



# Watertown Police Department



## USE OF FORCE CHAPTER 1U

**General Order Number: 21-001**

**Effective Date: 06/14/2002**

**Reference:**

**Revised Date: 02/26/2021**

**Accreditation Standards: 1.3.1, 1.3.2, 1.3.3, 1.3.4, 1.3.5, 1.3.6, 1.3.7, 1.3.8, 1.3.10, 1.3.11, 1.3.12, 1.3.13**

**Mass. Gen. Law:**

**Other:**

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### **GENERAL CONSIDERATIONS AND GUIDELINES:**

Police officers are required at times to resort to the use of physical force to enable them to fully carry out their responsibilities. The degree of force used is dependent upon the circumstances surrounding the situation. Only a reasonable amount of force may be used by officers.

Since officers will encounter a wide range of situations, they must be prepared to utilize a range of force options that are reasonable to maintain control, overcome resistance to the officers' lawful authority and to protect themselves and citizens while minimizing the potential for injuries to themselves or others.

Because there are an unlimited number of possibilities, allowing for a wide variety of circumstances, no written policy can offer definitive answers to every situation in which the use of force might be appropriate. Rather, this policy will set certain agency and Municipal Police Training Committee guidelines and provide officers with a basis on which to utilize sound judgment in making reasonable and prudent decisions.

### **POLICY:**

In determining when to use force, officers of the Watertown Police Department are to be guided by the principle that the amount of force used must be reasonable and any use of force must be justifiable.

The use of force by officers is permissible only to protect themselves or others and/or to overcome resistance directed against the officer or others.

“An Act Relative to Justice, Equity and Accountability in Law Enforcement in the Commonwealth” was made effective December 31<sup>st</sup>, 2020. The bill established M.G.L. Chapter 6E Section 14 which authorizes police use of force in deadly and non-deadly force encounters:

- A) M.G.L.Chapter 6E Section 14(a): When de-escalation is not feasible or has failed, an officer may use the force necessary to:
- Conduct a lawful arrest or detention;
  - Prevent an escape from custody;
  - Prevent imminent harm when forced used is proportionate to the threat; or
  - Accomplish other objectives that may be established by the MPTC

- B) M.G.L. Chapter 6E Section 14(b): When de-escalation is not feasible or has failed, an officer may use Deadly force to prevent imminent harm to a person, provided the amount of force used is proportionate to the threat.

Officers will experience stress as a natural reaction to encounters with volatile and noncompliant individuals. Training will lessen the likelihood of errors in judgement due to stress however it will not eliminate errors in all cases. Accordingly, each sworn officer, regardless of rank has a responsibility to intervene when another officer, regardless of rank is observed in violation of this policy. Immediate intervention to prevent unnecessary harm to an individual will be required. Prompt notification to a superior officer will also be required. M.G.L. Chapter 6E Section 15(a) requires this intervention, unless the intervention would result in imminent harm to the officer or another individual. M.G.L. Chapter 6E Section 15(b) requires that the intervening officer report the incident. M.G.L. Chapter 6E Section 15(c) requires that the reporting process protects the intervening officer from retaliation.

The use of force continuum is only applicable to trained law enforcement officers and retired special police officers of the Watertown Police Department. Civilian employees of the Watertown Police Department are not covered under the use of force continuum, trained in its use or advised to use force by the department. Civilian employees who use force in a violent encounter, on or off duty, must abide by all applicable Massachusetts General Laws and self-defense considerations. Civilian employees must abide by the same reporting requirements as sworn officers if they use force.

### **DEFINITIONS: (1.3.2)**

- A) **Lethal Force:** Lethal force is any force which is intended to or likely to cause death or serious bodily injury. This includes but is not limited to the use of department-approved firearms.
- B) **Non-Lethal Force:** That degree of force which under the circumstances is neither likely nor intended to cause death or serious bodily injury.
- C) **Force:** Is the amount of physical effort required by an officer(s) to gain compliance from a person. This includes any use of force by an officer(s) occurring in an official law enforcement capacity whether on or off-duty.
- D) **Serious Bodily Injury:** This is a bodily injury that creates a substantial risk of death, causes serious permanent disfigurement, or results in long-term loss or impairment of any body-member or organ.
- E) **Weaponless Physical Force:** Weaponless physical force includes, but is not limited to the MPTC Use of Force Model and Defensive Tactics areas of Contact Controls, Compliance Techniques, and Personal Weapon Techniques. Examples of Weaponless force includes, but is not limited to: escorts, wristlocks, armbars, head-butts, hand, elbow, feet and knee strikes. **(1.3.6)**
- F) **Objectively Reasonable:** In determining the necessity for force and the appropriate level of force, officers shall evaluate each situation in light of the known circumstances including, but not limited to: the seriousness of the crime, the level of threat or resistance presented by the subject and the danger to the community.
- G) **Use of Force Model:** Are force options that are divided into five (5) levels to guide the officer during a use of force situation.

- H) **Compliant Subject:** A subject who submits to the officer's authority and direction through either words or actions.
- I) **Perceived Subject Actions:** The subject's actions as perceived by the reasonable officer that designate the subject at one or more of the Use of Force Model's compliant and/or non-compliant categories.
- J) **Perceived Circumstances:** The reasonable officer's perspective of the severity of any crime, the existence of any and all safety threats to the officer or others and the degree of compliance and/or non-compliance from the subject at the time of encounter.
- K) **Control Superiority Principle:** A recognized officer advantage and a recognized subject disadvantage.
- L) **Employee:** For purposes of this chapter, shall be considered to be a duly appointed police officer of the Department or a Civilian employee of the Department.
- M) **Electronic Control Device (E.C.D.)** – Weapons (such as Tasers) designed to disrupt a subject's central nervous system by means of deploying battery powered electrical energy sufficient to cause uncontrolled muscle contractions and override an individual's voluntary motor responses.
- N) **Taser** - A Taser includes but is not limited to the "Taser 7" which is the model authorized for use by the Watertown Police Department.
- O) **Deployment** – The activation of a Taser resulting in the displayed arcing of the unit, a contact stun and/or the discharge of an air cartridge, whether or not the probes strike their intended target (person or animal). Note: The mere display of a Taser without expressed intent to use it is not considered a deployment.
- P) **Tased** – The accepted word indicating that a person or animal has received an electrical charge from a Taser.
- Q) **Neuromuscular Incapacitation** – A strong involuntary contraction of the skeletal muscles caused by a Taser probe deployment.
- R) **Contact Stun** – A pain compliance technique effected by directly applying a Taser unit to the human body.
- S) **Choke Hold** – A physical maneuver that restricts an individual's ability to breathe for the purposes of incapacitation. Most commonly by placing a forearm across the front of an individual's neck and applying pressure.
- T) **Vascular neck Restraint** - a technique capable of incapacitating an individual by restricting the flow of blood to the brain.
- U) **Positional Asphyxia** – Can occur when a person's body positioning prevents the individual from breathing adequately.

