

	<p>POLICY:</p> <p>1.01 Use Of Force</p>	<p>Swampscott Police Department 531 Humphrey Street Swampscott, MA 01907</p>
<p>MASSACHUSETTS POLICE ACCREDITATION STANDARDS REFERENCED: CHAPTER 6 1.1.1; 1.1.2; 1.1.3; 1.1.5</p>		

NOTE: The policies contained within this manual are for the internal use of the Swampscott Police Department and shall not be construed to create a higher standard or duty of care for civil or criminal liability against the Town, its officials or employees. The Swampscott Police Department reserves the right to revise any policy content, in whole or in part.

I. GENERAL CONSIDERATIONS AND GUIDELINES

The Police Department places the highest value on the sanctity of life, safety of its officers, protection of the public and respecting individual dignity. The Swampscott Police Department is committed to de-escalating incidents to minimize the need for the use of force. When force is necessary, the Swampscott Police Department is committed to using only the amount of force that is reasonably necessary to overcome the resistance offered. The Swampscott Police Department is equally committed to preventing unnecessary force, ensuring accountability and transparency, and ensuring trust with our community. Because of their law enforcement and peacekeeping role, a police officer will be required at times to resort to the use of physical force to enable them to fully carry out their responsibilities. Police officers are confronted continuously with situations requiring or resulting in the use of various degrees of force to effect a lawful arrest, to ensure public safety, or to protect the public, themselves or others from harm. The degree of force used is dependent upon the facts surrounding the particular situation the officer encounters in a given circumstance. Only a reasonable amount of force may be used and is dependent upon the totality of circumstances.

The rationale for the use of force is to maintain and/or re-establish control over a situation. Control is reached when a person complies with the officer's directions and/or the suspect is restrained or apprehended and/or no longer presents a threat to the officer or another person. Since an officer will encounter a wide range of behaviors, the officer must be prepared to utilize a range of force options that are reasonable and necessary to maintain and/or re-establish control by overcoming resistance to the officer's lawful authority while minimizing injuries to all individuals. Because there are an unlimited number of possibilities, allowing for a wide variety of circumstances, no written directive can offer definitive answers to every situation in which the use of force might be appropriate. Rather, this directive will set certain specific guidelines and provide officers with a basis on which to utilize sound judgment in making reasonable and prudent decisions.

The Police Department recognizes that the development of skills and abilities allowing an officer to regularly resolve confrontations without resorting to force is a hallmark of the professional police officer. Furthermore, the manner in which personnel use force is an extremely critical issue to the Department and members of the public. When these incidents occur, they demand a thorough and complete inquiry into all aspects of the incident. Only through an inquiry can the facts of the incident be understood, giving the department an opportunity to review its policies and procedures and affirm they are appropriate and achieving the desired outcomes and thereby assure that public confidence be maintained.

De-escalation: Prior to using physical, non-deadly and/or deadly force, all Swampscott police officers, when possible and feasible, will use proper de-escalation techniques to decrease the likelihood that officers will need to utilize use of force, and to minimize the level of force required. This includes using effective communication techniques to engage with individuals who are not compliant with orders by establishing rapport, asking questions and providing advice to defuse conflict and achieve voluntary compliance before resorting to force options.

Where feasible, police officers will try to determine whether an individual's failure to comply with an order is the result of one the following factors: Medical conditions, mental impairment, developmental disability, physical limitation, language barrier, drug interaction, behavioral crisis, or other factors beyond the individual's control. When feasible, after evaluating whether the individual's failure to comply with an order is based on one of the factor's listed above, the police officer may then determine whether physical force, and what level of physical force, is necessary and appropriate to resolve the situation in a safe manner. When feasible and safe, officers should give verbal warnings when use of force is going to be used. In some cases, there may not be an opportunity to give verbal commands or warnings.

