

ANTIGO POLICE DEPARTMENT POLICY



SUBJECT: USE OF FORCE				
DATE ISSUED: 10.03.15	EFFECTIVE 10.03.15	LAST UPDATE 06.21.2022	REVIEWED BY CHIEF DULEY	PAGE # 1

PURPOSE:

The purpose of this policy is to establish guidelines for the use of force by sworn personnel to affect a detention, seizure, arrest and/or other lawful custody of a person (including emergency medical and/or mental health custody); use force in self-defense or defense of another; to prevent or intercede in a person's self-injury; in defense of property; in community caretaker function; and/or to initiate or maintain control, custody, and/or detention of a person. Proper use-of-force decisions, based on the United States' (U.S.) Constitutional force standards and any more restrictive Wisconsin force standards, ensure appropriate due process for persons as well as provide protection for officers and the Department.

This policy is based in part on the Defense and Arrest Tactics (DAAT) program of the State of Wisconsin as developed by the Wisconsin Training and Standards Board (Department of Justice-Bureau of Training and Standards).

DEFINITIONS:

Deadly Force: Any use of force that creates a substantial risk of causing death or serious bodily harm.

Non-deadly Force: As used in this policy, non-deadly force means the use of any weapon or instrument, or any other action taken by an officer, which is not likely to cause death, but which may result in bodily harm or injury to a person. This includes any physical effort used to control or restrain another, or to overcome the resistance of another.

Objectively Reasonable: This term means that, 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.

POLICY:

It is the policy of the Antigo Police Department to recognize our legal and moral responsibility to use force wisely and judiciously, deadly and non-deadly force will be used only when necessary in the performance of an officer's legal duties. The purpose of the use of force is to establish and maintain control. Officers need not retreat or desist from efforts to make lawful arrests because of the resistance to the arrests. Officers are justified in using force which they are reasonably believe is necessary to defend themselves or others from death and bodily harm.

Officers shall use only that amount of force that is reasonably necessary to achieve a lawful

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objective. The use of non-deadly force is only authorized when an officer reasonably believes it is necessary to control a person under any of the following circumstances:

- A. Effecting an arrest
- B. Protecting oneself or another
- C. Overcoming resistance
- D. Detaining a person reasonably suspected of unlawful behavior
- E. Preventing escape
- F. Maintaining order

It is the policy of the Antigo Police Department that the intentional punching, striking, grabbing of the throat (trachea), blocking or restricting the carotid neck arteries (ie: choke holds) creates a substantial likelihood of death or great bodily harm and are therefore **prohibited**, unless the use of deadly force is justified.

It is the policy of the Antigo Police Department that deadly force shall never be resorted to until an officer(s) reasonably believe it is necessary to protect their lives or the lives of other. The safety of innocent people will not be risked unless their safety has already been endangered and using deadly force is the only possible means of protecting them.

The use of deadly force is in all probability the most serious act a police officer will engage in, it is therefore imperative that he/she act not only within the boundaries of legal guidelines, good judgment and accepted practice, but that he/she be prepared by training and direction to act appropriately whenever using deadly force in the course of his/her duties.

The provisions of this policy regarding the use of deadly force is not intended to distinguish between adults and juveniles, only to the extent that age and related factors of size and strength influence the capacity of inflicting death or serious injury is to be considered.

NON-DEADLY FORCE

- I. **Verbal Commands.** Control of a person through verbal commands shall always be the primary tactic. The use of physical force and/or non-deadly weaponry is the alternative method to verbal commands. It is recognized that verbal commands are not always effective or appropriate in gaining compliance and it then becomes necessary to escalate the degree of force. When it is reasonably determined that verbal commands are not or would not be effective nor appropriate, an officer may escalate the degree of force based on the actions of the person they are attempting to control.

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- II. The concept of escalating/de-escalating degrees of force is based on an officer's reaction to a specific action of the person he/she is attempting to control. Officers are not required to begin a confrontation with dialogue and escalate step by step until control is gained if it is reasonably believed that the reaction would be ineffective or inappropriate based on the actions of the person they are attempting to control. Once a person is under control, officers are required to revert to the lowest degree of force necessary to maintain that control.