## PROGRESSION OF FORCE:

The officer's response options within each of the five force levels identified in the Use of Force Model are not necessarily listed in the order of use and/or need. The officer may de-escalate, stabilize or escalate his/her response based upon his/her risk assessment and the perceptions of the subject's degree of compliance or non-compliance.

The force tactics listed in each of the five force levels identified in the Use of Force Model are those tactics that officers are trained in. The Department recognizes that there are other methods and tactics that can be used at each of the levels of authority. If a tactic is used that is not listed it must be objectively reasonable as it relates to the officer's risk assessment and the subject's action.

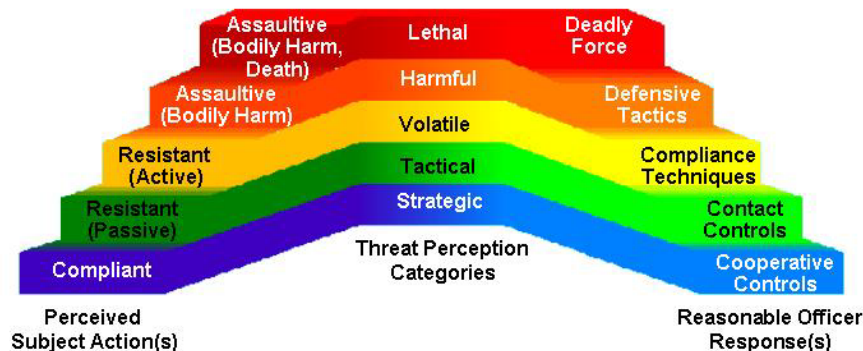
## USE OF LETHAL FORCE RESTRICTED:

The guidelines for the use of lethal force have been developed with serious consideration for the safety of both the Police Officer(s) and the public and with the knowledge that officers sometimes must make split second decisions in life and death situations. The policy and the rules set forth by the Watertown Police Department are based on the following Municipal Police Training Committee's Use of Force Model.

Police officers may use lethal force in accordance with the MPTC Use of Force Model, in defense of human life where an officer reasonably possesses a lethal threat perception and the perceived subject's actions could cause serious bodily harm or death to the officer or others.

An officer may also use lethal force to prevent the escape and effect the arrest of an individual whom the officer has probable cause to believe has committed a felony involving the use, attempted use or threatened use of lethal force and whom the officer reasonably believes will cause death or serious physical injury if apprehension is delayed.

## USE OF FORCE MODEL:



### LEVEL ONE: The Compliant Subject:

#### Perceived Subjects Actions

The officer perceives the subject's actions as cooperative and control is maintained via public acceptance, officer presence, verbalization skills, etc.

#### Perceived Circumstances Are: STRATEGIC

The officer must maintain a minimum level of awareness and preparedness to enhance the overall and ongoing status of officer safety anytime he/she is working

**The reasonable officer responses are COOPERATIVE CONTROLS**

The cooperative controls would include, but not limited to those force tactics listed below

**COOPERATIVE CONTROLS**

Officer Presence:	Appearance
Communication Skills:	Dialogue Verbal Commands
Approach Techniques:	Relative Positioning Contact/cover officer tactics Control Superiority Principle
Frisk Techniques:	1 officer on 1 subject 2 officers on 1 subject
Searching Techniques:	1 officer on 1 subject 2 officers on 1 subject
Restraining Techniques:	Handcuffing 1 officer on 1 subject 2 officers on 1 subject
Transporting Techniques:	One officer unit

**LEVEL TWO: The Resistant (passive) Subject:**

**Perceived Subjects Actions**

This is the preliminary level of subject non-compliance. The subject offers no physical or mechanical energy enhancement toward the resistant effort. The subject has not directed his or her physical strength and energy in establishing, achieving and/or maintaining a posture of resistance.

**Perceived Circumstances Are: TACTICAL**

The officer perceives an increase in the threat potential within the confrontational environment, which would initiate the process where specific tactics and procedures would now be deployed.

**The Reasonable Officer Responses is CONTACT CONTROLS**

These would include, but not limited to those force tactics listed below

**CONTACT CONTROLS**

Officer Presence:	Appearance
Contact Controls:	Escort Position Handcuffing control position

**LEVEL THREE: The Resistant (active) Subject:**

**Perceived Subjects Actions**

The subject's non-compliance has increased in scope and intensity and now includes energy enhanced physical or mechanical defiance. The individual has directed his or her physical strength and energy in establishing, achieving and/or maintaining a posture of resistance.

**Perceived Circumstances Are: VOLATILE**

The officer is now confronted with the presence and/or potential of an increase in the threat intensity, severity, etc. The officer recognizes this increase in the threat potential and must deploy techniques and tactics that would overcome and/or control this increased risk.

**The reasonable officer responses are COMPLIANCE TECHNIQUES:**

These compliance techniques would include, but not be limited to those force tactics listed below.

