



## ***RADNOR TOWNSHIP POLICE DEPARTMENT***

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### **Policy 1.3.1**

**Subject: Use of Force**

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Rescinds: 19-96, 28-98

By Order of: Superintendent Christopher B. Flanagan

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References: PLEAC 1.3.1, 1.3.2, 1.3.3, 1.3.5, 1.3.6, 1.3.7, 1.3.10

#### **I. PURPOSE**

The purpose of this policy is to provide Radnor Township Police Officers with guidelines on the use of lethal and less lethal force with respect to the Use of Force Paradigm, and to ensure a prompt, thorough, and unbiased review of any force used.

#### **II. SCOPE**

This policy shall apply to all officers of the Radnor Township Police Department engaged in the discharge of official duties, whether within or outside the territorial limits of Radnor Township.

#### **III. POLICY**

The Radnor Police Department recognizes and respects the value and integrity of every human life including the suspect/arrestee, victim, and the officer. Therefore, it is the policy of the Radnor Township Police Department that officers shall only use the amount of force that is reasonable and necessary to gain compliance and control and/or to effect an arrest or achieve other lawful objectives in conformance with the provisions of the Pennsylvania Crimes Code, other Pennsylvania statutory provisions and applicable Pennsylvania and federal court decisions.

This force must be reasonable and in accord with department standards and training. The use of physical force will end when resistance ceases, when resistance has been overcome, or when the arrest has been accomplished and control is established. Emphasis shall always be upon obtaining control over the resistance situation rather than forcing submission. Officers shall not mentally, verbally or physically abuse any person that they contact or take into their custody or control.

This policy will address the use of both less lethal and deadly force.

#### IV. DEFINITIONS

- A. **Approved Weapons** - any device or instrument which an officer has received permission from the Department to carry and use in the discharge of that officer's duties, and, for which the officer has (1) obtained training in the technical, mechanical and physical aspects of the device; and (2) has developed a knowledge and understanding of the law, rules and regulation regarding the employment of such weapons.
- B. **Control** - The ability to lawfully command, direct, or regulate a situation.
- C. **De-escalation** - De-escalation skills and techniques are those actions undertaken by an Officer to reduce the intensity of conflicts and avoid physical and verbal confrontations, unless immediately necessary to protect someone or to stop dangerous behavior, while minimizing the need to use force during an incident when the totality of the circumstances and time permit. De-Escalation skills and techniques are employed to both increase the likelihood of voluntary compliance and cooperation as well as end situations with community satisfaction with the police.
- D. **Lethal Force** - The amount of force actually used by an officer which is likely to cause death or serious bodily injury.
- E. **Less Lethal Force** - The amount of force actually used by an officer which does not have the purpose of causing, or creating, a substantial risk of death or serious bodily injury,
- F. **Reasonable Belief** - The existence of facts, or combination of facts, that the circumstances are such to cause a reasonable person to believe them to be true.
- G. **Reasonable Force** - The amount of force which the officer employs to establish and maintain lawful control of a subject by overcoming resistance. The amount of force used is determined by the actions and the threat level of the subject encountered. An officer's response to the subject's action(s) must be conditional. The overall objective is to employ the most reasonable amount of force to establish control, which is the ability to lawfully command, direct or regulate the situation.
- H. **Resistance** - The subject's attempt to evade an officer's attempts to control.
- I. **Serious Bodily Injury** - Bodily injury which creates a substantial risk of death or which causes serious, permanent disfigurement, or protracted loss or impairment

of the function of any bodily member or organ.

## V. GENERAL RULES GOVERNING THE USE OF FORCE

- A. Officers shall use the amount of force reasonably necessary to accomplish the intended objective of control without impairing the safety of others. This provision shall not be construed, however, to require the Officer to first attempt using the type and degrees of force which reasonably appear to be inadequate to accomplish the intended objective.
- B. Officers shall attempt to de-escalate a situation when all of the reasonably known circumstances indicate it is safe, prudent, and feasible to do so. An Officer should attempt to slow down, reduce the intensity, or stabilize the situation so that more time, options and/or resources may become available for incident resolution. An officer is not expected to engage in tactical de-escalation measures that could jeopardize the safety of the community or of any Officer.

Tactical de-escalation utilizes a specific set of carefully developed and tested strategies, actions, and responses which can be applied to an equally specific type of crisis presented to an officer.

- C. Officers shall carry and use only approved weapons, unless exigent circumstances exist which pose an imminent threat to the safety of the Officer or the public requiring the immediate use of a non-approved weapon to counter such a threat.
- D. No Officer shall modify, alter, or cause to be altered, an approved weapon in their possession or control which has been issued by the Department.
- E. The use of a "chokehold," or vascular neck restraint, designed to cut off breathing, is strictly prohibited for use by Radnor Township Police Department personnel.
- F. Duty to intervene and report - all law enforcement officers must intervene when they reasonably believe that a law enforcement officer is using or is about to use unnecessary or excessive force in violation of the law or their oath, and must both report the incident to a supervisor and document it. Failure to report incidents involving the use of unnecessary or excessive force will result in disciplinary action.

## VI. PROCEDURE

- A. Use of Force Paradigm
  - 1. Incorporated into this policy is the use of the force paradigm (see appendix #1) which presents guidelines for an officer to follow to determine the legal, tactical and justifiable level of force appropriate to the level of resistance offered by a subject.

