

**Reedsburg Police Department
Policy & Procedures Manual**

Section: Use of Force & Call Response		Subject: Use of Force	Number: 6-100
Issued: 02/2011	Revised: 10/2022	Review Due: 02/2024	Distribution: All

I. PURPOSE

The purpose of this policy is to provide Reedsburg Police Officers with guidelines on the use of force.

II. POLICY

It is the policy of the Reedsburg Police Department that its officers use such force as is reasonably necessary to achieve a legitimate law enforcement objective while protecting themselves and others from the risk of injury and death. The force used by an officer should be that force reasonably required to overcome the resistance being offered by a situation, offender or other person the officer is legitimately trying to control.

The Reedsburg Police Department does not consider the assault upon, injury to, or killing of its police officers to be “part of the job”. It will fully support and defend those officers acting within the guidelines of, and in compliance with, this policy and the law.

It is the policy of the Reedsburg Police Department to investigate incidents where an officer discharges a firearm (other than training or recreational activities), uses deadly force against a person by any means, and/or other incidents involving the use of force when so directed by the Chief of Police.

III. DISCUSSION

Reedsburg Police Officers are privileged to use force under state statute 939.45. The police use of force will be closely monitored to ensure it meets legal and ethical standards.

IV. DEFINITIONS

- A. **DAAT**: “Defense And Arrest Tactics” is a system of verbalization skills coupled with physical alternatives. It is the specific system formulated, approved, and governed by the State of Wisconsin Training and Standards Board.

- B. **Intervention Options**: Trained techniques for intervening and gaining control in a disturbance. The techniques are categorized into five modes; presence, dialogue, control alternatives, protective alternatives, and deadly force, each reflecting the need for an increasing level of control. These techniques may include additional techniques trained and authorized by the Reedsburg Police Department.

**Reedsburg Police Department
Policy & Procedures Manual**

Section: Use of Force & Call Response		Subject: Use of Force	Number: 6-100
Issued: 02/2011	Revised: 10/2022	Review Due: 02/2024	Distribution: All

- C. Reasonable Force: A physical act by a police officer in the performance of duty when it is used to accomplish a legitimate law enforcement objective and the level of force used is reasonable considering all the facts and circumstances known to the officer at the time of the incident.

- D. Reasonably Believes: Means that an ordinary, prudent and reasonably intelligent police officer believes that a certain fact situation exists, and such belief is reasonable under the circumstances known to the officer at the time the officer acted.

- E. Objective Reasonableness Standard: The standard established by the U.S. Supreme Court in *Graham v. Connor* that reasonableness should be judged from the perspective of a reasonable officer on the scene with similar training and experience and is based on the totality of the circumstances known to the officer at the time the force is applied. Three elements of the standard are:
 - 1. The severity of the alleged crime at issue.
 - 2. Whether the person poses an imminent threat to the safety of officers and/or others.
 - 3. Whether the subject is actively resisting or attempting to evade arrest by flight.

- F. Assaultive Behavior: Direct action or conduct that generates bodily harm.

- G. Choke Hold: The intentional and prolonged application of force to the throat, windpipe, or carotid arteries that prevents or hinders breathing or blood flow, reduces the intake of air, or reduces blood flow to the head. See Wis. Stat. § 66.0511

- H. Bodily Harm: Physical pain or injury, illness, or any impairment of physical condition, but less severe than great bodily harm. See Wis. Stat. § 939.22(4).

- I. Great Bodily Harm: Bodily injury which creates a substantial risk of death, or which causes serious permanent disfigurement, or which causes a permanent or

**Reedsburg Police Department
Policy & Procedures Manual**

Section: Use of Force & Call Response		Subject: Use of Force	Number: 6-100
Issued: 02/2011	Revised: 10/2022	Review Due: 02/2024	Distribution: All

protracted loss or impairment of the function of any bodily member or organ, or other serious bodily injury¹.

