

# Bend Police Department Policies

<i>Subject</i> <b>USE OF FORCE,          SPECIFIC INSTRUMENTALITY</b>	<i>Effective Date</i> February 15, 2011 (Replaces June 1, 2010)	<i>Number</i> <b>5.02</b>
<i>No. Pages</i> 14	<i>Jeff Sale</i> Chief of Police	

## I. PURPOSE

The purpose of this policy is to provide police officers with guidelines on the use of specific forms of deadly and non-deadly force.

## II. POLICY

(Refer to Policy S.O.P. 5.01, Use of Force)

## III. DEFINITIONS

*Deadly Force:* Any use of force that is likely to cause death or serious bodily harm.

*Non-Deadly Force:* Any use of force other than that which is considered deadly force.

*Carotid Restraint:* A carotid restraint is any physical hold applied to the neck of another person that is intended to inhibit blood flow through the carotid arteries of the neck by exerting pressure, to one or both sides of the neck through the member's use of hands, arms, or any other instrument.

*Chemical Irritants:* Substances, either natural or man-made, the design and use of which temporarily incapacitate a suspect.

*Electronic Restraint Device:* A device designed to stun, restrain or incapacitate a suspect temporarily by way of delivering an electronic shock.

*Firearm:* Any weapon, the design of which is to propel a projectile or projectiles by the use of a chemical explosion, capable of causing serious physical injury or death.

*Impact Weapon:* Police baton or asp, side-handle baton, collapsible baton, or any other such instrument or device designed or used to block, jab, strike, or temporarily restrain or control a suspect by way of physical impact or extending the officer's ability to use control holds.

*Instructor/Instruction:* Departmental instructors and instruction will meet or exceed Department of Public Safety Standards and Training criteria.

*Less-Lethal Projectiles:* Fired from a firearm or similar device. Less-lethal projectiles are designed to stun or incapacitate the body temporarily without penetrating - the body or causing serious physical injury or death.

*Patrol Canine:* A canine trained for and employed by law enforcement officers, the use of which includes, but may not be limited to, handler protection and the location and apprehension of suspects.

*Restraints/Handcuffs:* Handcuffs, flex-cuffs, hobbles, belly chains, and all such devices the design or use of are to temporarily restrain a person for the purpose of officer safety or to prevent injury to the person or another.

*Vehicular Use of Force:* Deployment of a motor vehicle as a use of force to stop or control a suspect or vehicle beyond that of a traffic stop or normal vehicular operation.

## IV. WARNING OF USE

Officers should issue a warning of the impending use of force except where impractical or tactically disadvantageous, such as in situations where the warning would endanger the officer or another, alert the suspect to escape, or allow actions to be taken which aid or abet a crime.

## V. USE-OF-FORCE RELATED INJURIES

Once a person is in police custody, it is the responsibility of the officers to render or obtain any medical aid required. With any use of physical force where an injury has occurred or is alleged to have occurred, the officer should observe and evaluate, treat or obtain medical aid, document, and report.

### A. Observe and Evaluate

If an injury is apparent to a person in custody, the officer should observe and evaluate the injury to assure that the proper level of care is provided. If a person in custody alleges an injury and none is apparent, the officer will summon appropriately trained medical response for an evaluation.

### B. Treat or Obtain Medical Aid

Appropriate medical treatment will be provided by officers, emergency medical technicians, emergency medical staff, and/or hospital personnel for any person injured as a result of an officer's use of force. The officer should observe, evaluate, and monitor the

# Bend Police Department Policies

injury to assure that the proper level of care is provided.

All sworn officers will be currently certified in basic first aid and CPR. Treatment of injuries may include washing and bandaging minor cuts or abrasions.