2. Use of force involves situations that are dynamic and fluid. The actions of a subject dictate where they are on the paradigm and the appropriate by the officer in response to it may move up and down the model at any time.
3. The Use of Force Paradigm classifies the types of subject behavior and the conditional response of the officer to obtain and maintain control of the subject, which are outlined below.

a) ***Subject Actions***

**(1) Cooperative Subject(s)**

- (a) Subject(s) cooperative without direction (officer presence).
- (b) Subject(s) cooperative only in response to verbal direction.

**(2) Resistive Subject(s)**

- (a) Passive Resistor (*non-movement*): resistance by failure to comply with verbal instructions.
- (b) Active Resistor (*movement*): attempting to flee or otherwise move away from police to avoid control.

**(3) Assaultive Subject(s)**

- (a) Assailant's actions are aggressively offensive without weapons, but will probably not cause immediate physical injury to the officers and/or others.
  - (b) The assailant's actions will probably cause less-than-serious physical injuries (i.e. sprains, scrapes, contusions, minor cuts, damage to teeth, minor broken bones, etc). This type of aggression is usually a weaponless attack.
- (4) The Officer believes that the assailant's actions will probably cause death or serious bodily injury. The specific actions the subject takes and/or the instruments being employed by the subject which may cause death or serious physical injury are immaterial.

b) ***Officer Actions***

**(1) Cooperative Subject(s)**

- (a) Subject(s) are cooperative without direction and no action is required. The mere presence of the officer evokes the desired response. The officer must

ensure the subject knows that he/she (the officer) is, in fact, a police officer.

- (b) Subject(s) are cooperative only in response to direction, and only verbal actions are needed. The officer's use of advice, persuasion, or warning evokes the desired response. When reasonable and practical, verbal instructions will be used throughout all applications of force.

## (2) Resistive Subject(s)

Officer only employs control modes without weapons.

- (a) Holding: non-impact pressure to pain receptors to gain compliance (wrist locks, pressure points, pinching). There is a low probability of physical injury to subject through the use of these techniques.
- (b) Stunning: used to disorient the subject so as to diminish the subject's resistance to the officer. Techniques include palm-heel strikes to the head, strikes to the lower rib cage or solar plexus, and strikes to the large muscles of the arm and/or legs.

## (3) Assaultive Subject(s)

Officer employs control modes without weapons.

- (a) Direct mechanical impact - The officer employs impact pressure or leverage directly against the support structure (i.e. the skeletal system) of the subject's body. Such techniques differ from holding and stunning in that the officer attempts to undermine the subject's support structure, ability to pay attention, ability to focus their resistance, or to use particular muscles.

Officer employs control modes with weapons.

- (b) Control instruments - The officer uses an extendible baton to apply non-impact pressure to pain sensors to establish control of the subject. Such a technique is designed to maximize pain but minimize the probability of physical injury.
- (c) Impact Weapons - The officer uses a non-firearm generated pressure, propelling the impact weapon (i.e. a fist, baton, ASP baton) into the target. The use of impact pressure is designed to penetrate into

tissue to a depth sufficient to stop an attacking subject by causing internal body components to stop functioning as supportive mechanisms of attack

- (d) Chemical Weapons (OC spray)
- (e) Canine
- (f) Electronic Control Devices (ECD) or Taser
- (g) Firearms

4. All of the above devices, weapons, and methods must be of a type approved for use by the Superintendent of Police, and officers must have satisfactorily completed any required training before they are qualified and authorized to carry and use them. No officer will be issued, equipped with, or authorized to use any weapons until he/she has successfully completed a training program taught by a certified instructor.
  - a) All officers must train and qualify as required with all weapons they are authorized to carry and demonstrate proficiency in their use.
  - b) A record of weapons training will be made, detailing the date of training and its completion.
5. The department recognizes that officers may receive training in various other techniques from external sources; however, officers are prohibited from deploying any technique not authorized by the department. This includes the use of neck restraints or similar control techniques, which have the potential for serious injury. (PLEAC 1.3.10f)

## B. Less Lethal Force

### 1. General Provisions

#### a) Definitions

- (1) ASP Expandable Baton - A 16" friction lock expandable baton manufactured by Armament Systems and Procedures designed to provide an officer a means to control an assailant.
- (2) Oleoresin Capsicum Spray - (OC Spray) An all-natural non-enduring, non-lethal substance derived from the pepper plant. Capsicum generally has the ability to cause burning and involuntary closing of the eyes, along with inflammation of the mucous membranes. It may also cause the temporary paralysis of the larynx resulting in choking, gagging and gasping for breath. All the effects of OC Spray are temporary in nature.

(3) Electronic Control Devices - (ECD or "Taser") A less-lethal electrical weapon that uses propelled and fixed probes to conduct electrical energy to a subject posing a threat, or the potential of a threat, thereby overriding the central nervous system of the subject's body. This causes neuromuscular incapacitation (NMI), allowing the Taser to physically debilitate a subject regardless of pain tolerance or mental focus.

- b) The use of weapons in less lethal situations is considered a use of force. These weapons must not be used punitively or for the purposes of intimidation.
- c) The effects of using weapons in less lethal situations may vary among individuals. Therefore, all suspects will be handcuffed as a measure to maintain control of them. Officers should also be prepared to employ other means to restrain the suspect consistent with agency policy if he or she does not respond adequately to the type of appropriate control tactics applied.
- d) Once a suspect is under the officer's control through restraint or compliance, any further use of weapons is no longer justified. (PLEAC 1.3.4)

2. (ASP) Expandable Friction Lock Tactical 16" Baton

The primary purpose of this weapon is to provide officers with a means of controlling a low or mid-level assailant and shall be employed in a manner consistent with this department's Use of Force Paradigm.

