

Abington Township Police Department Policy and Procedure Manual

Chapter:	Law Enforcement Role and Authority	General Order:	1.3.6
Section:	Use of Force	Original Date:	050104
Title:	Use of Force Reporting	Re-Issue Date:	062520
Issued By:	Patrick Molloy, Chief of Police	Reevaluation Date:	030123
Signature:	<i>Patrick Molloy</i>	Expiration Date:	Indefinite
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Pennsylvania Accreditation References:	1.3.6		

I. PURPOSE

It is the purpose of this general order to provide members with guidelines for reporting use of force.

II. POLICY

The authority to use force carries with it the need for accountability in order to safeguard the rights of the public and preserve the integrity of the police agency and the jurisdiction that provides this authority. As such, it is the policy of the Abington Township Police Department that use of force, as designated herein, shall be reported in a timely, complete, and accurate manner by involved members and in accordance with this General Order.

III. DEFINITIONS

- A. Use of Force: Use of force is the amount of effort required by police to compel compliance from a person. Except as noted below, this includes any use of force occurring while the member is acting in an official law enforcement capacity. This includes undercover, plainclothes, or uniform assignments, whether on or off duty.
- B. Police use of force is recognized in the following categories:
 1. Physical Force: Use of any part of the member's body or the use of police canines to compel compliance.
 2. Chemical Force: Use of any CN, CS, Mace, or OC aerosol or foam spray, or the pointing of these devices, to compel compliance.

3. Electronic Force: Use, pointing, or “sparking”, of any electronic equipment (Taser7), to compel compliance. Impact Force: Use of any object (baton round, bean bag round, baton, flashlight, ballistic shield, other) as a less-lethal weapon to compel compliance.
4. Firearms Force: The discharge, or display by pointing, of a firearm to compel compliance.
5. Exceptions: Police actions not included in the above definitions are:
 - a. Handcuffs when used as a restraint in arrest and transport activities;
 - b. Transport by vehicle;
 - c. Physical removal of peacefully resisting demonstrators;
 - d. Unholstering of firearm;
 - e. Presence of police officers, canines;
 - f. Police issuance of verbal commands.

IV. PROCEDURE

All Use of Force reports will be documented in the Department’s Professional Standards Software.

- A. All incidents of firearms discharge will be immediately reported to a police supervisor and documented on the Use of Force report, except during range practice, animal disposal, hunting, or competitive sporting events.
- B. All incidents in which an officer points a firearm, Taser or OC, will also be documented on the Use of Force report.
- C. For any suspect who has been injured, or who alleges to be injured, a Use of Force Report shall be completed by the member involved in the incident. This will be in addition to any other required Abington Township Police Department reports.
- D. Members shall make an immediate verbal report to their supervisor(s) and complete the Use of Force report anytime a member applies force through the use of:
 - a. physical force, or alleged physical force, to overcome active resistance to an arrest
 - b. any lethal or less lethal weapon other than handcuffs.

- E. Upon completion of the Use of Force report the member will forward the report by email to their supervisor.
- F. The member's supervisor will review the Use of Force report to determine completeness and accuracy.
 - 1. If the Use of Force report needs revision, it will be returned to the member for completion.
 - 2. If the Use of Force report is complete and accurate, the supervisor will forward the report by email to the Patrol Division Commander.
- G. The Patrol Division Commander shall review all Use of Force reports to determine adherence to policy and procedures, completeness of the report, and to detect and correct any training deficiencies.
- H. The Patrol Division Commander will forward the Use of Force report to the Administrative Division for review and incorporation into the Professional Standards Software.
- I. Responsibility for Reporting
 - 1. Supervisory members shall investigate and report on uses of force as directed in this General Order, and ensure that the Use of Force report is being completed by the arresting member or other member involved in the incident.
 - a. Each member who uses force in an incident shall be listed on the Use of Force reports.
 - b. All Use of Force reports shall specify the actions of the suspect that necessitated the use of force, the reasons why the member used force, as well as any suspect complaints of injury, medical treatment received, or refusal of medical treatment.
 - c. The arresting member shall notify transporting members if force was used on the suspect, or if the suspect has an injury or complaint of pain.
- J. Referral/Transport for Medical Attention Following Use of Force Incidents
 - 1. Arresting and transporting members shall ask prisoners whether they are injured or ill.
 - 2. Prisoner(s) shall be examined by an appropriate health care provider prior to interrogation or prisoner processing for purposes of detention when suffering from, or complaining of, injury or illness or when, among other instances, the individual:
 - a. Is struck on the head with an impact weapon or other hard object;

- b. Exhibits any signs of abnormal behavior or requires the removal of Taser darts from sensitive areas (See General Order 1.3.9.e);
 - c. Is struck with an extended range impact device such as a Bean Bag or Baton Round (see General Order 1.3.9.c);
 - d. Is bitten by a police canine.
3. An injured prisoner shall not be admitted to, or held in, a Department holding cell or processing area without first being examined and released by a physician or qualified health care provider.
- a. Whenever there is doubt concerning the need for medical attention, it should be resolved through examination of the prisoner by an appropriate health care provider.
 - b. Refusal of treatment shall be documented and verified by the member and attending physician or health care provider.

K. Supervisory Responsibilities

1. A member's immediate supervisor shall be summoned and shall respond to any incident of use of force on a priority basis. In any instance of use of force, the supervisor shall:
- a. Preliminarily document the member's and suspect's statements of actions taken, injuries sustained, and medical treatment needed or desired;
 - b. Identify/interview witnesses as appropriate;
 - c. Protect, as necessary, the scene of the incident;
 - d. Interview any health care provider concerning the injuries sustained and their consistency with uses of force;
 - e. In the case of serious injury or death complete a written report.
 - f. In all cases ensure that the Use of Force Report is being completed by the arresting member or other member involved in the incident.
2. Cases resulting in serious injury or death
- a. The immediate supervisor shall notify the Chief of Police and Division Commander in cases involving the serious injury or death of a person resulting from, or allegedly resulting from, a member's use of force.

- b. The ranking patrol supervisor shall immediately notify the Detective Division and shall coordinate and assist that unit in conducting the investigation.
 - c. The Chief of Police will coordinate the notification of The Montgomery County District Attorney's Office and the Office of County Detectives.
- 3. The ranking patrol supervisor shall prepare and submit to the member's Platoon and/or Division Commander a complete review of any use of force not investigated by a Division Commander.
- 4. The Division Commander shall review the shift supervisor's report, conduct such further investigation of the incident as may be deemed necessary, and submit findings and conclusions to the Chief of Police.