Treatment of specific force instrumentality includes:

1. *Carotid Restraint:* Medical attention by a qualified physician shall be sought and administered following any application of the carotid restraint whether or not the application of the carotid restraint results in unconsciousness.
2. *Chemical Irritants:* Once the suspect is restrained, and it is safe to do so, officers will flush the eyes and rinse the exposed area with clean water. Suspects who have been sprayed will be monitored continuously for indications of medical problems and shall not be left alone while in police custody. Upon observing any medical problems, or if the suspect requests medical assistance, the officer shall immediately summon emergency medical aid.
3. *Electronic Restraint Devices:* Once the suspect is restrained, officers will remove the Taser probes as soon as safely and practically possible in accordance with their training in probe removal. If the probe penetrated the skin, the affected area will be disinfected with an alcohol wipe, an antibiotic ointment will be applied to the area, and a bandage will be used to cover the area. If the probe penetrates a sensitive area such as the face, neck, head or genitalia, removal of the probe will only be done by a qualified physician.  

Persons subjected to a Taser "drive-stun" will receive appropriate medical treatment. If the "drive-stun" was located in a sensitive area such as the face, neck, head or genitalia, the person will be examined and treated by a qualified physician.

Subjects who have been subjected to a Taser will be monitored continuously for indications of medical problems and shall not be left alone while in police custody. Upon observing any medical problems, or if the suspect requests medical assistance, the officer shall immediately summon emergency medical aid.
4. *Impact Weapons:* Persons who are struck by any type of impact weapon shall be transported as soon as possible to a medical facility for examination.

5. *Less-Lethal Projectiles:* Persons who are struck by a less-lethal round shall be transported as soon as possible to a medical facility for examination.

## C. Documentation

Officers should take all practical measures to fully document the injuries:

1. Note carefully location, extent, and appearance of the injury for reporting purposes.
2. Photograph the injury as soon as possible, if at all possible.
3. Obtain witness names and statements from medical personnel or others at the scene.
4. Obtain all medical records possible if the subject is treated by emergency medical personnel or at a hospital facility.
5. Note carefully any statements made by the suspect.

## D. Reporting Use of Force Injuries

Policy and procedures for reporting the use of force are described in S.O.P. 5.01 "Use of Force."

## VI. CAROTID RESTRAINTS

Carotid restraint constitutes "serious physical control" level of force. (*Refer to S.O.P. 5.01, "Use of Force"*)

### A. Department Policy on the Carotid Restraint

A carotid hold will not be applied to any person except in the protection of life, for the prevention of serious bodily injury, or in the apprehension of a person who the officer reasonably believes poses a serious danger to the officer or the public.

### B. Training

Only those officers instructed in the use of the "carotid hold" in authorized training and whose skills are current may use such a hold.

1. Officers trained in the use of the Carotid Restraint Hold will receive instruction in the department's Use-of-Force Policy and applicable laws prior to being authorized to use the hold.
2. Officers will receive annual training in the Use-of Force Policy, applicable laws and proper use of the carotid restraint hold, and demonstrate proficiency in its use. Documentation of training and current proficiency shall be contained in the officer's training file.
3. An officer failing to demonstrate proficiency shall not be authorized to use the hold until

# Bend Police Department Policies

remedial training has been completed; and current proficiency demonstrated and documented in the officer's training file.

## C. Use of the Carotid Restraint

The Carotid Restraint may be used as a controlling maneuver when other control techniques have failed and it is clear the person or officer may be harmed in an effort to gain control.

## VII. CHEMICAL IRRITANTS

Chemical irritants are considered a "physical control hold" level of force and shall be employed in a manner consistent with this agency's Use-of-Force Policy. (Refer to S.O.P. 5.01, "Use of Force")

### A. Department Issued Chemical Irritants

Officers will carry only Department issued Chemical Irritants. These fall into two categories: personal issue and tactically deployed. Officers will not use department issued chemical irritants off duty. Nothing precludes an officer from purchasing a chemical irritant for personal defense while off duty.

1. Personal issue: Uniformed officers whose normal duties/assignments may require them to make arrests or supervise arrestees shall be required, while on duty, to carry departmentally authorized pepper spray.
2. Tactically deployed: The Department may deploy, by various means, chemical irritants such as oleoresin capsicum, CN, and CS during riot or emergency situations. The use of these agents will be determined and controlled by the tactical commander based on training, situation and tactical doctrine.

### B. Training

Only officers who have completed the prescribed course of instruction on the use of pepper spray are authorized to carry the device.