STATE OF WISCONSIN SYSTEM OF INTERVENTION OPTIONS

<u>Mode</u>	<u>Purpose</u>
Presence	To present a visible display of Authority
Dialog	To verbally persuade
Control Alternatives	To overcome passive resistance, active resistance, or their threats
Protective Alternatives	To overcome continued resistance, assaultive behavior or their threats
Deadly Force	To stop the threat

- III. **Officer/Subject Factors—Level of Force.** Numerous factors may affect the selection of an appropriate level of force. Examples of officer/subject factors include:

1. **Age.** An older officer may have to use more force on a younger person who is more agile and stronger. Where in contrast, the younger officer who is quicker, stronger, and has more stamina would use less force to control an older person.
2. **Relative Strength.** The different make up of males and females may be a factor in handling a member of the opposite sex. It is a known fact that females usually have less upper body strength than their male counterparts. A male officer may use less force arresting/detaining a female, where a female officer may use more force to arrest/detain a male.
3. **Size.** A larger officer may be able to control a smaller person with the least amount of force, where a smaller officer would have to intensify the amount of force to accomplish the same task.
4. **Skill Level.** A highly trained officer in unarmed tactics may need to only use a proper technique that would use very little force to make an arrest or to detain; where an officer with no current training may need to use more force. The ability of the person being arrested/detained plays a major role here also. A karate expert may not be detained/arrested and controlled easily because of his/her martial arts skills.

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5. **Multiple Subjects.** Even the most skilled officer in unarmed tactics is no match for several subjects with the intent to harm the officer. Higher levels of force may be necessary to survive in these circumstances.

IV. **Acceleration through the Intervention Options.** Listed below are some of the circumstances which may cause an officer to accelerate very rapidly through the intervention options.

1. **Special Knowledge.** When an officer is confronted by a person who they have been in contact with previously and knows the person is usually armed with a weapon, the officer may approach the situation with the intent to use a high level of force if needed. If an officer knows, from previous cases, that the person to be detained/arrested is a fighter and has assaulted an officer in the past, more force may be expected to be needed to detain/arrest that person.
2. **Injury or Exhaustion.** Where an officer is injured in a confrontation and is losing, the officer may need to use a weapon or a higher level of force to bring the situation under control. If an officer cannot endure a lengthy confrontation because of exhaustion or fatigue, escalation through the intervention options may be necessary.
3. **Proximity to the Officer's Firearm.** A close proximity to the officer's firearm exposes the officer to the possibility of a lethal force situation. If the person removes the holstered weapon, the likelihood the officer will be shot is imminent.
4. **Ground Fighting.** Since grappling is a match of strength and skill, some say that if the officer is not handcuffing or in control while on the ground, then the officer is losing. If the officer is on the ground and the aggressor is standing, the officer faces a greater danger.
5. **Disability.** Officers who have disabilities may find it necessary to escalate on the Force Option Continuum to a higher level of force.

PROCEDURES:

- I. An officer shall use only the minimum amount of force that is reasonably necessary to perform his/her lawful duties.
- II. Under no circumstances may an officer continue to use force (except mere physical restraint) against an individual who has ceased to resist, escape, or otherwise violate the law.
- III. Once control has been established officers shall be responsible for appropriately (as defined by legal standards) monitoring the person's condition and welfare. Unless circumstances dictate otherwise, all persons arrested will be handcuffed, searched, and then transported in a police vehicle.
- IV. An officer shall not brandish, display, or threaten the use of a use-of-force tool unless he/she can reasonably conclude its use may become justified and is anticipated. Use of force tools include

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OC, ECD, Impact Weapons, Specialty Impact Munitions, and Firearms.

V. Officers may include in the decision to use force information known to, or reasonably perceived by the officer at the time of the incident, including conduct or statements of the person or prior history of resistive or assaultive behavior.

A. Oleoresin Capsicum Spray:

1. Officers who have been trained and certified in the use of OC shall carry department issues OC while on duty.

If the officer has a special duty assignment that does not make carrying OC feasible, the officer may be exempt from carrying OC for the assignment.