- J. Non-Deadly Force: Any use of force other than that which is considered deadly.
- K. Deadly Force: The intentional use of a firearm or other instrument that creates a high probability of death or great bodily harm.
- L. De-escalation: Taking action to stabilize a situation and reduce the immediacy of a threat so more time, options, and resources become available to resolve the situation with a reduced likelihood that physical force will be necessary.
- M. Physical Restraint: Passive countermeasures, holding, restraining, pushing, pulling, carrying, escorting or other physical manipulation such as pain compliance holds and come-a-longs, without the use of any weapon, kicks, punches or blows, by one or more officers acting alone or in concert to control or move a person in order to achieve a legitimate law enforcement purpose.
- N. Passive Resistance: Non-compliant, non-life threatening behavior.
- O. Active Resistance: Behavior which physically counteracts an officer's control efforts and creates a risk of bodily harm to the officer, subject, or other persons.
- P. Excited Delirium Syndrome: A state of extreme mental and physiological excitement characterized by extreme agitation, hyperthermia, hostility, and exceptional strength and endurance without apparent fatigue.
- Q. Electronic Control Device (ECD): A weapon designed to disrupt a subject's central nervous system by deploying battery-powered electrical energy sufficient to cause uncontrolled muscle contractions and override voluntary motor responses.
- R. AFIDs: Confetti-like pieces of paper that are expelled from a Taser cartridge when fired. Each anti-felon identification (AFID) tag contains an alpha-numeric identifier unique to the cartridge used.

¹ State statute 939.22(14)

**Reedsburg Police Department
Policy & Procedures Manual**

Section: Use of Force & Call Response		Subject: Use of Force	Number: 6-100
Issued: 02/2011	Revised: 10/2022	Review Due: 02/2024	Distribution: All

- S. Safety Priority Philosophy: Refers to the department's level of concern for persons involved in a violent or potentially violent confrontation, and is officially established as follows:

- Priority #1: Hostages
- Priority #2: Innocent Civilians
- Priority #3: Police Officers
- Priority #4: Person(s) Perpetrating the Event

- T. Target Specific Directed Fire: Purposeful, controlled, sustained fire directed at a perpetrator who has caused or imminently threatens to cause death or great bodily harm to you or other, but whom you may not be able to clearly observe.
- U. Law Enforcement Officer: Per Wis. Stat. 165.85(2)(c) any person employed by the state or any political subdivision of the state, for the purpose of detecting and preventing crime and enforcing laws or ordinances and who is authorized to make arrests for violations of the laws or ordinances that the person is employed to enforce. "Law enforcement officer" includes a university police officer, as defined in s.s. 175.42(1)(b).

V. PROCEDURE

A. General Guidelines

1. The sanctity of human life Wis. Stat. 175.44(2)(a) In serving the community, law enforcement officers shall make every effort to preserve and protect human life and the safety of all persons. Law enforcement officers shall also respect and uphold the dignity of all persons at all times in a nondiscriminatory manner.
2. Use of Force Wis. Stat. 175.44(2)(b) When using force, a law enforcement officer is required to act in good faith to achieve a legitimate law enforcement objective. A law enforcement officer is authorized to use force that is objectively reasonable based on the totality of the circumstances, including:
 - a. The severity of the alleged crime at issue.

**Reedsburg Police Department
Policy & Procedures Manual**

Section: Use of Force & Call Response		Subject: Use of Force	Number: 6-100
Issued: 02/2011	Revised: 10/2022	Review Due: 02/2024	Distribution: All

- b. Whether the suspect poses an imminent threat to the safety of law enforcement officers or others.
 - c. Whether the suspect is actively resisting or attempting to evade arrest by flight.
 - 3. Officers shall use the level of force that is reasonably necessary, based on information available to the officer at the time, to control a situation, achieve an arrest or detain or control a person.
 - 3. When an officer has gained control of a person or situation s/he shall de-escalate to a force level sufficient to maintain control.
 - 4. Unless circumstances dictate otherwise, all persons arrested should be handcuffed behind the back and shall be searched for weapons prior to transport or processing.
 - 5. An officer may draw, display or threaten the use of OC spray, baton, or other authorized weapon when he or she reasonably believes its use may become justified and is anticipated.
- B. Oleoresin Capsicum Spray
 - 1. Authorized OC spray may be carried by all on-duty sworn personnel.
 - 2. The use of OC spray is permitted when:
 - a. A person is physically aggressive toward an officer.
 - b. After an officer has indicated to a person that he intends to apprehend or restrain the person, and that person indicates to the officer by words or actions that s/he intends to resist the officer's efforts or intends to cause bodily harm to the officer.
 - c. When an officer reasonably believes, considering all the information available to them, including the conduct and statements of the suspect and prior history of assaultive or resistive behavior known to the department that efforts at mere physical restraint of the

