

**TOWN OF ST. JOHN, LAKE COUNTY, INDIANA
BOARD OF METROPOLITAN COMMISSIONERS
RESOLUTION NO.: 158**

 **ORIGINAL**

**A RESOLUTION ESTABLISHING AND APPROVING A POLICY FOR
RESPONSE TO RESISTANCE TRAINING AND PROFICIENCY FOR
LESS LETHAL WEAPONS, AND ALL MATTERS RELATED THERETO**

WHEREAS, the Board of Metropolitan Police Commissioners of the Town of St. John, Lake County, Indiana, has reviewed the current policies and general orders of the Town Metropolitan Police Department regarding Response to Resistance Training and Proficiency for Less Lethal Weapons ; and

WHEREAS, the Board of Metropolitan Police Commissioners of the Town has determined, after its review of the policies and general orders of the Town of St. John Metropolitan Police Department regarding Response to Resistance Training and Proficiency for Less Lethal Weapons, that the establishment of a current general order regarding the same will more fully promote the health, safety, comfort, and general well-being of the citizens of St. John; and

WHEREAS, the Board of Metropolitan Police Commissioners of the Town of St. John, Lake County, Indiana, has determined that the establishment and approval of a clear, current and concise general order for Response to Resistance Training and Proficiency for Less Lethal Weapons will promote high quality services rendered to the residents of the Town of St. John by the Police Department, as well as enhance cooperative relationships between the Town of St. John Metropolitan Police Department and the Town residents.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF
METROPOLITAN POLICE COMMISSIONERS OF THE TOWN OF ST. JOHN, LAKE
COUNTY, INDIANA:**

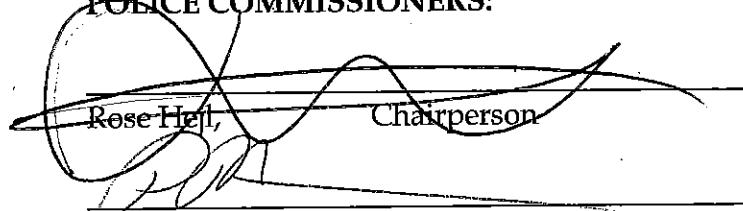
SECTION ONE: That General Order for Response to Resistance Training and Proficiency for Less Lethal Weapons, known as General Order No. 3.04, attached hereto, incorporated herein, and referenced as Exhibit "A", is hereby established as the Standard Operating Procedure for Response to Resistance Training and Proficiency for Less Lethal Weapons for the St. John Metropolitan Police Department.

SECTION TWO: That General Order No. 3.04 for Response to Resistance Training and Proficiency for Less Lethal Weapons be published to the Officers of the St. John Metropolitan Police Department, with acknowledgment of the same by said Officers to be made, and with the general order to be posted as deemed appropriate by the Chief of Police.

SECTION THREE: That General Order No. 3.04 established herein replaces and supersedes all other Police Department Standard Operating Policies, Procedures and General Orders related to Police Department Response to Resistance Training and Proficiency for Less Lethal Weapons as same are repealed and rescinded hereby.

ALL OF WHICH IS PASSED AND RESOLVED THIS 25th DAY OF JUNE, 2018, BY THE BOARD OF METROPOLITAN POLICE COMMISSIONERS OF THE TOWN OF ST. JOHN, LAKE COUNTY, INDIANA.

**TOWN OF ST. JOHN, LAKE COUNTY,
INDIANA, BOARD OF METROPOLITAN
POLICE COMMISSIONERS:**

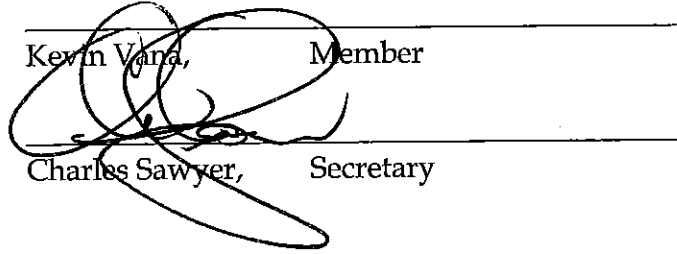


Rose Heft, Chairperson

Paul Haluska, Vice-Chairperson

Robert Long, Member

Kevin Vana, Member



Charles Sawyer, Secretary

ATTEST:

Recording Secretary



General Order 3.04

Response To Resistance

Training and Proficiency for

Less Lethal Weapons

Adopted 06/25/2018 Effective: 06/26/2018

I. PURPOSE

The purpose of this General Order is to provide guidelines and direction to officers of the St. John Metropolitan Police Department in the proper use of and training on less lethal devices and equipment.

II. POLICY

It is the policy of the St. John Metropolitan Police Department that officers use the minimum response to resistance that is objectively reasonable to accomplish lawful objectives and bring an incident under control. The officer must only use that response which a reasonably prudent officer would use under the same circumstances at the time the incident occurs.

Officers are authorized to use Department approved, non-deadly response techniques and devices to:

- A. Protect the officer or others from physical harm;
- B. Restrain or subdue a resistant individual; and or
- C. Bring an unlawful situation safely and effectively under control.

III. DEFINITIONS

- A. Impact Devices: The straight baton, expandable baton and side handle baton are impact devices.
- B. Conducted Energy Weapon (CEW): A CEW is designed to temporarily disrupt the sensory motor system by delivering electrical energy sufficient to cause uncontrolled muscle contractions.
- C. 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, advisements, warnings, verbal persuasion, and tactical repositioning.