II. POLICY

It is the policy of the Swampscott Police Department that:

1. Officers use only the force that is reasonable to accomplish lawful objectives such as to make a lawful arrest, to place a person into protective custody, to effectively bring an incident under control, or to protect the lives or safety of the officer and others, including members of the public. **[1.1.1]**
2. Members of this Department may use deadly force only when the officer reasonably believes the action is in defense of human life, including the officer's own life, or in defense of any person in immediate danger of serious physical injury.
3. When exigent and unforeseen circumstances cause officers to deviate from the provisions of this rule, officers are still expected to act with intelligence, sound judgment and in full conformity with both state and federal laws and applicable constitutional provisions. Any such deviations from the provisions of this rule shall be reviewed on a case-by-case basis.
4. In each individual instance, lawful and proper force is restricted to only that force necessary to control and terminate unlawful resistance and to prevent any further physical attack against the police officers or any other person. This would include lethal or non-deadly force, with deadly and non-deadly weapons, or weapons of opportunity to terminate unlawful resistance and to prevent any further physical attack upon the officers or any other person. In the event any officer on scene feels as if the force being used is not necessary to control and terminate unlawful resistance or to prevent any further physical attack against a police officer or any other person, such officers shall intervene to prevent the use of unreasonable force unless intervening would result in imminent

harm to the officer or another identifiable individual. Any officer who observes another officer using physical force, including deadly force, beyond that which is necessary or objectively reasonable based on the totality of the circumstances shall report the incident to an appropriate supervisor as soon as reasonably possible but not later than the end of the officer's shift. The officer shall prepare a detailed written statement describing the incident consistent with uniform protocols. The officer's written statement shall be included in the supervisor's report.¹

When an officer determines that the use of force is necessary, he or she should continuously evaluate the circumstances of the encounter with the goal of exploiting both verbal and tactical opportunities with the intent of de-escalating to a lower force level. Force shall be de-escalated immediately as resistance decreases. Officers shall use advisements, warnings and verbal persuasion, when possible, before resorting to force.

An officer present and observing another officer using physical force, including deadly force, beyond that which is necessary or objectively reasonable based on the totality of the circumstances, **shall intervene to prevent the use of unreasonable force unless** intervening would result in imminent harm to the officer or another identifiable individual.

An officer who observes another officer using physical force, including deadly force, **beyond that which is necessary or objectively reasonable** based on the totality of the circumstances **shall report the incident** to an appropriate supervisor as soon as reasonably possible but not later than the end of the officer's shift. The officer shall prepare a detailed written statement describing the incident consistent with uniform protocols. The officers' written statement shall be included in the supervisor's report.

Anti-retaliation provisions for law enforcement personnel who report abuse by other law enforcement personnel. This provision shall be strictly adhered.

5. 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, to reduce the need for force and increase officer and civilian safety.
6. This policy requires strict adherence by all personnel, including, but not limited to all sworn full-time police officers, and special/retired police officers.
7. This policy requires pre-service and annual training on de-escalation for all sworn full-time police officers, and special/retired police officers.

¹ General Laws of Massachusetts, G.L. c. 6E, § 15. [Effective 7/1/2021] Officers required to intervene upon observing other officers using physical force beyond that which is necessary; report of abuse; rules and regulations for use of force.

III. DEFINITIONS

- A. 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, 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 effect an arrest or protect the officer or other person.

Officers shall not use **physical force** upon another person unless de-escalation tactics have been attempted and failed or are not feasible based on the totality of the circumstances and such force is necessary to: (i) effect the lawful arrest or detention of a person; (ii) prevent the escape from custody of a person; or (iii) prevent imminent harm and the amount of force used is proportionate to the threat of imminent harm; provided, however, that a law enforcement officer may use necessary, proportionate and non-deadly force in accordance with the regulations promulgated jointly by the commission and the municipal police training committee pursuant to subsection (d) of section 15.

- B.* Less-Lethal Force: That force which is not likely or intended to cause serious bodily harm or death.
- C.* Lethal Force: (Deadly Force) that degree of force, which a reasonable and prudent officer would consider likely to cause death or serious physical injury. The use of a firearm is ALWAYS considered the use of deadly force.

Deadly Force: Physical force that can reasonably be expected to cause death or serious physical injury.

- D.* Bodily Harm: A bodily injury that does **not** create a substantial risk of death or serious bodily harm; causes serious and/or permanent disfigurement; or results in significant loss or impairment of the functioning of any body part.
- E.* Serious Bodily Harm: (Serious Bodily Injury) is defined as any bodily injury, which creates a substantial risk of death; causes serious, permanent disfigurement; or results in extended loss or impairment of the function of any bodily member or organ.

Serious Bodily Injury: (Serious Bodily Harm) is defined as bodily injury that results in: (i) permanent disfigurement; (ii) protracted loss of impairment of a bodily function, limb, or organ; or (iii) a substantial risk of death.