- a) Use and Handling.
  - (1) When striking, officers should only target the attacking limbs of the assaultive subject.
  - (2) Officers should maintain situational awareness, particularly other persons within striking range who may inadvertently be struck.
- b) Effects of Expandable Baton and Officer Response.
  - (1) Striking a subject with the expandable baton may result in injuries, including but not limited to bleeding, broken bones, and/or loss of consciousness.
  - (2) A subject who sustains an injury, who complains of an injury, or who the officer suspects may have suffered an injury as a result of a baton strike shall have emergency medical summoned immediately.

3. Oleoresin Capsicum Spray - (OC Spray)

- a) OC Spray may only be used to restrain, control, immobilize, incapacitate and subdue a moving resister who overtly refuses to comply with any legal command in compliance with the Department's Use of Force Paradigm.
- b) Officers shall maintain situational awareness and care are to ensure that only intended persons are sprayed or otherwise subject to the application of OC Spray.
- c) Effects of OC Spray and Officer Response:
  - (1) Ensure the subject is handcuffed and secured.
  - (2) A subject who has been contaminated by oleoresin capsicum spray should be decontaminated without unnecessary delay.
  - (3) Advise the subject that the effects are temporary and that they will be all right.
  - (4) Expose the subject to fresh air, facing upwind, as soon as possible.
  - (5) Dispatch emergency medical service (EMS) to the location of the subject who has been to OC.

4. Electronic Control Devices (ECD or Taser)

The Taser is intended to temporarily incapacitate a person or an animal without subjecting the officer or the subject to an unnecessary risk of serious bodily injury or death. It may only be used to restrain, control, immobilize, incapacitate and subdue a resistor who overtly refuses to comply with any legal command in compliance with the Department's Use of Force Paradigm. When used as directed in probe-deployment mode, conducted electrical weapons (CEW) are designed to temporarily incapacitate a person from a safer distance than some other force options, while reducing the likelihood of death or serious injury. However, any use of force, including the use of a CEW, involves risks that a person may get hurt or die due to the effects of the CEW, physical incapacitation, physical exertion, unforeseen circumstances, or individual susceptibilities.

The Taser is generally analogous to the Oleoresin Capsicum (OC) spray on the use of force continuum and decisions to use the Taser involve the same justification.

An officer is not permitted to handle, carry, or use the Taser unless they have been trained and certified on its use.

- a) Handling and Storage



Tasers shall be securely stored in the designated rack. It is the responsibility of the shift supervisor to issue a Taser to all qualified officers at the beginning of each shift. All qualified officers must wear a Taser during their patrol shift or designated assignment.

- (1) This includes overtime details, community events, or other uniform assignments when in uniform after consulting with the shift or detail supervisor.
- (2) At the start of each shift, Officers assigned a Taser shall document the assignment of the Taser on the Taser Signout Sheet. Officers will examine the Taser at the start of the shift to determine if it is functioning properly by:
  - (a) Ensuring that the batteries of the Taser (lithium non-rechargeable) are properly charged at the beginning of their duty shift. If the battery is below 20% capacity, it shall be replaced. Only Department approved Axon battery power sources shall be used in the Taser.
  - (b) Conducting a spark test on the Taser at the beginning of their shift. The spark test must be conducted at the designated location with the Taser cartridge loaded.
- (3) Tasers will be carried in a Departmentally issued holster which will be worn on the Officer Support (non-gun) side.
- (4) The Taser must be fully armed for immediate use when holstered.
- (5) Officers using the Taser shall be issued a minimum of one spare cartridge as a backup in case of cartridge failure, the need for redeployment, or if the first cartridge's lead breaks during the engagement. Spare cartridges shall be stored and carried in a manner consistent with training. Cartridges shall be replaced consistent with the manufacturer's expiration requirements.-
- (6) At the end of the shift, Officers must return and secure the Taser in the designated rack. The return of the Taser shall be documented in the Taser Log Sheet..

b) Use of the Taser

- (1) The Taser shall only be deployed in a manner consistent with the Use of Force Paradigm and the above-described requirements of this Use of Force Policy. Officers must consider the severity of the underlying crime or incident

before deploying the Taser and shall exercise caution when deploying the Taser in the following circumstances:

- (a) On a subject who is in an elevated position or under other circumstances where a fall could reasonably result in substantial injury.
  - (b) On a subject operating a moving vehicle or machinery.
  - (c) On young children, the elderly, the visibly frail, and individuals with physical disabilities that impair their mobility.
  - (d) When a subject is fleeing on foot, consideration should be given to where and how the subject may fall after deployment to reduce the possibility of further injury to the subject.
  - (e) No officer shall deploy a Taser under circumstances, whether particular to the subject or the physical conditions of the area, that create risk of serious injury or death.
- (2) The Taser shall not be deployed in the following circumstances:
- (a) In a punitive or coercive manner
  - (b) On a handcuffed/secured prisoner, absent assaultive behavior that cannot be reasonably dealt with in any other less intrusive fashion consistent with this Use of Force Policy.
  - (c) On any subject who does not demonstrate an intention to:
    - (i) Use violence or force against the Officer or another person or
    - (ii) Actively resist or avoid detention/arrest with force.
  - (d) Against subjects who have come into contact with flammable liquids or gases (including OC Spray), or in environments where flammable materials are present, due to the Taser's ability to ignite flammable liquids and gases