**COMPLIANCE TECHNIQUES**

Compliance Techniques:	Front wristlock Rear wristlock Arm bar Bent wristlock
Non-Chemical Agents:	Oleoresin Capsicum (O.C.) Spray
Electronic Control Device/Taser:	Display Arc/Contact Stun (no more than <b>three</b> electrical charges to a human body)

**LEVEL FOUR: The Assaultive (bodily harm) Subject:**

<b><u>Perceived Subjects Actions:</u></b> The officer's attempt to gain lawful compliance has concluded in a perceived or actual attack on the officer or another person(s). The officer makes the reasonable assessment that such actions by the subject would result in bodily harm to him/herself or another.	
<b><u>Perceived Circumstances Are: HARMFUL:</u></b> The officer perceives an accelerated assessment of danger. The situation has reached a degree where the physical well being of the officer or another person is in jeopardy if the subject is not stopped and controlled.	
<b><u>The reasonable officer responses are DEFENSIVE TACTICS:</u></b> These defensive tactics would include, but not be limited to those force tactics listed below.	
<b><u>DEFENSIVE TACTICS:</u></b>	
Personal Weapons Techniques:	Head Hands Elbows Knees Feet
Impact Weapons Techniques:	Expandable Baton Less Lethal Shotgun
Electronic Control Device/ Taser	Display Arc/Contact Stun/Probe Deployment (no more than <b>three</b> electrical charges to a human body)
Canine	Seizure of a suspect with bite

**LEVEL FIVE: The Assaultive (serious bodily harm, death) Subject:**

<b><u>Perceived Subjects Actions:</u></b> The officer is now confronted by an assaultive act that reaches the ultimate degree of danger. The officer perceives that if these actions are followed through with, that the officer or others would be subject to death or serious bodily harm.	
<b><u>Perceived Circumstances Are: LETHAL</u></b> The officer perceives the highest degree of threat towards his/her or another's safety. The officer's reasonable assessment would be that if this situation were allowed to continue that he/she or another could be seriously injured or killed. A maximized system of defense must be initiated.	
<b><u>The reasonable officer responses are LETHAL FORCE.</u></b> These lethal force tactics would include, but not be limited to those force tactics listed below.	
<b><u>LETHAL FORCE:</u></b>	
Service weapons:	Handgun Shotgun Patrol Rifle

## **DE-ESCALATION EFFORTS:**

Police officers will inevitably encounter dangerous and noncompliant individuals that must be taken into custody as required by legal mandate and/or public safety needs. Per M.G.L. Chapter 6E Section 14, all officers have a responsibility to de-escalate potentially volatile encounters if reasonable and safe options are available. An officer's intent should be to lessen the likelihood of a physical confrontation that may result in injury to the arrestee and the officer alike. Understanding that human behavior is often unpredictable, officers are encouraged to take the following actions if a confrontation can reasonably be anticipated;

1. Present in a professional and respectful manner;
2. Reassess to determine if an on-scene arrest is necessary;
3. Create distance between officers and the threat;
4. Be patient and do not set a time limit within which the arrest must occur;
5. Practice active listening skills and display empathy;
6. Use verbal persuasion;
7. Summon additional officers to the scene;
8. Summon additional resources (clinicians and EMS)
9. Practice tactical positioning and control of the scene;
10. Ensure less lethal tools are on scene

## **LESS-LETHAL WEAPONS:**

The Watertown Police Department in accordance with the Massachusetts Police Training Committee's Use of Force curriculum has incorporated several less-lethal weapons for use within the department's use of force continuum. The department has adopted less-lethal force options in an effort to assist with the de-escalation of potentially violent situations. The availability of less-lethal force options shall not preclude the use of lethal force.

1. **Training and Qualifications:** Training shall consist of a department approved training and qualifications program, consistent with M.P.T.C guidelines.
2. **Approved Less-Lethal Weapons:**
  - a. Weapon Type – Sabre Red Pepper Spray, 1.33% Major Capsaicinoids, 10% Oleoresin Capsicum (OC), 2,000,000SHU in a Stream Configuration.
  - b. Weapon Type – Monadnock Auto Lock Expandable 22" baton with foam handle and power tip, model number 9030.
  - c. Weapon Type – Straight Baton
  - d. Weapon Type – Remington 870 Special Purpose Marine Magnum, 12-gauge pump (with orange stock and forearm) used exclusively with Defense Technology "drag stabilized" round.
  - e. Axon Taser 7 Electronic Control Device.
  - f. Department approved Canine Unit.
3. **Deployment of Less-Lethal Weapons:** Officers will deploy designated less-lethal weapon systems as needed in accordance with department training and this use of force policy.
4. Upon completion of training and the issuance of OC Spray, it shall be carried at all times by all on duty Patrol Personnel and officers assigned to uniformed details. The chemical substance shall be carried in an approved holster on the duty belt.

## **LESS LETHAL SHOTGUN**

The Watertown Police Department will designate a shotgun exclusively for use with less lethal ammunition. The ammunition to be used in conjunction with the designated less lethal shotgun is a drag stabilized round comprised of a tubular sock shaped piece of nylon filled with #9 shot lead pellets (See Ch. 1W Weapons Specifications). This weapon system is designed for use as an impact tool on the upper end of the level IV use of force. Under some narrow circumstances this tool may provide officers with an alternative to a level V use of force.

A. When to Deploy the Less Lethal Shotgun: The less lethal shotgun shall be deployed only when authorized by a Supervisor and this authorization may be given under the following circumstances;

1. To protect an officer or others from an imminent threat of harm. This includes protecting a suspect from self-inflicted injury.
2. To de-escalate a potentially deadly situation.
3. To control and arrest a suspect who poses a risk of serious harm to the public, officers, or to himself/herself.

B. Where to Deploy the Less Lethal Shotgun: Although it is referred to as a “less lethal” weapon, its deployment can constitute a level V use of **lethal force** under some circumstances to include;

1. Firing the less lethal shotgun at an individual at a distance of 10 ft. or less.
2. Firing the less lethal shotgun at an individual’s face, head, neck or solar plexus.

If possible, the less lethal shotgun should be deployed to the following areas of the body;

Front Portion of the Body

- Forearm
- Lower abdomen
- Thigh
- Below knee

Rear Portion of the Body

- Buttock
- Arm below the elbow
- Thigh
- Below knee

C. How to Deploy the Less Lethal Shotgun: There are several precautions that should be taken by an officer who confronts a suspect with a less lethal shotgun.

1. When an officer is authorized to deploy the less lethal shotgun a visual inspection of the weapon should be performed. The officer will confirm that the weapon is the dedicated less lethal shotgun with its orange stock and forearm.
2. The officer will inspect the chamber of the weapon and the ammunition stored with it, to insure that only less lethal rounds are deployed. Officers will use only ammunition that is stored and encased with the dedicated less lethal shotgun and **no foreign ammunition shall be introduced.**
3. It will be preferable to have a second officer monitor the loading of the less lethal shotgun to confirm that only less lethal ammunition is loaded into it.
4. The officer deploying the less lethal shotgun should preferably be in a place of cover and have with him a cover officer who is prepared to use lethal force, if necessary.
5. An officer who plans to deploy the less lethal shotgun should preferably verbalize “Bean Bag!” to warn other officers on scene and prevent “sympathetic fire”.