1. Officers will be instructed in the department's Use-of Force Policy and applicable laws prior to being issued a chemical irritant.
2. Officers will receive orientation and training which will be included in the officer's training file regarding the use of pepper spray, its affects, ingredients, means of delivery and first aid to be administered prior to being issued pepper spray.
3. Officers will receive training, at least annually, on the department's Use-of-Force Policy and the proper use of chemical irritants, and will demonstrate a proficient knowledge of their use. This proficiency will be documented in the officer's training file.

4. An officer failing to demonstrate proficiency shall not be authorized to use chemical irritants until remedial training has been completed; and, current proficiency is demonstrated and documented in the officer's training file.

### C. Use of Chemical Irritants

1. Pepper spray may be used when:
  - a. Verbal dialogue has failed to bring about the subject's compliance; and
  - b. The subject has signaled his intention to actively resist the officer's efforts to make the arrest;
  - c. Pepper spray may be used on animals as a deterrent to aggressive behavior when an officer reasonably believes that such aggression may cause injury to the officer or any other person who is present.
2. The effects of pepper spray vary among individuals. Therefore, all suspects shall be handcuffed as soon as possible after being sprayed. Officers should also be prepared to employ other means to control the suspect-to include, if necessary, other force options consistent with agency policy-if the suspect does not respond sufficiently to the spray and cannot otherwise be subdued.
3. An officer may use deadly force to protect himself from the use or threatened use of pepper spray when the officer reasonably believes that deadly force will be used against him if he becomes incapacitated.
4. Once a suspect is incapacitated or restrained, use of pepper spray is no longer justified unless the officer reasonably believes the suspect is a continuing threat because of the tactical situation or some other related reason.

### D. Additional Considerations

Within several seconds of being sprayed by pepper spray, a person will normally display symptoms of temporary blindness, have difficulty breathing, burning sensation in the throat, nausea, lung pain and/or impaired thought processes.

Consistent with departmental training in the use of pepper spray the officer using the chemical irritant should be aware of additional considerations including, but not limited to:

1. Collateral Effects
  - a. Whenever possible, officers should be upwind from the suspect before using pepper spray and should avoid entering the spray area;

# Bend Police Department Policies

- b. An officer should maintain a safe distance from the suspect of between 2 and 10 feet;
- c. Use of pepper spray should be avoided, if possible, under conditions where it may affect innocent bystanders; and
- d. Assistance shall be offered to any individuals accidentally exposed to pepper spray who feel the effects of the agent.

## E. Maintenance

- 1. All pepper spray devices shall be maintained in an operational and charged state.
- 2. Replacements of pepper spray canisters shall occur when the unit has been discharged in any significant amount.
- 3. Pepper spray canisters shall be inspected periodically by the officers to whom they are issued, and turned in to the Watch Commander for replacement when expired, damaged, inoperable or depleted.

## VIII. ELECTRONIC RESTRAINT DEVICES

Electronic restraint devices are considered a serious "physical control hold" level of force and shall be employed in a manner consistent with this agency's Use of Force Policy. (Refer to S.O.P. 5.01 "Use of Force").

### A. Department Issued Electronic Restraint Devices

Authorized officers may only carry department issued Tasers (electronic restraint devices) and air cartridges while on duty. Currently the department issues the Taser X26. Tasers discharge an electronic current into a subject via two wired probes. The Taser may also be used in a "drive-stun" capacity with a fired cartridge in the device or when the Taser is not loaded with a cartridge.

### B. Training

Only those officers instructed in the use of the Taser, or similar electronic restraint device, and whose skills are current may use such a device.

- a. Officers will be instructed in the department's Use of Force Policy and applicable laws prior to being issued an electronic restraint device.
- b. Officers will receive orientation and training which will be included in the officer's training file regarding the use of electronic restraint device.

- c. Officers will receive training, at least annually, on the department's Use of Force Policy and the proper use of electronic restraint devices. Proficiency will be demonstrated every two years as per Taser International Standards. This proficiency will be documented in the officer's training file.
- d. An officer failing to demonstrate proficiency shall not be authorized to use electronic restraint devices until remedial training has been completed and current proficiency is demonstrated and documented in the officer's training file.