2. Trained personnel may use OC when a subject is threatening to actively resist or is actively resisting an officer and the subject poses articulable threat harm to an officer or another person. It may also be used when the subject poses a threat of harm to himself or herself such as self-inflicted injury or a suicide attempt.

3. Officers may include in the decision to use the force option information known to the officer at the time of the incident, including conduct or statements of the subject or prior history of resistive or assaultive behavior.

4. Generally, OC should not be sprayed at a person from a distance of less than 3 feet.

5. When OC is used against a person or animal, the user shall notify an on-duty supervisor and shall complete an offense report detailing the circumstances of the incident.

6. If practical, department personnel who use OC against a person shall ensure the person is decontaminated as soon as practical after he or she is under control.

- a. If possible, expose the person to fresh air and flush the exposed area with cold water.
- b. If practical, the subject may be allowed to remove contact lenses.

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- c. Continue to monitor the exposed person for any unusual reactions to the exposure. If the exposed person has an unusual reaction or request medical attention, transportation to a medical facility shall be arranged.

B. Electronic Control Device:

Electronic Control Device (ECD): A battery powered less-lethal device that uses propelled wires and probes or direct contact sufficient energy to affect the sensory and motor functions of the human and animal nervous system. The intended purpose of the device is to incapacitate and help control actively resistive, potential active resistive, and/or violent persons or animals with reduced potential for great bodily harm or death.

1. Units approved by the Antigo Police Department:

- a. Advanced Taser X-26 ECD

2. An electronic control device may be used by trained officers when a subject is threatening to actively resist or is actively resisting an officer and the subject poses an articulable threat of harm to an officer or another person. It may also be used when the subject poses a threat of harm to himself or herself such as self-inflicted injury or a suicide attempt. Passive resistance without posing an articulable threat of harm to officers or others does not justify the use of an Electronic Control Device.

- a. Officers may also include in the decision to use this force option information known to the officer at the time of the incident, including conduct or statements of the subject or prior history of resistive or assaultive behavior.

3. Passive resistance without posing an articulable threat of harm to officers or others does not permit the use of an electronic control device.

4. Deployment and use of the electronic control device will be in accordance with department training and procedure. The electronic control device shall be carried on the opposite side of the body from the firearm. An officer shall not brandish, display, or threaten the use of an electronic control device unless he or she can reasonably conclude its use may become justified or is anticipated.

5. In each instance when an electronic control device is deployed at an incident a determination will be made regarding the need for lethal cover.

- a. Lethal cover shall be required in all cases in which the subject possesses a firearm or

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- other deadly threat.
- b. The electronic control device is not a substitute for deadly force – in cases where a subject poses an articulable threat of death to an officer or another person an officer may not arm him or herself with an electronic control device unless another officer is present and capable of immediately delivering deadly force.
6. Elevated ECD deployment risk factors: The following factors, when reasonably perceived by the officer(s) at the time of the incident, require elevated justification(s) for deployment. Under the following conditions the risk of direct or secondary injury to the person is foreseeably elevated, thus the justification for ECD deployment is also elevated. The officer(s) must balance the elevated risk(s) of injury with the need for immediate apprehension or protection.
- a. Presence of flammable materials
 - b. Person in an elevated position
 - c. Person operating a vehicle (capable of moving)
 - d. Person running
 - e. Person obviously or known to be pregnant
 - f. Person in water sufficient to drown
 - g. Person obviously frail or infirm
7. ECD deployment methods: The primary deployment method is to discharge the ECD cartridge propelling the probes and probe wires. The back-up deployment method is to firmly drive the attached fired ECD cartridge into the person's body.
- a. Removing the ECD cartridge to apply a drive stun is not a primary deployment technique. It is discouraged because it provides limited effectiveness and has a higher propensity for causing minor burn marks or friction abrasions to the skin than probe deployment
8. ECD deployment cycle(s): Officers shall deliver only the number of deployment cycles reasonably necessary to control the person. If practical, cover officer(s) present should move in and control the person during the deployment cycle(s). If multiple cycles have been delivered and the person still cannot be controlled, officers should consider escalation of force options or disengage.
9. Taser probes may not be intentionally fired at the face, head, neck, or groin.
10. All probes shall be considered a bio-hazard and removed using personal protective equipment if practical. After the probes have been removed, the probes, wires, and cartridge(s) shall be collected and entered into evidence. They shall be retained in

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evidence for a period of not less than 30 days. After the 30-day period they may be destroyed.