D. Storage of the Less Lethal Shotgun: The dedicated less lethal shotgun will be secured by a locked mechanism within the cruiser assigned to the Patrol Supervisor and any other on-duty Officer trained in its use. The weapon and **only less lethal ammunition** will be stored together. All Officers with a less lethal shotgun in their cruisers will ensure that the assigned cruiser is secured and that the weapon is made available to trained



officers as necessary. All Officers with a less lethal shotgun in their cruisers shall inspect the weapon to ensure that it is in its proper location and properly stored.

- E. Additional Considerations: Supervisors will ensure that only officers who have been trained in the use of the less lethal shotgun will be authorized to deploy it. A roster of officers trained in the use of this weapon system will be maintained and made available to OIC's and Patrol Supervisors. Officers trained in the use of this weapon system will pass a qualification course and review the Watertown Police Department's Use of Force and Weapons Specifications policies annually.

## **ELECTRONIC CONTROL DEVICE/TASER**

The Electronic Control Device (Also known as E.C.D. or Taser) is an additional "less lethal" device and is not intended to replace verbal problem-solving skills, self-defense techniques, or use of firearms. The Axon "Taser 7" is the model adopted for use by the Watertown Police Department.

- A. Authorized Deployment of the Electronic Control Device: The E.C.D. can be used to de-escalate an encounter by demonstrating an arc to actively resisting subjects at level III on the use of force continuum. The device can be used as a pain compliance tool in response to actively resisting subjects at level III by applying a contact stun directly to the body. The device can be used to induce neuromuscular incapacitation in response to an assaultive subject at level IV by deploying probes. The device may also be used under some narrow circumstances as an alternative to a level V use of force. The E.C.D. may be deployed only under the following circumstances;

1. To protect an officer or others from imminent threat of harm. This includes protecting a subject from self-inflicted injury.
2. To de-escalate a potentially harmful situation.
3. To control and arrest a subject who poses a risk of serious harm to the public, officers, or to himself/herself.

- B. Effect of the Electronic Control Device:

When probes are deployed, the E.C.D. is specifically designed to disrupt a non-compliant subject's central nervous system by means of deploying battery powered electrical energy sufficient to cause uncontrolled muscle contractions and override an individual's voluntary motor responses (neuromuscular incapacitation). This allows for a less lethal response by police officers to gain control of an otherwise uncontrollable/non-compliant subject.

When the E.C.D. is applied directly to a human body (Contact Stun) it serves as a pain compliance tool however neuromuscular incapacitation will not typically occur.

If possible, avoid intentionally targeting the E.C.D. on sensitive areas of the body such as the head, eyes, throat, neck, chest/breast, groin or known pre-existing injury areas without a level V deadly force response being required. To induce neuromuscular incapacitation, preferred targeted areas include;

### Front Portion of the Body

- Lower abdomen
- Leg
- Arm

### Rear Portion of the Body

- Back
- Arm
- Buttock
- Leg

C. Susceptible Populations: Officers shall not deploy an Electronic Control Device against any subject who is likely to be considered part of a susceptible population unless lethal force is justified;

1. Women known to be pregnant;
2. Subjects in wheel chairs;
3. Subjects with known cardiac disease or weak hearts;
4. Obviously debilitated persons or elderly persons who are at greater risk, especially from medical injuries or coronary problems;
5. Children under 18 years of age;
6. Subjects with obvious or known neuromuscular disorders (i.e. multiple sclerosis, muscular dystrophy, or epilepsy);
7. Subjects known to be wearing pacemakers or other biomedical devices.

D. Circumstances in Which Electronic Control Devices Shall Not be Deployed unless lethal force is justified:

1. On subjects exhibiting only passive resistance behavior;
2. In any environment where a flammable or volatile material is present (i.e. OC Spray with volatile propellant, gasoline, natural gas, propane);
3. On a subject in water;
4. On subjects at risk of a fall that might result in serious injury;
5. On subjects climbing fences;
6. On handcuffed prisoners;
7. On subjects in control of a vehicle;
8. On subjects in control of any other wheeled transportation;
9. Deployment of multiple E.C.D.'s upon one subject.
10. Application of more than three (3) contact stuns or three (3) electrical charges via probe deployment to the same individual at a single incident.

E. Use of Electronic Control Devices in conjunction with a Canine Unit: Use of an E.C.D. when a canine unit is also attempting to subdue a subject should be avoided. Canine handlers must also use caution not to allow a canine bite on a subject while probes are deployed. A bite near the probes or in the area between two probes could result in the canine receiving an electrical charge. In some cases, a canine receiving an electrical charge could be conditioned to avoid contact with subjects, hindering future performance.

F. Deployment Considerations:

Prior to an E.C.D. deployment, it is the responsibility of the deploying officer and on-scene supervisor to ensure all officers present understand that the E.C.D. is being deployed and not lethal force if possible. This shall be accomplished through the warning announcement “**TASER!**” to alert other officers, as well as to provide the subject an additional opportunity to cease the conduct that has given rise to the deployment.

When an officer approaches a subject with the intent to deploy the E.C.D., an additional officer should also approach whenever possible to provide additional back-up and lethal cover protection. If the subject is non-compliant the back-up officer shall assist with the handcuffing of the subject. Verbal commands should be used constantly before (whenever practical), during, and after the deployment of the E.C.D. to warn the subject to cease his/her aggressive demeanor or action.

A deployment of the E.C.D. in the “Contact Stun” mode, (a discharge of the E.C.D. while pressed against the body of the subject without deployment of a cartridge) may be used to control a level III subject on the Use of Force Continuum (defined as “Active Resistance”).

Deployment of the E.C.D. by discharging a cartridge and firing probes may be used to defend against a subject who poses a level IV or higher threat on the “*Use of Force Model*” (defined as “Assaultive/Bodily Harm”). Deployment of the E.C.D.’s probes may occur when a subject is assaultive and aggressive toward the officers, others or themselves. Subjective actions must indicate an immediate threat to the officer, others or themselves. This shall include circumstances when a subject threatens that they have a weapon and by the ‘totality of the circumstances’ the officer believes that the subject presents clear and imminent danger to the officers, others or themselves.