- F.* Chokehold: the use of a lateral vascular neck restraint, carotid restraint or other action that involves the placement of any part of law enforcement officer's body on or around a person's neck in a manner that limits the person's breathing or blood flow with the intent of or with the result of causing bodily injury, unconsciousness or death. ²

- G. De-escalation Tactics: proactive actions and approaches used by an officer to stabilize a law enforcement situation so that more time, options and resources are available to gain a person's voluntary compliance and to reduce or eliminate the need to use force including, but not limited to, verbal persuasion, warnings, slowing down the pace of an incident, waiting out a person, creating distance between the officer and a threat and requesting additional resources to resolve the incident, including, but not limited to, calling in medical or licensed mental health professionals, as defined in subsection (a) of section 51 1/2 of chapter 111, to address a potential medical or mental health crisis.

¹⁺² General Laws of Massachusetts, G.L. c. 6E, § 1, [Effective 7/1/2021] Definitions

IV. PROCEDURES

A. Use of Force, Non- Sworn Employees

- a) NON-SWORN: Non-sworn employees have no authority to use force for law enforcement purposes.

B. Use of Force by Sworn Officers

1. SWORN OFFICERS: Officers use only the force that is reasonably necessary to accomplish lawful objectives such as to make a lawful arrest, preserve peace, to place a person into protective custody when authorized by law, to effectively bring an incident under control, defend the officer or others from the use, imminent use of physical force, prevent someone from committing suicide or inflicting serious bodily harm, or to protect the lives or safety of the officer and others. **[1.1.1]**
2. Force shall not be used against persons in handcuffs, except as objectively reasonable to prevent imminent bodily harm to the officer or another person or persons, or, as objectively reasonable, where physical removal is necessary to overcome passive resistance.
3. Any strike with an impact weapon or object to a person's head or neck is prohibited; any use of flashlights, radios, or any other items not issued or trained specifically as defensive weapons in limited circumstances when a confrontation escalates suddenly. However, an officer may use any means or device at hand such as a flashlight, radio, and other issued equipment, to defend him/herself, defend themselves, another person, or to bring a situation under control when in light of the circumstances surrounding the officer, at the time, it was found reasonably necessary to do so as long as the level of defensive action is objectively reasonable given the existing circumstances. The use of control techniques with a potential for serious injury are not authorized, unless deadly force is authorized.
4. **A law enforcement officer shall not use a chokehold.** A law enforcement officer shall not be trained to use a lateral vascular neck restraint, carotid restraint or other action that involves the placement of any part of law

enforcement officer's body on or around a person's neck in a manner that limits the person's breathing or blood flow.⁴

5. **RESTRAINT EQUIPMENT:** The use of instruments of restraint, except for transportation and routine movement shall constitute a use of force and as such, the reporting requirements for the use of force shall be followed.
6. **PERCEIVED CIRCUMSTANCES:** The level of force used by an officer shall be a response based upon:
 - a.** Threat Perception - the reasonable officer's perspective of the situation in reference to the severity of any crime, the existence of an immediate safety threat to the officer or others, and the degree of compliance from the subject;
 - b.** Perceived Subject Action(s) - the subject action(s) as perceived by the reasonable officer.
 1. Compliant: The officer maintains or gains compliance to desired directives via options of tradition, time, communication skills, etc.
 2. Passive Resistive: The subject's degree of noncompliance is free of physical or mechanical enhancement, other than sheer unresponsiveness.
 3. Active Resistive: The subject's noncompliance has become more active in scope and intensity to a level of energy enhanced physical or mechanical defiance.
 4. Assaultive (Bodily Harm): An actual attack upon the officer or others. The scope and severity of the attack would not support the reasonable officer's assessment of death or serious bodily harm to occur to the officer or others.
 5. Assaultive (Serious Bodily Harm/Death): The reasonable officer could conclude that death or great bodily harm may be inflicted as a result of the subject's actions.

⁴General Laws of Massachusetts, G.L. c. 6E, § 14, No physical force to be used unless de-escalation tactics attempted.

7. REASONABLE OFFICER RESPONSES

- a.** Verbal Warnings: 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 officers' 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.** Cooperative Controls: (Compliant) - Includes the subject's acceptance of authority by the use control techniques including; communication skills, common tactics, body language, etc.
- c.** Contact Controls: (Passive Resistant) - "Hands on" techniques used to guide or direct the subject. The primary force component at this level could be non-pain compliance techniques, etc.