### C. Use of Electronic Restraint Devices

- 1. A Taser may be used to overcome "ominous" or higher levels of resistance and there are objective facts that indicate the suspect poses an immediate threat to the officer or a member of the public.
- 2. Taser should **NOT** normally be used:
  - a. Near known flammable gasses or liquids.
  - b. Against the extremely young or extremely old.
  - c. Against obviously pregnant females.
  - d. Near elevated areas where there is a substantial risk of injury due to a fall.
- 3. Once a suspect is incapacitated or restrained, use of the Taser is no longer justified unless the officer reasonably believes the suspect is a continuing threat because of the tactical situation or some other related reason.
- 4. An officer may use deadly force to protect himself from the use or threatened use of an electronic restraint device when the officer reasonably believes that deadly force will be used against him if he becomes incapacitated.
- 5. Tasers may be used on animals as a deterrent to aggressive behavior when an officer reasonably believes that such aggression may cause injury to the officer or any other person who is present.
- 6. The effects of the Taser may vary among individuals. Therefore, all suspects shall be handcuffed as soon as possible after being restrained with a Taser. Officers should be prepared to redeploy the Taser or to employ other means to control the suspect to include, if necessary, other force options consistent with agency policy-if the suspect does not respond sufficiently to the effects and cannot otherwise be subdued.

### D. Additional Considerations

# Bend Police Department Policies

A person will normally be affected by the Taser almost immediately. Symptoms of effectiveness include the suspect falling immediately to the ground, involuntary muscle contractions, involuntary yelling, or freezing in place with legs locked.

Consistent with departmental training in the use of the Taser, the officer using the electronic restraint device should be aware of additional considerations including, but not limited to:

1. Deployment
  - a. Whenever possible, officers should issue a warning to both the suspect and other officers on scene before using the Taser.
  - b. The Taser is an additional police tool and is not intended to replace verbal problem solving skills, defensive tactics techniques, or firearms.
2. Post-Deployment
  - a. Officer will provide appropriate medical treatment (*Refer to V, B for specific treatment*).
  - b. Officer will notify immediate supervisor of Taser deployment as soon after deployment as possible.
  - c. Spent Taser probes and cartridges will be handled as a biohazard and will be disposed of in properly marked biohazard containers.
  - d. Deploying officer will complete a department Use of Force Report following policy 5.01.
  - e. Officer will present Taser to supervisor for data download prior to end of shift. The printed data will be attached to the Use of Force Report.

## E. Maintenance

1. All Taser units shall be maintained in an operational and charged state.
2. Air cartridges shall be replaced as soon as possible after use.
3. The Taser checkout log will be completely filled out each time an authorized officer checks out a Taser.
4. Taser units shall be inspected at the beginning of each shift by the officers to whom they are issued. This inspection will include checking the battery charge and performing a "test spark."

## IX. FIREARMS

Use of firearms constitutes a "deadly force" level of force, and shall be used only in situations where the use of deadly force is justified. (*Refer to Policy 5.01, Use of Force*).

Officers will carry only department-issued firearms, or those specifically authorized in the department Firearms Policy. Ammunition will likewise conform to that authorized in the Department Firearms Policy. (*See Policy Attachments 5.02 (1) – Approved Duty Handguns; 5.02(2) – Off-Duty and Back Up Firearms; and, 5.02 (3) – Approved Ammunition*).

**Handgun:** The department issues the Sig-Sauer Model P226 double action, semi-automatic pistol chambered in 9mm caliber. The department issued handgun may be carried off duty.

**Shotgun / Less Lethal:** The department issues the Remington Model 870 pump action shotgun chambered in 12 gauge. Barrel lengths and magazine capacity may vary according to assignment. The shotgun may not be used off duty.

**Rifle:** A duty rifle may be either department-owned or purchased as a personal duty rifle by an authorized Police Officer. All duty rifles will meet department approved specifications and requirements. Department-issued rifles will not be used for personal use.