Subjects will not be exposed to more than three electrical charges by any means (contact stun, probe deployment or any combination of the two) in a single incident, unless it is clear further deployment is necessary in defense of life. If a subject continues to resist after being subject to three electrical charges, officers should consider whether the individual is incapable of understanding and complying with commands (i.e. individuals under the influence of controlled substances or experiencing a psychotic episode). In these circumstances, it is preferred that officers attempt another means of subduing the subject.

G. Treatment: Subjects who have received an electrical charge from an E.C.D. shall be treated as follows;

1. Once the subject is safely secured and in custody, the arresting/custodial officer shall notify medical personnel that the subject has received an electrical charge from the E.C.D. and relate the approximate time the action occurred;
2. If the probes penetrate the skin, the puncture sites shall be brought to the attention of medical personnel. Probes shall only be removed by medical personnel. No Officer or employee, regardless of medical training will remove probes at any time. The on-scene supervisor shall allow medical personnel to determine if the subject should be transported to the hospital.
3. If the subject is transported to the Hospital or Emergency Room for treatment, an officer may travel in the ambulance if requested to do so by medical personnel or will follow the ambulance to the hospital;
4. Officers must be aware that one aspect of possible injury to a subject receiving an electrical charge may be due to the actual fall to the ground and not the electrical charge itself.

H. Documentation and Investigation:

Each deployment of an E.C.D. shall be investigated and documented. This includes display of the E.C.D. with expressed intent to use it, activation of an arc display as a warning, a contact stun, the firing of a cartridge or other deployment resulting in a subject receiving an electrical charge from the E.C.D. Any accidental discharge of an E.C.D. cartridge shall be documented in an Incident Report and Use of Force Report. The Shift Supervisor or Officer in Charge on duty shall be notified as soon as practical after an E.C.D. is used.

1. The deploying officer is responsible for documenting the use of an E.C.D. by completing a Use of Force Report, as well as submitting a detailed account of the reason/rationale for the deployment. The Use of Force Report shall be separate from the Arrest or Incident Report;
2. Any spent cartridges shall be collected and preserved as evidence. Caution should be exercised in handling probes that have penetrated a subject’s skin. Such probes shall be packaged and handled with the same care as a hypodermic needle, and shall be packaged in a suitable container to prevent accidental infection. This evidence will be submitted per department procedure for storage;
3. The Patrol Supervisor should whenever possible or reasonable ensure photographs are taken of a subject receiving an electrical charge from an E.C.D. (contact stun or probe deployment). Special attention shall be made to document any area injured and where the charge was received. The arresting officer shall also include detailed documentation in the incident report regarding a subject’s injuries;

4. After the Use of Force Report is completed and approved by the Officer in Charge, it will be forwarded to the Captain in Charge of the Bureau of Field Operations;
  5. After an E.C.D. is deployed, the Officer in Charge shall insure that that the Taser 7's "smart" battery is docked in the charging station to facilitate the event data download. The "smart" battery must be docked for at least a 30-minute period to ensure all event data is downloaded. A new, fully charged battery will be inserted into the E.C.D before redeployment.
- I. Training: E.C.D units shall be issued to and handled or deployed only by officers who have successfully completed the Watertown Police Department E.C.D. training program. This program will follow the standards set forth by the M.P.T.C. and the Executive Office of Public Safety and Security.
1. All officers authorized to deploy an E.C.D. will receive at least six hours (minimum) of training for initial certification. Officers shall be re-certified on an annual basis to ensure that they receive the most up to date information available. Instructors will receive sixteen (16) hours of instructor training as well as attend a four (4) hour certification course that is certified by the M.P.T.C. Instructors will be recertified every two years, or as the M.P.T.C. requires.
  2. In the event that a new training module is released by either the Axon TASER Corporation, the M.P.T.C. or the Executive Office of Public Safety and Security, all officers shall receive the updated training prior to the continued deployment of the E.C.D.
  3. If any officer fails to attend and complete the annual recertification training as mandated, certification and authorization to carry and use the E.C.D. shall end immediately. No officer shall carry, use or deploy an E.C.D. unless their certification and training is up to date and they have received approval from the Chief of Police.
  4. Officers authorized to carry an E.C.D. shall have the responsibility to ensure that these units are used only in conformance with procedures mandated in the training course provided, in accordance with the Watertown Police Department's Use of Force policy, Massachusetts General Law and guidelines set forth by the M.P.T.C.

## **CANINE UNIT**

The department recognizes that canines are a valuable law enforcement tool due to their superior sense of smell, hearing and tracking ability. Use of specially trained Canine units constitute a real or implied use of force. Only a reasonable amount of force to apprehend or secure a suspect may be used.

- A) De-escalation: The presence of a canine at times, may induce otherwise uncooperative and threatening subjects to comply, eliminating the need for further use of force. This highly desirable outcome must be measured against the perception that the canine unit is used to intimidate and induce fear.
- B) A canine can be used to apprehend a suspect when he/she is assaultive and poses a Level IV threat on the Use of Force Continuum, resulting in a risk of bodily harm to an officer or others. A canine may also be deployed to apprehend hidden or fleeing, unsearched felony suspects. Examples of proper use of the canine outside of a Level IV threat include but are not limited to;
1. Search of a building reasonably believed to contain a breaking and entering suspect.
  2. Apprehension of a fleeing suspect known to have committed violent offenses.

3. Apprehension of a fleeing suspect who has already resisted arrest by assaulting or threatening assault of an officer.
- C) Except during exigent circumstances, canines should not be used to apprehend an individual solely because they are under the influence of drugs or intoxicating liquor and are subject to protective custody.
  - D) Except during exigent circumstances, canines should not be used to apprehend an emotionally disturbed person (EDP) solely because they are subject to protective custody or civil commitment.
  - E) Canine Warning: A warning should be given prior to releasing the canine unless, in the opinion of the handler doing so would cause undue risk to the unit. If possible, the handler or other officer on scene should deliver ample warnings, not only to allow the suspect time to surrender, but to alert innocent persons of the Canine unit's presence and intention.
  - F) When apprehending a suspect in any circumstances, canines will be commanded to disengage when the suspect is no longer a viable threat to the handler or any officer.
  - G) Whenever a canine apprehends an individual or otherwise applies a bite, the canine handler shall;
    1. Examine the affected area and determine the seriousness of the injury;
    2. Immediately render first aid;
    3. Summon emergency medical services if needed;
    4. Request the response of a Patrol Supervisor;
    5. Ensure that appropriate photographs are taken of the scene and any injuries claimed by any person(s) if practical;
    6. The requirement for impounding of the canine is not necessary due to the kenneling of the canine at the handlers residence and subsequent veterinary examinations;
  - H) The handler shall immediately file an incident or arrest report, a use of force report and a deployment log. The Field Operations Bureau Commander shall maintain a file of all deployment reports relating to canine units including the following;
    1. Detailed circumstances surrounding deployment incidents;
    2. Identify witnesses, suspects, and arrestees;
    3. Extent of injuries if known;
    4. Actions taken in response to the incident, including any After Action Report filed by a Patrol Supervisor or Incident Commander.
    5. Retrieve official police reports from outside jurisdictions when a department canine unit was requested and actively deployed causing injuries or arrests.

