General Orders 4.1.1 through 4.3.5. The issuance and instruction shall be documented and the records retained within the Training Section.

4.3.5 Firearms Range

- A. The use of the Division gun ranges shall be subject to the approval of the Training Unit Supervisor or designee for the following activities:
 - Division firearms training courses
 - Division qualification courses
 - Firearms practice
 - Maintenance or zeroing of firearms
 - Less than lethal device training or qualification
 - Other approved training activities

Restrictions:

- No person shall utilize the range for the Use of Firearms without the presence of a Division



Firearms Instructor or a Range Safety Officer. Non-sworn personnel shall not participate in live firearms training without the prior approval of the Training Unit Supervisor.

- The following personnel are the only personnel with prior authorization to participate in or observe live training at a Division's ranges:
 - Fulltime and Reserve Division Officers
 - OPOTA certified Firearms Instructors and/or equivalent certification (i.e. NRA certification)
 - Other federal, state, or local sworn-officers participating in joint Division training. Outside agency personnel utilizing the range with Division personnel shall follow all Division range safety rules under the direction of a Division Firearms Instructor or Range Safety Officer. Outside agency personnel are required to complete a participate assumption of risk agreement (release/waiver). See Appendix A.
- The following personnel are required to have prior authorization, from the Training Unit Supervisor to participate in or observe live fire training at a Division's range:
 - Federal, State, or Local agencies that are renting a Division range and are not participating in joint Division training. Outside agencies renting the range shall be approved by the Chief of Police and shall sign the range leasing agreement (See Appendix B). Agencies renting the range are still required to follow all Division range safety rules under the direction of a Division Firearms Instructor or Range Safety Officer during the outside agencies training.
 - Non-sworn personnel using the range shall be approved by the Training Unit Supervisor and shall complete a participate assumption of risk agreement (release/waiver). See Appendix A.

B. Range Safety Rules

General safety is the responsibility of every individual utilizing the range. Every participant or observer during the range training is responsible for the safe operation of the range and shall call "cease fire" to halt training any time a potential safety violation or hazard is observed. At least one Firearms Instructor or Range Safety Officer shall have a two-way radio and/or cellular telephone at the range to request medical assistance. A medical kit shall be present at the range anytime live fire exercises are being conducted.

Range safety rules are established to conduct all training in such a manner to promote an attitude of safety among participants and to reduce the potential risk of harm on the range. All parties participating on the range are responsible to abide by and enforce the following range rules.

The following safety rules shall be posted at the range facility and reviewed prior to any use of the range:

- Treat all firearms as if loaded
 - Know the 'status' of your firearm at all times
 - This includes the amount and type of ammunition
 - The status of the safety
- Never let the muzzle cover anything that you are not willing to destroy
 - The firearm always has priority
 - Understand where the muzzle is at all times
 - It is never acceptable to point the muzzle at yourself or teammate
 - Use the appropriate ready and carry positions
- Keep your finger off the trigger until the sights are on the target and you make a decision to shoot.
 - Finger off the trigger and safety on until your firearm is leveled onto the target



- If you are off target, you are required to be on safe, with your finger outside the trigger guard
- Be sure of your target and what lies beyond it
 - Know the ballistics of your ammunition
 - Understand what is in front, beside, behind and to the sides of your target
 - Understand that the preference is always to take the shot “on line” with other teammates
 - In close proximity of your teammate, do not shoot from directly behind them (shooting from the back of the bus).

Additional Range Safety Rules reviewed annually:

- Obey all range commands immediately.
- Never go forward of the firing line unless directed to do so.
- Unload your weapon in a safe direction.
 - Preferably towards the backstop, side berm, or clearing station
- All personnel on the range shall wear eye and ear protection during shooting.
- Firearms Instructors or Range Safety Officers may require all personnel to wear ballistic vests depending on the specific training being conducted.
- All personnel entering the range or leaving the range shall carry all firearms in a safe manner.
- Firearms will only be loaded and unloaded on the range at the direction of the Firearms Instructor or Range Safety Officer.
- Firearms Instructors or Range Safety Officers will verify that all weapons are unloaded, on safe and slung, or holstered before moving downrange.
- Personnel will ensure the firearm is unloaded and safe before disassembling. If possible, personnel shall have an additional person inspect the chamber and magazine well to ensure the firearm is unloaded and safe before disassembling.
- No shooting will take place until directed by the Firearms Instructor or Range Safety Officer.
- All brass, shells, range trash, and other materials shall be picked up prior to leaving the range.
- Ammunition shall be handled with care. Do not toss or throw ammunition on the ground or into any container.
- No horseplay.
- No eating, drinking, or tobacco use on the indoor range.
- Appropriate clothing attire is required while shooting on the range.
 - No open toe shoes or sandals are permitted
 - Hats with bills are strongly encouraged
- The use of steel targets is not authorized on the indoor range.
 - The use of steel targets is only authorized at the outdoor range
 - Pistol Steel targets should not be shot inside of 7 yards
 - Rifle Steel targets should not be shot inside of 50 yards
 - Steel core ammunition should not be used on steel targets at any range
- The use of portable and moveable wood or metal target holders is authorized.
- Firearms Instructors or Range Safety Officers shall ensure targets shall be set up so all rounds impact the berm or bullet trap on the range.
- Firearms Instructors or Range Safety Officers shall report all known bullet impacts outside the normal berm or bullet trap on the range to the Training Unit Supervisor.
- All unintentional or negligent discharges of firearms on a range or cleaning area shall be reported immediately to the Firearms Instructor or Range Safety Officer and then the Training Unit Supervisor.
- All injuries, regardless of severity, shall be reported immediately to the Firearms Instructor or Range Safety Officer, and then to the Training Unit Supervisor.



