

Arizona Law Enforcement Policy Manual

SAMPLE



Lexipol

Predictable is Preventable®

Arizona State Master PD
Policy Manual

Table of Contents

Blank for Chief's Preface	1
Law Enforcement Code of Ethics	2
Blank for Mission Statement	3
Chapter 1 - Law Enforcement Role and Authority.....	8
100 - Law Enforcement Authority.....	9
102 - Chief Executive Officer	11
104 - Oath of Office.....	12
106 - Policy Manual	13
Chapter 2 - Organization and Administration	17
200 - Organizational Structure and Responsibility.....	18
204 - Interim Directive and Special Orders	20
206 - Emergency Operations Plan.....	21
208 - Training Policy	22
212 - Electronic Mail	25
214 - Administrative Communications	27
216 - Supervision Staffing Levels	28
220 - Retired Officer Carrying Concealed Weapons.....	29
Chapter 3 - General Operations	31
300 - Use of Force	32
302 - Use of Force Review Boards	38
306 - Handcuffing and Restraints	40
308 - Control Devices and Techniques	44
309 - Conducted Energy Device	49
310 - Officer-Involved Shooting	55
312 - Firearms and Qualification.....	62
314 - Vehicle Pursuits	70
316 - Officer Response to Calls	81
318 - Canines.....	84
320 - Domestic Violence	92
322 - Search and Seizure	97
324 - Temporary Custody of Juveniles.....	99
326 - Vulnerable Adult Abuse	105
328 - Discriminatory Harassment.....	108
330 - Child Abuse	112
332 - Missing Person Reporting.....	117
334 - Public Alerts.....	122
336 - Victim and Witness Assistance.....	125
338 - Hate or Prejudice Crimes.....	127

Arizona State Master PD Policy Manual

340 - Conduct	129
342 - Department Technology Use	140
344 - Report Preparation	143
346 - News Media Relations	146
348 - Court Appearance and Subpoenas	149
350 - Reserve Officers	153
352 - Outside Agency Assistance	158
356 - Registered Offender Information	160
358 - Major Incident Notification	164
359 - Firearm Injury Reporting	166
360 - Death Investigation	167
362 - Identity Theft	170
364 - Private Persons Arrests	171
368 - Limited English Proficiency Services	173
370 - Hearing Impaired/Disabled Communications	180
372 - School Employee Arrest Reporting	185
373 - Pupil Arrest Reporting	186
374 - Biological Samples	187
376 - Chaplains	189
378 - Public Safety Camera System	193
380 - Child and Dependent Adult Safety Policy	195
382 - Service Animals	198
384 - Volunteer Program	200
386 - Native American Graves Protection and Repatriation	206
388 - Off-Duty Law Enforcement Actions	208
Chapter 4 - Patrol Operations	210
400 - Patrol Function	211
402 - Racial- or Bias-Based Profiling	214
404 - Roll Call Training	216
406 - Crime and Disaster Scene Integrity	217
408 - Crisis Response Unit	219
410 - Ride-Along Policy	229
412 - Hazardous Material Response	232
414 - Hostages and Barricaded Persons	234
416 - Response to Bomb Calls	237
418 - Mental Illness Commitments	241
420 - Citation Releases	244
422 - Diplomatic and Consular Contacts	247
424 - Rapid Response And Deployment Policy	253
426 - Reporting Law Enforcement Activity Outside of Jurisdiction	254
428 - Immigration Violations	255
430 - Emergency Utility Service	259
432 - Patrol Rifles	260
434 - Aircraft Crashes	262