- (e) In any environment where the subject's fall could reasonably result in death (such as in a swimming pool or on an elevated structure)
  - (f) Against any person the officer knows or has reason to believe may be pregnant, unless that female poses a threat to an officer or herself by possessing a weapon or object that could injure the officer or the female if he/she tried to intervene.
  - (g) To experiment on a person or to allow a person to experience the Taser, even if the person requests it.
- (3) In preparation for firing, the Taser shall be pointed in a safe direction, the safety taken off, and then aimed.
- (a) The back is the most preferred target area when reasonably practicable because it contains larger muscle groups and reduces the risk of hitting sensitive body areas.
  - (b) The lower torso (below the chest) and legs are more effective than hitting the chest because it reduces the risk of hitting sensitive body areas (head, eyes, throat, chest, genitals) and increases the dart-to-heart safety margin as explained in the certification course.
  - (c) The Taser **SHALL NOT** be aimed at the head or the face of the subject.
- (4) Unless circumstances do not provide time for a warning, Officers must warn the subject that a Taser will be used if the subject refuses to comply with the Officer's orders.
- (a) If practical, assisting Officers should also be warned of an intended Taser deployment by announcing, "Taser, Taser."
- (5) Upon firing the Taser, the Officer shall energize the subject the least number of times and no longer than necessary to accomplish the legitimate operational objective.
- (a) The subject should be secured as soon as practical while disabled by the Taser power to minimize the number of deployment cycles.
- (6) The Taser may also be used in certain circumstances in a "drive stun" method. This involves depressing the arch switch and pressing the Taser against an appropriate area of

the body based on training. It is important to note the following that when the device is used in this manner:

- (a) It is primarily a pain compliance tool due to lack of probe spread.
- (b) It is minimally effective compared to conventional cartridge type deployments.
- (c) It is more likely to leave marks on the subject's skin.
- (d) It will not cause NMI.

c) After Deployment of a Taser

(1) Officers shall follow the appropriate probe removal techniques as instructed in the qualification training course, including the following:

- (a) Officers shall administer the appropriate first aid.
- (b) Probes should be removed by medical personnel (EMS; Emergency Room).
- (c) If probes need to be removed in an emergency situation by the officer, they shall not be removed if located in the face, neck, groin or spinal column areas.
- (d) The removed probes shall be considered a biohazard and shall be disposed of as medical sharps in an appropriate container: Officers should take universal precautions when removing, handling, and disposing the probes.
- (e) Any subject exposed to the Taser's probes or a contact point who receives an electrical charge **must** be examined by medical personnel, either EMS on the scene, or emergency room personnel. If EMS is on scene, they shall determine if transportation to a medical facility is necessary. Officers shall document a subject's acceptance or refusal for medical treatment..

(2) Any Officer responsible for any discharge of a Taser shall immediately notify the shift supervisor of the discharge.

(3) The Patrol Supervisor is responsible for ensuring that all evidence is obtained and documented at the scene of a discharge.

- (4) Expended cartridges and related materials (excluding the probes) are to be secured as evidence and retained for two years.
  - (a) The contents of cartridge, wires and a few of the AFID tags (small round colored paper tags) must be recovered and placed into an evidence bag together.
  - (b) Taser wire must be put into the evidence bag and must not be wrapped around the cartridge or broken in anyway. If the Taser wire is wrapped around the cartridge or broken, some evidence would be lost.
- (5) The Taser has a data port that records the time and date when the Taser was fired. This data protects Officers from claims of excessive force by providing complete and accurate documentation of each firing.
- (6) It is the responsibility of the Officer deploying the Taser to fill out a Taser Deployment Worksheet and a Use of Force Form (see Appendix for both).
- (7) It is the responsibility of the patrol supervisor to notify the Office of the Superintendent of any Taser deployment, intentional or accidental, including the serial number of the Taser. As soon as practical, the deployment history of the weapon will be downloaded and secured.

## 5. Training

- a) All officers must qualify / train at least once every two years and demonstrate proficiency with all less lethal weapons except the Taser (see section (B)(5)(b)) they are authorized to use and carry. This training and qualification are to be conducted by a certified instructor.
- b) Only Officers who have successfully completed the approved Taser Training course sponsored by a certified Taser Instructor shall be authorized to carry the Taser. Training consists of specific training courses and demonstrated competency under hands-on testing that has been monitored by a certified Taser Instructor. Taser training shall be conducted annually.
- c) Instructors are to document each training session and submit a training report.
- d) Failure to qualify or demonstrate proficiency will result in remedial training as soon as practical. Continued failure to qualify may result in disciplinary action.

### C. Firearms and Other Lethal Force Modes

Lethal Force is defined by the Pennsylvania Crimes Code as: “[f]orce, which under the circumstance in which it is used, is readily capable of causing death or serious bodily injury.”