**Reedsburg Police Department
Policy & Procedures Manual**

Section: Use of Force & Call Response		Subject: Use of Force	Number: 6-100
Issued: 02/2011	Revised: 10/2022	Review Due: 02/2024	Distribution: All

suspect would be ineffective or would unreasonably subject the officer or others to the risk of physical harm.

- d. Passive resistance does not justify or permit the use of OC spray absent words or actions showing intent to resist or injure the officer or others.
 - e. Generally, OC spray should not be used at a distance of less than 3 feet.
3. Officers who use OC Spray against a person shall ensure that the person is decontaminated as soon as practical after the person has been brought under control. Officers shall:
- a. Expose the person to fresh air and flush exposed skin with cool water.
 - b. Inform the person that contact lenses and contaminated clothing should be cleaned. (Soft contact lenses may have to be discarded.)
 - c. Inform the person not to apply salves, creams or lotions and that showering with soap and water will remove residue from skin and hair.
 - d. Monitor the person for 30 minutes after exposure and, if incarcerated, notify confinement personnel of the use of OC spray. If adverse reaction occurs, or if so requested by the person, arrange for and cause transport to the nearest medical facility.
4. A copy of the MSDS for OC spray shall be prominently posted in the police department.
- C. Electronic Control Devices:
- 1. Authorized Users: Only officers who have satisfactorily completed an approved training course shall be authorized to carry ECDs. ECDs shall be carried by uniformed patrol officers.

**Reedsburg Police Department
Policy & Procedures Manual**

Section: Use of Force & Call Response		Subject: Use of Force	Number: 6-100
Issued: 02/2011	Revised: 10/2022	Review Due: 02/2024	Distribution: All

2. An electronic control device may be used when a subject is threatening to actively resist or is actively resisting an officer and the subject poses an articulable threat of bodily harm to an officer or another person. It may also be used when the subject poses a threat of bodily harm to himself or herself, such as self-inflicted injury or a suicide attempt. Mere passive resistance does not warrant the use of an ECD.
3. Weapon Readiness:
 - a. The device will be carried in an approved holster on the side of the body opposite the service handgun if on the duty belt. Optional- the device may instead be carried on an external vest carrier in an approved MOLLE system, but the user must demonstrate proficiency through an in-house DAAT Instructor. Officers not assigned to uniformed patrol may utilize other department-approved holsters and carry the weapon consistent with department training.
 - b. The device shall be carried fully armed with the safety on in preparation for immediate use when authorized.
 - c. Officers authorized to use the device shall be issued a minimum of one spare cartridge as a back-up in case of cartridge failure, the need for redeployment, or in case the first cartridge's leads break during engagement. The spare cartridges shall be stored and carried in a manner consistent with training and the cartridges replaced consistent with the manufacturer's expiration requirements.
4. Deployment
 - a. The ECD is generally analogous to oleoresin capsicum (OC) spray on the use-of-force continuum, and decisions to use an ECD involve the same basic justification. As such, it is forbidden to use the device as follows:
 - 1) In a punitive or coercive manner.