- d. Compliance Techniques: (Active Resistant) - The force forms could include elements of pain compliance, chemical irritants, joint restraints, etc.
- e. Defensive Tactics: (Assaultive) – The officer is justified in taking appropriate steps to immediately cease the assaultive action and to gain compliance and maintain control of the subject. Force could include weapon (baton) strikes, electrical weapon deployment, Kinetic Impact Weapon Deployment, and canine apprehension.
- f. Deadly Force: (Lethal) - Absolute and immediate tactics must be deployed to stop the lethal risk and secure conclusive compliance and control. Force options could include those leading to permanent debilitation or even death, including firearms and weapons of available means.

C. Use of Deadly Force [1.1.2]

The purpose of the following section is to set forth guidelines for members of this Department in making decisions regarding the use of Deadly Force. The guidelines have been developed with serious consideration for the safety of both the police officers and the public, and with the knowledge that officers must sometimes make split second decisions in life and death situations. The citizens have vested in their police officers the power to use deadly force in the exercise of their service to society.

Police officers are allowed to use deadly force as a means of last resort to protect themselves and others from the immediate threat of death or serious physical injury. Even though all officers must be prepared to use deadly force when necessary, the basic responsibility of police officers to protect life also requires that the utmost restraint be exercised in its use and that officers exhaust all other reasonable means before resorting to the use of deadly force. **A law enforcement officer shall not use deadly force upon a person unless** de-escalation tactics have been attempted and failed or are not feasible based on the totality of the circumstances and such force is necessary to prevent imminent harm to a person and the amount of force used is proportionate to the threat of imminent harm. Officers may use deadly force to affect an arrest or prevent the escape from custody of a person whom they reasonably believe has committed or attempted to commit a felony involving 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. Where feasible, the officer should give warning of the intent to use deadly physical when practical. A law enforcement officer shall not use deadly force upon a person unless de-escalation tactics have been attempted and failed or are not feasible based on the totality of the circumstances and such force is necessary to prevent imminent harm to a person and the amount of force used is proportionate to the threat of imminent harm.⁶

A member of this Department is authorized to use deadly force only when there is no less drastic means available to:

1. Defend himself or another from unlawful attack which he reasonably

perceives as an immediate threat of death or serious physical injury;

OR

2. Effect an arrest, only when the officer reasonably believes that:
 - The force employed creates no substantial risk of injury to innocent persons; and
 - The crime for which the arrest is made involved the use or attempted use, or threatened use of deadly force; and
 - There is substantial risk that the person to be arrested will cause death or serious physical injury if his apprehension is delayed.
3. Where practical and if time and circumstances permit, officers shall verbally identify themselves as police officers and give some warning before using deadly force.

⁵⁺⁶ General Laws of Massachusetts, G.L. c. 6E, § 14, No physical force to be used unless de-escalation tactics attempted.

A law enforcement officer shall not use a chokehold. A law enforcement officer shall not be trained to use a lateral vascular neck restraint, carotid restraint or other action that involves the placement of any part of law enforcement officer's body on or around a person's neck in a manner that limits the person's breathing or blood flow.⁷

D. Deadly Force Restrictions

- a. **WARNING SHOTS:** Because of the danger of unintentional death or injury, firearms shall not be discharged as a bluff, warning, or signal shot or to summon assistance. [1.1.3]
1. **MOVING VEHICLES:** Officers shall not discharge a firearm from inside any moving vehicle.
Officers are prohibited from discharging their firearms into, at or from a moving vehicle, motorcycle, or bicycle (collectively, "moving vehicle"). 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 and should generally avoid placing themselves in situations where the use of deadly force is more likely, except if all the following conditions are met:
 - Officers reasonably believe deadly force is necessary to defend the officer or a third person from the use, or imminent use, of deadly force.
 - The occupants of the vehicle are employing deadly force, which the officer reasonably perceives as an immediate threat of death or serious physical injury to themselves or another;
 - There is no substantial risk to the safety of other persons, including risks associated with motor vehicle accidents;
 - Officers have not positioned themselves in such a way as to create a likelihood of being struck by an occupied vehicle (e.g., surrounding a vehicle at close proximity while dismounted);
 - The officer is not firing strictly to disable the vehicle; and

- The circumstances provide a high probability of stopping or striking the intended target.
- Such discharges will be rigorously scrutinized.

A law enforcement officer shall not discharge any firearm into or at a fleeing motor vehicle unless, based on the totality of the circumstances, such discharge is necessary to prevent imminent harm to a person and the discharge is proportionate to the threat of imminent harm to a person.