1. The use of lethal force by an officer is justified when he/she believes that such force is necessary to prevent death or serious bodily injury to him or herself or to another person. This belief must be reasonable and clearly articulable.
2. The use of lethal force by an officer is justified to prevent a subject from fleeing from arrest or escaping from custody when he/she reasonably believes that no other alternative exists to effect the arrest or prevent the escape and knows that *both*:
  - (1) The person fleeing has used deadly force or threatened or threatens to use deadly force, and the officer reasonably believes that there is a substantial risk that the person whose arrest is sought will cause death or serious bodily injury to another person unless arrested without delay, and
  - (2) The person fleeing has committed or attempted to commit one of the following forcible felonies: murder, voluntary manslaughter, rape, robbery, kidnapping, assault causing serious bodily injury or arson that endanger a person.  
(PLEAC 1.3.2)
- b) An officer using deadly force against an assailant must have determined that the subject possesses the ability and opportunity to cause death or serious bodily injury and that the threat is imminent. The officer must believe that other reasonable alternatives have been precluded.
- c) Deadly force may not be used when its use may pose a danger to innocent bystanders. To risk the life of innocent persons for the purpose of apprehending a felon cannot be justified.
- d) Clearly audible verbal commands are to be given before using deadly force whenever practical.
- e) Warning shots are prohibited. (PLEAC 1.3.3)
- f) Discharge of firearms at or from a moving vehicle is prohibited, except as a last resort to prevent imminent death or serious injury to the officer or another. Safety to the public and Officer is

paramount. An officer threatened by an oncoming vehicle must use every reasonable effort to move out of the path of the vehicle.

- g) Notwithstanding the above statements, when justification exists to use deadly force, an officer may use any means necessary at his or her disposal to protect their safety or the safety of another person. (PLEAC 1.3.10f)

#### D. Providing First Aid or Medical Assistance

1. It is the responsibility of all personnel to provide the appropriate medical aid after any use of force when an injury is recognized, suspected, or alleged. (PLEAC 1.3.5)
2. Officers must arrange for medical personnel to examine, treat, and/or transport a subject to a medical facility for appropriate aid if:
  - a) The use of force utilized by police personnel has caused a known, suspected, or alleged injury.
  - b) Appropriate medical aid includes observing the individual for any change in physical health or mental condition, providing first aid, flushing chemical agents from the eyes, evaluation and treatment by ambulance personnel, which may include transportation to a hospital for treatment. (PLEAC 1.3.5)
3. Medical Release Required
  - a) When the subject is examined, treated, and subsequently released from medical care, a written release in the form of “discharge instructions” will be obtained from the attending physician. The release shall indicate that the subject is cleared for incarceration after being discharged from the medical facility.
  - b) Refusals - When emergency medical services personnel (EMS) are summoned to evaluate and/or treat a subject and the individual refuses medical attention, the officer shall obtain a copy of the refusal to be filed along with the case incident report.

## VII. USE OF FORCE REPORTING & REVIEW PROCESS

1. Use of Force Reporting.
  - a) Officers will immediately notify the on-duty supervisor and prepare a written report whenever:
    - (1) Physical force is used or alleged to have been used upon a person, or; (PLEAC 1.3.6c)

- (2) Any action taken by an Officer that results in, or is alleged to have resulted in, any injury to another person.
  - (3) The Officer points a firearm at another subject.
  - (4) The Officer discharges a Taser or uses the Taser in the “drive stun” method.
  - (5) Any accidental discharge of a weapon, including less lethal weapons.
2. The on-duty supervisor will respond to the scene and thoroughly investigate any use of force incidents or allegations, to include photographs of any injuries or other relevant evidence.
  3. In all cases where the use of physical force is employed, or alleged, all officers using physical force will prepare a Use of Force Report detailing the incident and substantiating its use in addition to the required incident and arrest documents. Officers who point a firearm at another subject will also prepare a Use of Force report detailing the incident and substantiating its use in addition to the required incident report. (Appendix #2) (PLEAC 1.3.6)
    - a) Officers will immediately notify the on-duty supervisor and complete a Use of Force Report whenever they discharge a firearm, except while participating in training programs, recreational purposes, or disposing of an animal. (PLEAC 1.3.6a)
    - b) Whenever an officer discharges their firearm for any reason except while participating in training programs, recreational purposes, or to destroy an animal, a command staff member (Lieutenant or above) shall be notified.
    - c) Officers who point a firearm at another subject will also prepare a Use of Force report detailing the incident and substantiating its use in addition to the required incident report. (Appendix #2) (PLEAC 1.3.6)
  4. Whenever deadly force is used by an officer, or whenever force is used that results in the emergency room treatment or hospitalization of a subject, a command officer of the rank of Lieutenant or above is to be notified immediately.
  5. Whenever an Officer is issued, trains with, or deploys OC, they shall document it on a Oleoresin Capsicum Spray (OC Spray) Usage Report (see appendix #3)
  6. Whenever an Officer discharges a Taser or uses the “drive stun” method on a subject, they must document such use on the Taser Deployment Form (see appendix #4).