**Reedsburg Police Department
Policy & Procedures Manual**

Section: Use of Force & Call Response		Subject: Use of Force	Number: 6-100
Issued: 02/2011	Revised: 10/2022	Review Due: 02/2024	Distribution: All

- 2) On a handcuffed or secured prisoner, absent overtly assaultive behavior that cannot be reasonably dealt with in any other less intrusive fashion.
 - 3) On any suspect who does not demonstrate an overt intention
 - a) to use violence or force against the officer or another person, or;
 - b) to flee in order to resist or avoid detention or arrest (in cases where officers would pursue on foot).
 - 4) In any environment where an officer knows that a potentially flammable, volatile, or explosive material is present (including but not limited to OC spray with volatile propellant, gasoline, natural gas, or propane).
 - 5) In any environment where the subject's fall could reasonably result in death (such as in water or on an elevated structure).
 - 6) On any non-staff member (volunteer, intern, auxiliary, reserve, citizen, non-municipal employee) during any part of a demonstration.
- b. As in all uses of force, certain individuals may be more susceptible to injury. Officers should be aware of the greater potential for injury when using an ECD against children, the elderly, persons of small stature irrespective of age, or those who the officer has reason to believe are pregnant, equipped with a pacemaker, or in obvious ill health.
 - c. Upon firing the device, the officer shall energize the subject the least number of times and no longer than necessary to accomplish the legitimate operational objective.
 - d. The subject should be secured as soon as practical while incapacitated by ECD power to minimize the number of deployment cycles. In determining the need for additional energy cycles,

**Reedsburg Police Department
Policy & Procedures Manual**

Section: Use of Force & Call Response		Subject: Use of Force	Number: 6-100
Issued: 02/2011	Revised: 10/2022	Review Due: 02/2024	Distribution: All

officers should be aware that an energized subject may not be able to respond to commands during or immediately following exposure.

- e. In preparation for firing, the ECD shall be pointed in a safe direction, taken off safe, and then aimed. Center mass of the subject's back should be the primary target where reasonably possible; center mass of the abdomen (not chest) or the legs are the secondary targets.
 - f. Fixed sights should be used as the primary aiming device and the laser dot as the secondary aiming device.
 - g. The device may also be used in certain circumstances in a "drive stun" mode. This involves removing the cartridge and pressing the unit against an appropriate area of the body based on training. It is important to note that when the device is used in this manner, it is:
 - 1) Primarily a pain compliance tool due to a lack of probe spread.
 - 2) Probe deployments are more desirable/effective than drive-stuns (other than 3-4 point deployments).
 - 3) More likely to leave marks on the subject's skin.
 - 4) Deploy probes at close range and apply (3-4 point) drive stun away from the probe impact sites to increase neuro muscular potential.
 - 5) Subject to the same deployment (use) guidelines and restrictions as those of the ECD in cartridge deployments.
 - h. The ECD shall be pointed at the ground in a safe direction with the safety on during loading, unloading, or when handled in other than an operational deployment.
5. Aftercare

**Reedsburg Police Department
Policy & Procedures Manual**

Section: Use of Force & Call Response		Subject: Use of Force	Number: 6-100
Issued: 02/2011	Revised: 10/2022	Review Due: 02/2024	Distribution: All

- a. The ECD darts may be removed from the subject after the subject is restrained following procedures outlined in training.
- b. Wherever reasonably possible, individuals who have been incapacitated by an ECD should be taken to an emergency medical facility for evaluation.
- c. The following persons shall be transported to a medical facility for examination following exposure to an ECD. Any person who:
 - 1) requests medical attention. Officers shall ask persons if they desire medical attention.
 - 2) is hit in a sensitive area (e.g. face, head, female breasts, male groin).
 - 3) from whom officers have difficulty removing the probes (owing to probe or barb separation).
 - 4) does not appear to recover properly after being hit
 - 5) is in a potentially susceptible population category as defined in C.3.b of this policy.
 - 6) has been energized more than three times.
 - 7) has had more than one ECD effectively used against him or her in any given incident.
 - 8) has been subjected to a continuous energy cycle of 15 seconds or more, or
 - 9) has exhibited signs of extreme uncontrolled agitation or hyperactivity prior to ECD exposure, and/or signs of "Excited Delirium".
- d. Photographs of the affected area should be taken after the darts are removed.