## **LETHAL FORCE:**

The Watertown Police Department in accordance with the Massachusetts Police Training Committee's Use of Force curriculum has incorporated lethal weapons for use within the department's use of force continuum.

1. **Training and Qualifications:** Training shall consist of a department approved training and qualifications program, consistent with M.P.T.C guidelines.
2. **Deployment of Lethal Weapons:** Officers will deploy designated lethal weapon systems as needed in accordance with department training and this use of force policy.

3. **Choke Holds and Vascular Restraints:** Use of these techniques to subdue an individual are inherently dangerous and can easily result in serious bodily injury or death. For this reason, their use is not included in M.P.T.C. training curriculum. Per M.G.L. Chapter 6E Section 14(c) officers shall not use a chokehold.

## **FIREARMS**

Officers **shall not** draw or display their firearm, unless there is justification for its use to accomplish a proper police purpose. An officer may draw and display his firearm to effect an arrest or investigate a situation that he/she has reasonable cause to believe may develop into a situation which involves **DANGER TO LIFE OR SERIOUS BODILY INJURY** to himself/herself or another.

Anytime an officer intentionally discharges their firearm (except for training or destroying an injured animal) it will be considered deadly force. Lethal force is only justified under the aforementioned criteria. In addition the following rules shall apply in regards to the use of firearms;

1. Police officers **SHALL NOT** discharge their firearms except to protect themselves or another from immediate threat of death or serious bodily injury.
2. Police officers **SHALL NOT** discharge their firearms when doing so will unreasonably endanger innocent persons.
3. Police officers **SHALL NOT** discharge their firearms to threaten or subdue persons whose actions are destructive to property or injurious only to themselves, unless such actions create an immediate threat of death or serious bodily injury to the officer or others.
4. Police officers **SHALL NOT** discharge their weapons at a moving vehicle, unless there is an immediate threat of death or serious injury to the officer or others.
5. Police officers **SHALL NOT** shoot from a moving vehicle unless circumstances exist warranting lethal force and no other reasonable means are available.
6. The use of "Warning Shots" is only authorized in situations where deadly force would otherwise be justified and only when doing so will not unreasonably endanger innocent bystanders. Warning shots must have a defined target and not be directed into the air.
7. Officers encountering a situation where the use of lethal force is necessary shall, if circumstances and safety considerations allow, issue a verbal warning. The preferred verbal warning is "**POLICE DON'T MOVE**".
8. Officers approaching situations where they can anticipate a hostile, armed individual should make every effort to take a position of cover before encountering the individual.
9. An officer may use his/her firearm to kill a dangerous animal or an animal so badly injured that humanity requires that it be relieved from further suffering. In the case of an injured domestic animal, the permission of the owner should be obtained whenever possible. Great care should be taken to protect the public from a ricocheting bullet and, if possible, the killing of an animal in the presence of children should be avoided.
10. No Watertown Police Officer will be authorized to carry a firearm UNTIL he/she has qualified with that firearm either at a recruit training academy or as part of the Watertown Police Department firearms

training program, and has signed that he/she has received and understands the Department's use of force policy and rules. This requirement must be met at least annually.

## **ADMINISTRATIVE RELIEF FROM LINE DUTY**

The following procedure will be adhered to in cases where an employee is involved in the use of lethal force or serious bodily injury: This will include a motor vehicle collision resulting, or most likely resulting in death. **(1.3.8)**

1. In the event that a department issued weapon or other weapon was involved, it will be secured and maintained as evidence. The incident commander must initiate the process to have the seized department issued weapon replaced.
2. In every instance in which an employee uses lethal force, the employee will be immediately relieved of active duty and placed on administrative duty.
3. Assignment to an administrative duty status shall be with no loss of pay or benefits.
4. Administrative duty with full pay and benefits is intended to serve two purposes:
  - a. To address the personal and emotional needs of an employee involved in the use of force situation.
  - b. To assure the community that verification of all the facts surrounding such incidents are thoroughly and professionally investigated.
5. Employees placed on administrative duty status, shall assure their availability to the Police Department investigators until review of the incident is concluded and his/her personal and emotional needs have been met.

## **IMMEDIATE REPORTING REQUIREMENT FOR THE USE OF FORCE**

1. A police officer, on or off duty, shall immediately notify the Patrol Supervisor or Commanding Officer whenever he/she: **(1.3.6)**
  - a. Discharges a firearm (except for target practice or competition).
  - b. Points/aims a firearm at a human being.
  - c. Takes any action that results in (or is alleged to have resulted in) injury or death of another person.
  - d. Applies force by means of any type of weapon (Lethal or Less Lethal).
  - e. Discharges a chemical agent/OC
  - f. Strikes a subject with a baton or similar object
  - g. Delivers a weaponless strike (open or closed hand) or kick. This does not include gripping and holding, handcuffing, approved pain compliance techniques or other routine custodial procedures. (1.3.6d)
  - h. Displays and warns a subject that a Taser unit will be used.
  - i. Conducts an “arc display” to encourage compliance.
  - j. Applies a contact stun to gain pain compliance.
  - k. Discharges a Taser unit probe.