## B. Use of Force Review Process

1. The use of force report will be reviewed by the officer's immediate supervisor who will forward it through the chain of command. The report will ultimately be forwarded to the Superintendent of Police who may assign personnel to administratively investigate the incident. (PLEAC 1.3.6a-c)
2. The following dispositions are to be utilized:
  - a) Appropriate - The use of force was appropriate based on the circumstances and no other action is required.
  - b) Inappropriate - The use of force utilized was not appropriate, but not excessive, as other alternatives existed. These alternatives must be identified. A determination is to be made whether this was a single misjudgment or is a training concern.
  - c) Excessive - The use of force was both inappropriate and disproportionate to the point that it violated policy.
3. Actions determined to indicate a non-compliance with this policy may be directed for subsequent consideration with one or more of the following actions, depending on the circumstances:
  - a) Remedial training.
  - b) Internal review and/or investigation in accordance with department policy #2.3.1, Administrative Investigations.
  - c) Disciplinary action.
4. The "Use of Force" report is strictly an internal management document. As such, copies of the report shall not be attached to the customary departmental incident or supplemental report used at departmental roll calls, and shall not be released in whole or in part to any person, organization, or entity outside the Radnor Township Police Department without specific permission of the Superintendent of Police.
5. Critical Incident Reassignment
  - a) When the actions of an officer result in the death or serious bodily injury to another person, the officer will be reassigned to administrative duty pending the completion of the department investigation. The Superintendent of Police can reduce or lengthen the reassignment as needed. (PLEAC 1.3.7)
  - b) Officers involved in an incident which resulted in the death or serious bodily injury to another person will receive psychological counseling which is provided by the police department.

## VIII. Training

- A. Training in the use of force policy and the legal requirements on the justified use of force and deadly force shall be included in the annual firearms training and qualifications program. (PLEAC 1.3.10a)
- B. The department will provide current training and continuing education for those officers who serve as use of force and firearms instructors. This training will be provided by professionally recognized instructor training programs. (PLEAC 1.3.10c)
- C. All agency personnel authorized to carry weapons will receive in-service training, at least annually, on the agency's use-of-force and deadly force policies and to demonstrate satisfactory skill, proficiency and qualification with all approved lethal weapons that the employee is authorized to use (PLEAC 1.3.10a)
- D. In-service training for all less lethal weapons will occur at least once every two years and will be taught by a certified instructor. (PLEAC 1.3.10b)
- E. Certified instructors will conduct the specified training for each authorized weapon and evaluate the performance of each officer on a pass/fail basis, founded on a minimum qualifying score.
- F. All instructors will maintain records of training for each authorized weapon on forms developed for that purpose. (PLEAC 1.3.10d)
- G. Remedial Training.
  - 1. Instructors will coordinate remedial training for officers unable to exhibit proficiency/qualification on any agency authorized weapon.
  - 2. Supervisors or instructors may recommend, and any command staff member may require that an officer attend remedial training if they observe a violation of policy or any unsafe action involving any authorized weapon.
  - 3. Any officer who fails to exhibit proficiency/qualification with the primary service handgun within a reasonable time period and following remedial training or other corrective action(s) shall be relieved of duty pending the outcome of an administrative hearing and/or a fitness-for-duty evaluation as determined by the Superintendent of Police.
  - 4. Any officer who fails to exhibit proficiency/qualification with any authorized weapon, other than the primary service handgun, will no longer be authorized to utilize that weapon until proficiency/qualification can be demonstrated. (PLEAC 1.3.10e)
- H. Record Keeping.
  - 1. The police department will maintain an Annual Training form for each officer. The form will contain the date, type of training, instructor and

pass-fail rating for each session conducted. Such records will be archived for (5) years, after which they will be purged.

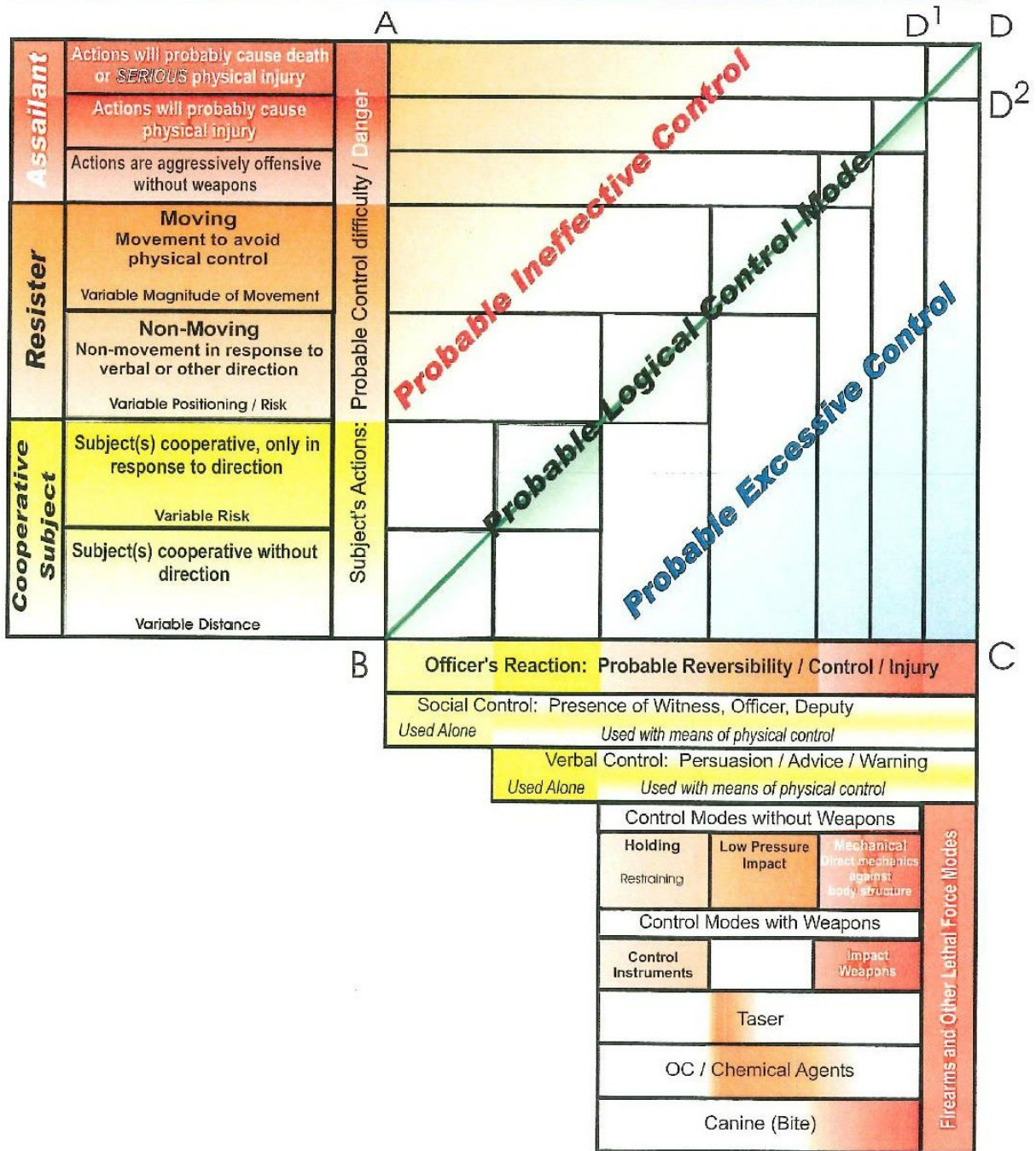
BY THE ORDER OF: Christopher B. Flanagan