- When live-fire training is active on the indoor range the ventilation system (HVAC) shall be operating.
 - After shooting, weapons handling, weapons cleaning, and range cleaning, personnel should wash their hands with cold water and soap to remove any lead particles or debris.
 - Any other equipment, targets or ammunition not specifically listed must be approved by the Training Unit Supervisor.
- C. Anytime the range is in use a Firearms Instructor or Range Safety Officer must be present. See Section F for the requirements of a Firearms Instructor and Range Safety Officer.
- D. All equipment, targets, firearms, and ammunition shall be inspected by the Firearms Instructor or Range Safety Officer to ensure they are safe to use, serviceable and the proper type and caliber authorized to fire on the range being used.

In addition, the following restrictions apply:

- The following are restrictions to the type of ammunition permitted on the indoor range:
 - Only factory loaded ammunition is permitted (no reloads).
 - No ammunition other than .22, .25, .32, .380, .357, .357 Sig, 9mm, .40, .44, .45, 12 gauge slug/00 buck, .223/.556, or 300 blackout is permitted with the following exception: Pistol ammunition under 1400 fps or rifle ammunition under 2700 fps may be used in limited quantities with the approval of the Firearms Instructor or the Range Safety Officer.
 - Armor piercing (steel core) ammunition, incendiary ammunition, and tracer ammunition are not authorized.
 - The use of approved rifle ammunition on the indoor range should be limited. Rifles should predominantly be used on the outdoor range.
 - Tasers are authorized during Division training without prior approval.
 - The use of flash bangs, less-than lethal ammunition, chemical agents, smoke and/or gas devices or ammunition is not authorized unless approved by the Training Unit Supervisor.
 - Firearms permitted on the indoor range include: pistols, rifles, shotguns, sub-machine guns, and machine guns chambered in approved ammunition.
 - The following are restrictions to the type of ammunition permitted on the outdoor range:
 - Only factory loaded ammunition is permitted (no reloads).
 - All ammunition allowed on the indoor range plus rifle ammunition in calibers up to .50 caliber.
 - Tasers are authorized during Division training without prior approval.
 - The use of flash bangs, less-than lethal ammunition, chemical agents, smoke and/or gas devices or ammunition is not authorized unless approved by the Training Unit Supervisor
 - Firearms permitted on the outdoor range include: pistols, rifles, shotguns, sub-machine guns, machine guns, and 37mm/40mm launchers with approved ammunition.
- E. The Firearms Instructor or Range Safety Officer shall ensure that all personnel on the range are wearing the following safety equipment:
- Eye Protection
 - Hearing Protection
 - Participants are encouraged to wear a hat with a bill that extends past the eye protection, to prevent debris from entering the top of the glasses



- Firearms Instructors or Range Safety Officers may require personnel to wear ballistic vests depending on the specific training being conducted
 - Firearms Instructors or Range Safety Officers may require other personal protective equipment such as, but not limited to, gloves, long sleeves, etc. depending on the nature of the training course
- F. Firearms Instructors are the designated experts and trainers for firearms proficiency, firearms safety, weapons handling and tactics. The Firearms Instructors supervise all personnel and training activities which take place on the firearms range. They will manage all courses of instruction, enforce safety rules and personnel movements on the active range. Firearms Instructors fall under the supervision of the Training Unit Supervisor.

The Firearms Instructor or Range Safety officer shall ensure that everyone present is following the range safety rules to the best of their ability. Sworn personnel not following proper safety guidelines shall be removed from the range by the Firearms Instructor or Range Safety Officer and referred to their chain of command.

Firearms Instructors shall be required to have the following certifications and training:

- An OPOTA Firearms Instructor Certification and/or equivalent firearms certification (i.e. NRA certifications or Federal Law Enforcement certifications) in one or more of the following weapon platforms:
 - Semi-Auto Pistol Instructor
 - Revolver Instructor
 - Shotgun Instructor
 - Carbine Rifle Instructor
 - Select Fire Instructor
 - Sub-Machine Gun Instructor
 - Scoped Rifle Instructor
- Critical Injury First Aid Training
- CPR and AED Certified
- Designated by the Training Sergeant as a Firearms Instructor

Range Safety Officers are already designated as a Firearms Instructor who is only acting as a range safety when training or shooting is being conducted on a weapon system they are not certified on. The Range Safety Officer is responsible for ensuring that all firearms and range safety rules are being followed at the range during training and shooting activities. The Range Safety Officer falls under the direct supervision of the Training Section Unit Sergeant. The Range Safety Officer shall meet all the Firearms Instructor certifications and training requirements.

- G. The issuing of the Division ammunition and weapons is the responsibility of the Training Section Unit Supervisor or his designee. All Division ammunition and weapons not issued are to be stored in the Division armory or a designated gun safe.