2. A verbal report should be made immediately to the patrol supervisor and a written report concerning the use of force shall be completed and submitted to the Commanding Officer before the end of the duty shift whenever practicable. Any delay in filing a report shall be done only with the approval of the OIC. An officer who is unable to submit a report due to injury shall file the report as soon as he/she is physically able. Off-duty officers shall immediately notify the on-duty Officer-in-Charge and submit the appropriate written reports as soon as possible, but no later than immediately upon their return to duty. The report shall include at least the following information:
  - a. The report shall explain in detail the circumstances surrounding the event and shall be separate from any other required reports.
  - b. The names and addresses of any involved persons or witnesses.
  - c. The type of force used.
  - d. The extent and the treatment of any injuries, the hospital where treated, and/or the doctor who provided such treatment.
  - e. The number of shots fired, if applicable.
3. The written report shall take the form of an Administrative Report and shall be separate from any Incident Report written regarding the matter. In addition to the Administrative Report and Incident Report a Watertown Police Department Use of Force Report (form # 02-6-01) shall be completed. The WPD Use of Force report shall be used as a convenient reference for the Lieutenant in charge of the Community and Staff Development Division when reviewing use of force incidents for trends and patterns. (11.4.3)
  - a. An uninvolved supervisor shall, as soon as possible, investigate the circumstances of any event involving the application of force by an officer and review the Officer's reports to ensure that the reports are complete.
  - b. The Captain in charge of the Bureau of Field Operations shall review all use of force reports to determine whether the use of force was in compliance with departmental policies, procedures, rules and regulations. In the event, that the Captain in charge of the Bureau of Field Operations is involved in the use of force incident. The Chief of Police or his/her designee shall review the use of force incident. (1.3.7)
  - c. The Chief of Police or his designee shall review these reports annually for patterns or trends. This review will be used to determine if policy or equipment changes are necessary. The annual analysis shall be documented and retained for future reference by the Chief of Police or his designee. (1.3.13)

### **MEDICAL ATTENTION: (1.3.5)**

In an effort to minimize pain and suffering and further injuries, officers shall as soon as possible render first aid to individuals injured as a result of the use of force. This includes treatment of injuries from lethal weapons, non/less than lethal weapons, weaponless tactics and any other incidents. Appropriate emergency medical transportation and treatment shall be obtained as appropriate and necessary. Appropriate medical aid does not necessarily mean having the injured person immediately evaluated at a medical facility. **(1.3.5)** It could include observation and monitoring of conditions, flushing chemical agents from the eyes, applying first aid, evaluation by paramedics, etc. Prompt monitoring of a prisoner to protect against positional asphyxia is also required.



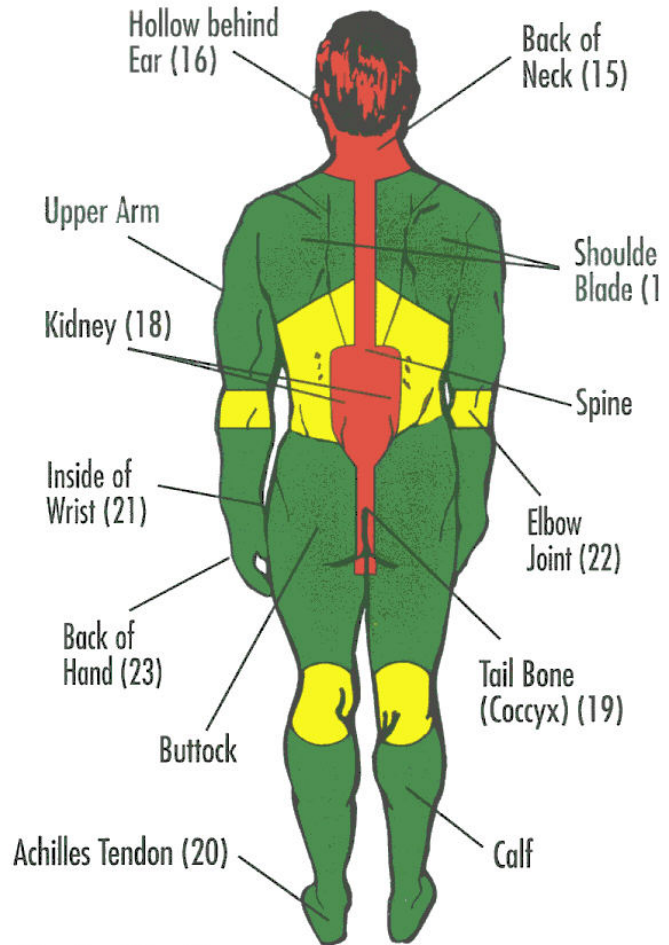
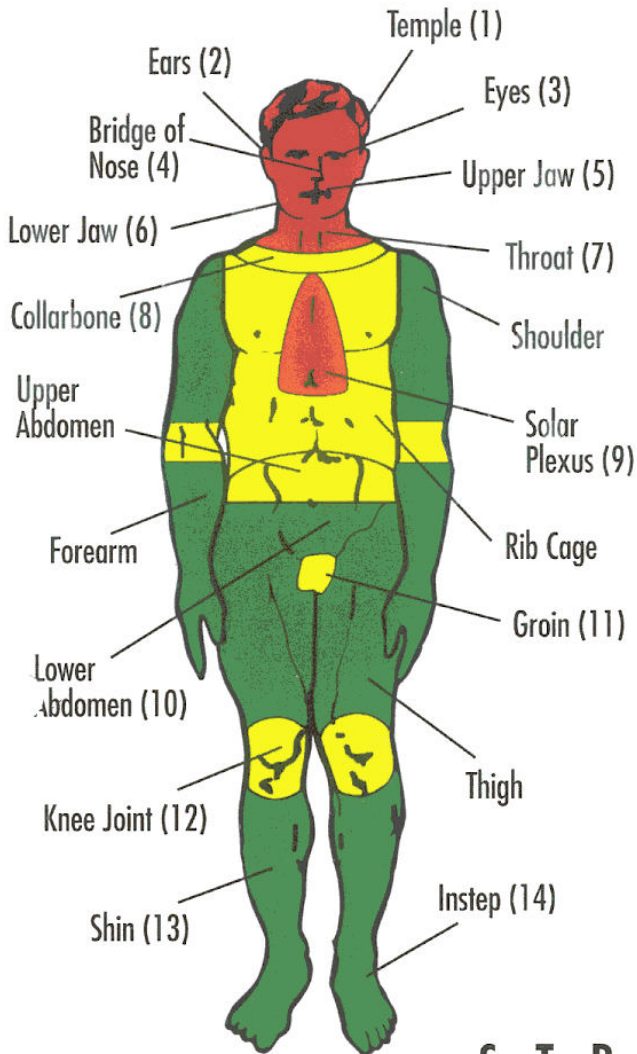
**IMPORTANT NOTE: The use of the Baton, Firearm, Less-Lethal Shotgun, Electronic Control Device or OC Spray against persons passively resisting arrest is forbidden.**

**WEAPON PROFICIENCY (1.3.10, 1.3.11)**

- A. It is the policy of the Watertown Police Department that all officers shall qualify with their issued Department firearm and any special weapons, at least once a year. Qualification requirements will be determined by the Training Officer in accordance with guidelines established by the Massachusetts Police Training Council (M.P.T.C).
  