**Christopher B. Flanagan**  
**Superintendent of Police**

APPENDIX "1"  
Use of Force Paradigm

# Use of Force Model

The Use of Force Paradigm for Enforcement and Corrections



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APPENDIX "2"  
Use of Force Report

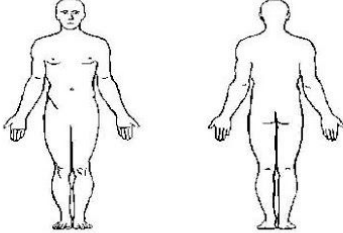


**RADNOR TOWNSHIP POLICE DEPARTMENT**

301 Iven Ave., Wayne, PA 19087

**Use of Force Report**

Incident #:		Date:	Time:
Location:			
Weather Conditions:			
Reporting Officer:		Badge #:	
<b>Type of Force Reported</b>			
<input type="checkbox"/> Physical <input type="checkbox"/> Impact <input type="checkbox"/> Chemical Weapon <input type="checkbox"/> Firearm <input type="checkbox"/> Other:			
<b>Use of Firearm</b>			
<input type="checkbox"/> Pointing <input type="checkbox"/> Accidental <input type="checkbox"/> Intentional Discharge			
<b>Reason The Use Of Force Was Necessary (Check all that apply)</b>			
<input type="checkbox"/> To effect an arrest <input type="checkbox"/> To defend another officer / person <input type="checkbox"/> To defend self <input type="checkbox"/> Prevent escape			
<input type="checkbox"/> Other:			
<b>Type of Resistance Encountered by Officer</b>			
<input type="checkbox"/> <b>Passive Resistance</b> (Non-movement resistance by failure to comply with verbal instructions) <input type="checkbox"/> <b>Active Resistance</b> ( Attempting to flee or otherwise move away from police to avoid control) <input type="checkbox"/> <b>Assaultive</b> (Assailant's actions are aggressively offensive that may possibly lead to less-than-serious physical injuries ) <input type="checkbox"/> <b>Life Threatening</b> (Assailant's actions will probably cause death or serious physical injury)			
Was the Subject Injured: <input type="checkbox"/> Yes <input type="checkbox"/> No		Was the Reporting Officer Injured: <input type="checkbox"/> Yes <input type="checkbox"/> No	
<b>Officer Response</b>			
<input type="checkbox"/> Verbal Commands (Describe in Narrative)		<input type="checkbox"/> Electronic Control Devices (ECD) (Taser)	
<input type="checkbox"/> Physical Compliance Techniques (PSA's, holds, stuns, come-alongs)		<input type="checkbox"/> (ASP) Expandable Baton	
<input type="checkbox"/> Oleoresin Capsicum (OC) Spray		<input type="checkbox"/> Canine Deployment (Bite)	
<input type="checkbox"/> Firearm Discharge			
Suspect's Name:		Suspect's DOB:	
Suspect Address:			
Sex:	Height:	Weight	Build:
Suspect Clothing Description:			
Suspect's Weapon(s):			

<p>Suspect treated by EMS: <input type="checkbox"/> Yes <input type="checkbox"/> No Suspect Transported to hospital: <input type="checkbox"/> Yes <input type="checkbox"/> No Subject Admitted to Hospital: <input type="checkbox"/> Yes <input type="checkbox"/> No Photographs of injuries taken: <input type="checkbox"/> Yes <input type="checkbox"/> No Suspect under the influence of alcohol: <input type="checkbox"/> Yes <input type="checkbox"/> No</p>	<p>Indicate Impact Areas on Diagram</p> 
<p>Officer's Narrative</p>	
<p>Officer's Signature</p>	<p>Supervisor's Signature</p>