⁷General Laws of Massachusetts, G.L. c. 6E, § 14, No physical force to be used unless de-escalation tactics attempted

E. Use of Non-Lethal Force

- a. Where deadly force is not authorized, officers may use only that level of force that is reasonable to bring an incident under control.
- b. Officers are authorized to use department-approved, non-deadly force techniques and issued equipment to:
 1. Protect the officer or others from physical harm;
 2. Restrain or subdue a resistant individual, while making a lawful arrest or placing a person in protective custody; and/or
 3. Bring an unlawful situation safely and effectively under control.
- c. The mere placing of handcuffs on a prisoner will not be construed to be a use of physical force. Use of restraining devices is mandatory on all prisoners, unless in the officer's judgment unusual circumstances exist which make the use of restraining devices impossible or unnecessary (e.g., very young juvenile, disabled, injured).
- d. Officers may only use less lethal force in accordance with department approved training.
- e. The use of baton or similar instrument to strike a blow to a subject's arms or legs will be considered use of non-deadly force.

F. Mass Demonstrations

When the police department has advance knowledge of a planned mass demonstration, it shall attempt in good faith to communicate with organizers of the event to discuss logistical plans, strategies to avoid conflict and potential communication needs between police and event participants. The department shall make plans to avoid and de-escalate potential conflicts and designate an officer in charge of de-escalation planning and communication about the plans within the department.

A law enforcement officer shall not discharge or order the discharge of tear gas or any other chemical weapon, discharge or order the discharge of rubber pellets from a propulsion device or release or order the release of

a dog to control or influence a person's behavior unless: (i) de-escalation tactics have been attempted and failed or are not feasible based on the totality of the circumstances; and (ii) the measures used are necessary to prevent imminent harm and the foreseeable harm inflicted by the tear gas or other chemical weapon, rubber pellets or dog is proportionate to the threat of imminent harm.

If a law enforcement officer utilizes or orders the use of tear gas or any other chemical weapon, rubber pellets or a dog against a crowd, the law enforcement officer's appointing agency shall file a report with the commission detailing all measures that were taken in advance of the event to reduce the probability of disorder and all de-escalation tactics and other measures that were taken at the time of the event to deescalate tensions and avoid the necessity of using the tear gas or other chemical weapon, rubber pellets or dog.

G. Drawing or Displaying

An officer shall avoid the unnecessary display of firearms and not draw a firearm except when there is justification for its use to accomplish a proper police purpose. However, in responding to any potentially dangerous situation (e.g., searching a building pursuant to a burglar alarm or approaching a business establishment on a report of a robbery in progress etc.) the officer should carry their firearm in a position that will facilitate its speedy, effective, and safe use.

Officers shall not point firearms at persons in circumstances which are clearly unjustifiable. When it is determined that the use of deadly force is not necessary, officers shall, as soon as practicable, secure and holster their firearms. It is the rule of this department that drawing and aiming a firearm or less lethal weapon at an individual or otherwise displaying such weapon in a manner to communicate imminent use of deadly or less lethal force is considered a reportable use of force (see Policy and Procedure 1.02 Use of Force Reporting.)

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. After Care

Chemical Weapons: All officers shall be properly trained and certified when appropriate, in the use of any non-deadly weapons (such as the Chemical substances, expandable or straight baton, or Taser) before being authorized to carry such weapons. Authorized impact weapons may be used only when an officer is confronted with occurring or imminent active aggression against him/herself or another person.

- A. Pepper Spray
 - a. Suspects subdued through the use of pepper spray may need to be decontaminated. Officers should refrain from decontaminating detainees while they are violent or assaultive.
 - b. Remove suspect from contaminated area. If the subject was sprayed in a closed room or vehicle, ventilate the area.
 - c. Suspects should be instructed to try to be calm and not to touch their face. If wearing contact lenses, remove as soon as reasonably possible.
 - d. Decontamination wipes may be used if available.
 - e. Allow suspect access to a running hose, holding cell sink or eye wash station if circumstances permit. The affected area may be washed with soap and water.
 - f. Creams and oils should be avoided as they lock the capsicum against the skin.
 - g. If symptoms such as breathing difficulties, gagging, profuse sweating and loss of consciousness persist, seek medical attention.
- B. Tear Gas – CN, CS, CR
 - a. Remove suspect from contaminated area to fresh air. Wind or a fan blowing on the suspect will remove particles.
 - b. Avoid rubbing eyes. Wash affected area with soap and water.
 - c. Remove contaminated clothing.
 - d. Be careful to avoid becoming cross contaminated.
- C. Conducted Electrical Weapons

Please refer to 1.03 Conducted Electrical Weapons policy.