- B. No Watertown Police Officer shall carry any firearm, striking instrument or chemical spray until he or she has:
  - 1. Demonstrated proficiency in using such weapon;
  - 2. Achieved a minimum qualifying score on a prescribed training course, if applicable;
  - 3. Attained and demonstrated a knowledge of the laws concerning the use of such weapon and training in the department's policy on the use of force, escalating force and deadly-force;
  - 4. Become familiar with recognized safe-handling procedures for the use of these weapons;
  
- C. The instruction and qualification of all weapons shall be provided by certified weapons instructors.
  
- D. Proficiency in the use of lethal and less-than-lethal weapons shall be demonstrated at least annually during the department's annual firearm qualification and training program under the presence of a certified weapons instructor for the particular weapon.
  
- E. A certified weapons instructor will be made available to provide any officer who displays a need for remedial training a reasonable amount of additional training. An officer who requires remedial training shall not be authorized to carry such weapon until they have been given remedial training and subsequently demonstrated proficiency in using such weapon.
  
- F. All personnel authorized to carry lethal and less-than-lethal weapons shall be issued and instructed in the WPD Use of Force Policy before being authorized to carry a weapon. In addition, the issuance and instruction shall be:
  - 1. Conducted when a new weapon system is adopted by the Department
  - 2. Conducted annually during weapons training
  - 3. Documented
  - 4. The records shall also be retained by the Training Officer. (1.3.12)

# BATON CHART

Escalation Of Trauma By Vital  
And Vulnerable Striking Areas

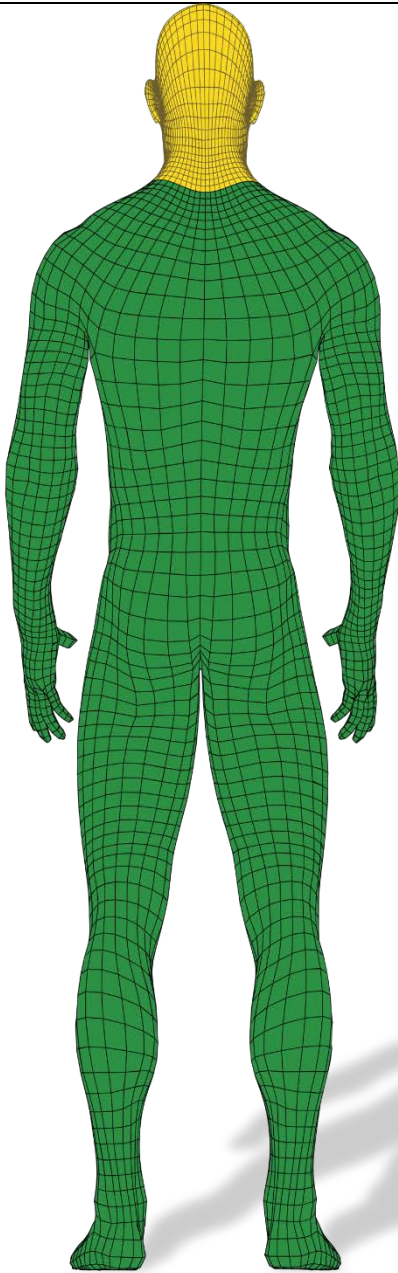


## S T R I K I N G

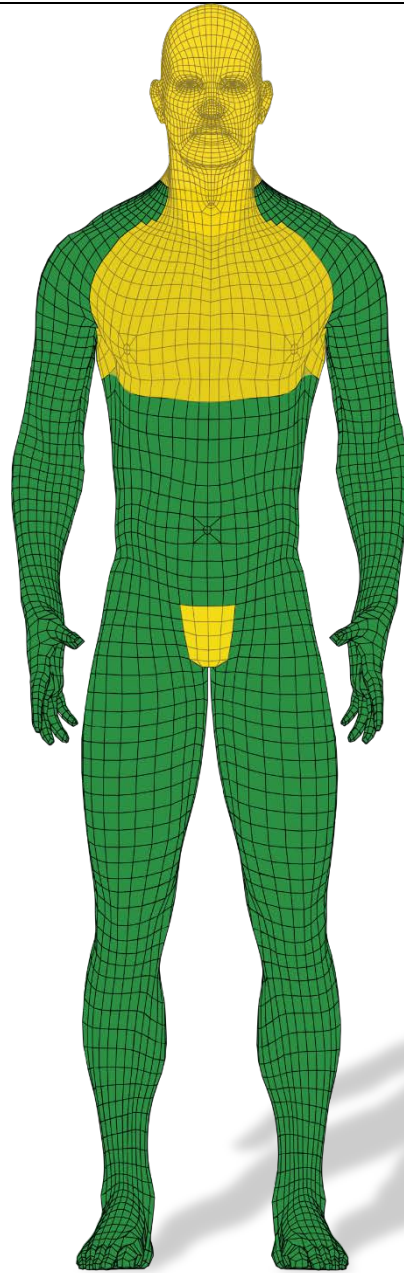
GREEN TARGET AREAS	YELLOW TARGET AREAS	RED TARGET AREAS
<p><b>REASONING:</b> Minimal level of resultant trauma. Injury tends to be temporary rather than long-lasting, however exceptions can occur.</p> <p>Except for the HEAD, NECK, and SPINE, the whole body is a Green Target Area for the application of baton blocking and restraint skills.</p>	<p><b>REASONING:</b> Moderate to serious level of resultant trauma. Injury tends to be more long-lasting, but may also be temporary.</p>	<p><b>REASONING:</b> Highest level of resultant trauma. Injury tends to range from serious to long-lasting rather than temporary and may include unconsciousness, serious bodily injury, shock or death.</p>

# Taser Preferred Target Zones

Rear  
(when possible)



Front  
(when possible)



# Less Lethal Shotgun Preferred Target Zones