**Reedsburg Police Department
Policy & Procedures Manual**

Section: Use of Force & Call Response		Subject: Use of Force	Number: 6-100
Issued: 02/2011	Revised: 10/2022	Review Due: 02/2024	Distribution: All

e. When the device has been used operationally, the officer shall collect the cartridge, wire leads, darts, and AFIDs as evidence.

6. Reporting

Officers shall specifically articulate the rationale in their use-of-force report for any instance in which: an ECD is energized more than three times, an energy cycle longer than 15 seconds in duration is used, more than one ECD is used against a subject in any given incident, or an ECD is used against an individual designated to be in a “susceptible population” per C.3.b. of this policy.

D. Intermediate Weapons:

1. An authorized baton is required equipment for officers performing patrol duty.
2. A baton may be drawn, deployed and held in an approved ready position if the officer is threatened or confronted with the potential for bodily harm.
3. The use of batons is permitted against an aggressive person where the officer reasonably believes physical restraint would be ineffective or would unreasonably subject the officer or others to the risk of bodily harm.

E. Empty Hand Control

1. Physical Restraint techniques are permitted against a person who is actively resisting, or indicating their intention to actively resist the lawful efforts of officers, where the officer reasonably believes that other methods would be ineffective or would subject the officer or others to the risk of bodily harm.
2. Active countermeasures, such as vertical stuns and focused strikes are permitted against a person who is attacking or attempting to attack an officer or other person, where the officer reasonably believes other methods would be ineffective or would unreasonably subject the officer or others to the risk of bodily harm.

**Reedsburg Police Department
Policy & Procedures Manual**

Section: Use of Force & Call Response		Subject: Use of Force	Number: 6-100
Issued: 02/2011	Revised: 10/2022	Review Due: 02/2024	Distribution: All

3. Neck restraints which significantly decrease or stop blood circulation or respiration may only be employed if deadly force is justified. Chokeholds are an example of a neck restraint.

F. Miscellaneous Tactics

1. Flashlights should not be used as a weapon unless circumstances would justify such use (*i.e.* “untrained but justified”).
2. Saps, blackjacks, sap gloves, Billy clubs, brass knuckles, tear gas, stun guns, cattle prods and thumb cuffs are prohibited from possession, carrying or use by officers.
3. Knives may be routinely carried, but may only be used as weapons if deadly force is justified.

G. Deadly Force

Wis. Stat. 175.44(2)(c)- A law enforcement officer may use deadly force only as a last resort when the law enforcement officer reasonably believes that all other options have been exhausted or would be ineffective. A law enforcement officer may use deadly force only to stop behavior that has caused or imminently threatens to cause death or great bodily harm to the law enforcement officer or another person. If both practicable and feasible, a law enforcement officer shall give a verbal warning before using deadly force.

1. The use of deadly force is permissible under the following circumstances:
 - a. As the final alternative, to effect an arrest or prevent the escape of a subject who:
 - 1) The officer reasonably believes has committed a serious violent crime, *and*;
 - 2) The officer has probable cause to believe the suspected felon poses a significant threat of death or great bodily harm to the officer, or others, if not immediately apprehended.

**Reedsburg Police Department
Policy & Procedures Manual**

Section: Use of Force & Call Response		Subject: Use of Force	Number: 6-100
Issued: 02/2011	Revised: 10/2022	Review Due: 02/2024	Distribution: All

- b. To euthanize an animal so seriously injured that humanity dictates the cessation of suffering, or to stop a dangerous animal when an officer reasonably believes the animal poses an imminent threat of substantial bodily harm or death to the officer or others.
 2. Before using a firearm, an officer shall identify themselves and state their intent to shoot, where feasible. An officer is not required to identify themselves or state their intent if to do so would jeopardize the safety of the officer or others.
 3. Officers shall observe the following additional restrictions:
 - a. Warning shots are prohibited.
 - b. Deadly force is prohibited when the target of the force is not clearly visible. Firing into a building or through a door is not permitted unless officers are being fired upon from within and no alternative means of cover is available. If by doing so they do not create a greater danger to innocents, officers are authorized to utilize target specific directed fire in order to accomplish their lawful purposes.
 - c. Deadly force shall not be used when the officer is in doubt as to whether or not he or she has the legal justification to do so.
 - d. The decision to shoot at or from a moving vehicle shall be governed by this policy and is prohibited if deadly force is not justified, or if shooting presents an unreasonable risk to the safety of officers or innocent others. For the purposes of this policy, an unreasonable risk is generally defined as risk which creates a greater danger to the officer or innocent others than that which already exists. Officers should recognize that substantial risks are present when attempting such shots, and should not exercise such an option except under the most extreme circumstances.
 4. An officer may discharge a firearm without the previously described restrictions during authorized range practice, hunting or competitive sporting events.
- H. First Aid & Medical Assistance