Arizona State Master PD Policy Manual

436 - Field Training Officer Program.....	265
438 - Obtaining Air Support Assistance.....	268
440 - Detentions And Photographing Detainees.....	269
442 - Criminal Street Gangs.....	274
444 - Watch Commanders.....	278
446 - Mobile Audio Video.....	279
448 - Mobile Data Terminal Use.....	285
450 - Use of Audio/Video Recorders.....	287
452 - Medical Marijuana.....	290
454 - Bicycle Patrol Unit.....	294
458 - Foot Pursuit Policy.....	297
460 - Automated License Plate Readers (ALPR).....	301
464 - Homeless Persons.....	303
Chapter 5 - Traffic Operations.....	306
500 - Traffic Function and Responsibility.....	307
502 - Traffic Collision Response And Reporting.....	310
510 - Vehicle Towing and Release Policy.....	313
512 - Vehicle Impound Hearings.....	316
514 - Impaired Driving.....	318
516 - Traffic Citations.....	323
520 - Disabled Vehicles.....	325
524 - Abandoned Vehicle Violations.....	326
Chapter 6 - Investigation Operations.....	327
600 - Investigation and Prosecution.....	328
602 - Sex Crime Victims' Rights.....	331
606 - Asset Forfeiture Policy.....	332
608 - Confidential Informants.....	335
610 - Eyewitness Identification.....	339
612 - <i>Brady</i> Material Disclosure.....	342
Chapter 7 - Equipment.....	344
700 - Department-Owned and Personal Property.....	345
702 - Personal Communication Devices.....	348
704 - Vehicle Maintenance.....	352
706 - Vehicle Use.....	355
708 - Assigned Patrol Use Vehicle Policy.....	359
710 - Cash Handling, Security and Management.....	363
Chapter 8 - Support Services.....	365
800 - Crime Analysis.....	366
802 - Communication Operations.....	367
804 - Property and Evidence.....	369
806 - Records Section Procedures.....	377
808 - Restoration of Firearm Serial Numbers.....	378

Arizona State Master PD
Policy Manual

810 - Records Release and Security	380
812 - Criminal History Record Information (CHRI).....	384
814 - Computers and Digital Evidence	388
820 - Animal Control	392
822 - Jeanne Clery Campus Security Act.....	395
Chapter 9 - Custody	399
900 - Temporary Holding Facility	400
902 - Custody Searches	415
904 - Prison Rape Elimination	418
Chapter 10 - Personnel	427
1000 - Recruitment and Selection.....	428
1002 - Evaluation of Employees	435
1004 - Promotional and Transfer Policy.....	438
1006 - Grievance Procedure.....	440
1010 - Reporting of Employee Convictions.....	442
1012 - Alcohol and Drug Use.....	444
1014 - Sick Leave Policy.....	448
1016 - Communicable Diseases	450
1018 - Smoking and Tobacco Use	458
1020 - Personnel Complaints.....	459
1022 - Seat Belt Procedure.....	468
1024 - Body Armor.....	470
1026 - Personnel Files	472
1028 - Request for Change of Assignment.....	478
1030 - Commendations and Awards.....	479
1032 - Fitness for Duty.....	481
1034 - Meal Periods and Breaks.....	484
1035 - Lactation Breaks	485
1036 - Payroll Record Procedures.....	487
1038 - Overtime Payment Requests.....	488
1040 - Outside Employment	490
1042 - On-Duty Injuries.....	494
1044 - Personal Appearance Standards.....	497
1046 - Uniform Regulations	499
1048 - Police Cadets and Explorers	504
1050 - Nepotism and Conflicting Relationships	506
1052 - Department Badges	508
1054 - Modified-Duty Assignments.....	510
1056 - Performance History Audits	513
1058 - Employee Speech, Expression and Social Networking	516
1060 - Arizona Peace Officer Standards and Training Board (AZPOST) Certification.....	519

Use of Force

300.1 PURPOSE AND SCOPE

This policy provides guidelines on the reasonable use of force. While there is no way to specify the exact amount or type of reasonable force to be applied in any situation, every member of this department is expected to use these guidelines to make such decisions in a professional, impartial and reasonable manner.

300.1.1 DEFINITIONS

Definitions related to this policy include:

Deadly force - Force reasonably anticipated and intended to create a substantial likelihood of causing death or very serious injury.

Force - The application of physical techniques or tactics, chemical agents or weapons to another person. It is not a use of force when a person allows him/herself to be searched, escorted, handcuffed or restrained.

300.2 POLICY

The use of force by law enforcement personnel is a matter of critical concern, both to the public and to the law enforcement community. Officers are involved on a daily basis in numerous and varied interactions and, when warranted, may use reasonable force in carrying out their duties.

Officers must have an understanding of, and true appreciation for, their authority and limitations. This is especially true with respect to overcoming resistance while engaged in the performance of law enforcement duties.

The Department recognizes and respects the value of all human life and dignity without prejudice to anyone. Vesting officers with the authority to use reasonable force and to protect the public welfare requires monitoring, evaluation and a careful balancing of all interests.

300.2.1 DUTY TO INTERCEDE

Any officer present and observing another officer using force that is clearly beyond that which is objectively reasonable under the circumstances shall, when in a position to do so, intercede to prevent the use of unreasonable force. An officer who observes another employee use force that exceeds the degree of force permitted by law should promptly report these observations to a supervisor.

300.3 USE OF FORCE

Officers shall use only that amount of force that reasonably appears necessary given the facts and circumstances perceived by the officer at the time of the event to accomplish a legitimate law enforcement purpose.