**Other Firearms:** The department may issue those other firearms necessary to the purposes of law enforcement as authorized by the Chief of Police or Rangemaster including, but not limited to, those whose specific purpose or design is delivery of chemical irritants, full automatic firing capability, or precision long-range shot placement. Other firearms may be carried off duty with the authorization of the Chief of Police.

### A. Training

(*Refer to Policy 3.14, Firearms Training*). Officers may carry and use only those firearms for which they have received training and demonstrated proficiency.

1. Officers will be instructed in all applicable laws on the use of deadly force and department Use-of Force Policy prior to being issued any firearm.
2. Officers will successfully complete the Basic Police Academy course on firearms instruction, or a department approved course, prior to being authorized to carry a firearm.
3. Officers will receive firearms training at least bi-annually. They will demonstrate a current knowledge of the department's Use-of-Force Policy received during annual training, and an acceptable level of proficiency with each firearm they are authorized to carry.
4. Levels of proficiency and frequency of qualifications with each weapon will be set by the department Rangemaster, and the

# Bend Police Department Policies

officer's performance will be documented in the officer's training file.

5. An officer failing to demonstrate proficiency shall not be authorized to carry the firearm until remedial training has been completed and current proficiency demonstrated and documented in the officer's training file.

## **B. Use of Firearms**

Use of firearms by law enforcement officers in the performance of their duties constitutes one of the most closely scrutinized aspects of the profession. Officers are authorized to use firearms when necessary:

1. To protect the officer or another from serious physical injury or death.
2. To prevent the escape of a fleeing felon whom the officer has probable cause to believe poses a significant and immediate threat to human life should escape occur.
3. To destroy or deter a dangerous animal or, with permission from a supervisor, to destroy a badly injured animal to prevent further suffering.
4. At a firing range pursuant to all safety rules and regulations.

## **C. Unauthorized Firearms Uses**

1. Officers are prohibited from discharging firearms from a moving vehicle.
2. Discharging a firearm is not authorized as a signal, warning, or communication method.
3. Any accidental discharge of a firearm by an officer occurring during a law enforcement related function will be immediately reported to the on-duty supervisor. An incident report will be generated, and copies forwarded to the Rangemaster and Chief of Police.
4. Officers will not display their weapons for casual civilian observation.
5. Firearms shall not be used to threaten or intimidate persons.

## **D. Maintenance**

Any firearm authorized by this department to be carried by an officer will be maintained in a clean and operational condition. They are subject to unannounced inspections by a supervisor or member of the firearms team at any time.

Firearms will be inspected annually.

## **X. IMPACT WEAPONS**

Use of impact weapons to extend a control hold may range upward from a "physical control hold" level of force. Use of impact weapons to block, jab, or strike constitutes a "serious physical control" level of force. (*Refer to S.O.P. 5.01 "Use of Force"*).

### **A. Department-Issued Impact Weapons**

Officers will carry only department-issued impact weapons. The department issued impact weapons will not be used off duty.

1. Collapsible Baton or Asp: The department issues, for standard deployment, a collapsible baton or asp which may be in the officer's possession when assigned to patrol or traffic.
2. Impromptu Impact Weapons: Nothing in this section precludes an officer from using an impromptu impact weapon (such as the police issue flashlight).
3. The Training Division will record the type and assignee of all impact weapons issued.

### **B. Training**

Only officers who have received training and have demonstrated proficiency in the use of impact weapons may carry and use them.

1. Officers will be instructed in the department's Use-of-Force Policy and applicable laws prior to being issued an impact weapon.
2. Officers will receive training in the proper use of impact weapons prior to the weapon being deployed with the officer. This will be documented in the officer's training file.
3. Officers will receive annual training in the department's Use-of-Force policy and the proper use of impact weapons, and will demonstrate proficiency in their use. This will be documented in the officer's training file.
4. An officer failing to demonstrate proficiency shall not be authorized to use impact weapons until remedial training has been completed and current proficiency demonstrated and documented in the officer's training file.

### **C. Use of Impact Weapons**

Only that amount of force reasonably believed necessary to protect persons from bodily harm or to affect a lawful police action may be used.

