



**Chapter 3**

<i>Subject:</i> Use of Force		<i>General Order Number:</i> 03.01	
<i>Effective Date:</i> 07/06/16		<i>Reference:</i> Intermediate Weapons 04.02 Conducted Energy Weapons 04.05 Critical Incident - Officer Involved Shooting 05.02	
Approval: Chief Justin D. Laps		<i>No. of Pages:</i> 4	
Updated: Annually			

A. Policy

In vesting rangers with the lawful authority to use force to protect the public welfare, a careful balancing of all human interests is required. Therefore, it is the policy of this department that rangers may use only that force reasonably necessary to effectively bring an incident under control. A use of force is used to control resistance or aggressive behavior towards the involved personnel, other personnel, third parties, or property.

B. Procedures

1. Rangers may use only the amount of force which is necessary and reasonable to effect lawful objectives, such as: making an arrest, overcoming resistance to arrest, preventing escape, or defending any person from harm.
2. When the use of force is necessary, a ranger must first weigh the circumstances of each individual case to determine the amount of resistance encountered or the immediate threat the subject poses to any person. The decision to escalate or de-escalate the level of control should be based on:
  - a. The subject's actions;
  - b. Totality of circumstances;
  - c. Perceived threat level based on training, knowledge, and the officer's awareness of his/her own capabilities; and,
  - d. Reaction time.
3. Rangers should use the response appropriate to the resistance offered, taking care to employ only that amount of force necessary and reasonable to control the situation or subject. Rangers shall use their training to guide them through a

use of force incident. The preferred response to resistance and aggression is a trained technique. However, during a situation involving the infliction or threatened infliction of serious physical harm or death, the use of an untrained response or a non-traditional weapon or object, while not normally authorized, may be reasonable to end the threat and survive the encounter. The proper exertion of physical force used to control persons shall be consistent with department policy.

4. Levels of resistance exhibited by the subject:
  - a. Psychological intimidation: non-verbal cues indicating subject's attitude, appearance and physical readiness;
  - b. Verbal non-compliance: verbal responses indicating unwillingness to cooperate or threats;
  - c. Passive resistance: physical actions that do not prevent a ranger's control;
  - d. Defensive resistance: physical actions which attempt to prevent a ranger's control, but do not attempt to harm the ranger;
  - e. Active aggression: physical actions of assault; and,
  - f. Aggravated active aggression: deadly force encounter.
5. Available techniques used to control a suspect's actions include but are not limited to:
  - a. Ranger presence, verbal and non-verbal commands, searching, handcuffing, sparking a taser for compliance
  - b. Empty hand control, pressure points, grounding techniques, and joint manipulations
  - c. Use of chemical spray
  - d. Use of conducted electrical weapon
  - e. Hard empty hand control (strike/punch/kick)
  - f. Use of impact weapon (baton)
  - g. Agency owned animals (K-9)
  - h. **Deadly force- Rangers may use only the force necessary to effect lawful objectives. Such force may only be used to protect the Ranger or others from what is reasonably believed to be an immediate threat of death or serious bodily harm. Deadly force may be used only under the following circumstances:**
    1. **To defend oneself from serious bodily harm or death**
    2. **To defend another person from serious bodily harm or death**
    3. **In accordance with US and Ohio Supreme Court decisions, specifically, *Tennessee v. Garner* and *Graham v. Connor*.**
      - i. *Reasonable belief:* Facts and circumstances that an ordinary person would believe under similar circumstances.
      - ii. *Serious bodily harm:* A bodily injury that creates a substantial risk of death, causes serious, permanent disfigurement, or results in long term loss or impairment of the functioning of any body member or organ.
  - i. The use of chokeholds or the Lateral Vascular Neck Restraint are specifically prohibited except in those situations where the use of deadly

force is authorized as described in Section (5)(h).

6. Ranger restrictions when exhibiting and discharging a firearm in the performance of official duties: Rangers may not exhibit their firearm unless circumstances create reasonable cause to believe that it may be necessary to use the firearm in accordance with this general policy. Warning shots are prohibited, and rangers may not discharge their firearms from a moving vehicle.
7. When an incident involving the use of force with a complaint of injury or obvious injury by a ranger has occurred, the involved ranger must:
  - a. Notify dispatch with as much detailed information as possible regarding the incident, location, extent of injuries, and suspect(s) involved; and,
  - b. Dispatch will immediately notify in this order:
    - i. emergency medical assistance, (if needed);
    - ii. back-up;
    - iii. supervisor;
  - c. Rangers will render first aid/medical attention, if and when practical. The Ranger shall confirm with dispatch that emergency medical services have been contacted and are enroute. The Ranger will monitor suspects for any changes in condition. All information regarding the suspect's condition will be relayed to dispatch in order that emergency medical services can be updated on current scene conditions prior to arrival.
8. Reporting and Investigation
  - a. All uses of force shall be reported consistent with department policies. Involved personnel shall notify a supervisor.
  - b. The supervisor shall notify the Chief Ranger in accordance with General Order 06.02 for any use of force incident.
  - c. A supervisor will conduct a use of force investigation and complete a Use of Force Report. For use of force incidents resulting in death or serious physical harm, the supervisor shall notify the Chief Ranger who will assign the necessary personnel to conduct the investigation.
  - d. The Use of Force Report will be forwarded to the next-level supervisor of the Ranger involved in the use of force incident. The next level-supervisor will review and sign the form and forward the original report to their supervisor.
  - e. The Chief Ranger will review and sign the form, file it, and make entry of the incident into the Use of Force database.
  - f. If the investigating supervisor determines the use of force was not in compliance with department policies, the Chief Ranger will be immediately notified through the chain of command. The Chief Ranger will assign a supervisor to conduct an internal investigation.
  - g. On-duty supervisors who actively participate in or order a use of force shall not conduct any subsequent investigation. When the on-duty supervisor is prohibited from conducting the investigation, the involved supervisor's immediate supervisor, or if unavailable, the Chief Ranger shall be contacted.
9. Safety Review Panel
  - a. The Safety Review Panel will consist of Three (3) sworn members of the department of which two (2) must hold current certification as

instructors in one of the following areas:

- Intermediate Weapons Instructor to include: Conducted Energy Weapon, Chemical Agents or Impact Weapons
- Subject Control Instructor
- Firearms Instructor

The purpose of the Safety Review Panel is to identify trends or training and equipment needs resulting from department use of force incidents to determine the training curriculum for the department's subject control instructors.

- b. Safety Review Panel members shall attend continued professional development in their areas of expertise or instructional methods or use of force liability at least biennially.
  - c. The Panel will meet quarterly to review all use of force incidents since the previous meeting date. The review will include examination of all case documentation, in-car or other available video, and interviews if determined necessary.
  - d. The panel may consult subject matter experts in use of force incidents involving agency owned animals or as otherwise determined necessary.
  - e. If a member of the panel was involved in a case under review, the member shall be excused during the review.
  - f. The panel will make a monthly report to the Chief Ranger identifying the cases that were reviewed and the panel's findings.
  - g. If the panel finds during their review, that a use of force incident was not in compliance with department policy, but was marked in compliance by the on-duty supervisor, the panel will document this in their report to the Chief Ranger. The Chief Ranger will order an internal investigation of the incident.
10. Annual Analysis and Policy Review
- a. Annually, an analysis of all use of force incidents will be conducted as directed by the Chief Ranger. The analysis will identify any training needs, required equipment upgrades and/or required policy modifications.
  - b. Annually, a review of the Use of Force policy and procedure and Use of Force reporting forms will be reviewed as directed by the Chief Ranger.