- D. Less-Lethal Response Philosophy: A response option that provides officers a means to resolve incidents involving aggressive or violent suspects or persons, with a significantly reduced risk of causing death or serious physical injury.
- E. Oleoresin Capsicum (OC Spray): A mixture of resin and naturally occurring pepper oil stored under pressure in a canister. OC Spray is deployed by pressing the actuator on top of the canister to spray the mixture.

IV. PROCEDURE

A. De-escalation

1. Whenever possible and appropriate, before resorting to force, and to reduce the need for force, officers should use de-escalation techniques and other alternatives to higher levels of force consistent with training.
2. Whenever possible and when such delay will not compromise the safety of the officer or another and will not result in the destruction of evidence, escape of a suspect, or commission of a crime, an officer shall allow an individual time and opportunity to submit to verbal commands before force is used.

B. Approved Weapons and Training (ILEAC 3.04)

Officers shall use less lethal devices as approved in order to affect lawful objectives and bring an incident under control.

1. The less lethal devices authorized by the Department include, but are not limited to:
 - a. Impact tools
 - b. CEW
 - c. OC Spray
2. Prior to issuance and approval to carry or use less lethal devices, officers shall receive training and instruction in the proper care and use of each device. The training and instruction shall be conducted and documented by a certified instructor.

- a. Training records shall be under the control of and maintained by the Department Training Manager.
- b. All officers who carry less lethal devices must participate in and successfully complete all required competency based training programs and demonstrate proficiency least once every two years.
- c. Only Department issued less lethal devices will be carried or used.
- d. Any device use determined to be contrary to the objectively reasonable standard may result in disciplinary action against that officer.

C. Conducted Energy Weapon

The CEW is a conducted energy weapon. It is considered an additional, less lethal, police device and is not intended to replace firearms or any other approved device or technique available to the officer. The CEW may be used to affect lawful objectives and bring an incident under control. The CEW shall only be used as instructed during training and falls under the objectively reasonable standard (Graham v. Connor 1989) when it is used.

1. Issuing the CEW

- a. Officers shall only carry the CEW issued by the Department. Officers shall only use Department issued CEW cartridges.
- b. Department issued CEW may be assigned to any officer, regardless of the officer's assignment.
- c. Officers may have a CEW assigned to them as deemed necessary by their supervisor.

2. Training and Certification

- a. Only officers who have successfully completed the CEW training session are approved to carry or use the device.
- b. Re-certification is required every two years.

3. Use of CEW

- a. The CEW can be used in those circumstances where the officer believes the use is objectively reasonable in order to gain control over a person or animal.

4. Ensuring Aid After Response to Resistance

- a. Should an individual become sick or injured during any response to resistance by a St. John Police Officer, the officers shall, as soon as reasonably safe, request necessary medical assistance and notify appropriate supervisory personnel.
- b. Specific Duties After the Use of CEW
 1. Once the individual is restrained or has complied, the CEW should be turned off.
 2. The officer's supervisor shall be called to the scene. With the supervisor present, the probes may be removed from the subject in accordance with established training procedures.
 3. EMS/Medical personnel will be requested to the scene to assess the subject. If the exam or other circumstances indicate that the subject needs further medical treatment, he or she should be transported to the nearest medical facility. Medical treatment should not be refused to anyone who requests it.
 4. Medical personnel will remove probes located in sensitive areas such as face, neck, groin or breast. EMS/Medical personnel may remove any probes, at their discretion, from all other areas.
 - a. Probes that have been removed from skin shall be treated as biohazard sharps. They should be placed point down into the expended cartridge bores and secured with tape.
 - b. Officers will attempt to locate and collect several of the AFIDS dispensed at the time of the cartridge firing. These will be placed along with the cartridges into evidence and a "BIOHAZARD" label should be affixed to the package.

D. Impact Devices

Officers have the option of carrying impact devices issued by the Department. Impact devices provide an officer with an alternative less lethal response option. Impact devices shall only be used as instructed during training and the use of such falls under the objectively reasonable standard (Graham v. Conner 1989).

1. Issuing Impact Devices
 - a. Officers shall only carry the impact devices approved and issued by the Department.

2. Training and Certification
 - a. Only officers who have completed impact device training are approved to carry or use the device.
 - b. Re-certification is required every two (2) years, consistent with manufacturer's recommendations.
3. Use of Impact Devices
 - a. An impact device can be used in those circumstances where the officer believes the use is objectively reasonable in order to defend themselves or others and gain control over that person.
 - b. Shall be in accordance with approved training.
4. Ensuring Aid after Response to Resistance
 - a. Should an individual become sick or injured during any use of force by a St. John Police Officer, the officers shall, as soon as reasonably safe, request necessary medical assistance and notify appropriate supervisory personnel.

E. OC Spray

Officers have the option of carrying OC Spray issued by the Department. OC Spray provides an officer with an alternative less lethal force option.

1. Issuing OC Spray
2. Officers shall only carry the mixture, strength and brand of OC Spray approved and issued by the Department.
3. Training and Certification
 - a. Only those officers who have successfully completed an approved OC Spray training session are authorized to carry OC Spray.
 - b. Re-certification is required every two (2) years.
4. Use of OC Spray
 - a. OC Spray can be used in those circumstances where the officer believes the use is objectively reasonable in order to defend themselves or others and gain control over that person (Graham v Conner 1989).
 - b. OC Spray can only be deployed consistent with training.
5. Ensuring Aid after Response to Resistance
 - a. Should an individual become sick or injured during any use of force by a St. John Police Officer, the officers shall, as soon as

reasonably safe, request necessary medical assistance and notify appropriate supervisory personnel.

F. Reporting and Documenting Response to Resistance

Any response to resistance must be reported and documented in accordance with General Orders.

1. The Department Response to Resistance Form shall be completed by the officer following any response to resistance.