**Reedsburg Police Department
Policy & Procedures Manual**

Section: Use of Force & Call Response		Subject: Use of Force	Number: 6-100
Issued: 02/2011	Revised: 10/2022	Review Due: 02/2024	Distribution: All

Whenever a person is injured as a result of force applied by an officer, officers will provide first aid as soon as the person is appropriately secured and officer safety permits such treatment. Medical assistance, if necessary, will be requested as soon as possible and provided when the scene is secure.

I. Training

1. All officers shall receive annual documented training on this policy.
2. All officers shall demonstrate understanding of this policy before carrying any weapon on duty.

J. Duty to Intervene

1. Wis. Stat. 175.44(4)(a) A law enforcement officer shall, without regard for chain of command, intervene to prevent or stop another law enforcement officer from using force that does not comply with the standards under sub. (2) (b) or (c) in the course of that law enforcement officer's official duties if all of the following apply:
 - a. The law enforcement officer observes the use of force that does not comply with the standards under sub. (2) (b) or (c) noted above.
 - b. The circumstances are such that it is safe for the law enforcement officer to intervene.
 - i. 2021 Wisconsin Act 75 does not limit the duty to intervene to on-duty law enforcement officers. Before acting, off-duty officers shall consider safety issues including but not limited to:
 1. Is the officer in their jurisdiction?
 2. Is the officer in uniform or otherwise immediately identifiable as a law enforcement officer?
 3. Is the observed use of force in the context of an ongoing tactical situation?

**Reedsburg Police Department
Policy & Procedures Manual**

Section: Use of Force & Call Response		Subject: Use of Force	Number: 6-100
Issued: 02/2011	Revised: 10/2022	Review Due: 02/2024	Distribution: All

4. Is the officer's intervention likely to escalate the situation?

2. Wis. Stat. 175.44(4)(b) A law enforcement officer who intervenes as required under par. (a) shall report the intervention to his or her immediate supervisor as soon as is practicable after the occurrence of the use of such force.
3. Wis. Stat. 175.44(4)(c) A person who intentionally fails to intervene as required under par. (a) or intentionally fails to report an intervention as required under par. (b) may be fined not more than \$1,000 or imprisoned not more than 6 months or both.

K. Required Notifications and Reporting Uses of Force

1. All regular incident reports should include details involving an officer's activity during the course of any reportable event. A Use of Force form (attached), *in addition to a regular incident report*, shall be prepared according to departmental procedures under the following circumstances:
 - a. When an approved firearm is discharged (including accidental discharge) outside an authorized firing range, except when an officer shoots an animal for public safety or humanitarian reasons². A supervisor must be notified as well. S/he must notify the Chief of Police and must report immediately to the scene and begin an investigation.
 - b. When use of force results in an *alleged* or *actual* injury, or in death.
 - c. When an officer uses force listed in Intervention Options as "Control Devices" or higher.
2. The officer shall submit the Use of Force Report to the Chief of Police.
3. Any time a Use of Force form must be completed, as shown in J.1 above, a supervisor shall be notified immediately.

² An officer using a firearm to dispatch an animal should notify dispatch prior to discharge, if possible, or immediately thereafter. The officer shall submit a report detailing the incident.