The reasonableness of force will be judged from the perspective of a reasonable officer on the scene at the time of the incident. Any evaluation of reasonableness must allow for the fact that officers are often forced to make split-second decisions about the amount of force

Arizona State Master PD

Policy Manual

Use of Force

that reasonably appears necessary in a particular situation, with limited information and in circumstances that are tense, uncertain and rapidly evolving.

Given that no policy can realistically predict every possible situation an officer might encounter, officers are entrusted to use well-reasoned discretion in determining the appropriate use of force in each incident.

It is also recognized that circumstances may arise in which officers reasonably believe that it would be impractical or ineffective to use any of the tools, weapons or methods provided by the Department. Officers may find it more effective or reasonable to improvise their response to rapidly unfolding conditions that they are confronting. In such circumstances, the use of any improvised device or method must nonetheless be reasonable and utilized only to the degree that reasonably appears necessary to accomplish a legitimate law enforcement purpose.

While the ultimate objective of every law enforcement encounter is to avoid or minimize injury, nothing in this policy requires an officer to retreat or be exposed to possible physical injury before applying reasonable force.

300.3.1 USE OF FORCE TO EFFECT AN ARREST

An officer is justified in threatening or using force against another if, in making or assisting in making an arrest or detention or in preventing or assisting in preventing an escape after arrest or detention, such person uses or threatens to use physical force and all of the following exist (ARS § 13-409):

- (a) A reasonable person would believe that such force is immediately necessary to effect the arrest or detention or prevent the escape.
- (b) The officer makes known the purpose of the arrest or detention or believes that it is otherwise known or cannot reasonably be made known to the person to be arrested or detained.
- (c) A reasonable person would believe the arrest or detention to be lawful.

300.3.2 FACTORS USED TO DETERMINE THE REASONABLENESS OF FORCE

When determining whether to apply force and evaluating whether an officer has used reasonable force, a number of factors should be taken into consideration, as time and circumstances permit. These factors include, but are not limited to:

- (a) Immediacy and severity of the threat to officers or others.
- (b) The conduct of the individual being confronted, as reasonably perceived by the officer at the time.
- (c) Officer/subject factors (age, size, relative strength, skill level, injuries sustained, level of exhaustion or fatigue, the number of officers available vs. subjects).
- (d) The effects of drugs or alcohol.
- (e) Subject's mental state or capacity.
- (f) Proximity of weapons or dangerous improvised devices.
- (g) The degree to which the subject has been effectively restrained and his/her ability to resist despite being restrained.
- (h) The availability of other options and their possible effectiveness.
- (i) Seriousness of the suspected offense or reason for contact with the individual.
- (j) Training and experience of the officer.

Arizona State Master PD

Policy Manual

Use of Force

- (k) Potential for injury to officers, suspects and others.
- (l) Whether the person appears to be resisting, attempting to evade arrest by flight or is attacking the officer.
- (m) The risk and reasonably foreseeable consequences of escape.
- (n) The apparent need for immediate control of the subject or a prompt resolution of the situation.
- (o) Whether the conduct of the individual being confronted no longer reasonably appears to pose an imminent threat to the officer or others.
- (p) Prior contacts with the subject or awareness of any propensity for violence.
- (q) Any other exigent circumstances.

300.3.3 PAIN COMPLIANCE TECHNIQUES

Pain compliance techniques may be effective in controlling a physically or actively resisting individual. Officers may only apply those pain compliance techniques for which they have successfully completed department-approved training. Officers utilizing any pain compliance technique should consider:

- (a) The degree to which the application of the technique may be controlled given the level of resistance.
- (b) Whether the person can comply with the direction or orders of the officer.
- (c) Whether the person has been given sufficient opportunity to comply.

The application of any pain compliance technique shall be discontinued once the officer determines that compliance has been achieved.

