

LINCOLN POLICE

Response to Resistance
DATE ISSUED 08/15/07
REVIEW 8/15/07

Policy This department recognizes and respects the value and integrity of human life. That officer's shall only use that response which is reasonably necessary to lawfully bring an incident under control. (1.3.1)

Purpose The purpose of this directive is to cover the following :

Deadly Force	Non Deadly Force
Weapons & Training	Certification
Reports	Responsibilities

Definitions *Deadly Force* – any use of force that is likely to cause death or serious bodily injury.
Non-Deadly Force – any use of physical force which is not considered deadly
Serious Bodily Injury – Any harm to the body which causes severe, permanent injury or impairment to the health or function of any part of the body

Non deadly Force A police officer is justified in using non-deadly force upon another when the officer reasonably believes it is necessary to:

- Effect an arrest or detention
- Lawfully prevent the escape of a subject
- Defend themselves and others from what they reasonably believes to be the imminent use of or actual use of non-deadly force. (1-3-4)

Officers should assess the incident in order to determine which non-deadly techniques or weapon will best gain compliance in the safest manner. The force used will be no greater than is necessary and reasonable given the situation.

Neck restraints are not authorized (1.3.11d)

Deadly Force Police officers are justified in using deadly force only when they reasonably believe that such force is necessary to: **Defend themselves or others from what is reasonably believed to be the immediate use of or actual use of deadly force.** (1-3-2)

Weapons

Only officers trained in their use and certified by an approved instructor are authorized to carry and use those departmental weapons (1-3-10)

- Only weapons & ammunition issued by the department may be carried.
- Members are responsible for their weapons and any concerns on the weapons safety must be reported immediately

Weapon	Description
Pistol	SIG P229 AMMO -.40 Cal. .165 gr. Winchester Ranger
Shotgun	Mossberg 590 Remington 870 AMMO 12 gauge Remington/Winchester Rifled Slug
Rifle	M-14 M-16 Ruger 10-22 AMMO .308 Federal 55gr. AMMO .223 Federal .55gr AMMO 22LR Winchester (10-22 for animal control only & if authorized by supervisor)
Pepper Spray	Only issued spray is to be used – <i>no longer issued as of 2007</i> Officers to receive instruction yearly on <ul style="list-style-type: none">• use of• medical assistance
ASP	Certified in the use of every three years Yearly review of tactics as taught in the ASP Basic Course
Taser	See complete Taser order
Pepperball gun	For use on animals control situations only

Deadly weapon guidelines

Deadly Weapons use must be in compliance of the following

Can be discharged	In compliance of the above order during practice range or competitive sports to destroy an animal for public safety or as a humanitarian measure
Are prohibited to be used	For warning shots (1-3-3) From a moving vehicle When an innocent person may be injured At a moving vehicle, unless in self defense

Off Duty use (1.3.9)

Officers are not required to carry issued weapons
If carried the issued weapons shall be concealed and carried in a safe manner
Following the same guidelines as for being on duty
No issued weapon shall be carried out of state –unless permission given by Chief
Federal Law: allows sworn & retired officer to carry off duty in all states.
Any weapon carried must be approved by the department for qualification purposes and the officer shall be required to pass the qualification course

Procedures on response

The following guidelines must be complied with if a response to resistance incident occurs

Position	Duties & Responsibilities
Officer	Immediately notify dispatch Maintain scene Request ambulance if needed Handle arrest procedures, unless relieved by a supervisor Complete required reports
Dispatcher	Notify a supervisor or on call supervisor Contact chief in case of serious injury or death
Supervisor	Respond to scene (in case of death or serious injury) Death - notify state police & NH attorney generals office - have officer removed from area to station Injury - secure weapon (death or serious injury) - become the incident commander review use of force report (or if officer incapacitated complete report) and review of incident with recommendations to the Chief
Chief or designee	Respond to any death or serious injury Handle media releases (death to be handled by AG office) Review incident to determine if policies followed or if changes need to be addressed in policy, training or equipment. (1.3.7)

After the Response to resistance (to include lethal and less than lethal weapon) - It is the officer's responsibility to render appropriate medical aid in all cases of injuries immediately upon controlling the event or as soon as possible given the situation (1.3.5)

- Ambulance to be requested (treat for OC)
- Based on their evaluation subject can be transported to hospital
- Officers are to comply with Prisoner Transportation order

If an officer's response or actions causes death or serious bodily injury, the officer will be reassigned to administrative duty, pending completion of the incident investigated (1.3.8)

Training

All sworn officers are required to qualify annually with their issued firearms (per NHPSTC) and attend a minimum of 4 mandatory hours of class. Prior to being issued a weapon & annually, each officer will be instructed in this order and issued a copy of it. (1.3.12)

Position	Responsibilities
Firearms Instructor	Must be a certified instructor approved by NHPSTC (1-3-11a) Conduct 4 hour annual class Develop firearm & weapon Manual Maintain a record of each officer's proficiency & file annual report with NHPSTC (1-3-11b) Maintains records & inspections of each weapon (1-3-9cd) Controls department armory & maintenance Certify officers on range Notify Chief of any failures to be recertified Other duties as needed to improve safety & compliance
Chief	Approve training programs

Failure to Qualify
(1.3.11c)

Officers will be relieved of normal duties until re-qualified
 The weapon will be examined & a new one issued if necessary
 The Firearms instructor will retrain and rectify any deficiencies on an individual basis
 Members who fail to qualify in seven days will be subject to disciplinary action

Inspection

All weapons shall be inspected yearly by the Firearms Officer during the annual range qualifications
 Any member must notify the Firearms officer or a supervisor of any problems with their service weapon. (non-functioning or unsafe)
 A replacement will be given to the officer if uncorrectable and made safe
 The weapons log shall maintain the records on the weapon and only approved weapons will be issued to officers
 Weapons shall be inspected prior to being issued

Reports
(1.3.6 abcd)

The following reports are required

Report	To be filed
---------------	--------------------

Response to resistance Form 2.1.1 Taser Only Additional Form 2.1.4	By any member who uses deadly or non-deadly force, or takes action that or is alleged to have resulted in the death or injury of another person. Lethal or non lethal weapon used Prior to their end of duty Note – handcuffing & restraining are exempted uses – unless subject, bystander or officer injured or property damage occurs
Form 2.1.5	By any member who other than in training or recreation, uses a departmental weapon and <ul style="list-style-type: none"> • Accidentally discharges a weapon • Destroys an animal • Other incidents as directed Prior to their end of duty
NHPTC Firearms report	By the Firearms instructor – annually by January 15
Weapons Log Form 2.1.3	By the Firearms instructor – whenever a departmental weapon is purchased, inspected, issued, repaired or no longer owned by this agency Annual entry on condition must be entered
Annual analysis of Response to resistance Form 2.1.2	By a Firearms committee of the Patrol Sgt, Support Sgt and Firearms Officer to analyze response to resistance and weapons reports that may indicate a need to improve training, equipment or policy clarification Annually by Jan 31 to be forwarded to the Chief