1. Impact weapons may be used as an extension of an officer's ability to apply a control hold to overcome "static" or higher levels of resistance. This includes, but is not limited to, leverage applications, wrist or other joint locks, arm bars, come along holds, and take-downs.

# Bend Police Department Policies

2. Impact weapons may be used as blocking, jabbing, or striking weapons to overcome "ominous" or higher levels of resistance. This includes, but is not limited to, jabs and rakes intended to stun or gain compliance, strikes to major muscle groups for the same purpose, or strikes to areas such as wrists or shins designed to disarm or incapacitate.
3. Impact weapons may be used on targets identified as potentially lethal, such as the head or groin, only in situations where the use of deadly force is justified.

## D. Unauthorized Use

1. The intended use of the asp baton is to gain compliance and is not to be used to threaten, intimidate or punish any person.
2. Impact weapons shall not be used for other than law enforcement purposes.
3. Officers should exercise restraint and consideration before demonstrating or displaying their impact weapons. They should not normally be subject to casual civilian observation.

## E. Maintenance

Department-issued impact weapons will be kept in clean, operational condition at all times. The impact weapon will be inspected at annual training by the Defensive Tactics Instructors. If an impact weapon opens poorly, or appears damaged or inoperable, the impact weapon shall be replaced by the Training Officer.

## XI. LESS-LETHAL PROJECTILES

Use of less-lethal projectiles constitutes a "serious physical control" level of force. (*Refer to S.O.P. 5.01, 3.14, 8.20*).

### A. Department Authorized Less-Lethal Projectiles

Officers will carry and deploy only department issue less-lethal projectiles. In general terms, less-lethal projectiles are launched from two types of firearms: standard shotguns and larger caliber launchers. (*See Policy Attachment 5.02 (4) – Special Purpose Firearms*).

Shotgun launched less-lethal projectiles: The department issues 12 gauge beanbag loads for designated shotguns for deployment as less-lethal projectiles, deployed at a patrol level. (*See Policy Attachment 5.02 (3) – Approved Ammunition*).

### B. Training

Officers assigned to less-lethal weapons duty will have weapons available for the specific purpose of launching less-lethal projectiles. The weapons will be assigned at squad or tactical level, and shall not be used for or loaded with lethal rounds.

1. Only officers trained in the use of the less-lethal weapons are authorized to use them.
2. Officers will be trained in and demonstrate knowledge of applicable laws and department Use of Force Policy when assigned to less-lethal projectile duty.
3. Officers will receive training in the proper deployment and use of less-lethal projectile weapons prior to being authorized to carry them on duty.
4. Officers will, at least annually, demonstrate knowledge of the current department Use-of-Force Policy received during annual training, and demonstrate proficiency in the use of less-lethal projectile weapons assigned to them.
5. Training and demonstrations of proficiency shall be documented in the officer's training file.
6. An officer failing to demonstrate proficiency shall not be authorized to carry less-lethal projectiles until remedial training has been completed and current proficiency demonstrated and documented in the officer's training file.

### C. Use of Less-Lethal Weapons

Less-lethal weapons are used in situations where a serious physical control or higher level of force is justified and other means have not been effective or are not practical.

Less-lethal projectiles will be delivered to suspect target areas based on the circumstances and the level of force authorized. Less-lethal projectiles may be used to temporarily stun or incapacitate a subject so that he may be taken safely into custody, or to persuade the subject to surrender without physical resistance.

Situations justifying the use of a less-lethal weapon may be, but are not limited to:

1. As an alternative to the use of deadly physical force if the tactical situation allows for the option.
2. To induce a cornered, dangerous suspect into custody without necessitating officers approaching the danger area.
3. To accomplish a lawful police action in situations where lesser levels of force have

# Bend Police Department Policies

been ineffective and a substantial danger exists for the officers if the action is not taken.

4. To deter a dangerous or aggressive animal.

## D. Unauthorized Uses

In any other than the most extreme circumstances, officers should try to avoid deploying less-lethal weapons against:

1. Extremely frail or elderly subjects.
2. Very young or very small persons.
3. Pregnant individuals.
4. Injured or sick persons whose injury or sickness may cause them to be more subject to injury.
5. Any person at ranges so close as to be likely to produce a serious or fatal wound.
6. Any part of the body which could be reasonably expected to produce a serious injury or lethal wound, unless deadly force is justified.