300.3.4 CAROTID CONTROL HOLD

The proper application of the carotid control hold may be effective in restraining a violent or combative individual. However, due to the potential for injury, the use of the carotid control hold is subject to the following:

- (a) The officer shall have successfully completed department-approved training in the use and application of the carotid control hold.
- (b) The carotid control hold may only be used when circumstances perceived by the officer at the time indicate that such application reasonably appears necessary to control a person in any of the following circumstances:
 - 1. The subject is violent or physically resisting.
 - 2. The subject, by words or actions, has demonstrated an intention to be violent and reasonably appears to have the potential to harm officers, him/herself or others.
- (c) The application of a carotid control hold on the following individuals should generally be avoided unless the totality of the circumstances indicates that other available options reasonably appear ineffective, or would present a greater danger to the officer, the subject or others, and the officer reasonably believes that the need to control the individual outweighs the risk of applying a carotid control hold:
 - 1. Females who are known to be pregnant
 - 2. Elderly individuals
 - 3. Obvious juveniles

Arizona State Master PD

Policy Manual

Use of Force

- (d) Any individual who has had the carotid control hold applied, regardless of whether he/she was rendered unconscious, shall be promptly examined by paramedics or other qualified medical personnel and should be monitored until examined by paramedics or other appropriate medical personnel.
- (e) The officer shall inform any person receiving custody, or any person placed in a position of providing care, that the individual has been subjected to the carotid control hold and whether the subject lost consciousness as a result.
- (f) Any officer attempting or applying the carotid control hold shall promptly notify a supervisor of the use or attempted use of such hold.
- (g) The use or attempted use of the carotid control hold shall be thoroughly documented by the officer in any related reports.

300.4 DEADLY FORCE APPLICATIONS

Use of deadly force is justified in the following circumstances:

- (a) An officer may use deadly force to protect him/herself or others from what he/she reasonably believes would be an imminent threat of death or serious bodily injury.
- (b) An officer may use deadly force to stop a fleeing subject when the officer has probable cause to believe that the person has committed, or intends to commit, a felony involving the infliction or threatened infliction of serious bodily injury or death, and the officer reasonably believes that there is an imminent risk of serious bodily injury or death to any other person if the subject is not immediately apprehended. Under such circumstances, a verbal warning should precede the use of deadly force, where feasible.

Imminent does not mean immediate or instantaneous. An imminent danger may exist even if the suspect is not at that very moment pointing a weapon at someone. For example, an imminent danger may exist if an officer reasonably believes any of the following:

1. The person has a weapon or is attempting to access one and it is reasonable to believe the person intends to use it against the officer or another.
2. The person is capable of causing serious bodily injury or death without a weapon and it is reasonable to believe the person intends to do so.

300.4.1 SHOOTING AT OR FROM MOVING VEHICLES

Shots fired at or from a moving vehicle are rarely effective. Officers should move out of the path of an approaching vehicle instead of discharging their firearm at the vehicle or any of its occupants. An officer should only discharge a firearm at a moving vehicle or its occupants when the officer reasonably believes there are no other reasonable means available to avert the threat of the vehicle, or if deadly force other than the vehicle is directed at the officer or others.

Officers should not shoot at any part of a vehicle in an attempt to disable the vehicle.

300.5 REPORTING THE USE OF FORCE

Any use of force by a member of this department shall be documented promptly, completely and accurately in an appropriate report, depending on the nature of the incident. The officer should articulate the factors perceived and why he/she believed the use of force was reasonable under the circumstances. To collect data for purposes of training, resource allocation, analysis and related purposes, the Department may require the completion of additional report forms, as specified in department policy, procedure or law.

Arizona State Master PD

Policy Manual

Use of Force

300.5.1 NOTIFICATION TO SUPERVISORS

Supervisory notification shall be made as soon as practicable following the application of force in any of the following circumstances:

- (a) The application caused a visible injury.
- (b) The application would lead a reasonable officer to conclude that the individual may have experienced more than momentary discomfort.
- (c) The individual subjected to the force complained of injury or continuing pain.
- (d) The individual indicates intent to pursue litigation.
- (e) Any application of a TASER device or control device.
- (f) Any application of a restraint device other than handcuffs, shackles or belly chains.
- (g) The individual subjected to the force was rendered unconscious.
- (h) An individual was struck or kicked.
- (i) An individual alleges any of the above has occurred.

300.6 MEDICAL CONSIDERATION

Prior to booking or release, medical assistance shall be obtained for any person who exhibits signs of physical distress, who has sustained visible injury, expresses a complaint of injury or continuing pain, or who was rendered unconscious. Any individual exhibiting signs of physical distress after an encounter should be continuously monitored until he/she can be medically assessed.

Based upon the officer's initial assessment of the nature and extent of the subject's injuries, medical assistance may consist of examination by fire personnel, paramedics, hospital staff or medical staff at the jail. If any such individual refuses medical attention, such a refusal shall be fully documented in related reports and, whenever practicable, should be witnessed by another officer and/or medical personnel. If a recording is made of the contact or an interview with the individual, any refusal should be included in the recording, if possible.