**Reedsburg Police Department
Policy & Procedures Manual**

Section: Use of Force & Call Response		Subject: Use of Force	Number: 6-100
Issued: 02/2011	Revised: 10/2022	Review Due: 02/2024	Distribution: All

4. Duty to report noncompliant use of force
 - a. Wis. Stat. 175.44(3)(a) A law enforcement officer who, in the course of his or her law enforcement duties, witnesses another law enforcement officer use force that does not comply with the standards under sub. (2) (b) or (c) in the course of that law enforcement officer's official duties shall report the noncompliant use of force as soon as is practicable after the occurrence of the use of such force.
 1. The officer shall verbally report the noncompliant action to a supervisor and document the circumstances in the case file as soon as practicable.
 2. If multiple officers witness a noncompliant action each of them are required to report it as noted above.
 - b. Wis. Stat. 175.44(3)(b) A person who intentionally fails to report a noncompliant use of force as required under par. (a) may be fined not more than \$1,000 or imprisoned not more than 6 months or both.
 - c. Wis. Stat. 175.44(4) Whistleblower Protections. No law enforcement officer may be discharged, disciplined, demoted, or denied promotion, transfer, or reassignment, or otherwise discriminated against in regard to employment, or threatened with any such treatment, because the law enforcement officer reported, or is believed to have reported, any noncompliant use of force as required under sub. (3) or (4); intervened to prevent or stop a noncompliant use of force as required under sub. (4); initiated, participated in, or testified in, or is believed to have initiated, participated in, or testified in, any action or proceeding regarding a noncompliant use of force; or provided any information, or is believed to have provided any information, about noncompliant use of force as required under sub. (3) or (4).

L. Departmental Response

1. Administrative Review of Use of Force

**Reedsburg Police Department
Policy & Procedures Manual**

Section: Use of Force & Call Response		Subject: Use of Force	Number: 6-100
Issued: 02/2011	Revised: 10/2022	Review Due: 02/2024	Distribution: All

- a. All Use of Force reports, interventions and noncompliant use of force reports will be reviewed by the Chief of Police to determine whether:
 - 1) department rules, policy or procedure were violated
 - 2) the relevant policy was clearly understandable and effective to cover the situation, and
 - 3) department training is currently adequate
 - b. The Chief of Police may at his discretion investigate, select an outside authority to investigate, or may appoint a use of force team consisting of but not limited to a DAAT or Unified Tactics instructor, a supervisor, patrol officer, and/or detective to review any use of force incident and make recommendations.
 - c. All findings of policy violations or training inadequacies, as well as associated recommendations, shall be reported to the Chief of Police for consideration and possible action.
 - d. All use of force reports shall be retained where required by law.
 - e. An annual summary report of use of force incidents shall be generated and made available to the public through a report to the Common Council.
 - f. A complaint received from a citizen alleging that an officer used excessive force resulting in injury to a person shall be referred to the Citizen Complaint procedure for investigation by the Internal Affairs authority.
2. Criminal Investigation of Critical Incidents
- a. Where an officer's use of force has caused death, substantial bodily harm³ or great bodily harm, the officer shall be placed on

³ State statute 939.22(38): "...bodily injury that causes a laceration that requires stitches, staples, or a tissue adhesive; any fracture of a bone; a broken nose; a burn; a temporary loss of consciousness, sight or hearing; a concussion; or a loss or fracture of a tooth."

**Reedsburg Police Department
Policy & Procedures Manual**

Section: Use of Force & Call Response		Subject: Use of Force	Number: 6-100
Issued: 02/2011	Revised: 10/2022	Review Due: 02/2024	Distribution: All

administrative leave while completing all internal investigative requirements, and until it is determined the officer is ready to return to duty.

- b. The department shall conduct, or cause to be conducted, a criminal investigation of the incident. Investigation of great bodily harm or death shall be conducted by an outside agency.

NOTE: *This policy is for department use only, and does not apply in any civil or criminal proceeding. This policy should not be construed as the creation of a higher legal standard of safety or care in an evidentiary sense with respect to third party claims. Violations of this policy will only form the basis for departmental administrative sanctions.*

By Order of:

Patrick B Cummings

October 17, 2022

Chief of Police

Date