J. Medical Attention [1.1.5]

1. After any level of force is used (including weaponless tactics), the officer shall immediately evaluate the need for medical attention or treatment for that person upon whom the force was used and arrange for such treatment when:
 - That person has a visible injury; or,
 - That person complains of injury or discomfort and requests medical attention.

NOTE: Any person requesting and/or deemed in need of immediate medical attention shall be transported by ambulance (in accordance with departmental transportation procedures) to the nearest available emergency treatment center or hospital. All medical treatment received shall be noted in the officer's report.

If the subject refuses medical attention the officer shall note the refusal in the officer's use of force report.

- A. OFFICER'S RESPONSIBILITIES:
 1. The officer shall promptly notify his immediate supervisor of the incident;
 2. Request sufficient officers be dispatched to the scene;
 3. Activate EMS, render medical assistance to the subject and arrange for transportation to a medical facility;

4. The officer shall attempt to locate and identify all witnesses, documenting their statements;
5. Preserve any evidence;
6. Secure the scene until the Patrol Supervisor has arrived.

The officer shall prepare and submit all required reports including a Use of Force Reporting Form. If more than one officer is involved in a use of force incident resulting in an injury, each officer shall complete a separate report outlining his actions and observations in the incident.

B. SUPERVISORS RESPONSIBILITIES;

1. The Supervisor shall immediately respond to the scene of any incident where, as the result of the application of physical force, an officer is injured, or a detainee has a visible injury, or complains of injury or discomfort and requests medical attention, and he or she shall:
 - Ensure that officers receive any necessary assistance, including medical treatment, and that any injuries to officers are properly documented.
 - Ensure that the need for medical treatment for the detainee is properly evaluated and provided.
 - Determine if a detective should respond to the scene and the level of investigative services to be utilized (including photographs, measurements and diagrams). If an injury or complaint of pain exists, supervisors are encouraged to obtain photographs.

NOTE: A photograph showing no injury may be as important as one which shows injury.

- Report the incident and his or her observations to the Officer in Charge (OIC).
2. Supervisors are required to file an AAR whenever requested to do so by an officer superior to them. Additionally, supervisors are required to file an AAR if an officer was involved in a vehicle pursuit. An exception to this rule would only be if the supervisor was directly involved in the incident, which would require another superior officer to file the AAR (vehicle pursuit).
 3. All Officers-in-Charge, subordinate supervisors and the Internal Affairs Supervisor will conduct a written review of all reports concerning each incident where non-deadly or deadly force has been utilized. However, no supervisor, Officer-in-Charge or Commanding Officer directly involved in the use of force shall perform the review.
 - a. The Internal Affairs Supervisor shall also conduct an annual audit of all Use of Force Reporting Forms and After- Action Reporting forms, which may indicate additional or improved training methods, policy modifications and or

- equipment upgrades. Injury to Prisoner: See department policy on Use of Force Reporting.
- b. The Internal Affairs Supervisor shall also conduct an annual audit of all Use of Force Reporting Forms and after-action Reporting forms, which may indicate additional or improved training methods, policy modifications and or equipment upgrades.
 - c. Any person requesting and/or deemed in need of immediate medical attention shall be evaluated by medical personnel or transported (in accordance with the departmental policy on **Transporting Prisoners** to the appropriate hospital or medical facility. All medical treatment received shall be noted in the officer's report.
 1. If the suspect displays Impaired thinking, disorientation, hallucinations and/or delusions, intense paranoia, violent and/or bizarre behavior AND during the arrest exhibits great strength, a diminished sensitivity to pain, the individual may be showing signs of Excited Delirium. During the arrest or immediately after the struggle sudden death may ensue. Arrestees displaying these symptoms should be checked by medical personnel.
 2. Persons suffering from Cocaine Intoxication, particularly if additional alcohol is used, are subject to increased blood pressure, heart rate and body temperature. Sudden death may occur in such persons. Arrestees displaying these symptoms should be checked by medical personnel.
 3. Psychiatric patients who display hyperthermia (over heating), are in and out of consciousness and have lumpiness of skeletal muscles may be suffering from Neuroleptic Malignant Syndrome and may also be prone to sudden death. Arrestees displaying these symptoms should be checked by medical personnel.

K. Reporting Use of Force:

See the department policy regarding **Use of Force Reporting**.

¹ Com. v. Klein, 372 Mass. 823, 363 N.E.2d 1313 (1977)