The on-scene supervisor, or if not available, the primary handling officer shall ensure that any person providing medical care or receiving custody of a person following any use of force is informed that the person was subjected to force. This notification shall include a description of the force used and any other circumstances the officer reasonably believes would be potential safety or medical risks to the subject (e.g., prolonged struggle, extreme agitation, impaired respiration).

Persons who exhibit extreme agitation, violent irrational behavior accompanied by profuse sweating, extraordinary strength beyond their physical characteristics and imperviousness to pain (sometimes called *excited delirium*), or who require a protracted physical encounter with multiple officers to be brought under control, may be at an increased risk of sudden death. Calls involving these persons should be considered medical emergencies. Officers who reasonably suspect a medical emergency should request medical assistance as soon as practicable and have medical personnel stage away if appropriate.

300.7 SUPERVISOR RESPONSIBILITY

When a supervisor is able to respond to an incident in which there has been a reported application of force, the supervisor is expected to:

- (a) Obtain the basic facts from the involved officers. Absent an allegation of misconduct or excessive force, this will be considered a routine contact in the normal course of duties.

Arizona State Master PD

Policy Manual

Use of Force

- (b) Ensure that any injured parties are examined and treated.
- (c) When possible, separately obtain a recorded interview with the subject upon whom force was applied. If this interview is conducted without the person having voluntarily waived his/her *Miranda* rights, the following shall apply:
 - 1. The content of the interview should not be summarized or included in any related criminal charges.
 - 2. The fact that a recorded interview was conducted should be documented in a property or other report.
 - 3. The recording of the interview should be distinctly marked for retention until all potential for civil litigation has expired.
- (d) Once any initial medical assessment has been completed or first aid has been rendered, ensure that photographs have been taken of any areas involving visible injury or complaint of pain, as well as overall photographs of uninjured areas. These photographs should be retained until all potential for civil litigation has expired.
- (e) Identify any witnesses not already included in related reports.
- (f) Review and approve all related reports.
- (g) Determine if there is any indication that the subject may pursue civil litigation, the supervisor should complete and route a notification of a potential claim through the appropriate channels.
- (h) Evaluate the circumstances surrounding the incident and initiate an administrative investigation if there is a question of policy non-compliance or if for any reason further investigation may be appropriate.

In the event that a supervisor is unable to respond to the scene of an incident involving the reported application of force, the supervisor is still expected to complete as many of the above items as circumstances permit.

300.7.1 WATCH COMMANDER RESPONSIBILITY

The Watch Commander shall review each use of force by any personnel within his/her command to ensure compliance with this policy and to address any training issues.



Predictable is Preventable®

Law Enforcement Daily Training Bulletin

USE OF FORCE

Medical Attention for Injuries Sustained Using Force

SCENARIO: Augustus Snerd and Samuel Mortimer get into a fight over a pool game in the Dive Bar. By the time you and your backup arrive, a full-on, bench clearing brawl is in progress. Eventually you utilize some very appropriate baton strikes. The crowd settles down and Mr. Snerd and Mr. Mortimer are arrested. Paramedics are on scene. Mr. Mortimer complains of pain to his leg from the baton strikes and you can see some redness and an abrasion. The injuries appear to be minor.

ISSUE: WHAT ARE YOUR OBLIGATIONS AFTER INFLICTING INJURY BY USING FORCE UPON MR. MORTIMER?

RULE: Prior to booking or release, medical assistance shall be obtained for any person who exhibits signs of physical distress, who has sustained visible injury, expresses a complaint of injury or continuing pain, or who was rendered unconscious. Any individual exhibiting signs of physical distress after an encounter should be continuously monitored until he/she can be medically assessed.

Based upon the officer's initial assessment of the nature and extent of the subject's injuries, medical assistance may consist of examination by fire personnel, paramedics, hospital staff or medical staff at the jail.

ANALYSIS: When you apply force and the subject of the force sustains injury, complains of pain or becomes unconscious, you are obligated to obtain medical assistance. Since Mr. Mortimer's injury appears to be minor, have the paramedics examine him and either treat him as appropriate or clear him. Don't forget to document the use of force, injury and subsequent medical examination in your report. Remember too, that according to policy photographs of the visible or complained of area of the injury should also be taken and referred to in your report.

CONCLUSION: Responsible use of force comes with obligations. If a subject is in pain, has a visible injury or loses consciousness, seek medical attention for the subject prior to booking or release.

POLICY: 300.6-Medical Considerations

QUESTION: Minor injuries caused by use of force do not require medical examination.

ANSWERS: a) True
b) False

CORRECT ANSWER: b) False