APPENDIX "3"  
Oleoresin Capsicum Spray (OC Spray) Usage Report



**RADNOR TOWNSHIP POLICE DEPARTMENT**

301 Iven Ave., Wayne, PA 19087

**Oleoresin Capsicum Spray (OC Spray) Usage Report**

Report Date:	
Officer Name:	Badge #:
<b>Reason for report</b>	
<input type="checkbox"/> OC Canister was issued to officer <input type="checkbox"/> OC canister was tested <input type="checkbox"/> OC Canister was used in training <input type="checkbox"/> OC Canister was sprayed in use of force application	
OC Canister Serial Number:	Issue Weight:
Post-Test Weight:	Post-Usage Weight:
Issuing/Testing Officer-in-charge:	Badge #:
<b>OC Spray Usage Incident</b>	
Incident #:	Date of Usage:
Weather conditions:	
Location of Usage:	
Suspect Name:	DOB:
# of OC Bursts (sprays) Used:	
<b>OC Spray Effectiveness</b>	
<input type="checkbox"/> Spray effective - subject controlled and taken into custody <input type="checkbox"/> Spray ineffective    EXPLAIN:	
<b>Decontamination Process / Emergency Medical Treatment (Check all that apply)</b>	
<input type="checkbox"/> Subject handcuffed and secured <input type="checkbox"/> Advised subject the effects are temporary and that they will subside <input type="checkbox"/> Exposed the subject to fresh air as soon as possible <input type="checkbox"/> Dispatched emergency medical service (EMS) to the location that the subject had been sprayed.	<input type="checkbox"/> Flushed the subject's eyes with cold water <input type="checkbox"/> Officer washed hands and affected areas with soap and water <input type="checkbox"/> Subject treated and released at scene by medical staff (refusal completed) <input type="checkbox"/> Subject Transported to Hospital for treatment Facility: _____
<b>Officer's Signature</b>	<b>Supervisor's Signature</b>
X	X

APPENDIX "4"  
Taser Discharge Worksheet




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**RADNOR TOWNSHIP POLICE DEPARTMENT**  
301 Iven Ave., Wayne, PA 19087

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**Taser Discharge Worksheet**

<b>Date of Incident:</b>	<b>Incident Number:</b>
<b>Location of Discharge:</b>	
<b>Taser Discharging Officer:</b>	<b>Badge:</b>
<b>Other Officers On Scene:</b>	
<b>Accidental Discharge:</b> <input type="checkbox"/> Yes <input type="checkbox"/> No <small>Note: An incident report is to be completed for any accidental discharge</small>	
<b>How many Taser cartridges were used:</b>	<b>How many cycles were administered:</b>
<b>Taser Cartridge #1</b>	
<b>Was neuromuscular incapacitation (NMI) achieved with Cartridge #1?</b> <small>(Did the actor lock up allowing arrest)</small>	<b>Y    N</b>
<b>List suspected reasons why NMI was not achieved</b>	
<b>Taser Cartridge #2</b>	
<b>Was neuromuscular incapacitation (NMI) achieved with Cartridge #2?</b> <small>(Did the actor lock up allowing arrest)</small>	<b>Y    N</b>
<b>List suspected reasons why NMI was not achieved</b>	
<b>If applicable, please describe the circumstances of why more than one cycle or cartridge was necessary</b>	

Radnor Township Police Department

Drive Stun(s)	
How many drive stuns were administered?	
Was neuromuscular incapacitation (NMI) achieved with the drive stun(s)?	Y    N
List suspected reasons why NMI was not achieved	
<input type="checkbox"/> Contact areas photographed by police?	<input type="checkbox"/> Subject transported to the hospital?
Officer Signature: X _____	
Supervisor Information	
Name of Supervisor:	Badge #:
Supervisor Signature: X _____	

APPENDIX "5"  
Taser Signout Sheet



**RADNOR TOWNSHIP POLICE DEPARTMENT**  
301 Iven Ave., Wayne, PA 19087

**Taser Signout Sheet**

Taser #	Officer Name Printed	Badge #	Spark/Charge Test?
1			<input type="checkbox"/> Spark/Charge Test Conducted
2			<input type="checkbox"/> Spark/Charge Test Conducted
3			<input type="checkbox"/> Spark/Charge Test Conducted
4			<input type="checkbox"/> Spark/Charge Test Conducted
5			<input type="checkbox"/> Spark/Charge Test Conducted
6			<input type="checkbox"/> Spark/Charge Test Conducted
7			<input type="checkbox"/> Spark/Charge Test Conducted
8			<input type="checkbox"/> Spark/Charge Test Conducted
9			<input type="checkbox"/> Spark/Charge Test Conducted
10			<input type="checkbox"/> Spark/Charge Test Conducted
11			<input type="checkbox"/> Spark/Charge Test Conducted
12			<input type="checkbox"/> Spark/Charge Test Conducted
13			<input type="checkbox"/> Spark/Charge Test Conducted
14			<input type="checkbox"/> Spark/Charge Test Conducted
15			<input type="checkbox"/> Spark/Charge Test Conducted
16			<input type="checkbox"/> Spark/Charge Test Conducted
17			<input type="checkbox"/> Spark/Charge Test Conducted

Date: \_\_\_\_\_  PM Shift  AM Shift | Supervisor Signature: \_\_\_\_\_ Badge #: \_\_\_\_\_