## E. Maintenance

The same maintenance and inspection standards apply to less-lethal weapons as apply to other firearms.

## XII. RESTRAINTS/HANDCUFFS

Use of restraints, such as handcuffs, leg irons, flex cuffs, or hobbles, constitutes a "physical contact" level of force. (Refer to S.O.P. 5.01 IV, "Levels of Force").

### A. Department Authorized Restraints

Officers will carry only department-issued or authorized restraints.

1. Handcuffs: The Department issues handcuffs to officers whose normal duties/assignments may require them to make arrests or supervise arrestees. Officers may carry additional personally owned sets of handcuffs so long as they are of a similar design and quality to those issued.
2. Other Restraints: The department equips each police vehicle that may be used by officers to make arrests, transport or supervise prisoners, with:
  - a. Hobbles: for the purpose of preventing a violent prisoner from kicking persons or damaging property.
  - b. Belly Chains and Leg Irons: for the purpose of further restraining the arms and legs of prisoners that are unusually flexible, violent, or dangerous. These are located both in the Watch Commander's office and the Supervisors' vehicles.

3. Flex-Cuffs: Flex-cuffs may be used by officers as a temporary means to secure additional suspects. Officers should be aware of the danger of a suspect cutting, burning, or slipping out of flex cuffs and exercise additional caution, checking the flex-cuffs frequently.

### B. Training

Officers shall train annually during defensive tactics in-service training on the proper use of restraints.

1. The training shall include instruction in the department's Use-of-Force Policy.
2. The training shall be documented in the officer's training file.

### C. Use of Restraints

Every person taken into custody shall be handcuffed with his hands behind the back, unless such handcuffing is impossible (e.g., an amputee) or impractical. In such an event, an officer shall use appropriate safeguards to secure the person. Additional restraints shall be used, as needed, if the officer reasonably believes they are necessary because:

1. The prisoner is violent and constitutes a continuing threat to the officer even though handcuffed.
2. The prisoner constitutes an escape risk unless further restrained.
3. The prisoner damages or attempts to damage property even though restrained.
4. The prisoner acts in a manner that is likely to injure himself or others.
5. The prisoner is accused of crimes of a serious nature that merit additional security.
6. The prisoner has a past record of violent behavior or escapes.

### D. Unauthorized Uses of Restraints

Restraints shall not be used as punishment or to humiliate or degrade any person.

### E. Maintenance

All restraints carried by or in the care of officers shall be maintained in a clean and operational condition.

## XIII. CANINE AS A USE OF FORCE

Police canines are not normally deployed as a "use of force." When they are utilized as such, they are considered to be a "Serious Physical Control" level of force. (Refer to S.O.P. 5.01, "Use of Force").

Canines as a use of force are located in the Law Enforcement Canine section of this chapter. (Refer to S.O.P. 5.50, "Law Enforcement Canines").



# Bend Police Department Policies

## XIV. VEHICULAR USES OF FORCE

Vehicles are not designed as, nor are they normally deployed as, a "use of force." When they are utilized as such, vehicular uses of force will be consistent with the "Vehicular Use of Force Continuum" located in Policy 5.15.

### WARNING

***This directive is for departmental use only and does not apply in any criminal or civil proceeding. The department policy should not be construed as a creation of higher legal standard of safety or care in an evidentiary sense with respect to third party claims. Violations of this directive will only form the basis for departmental administrative sanctions.***

#### ***Policy Attachments:***

- 5.02 (1) - Approved Duty Handguns
- 5.02 (2) - Off-Duty and Backup Firearms
- 5.02 (3) - Approved Ammunition
- 5.02 (4) - Special Purpose Firearms

Approved by:	
Chief of Police _____	Date _____
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Reviewed by:	<input type="checkbox"/> Legal
	<input type="checkbox"/> Human Resources
	<input type="checkbox"/> Other (Identify) _____