- a. Collect probes, wires, and the cartridge as a unit if possible. (do not break the wires from the probes or cartridge)
- b. Gently press the probes into the wire channels that house the wires on the front of the cartridge.
- c. Do not wrap or attempt to untangle the wires.
- d. Place the whole cartridge unit into a paper bag. Place the paper bag into a proper bio-hazard bag and enter into evidence.

11. Post Deployment:

- a. Department personnel who use an electronic control device against a person shall ensure the person is monitored for injury as soon as practical after the person is under control. Officers shall monitor the subject for adverse reactions. Officers shall immediately arrange for transportation of the suspect to the hospital if an adverse reaction to the electronic control device occurs, or if medical treatment is requested by the subject. Whenever there is doubt concerning the need for medical attention it should be resolved through the examination of the subject by an appropriate medical facility.
- b. If the probes are imbedded in sensitive tissue areas, i.e. neck, face, groin, or the breast of a female, officers shall arrange transportation to a medical facility for removal. If the probes are imbedded in other non-sensitive tissue areas, a trained officer may remove them according to the trained procedures.
- c. Once a subject is secured in custody, an evaluation of the application site should be made to determine the necessity for photographs.
- d. Following deployment of an electronic control device, officers shall make a request for a printout of the data port download from the specific device used for their reports.
- e. It is the responsibility of the deploying officer to obtain a new cartridge prior to ending his/her shift.

C. Impact Weapon (baton):

1. Patrol officers and patrol sergeants shall be required to have an approved impact weapon reasonably available to them while on duty.
2. The use of authorized batons is permitted against assaultive behavior or threatened assaultive behavior directed at an officer or another person that would reasonably

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subject the officer or other person to bodily harm.

3. The appropriate target areas for baton strikes are the lower abdominal area (baton jab) and the knee and elbow area (angle strike and angle-cross strike). The intentional use of a baton to strike the head or a subject carries with it a high propensity for serious injury or death. Therefore, although use of the baton is not classified as deadly force, an intentional strike to the head could be considered excessive force unless special circumstances justified it.

D. Specialty Impact Munitions

1. Specialty Impact Munitions may be utilized by trained department personnel in circumstances where a level of force less than deadly force may be appropriate for resolving the situation and when the risk associated with closing on the subject to take control makes other alternatives unsafe. This option may be used when a person poses a significant threat of harm to self or others and unarmed tactics have been exhausted or would not be effective or safe given the circumstances. The goal of using Specialty Impact Munitions is to impede a subject, preventing him or her from continuing resistive, assaultive, or otherwise dangerous behavior. Continued resistance means that an individual is maintaining a level of counteractive behavior that is not controlled with the officer's current level of force. Assaultive behavior occurs when an individual's direct actions generate bodily harm to the officer(s) and/or another person(s).
 - a. Officers may include in the decision to use this force option, information known to the officer at the time of the incident, including conduct or statements of the subject or prior history of resistive or assaultive behavior and possession of weapons.
2. An officer shall not brandish, display or threaten the use of a specialty impact munitions unless he or she can reasonably conclude its use may become justified and anticipated.
3. When Specialty Impact Munitions are used against the body of a person, the officer will notify an on-duty supervisor and will complete an offense report detailing the

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circumstances of the incident. The Chief of Police shall be notified as soon as practical after deploying specialty impact munitions. The officer shall also complete a use of force report and forward it to the Chief of Police.

4. Delivery Systems:
 - a. 12 Gauge Pump Shotgun
 - i. Only ANPD authorized and issued rounds may be used.
 - ii. List of ANPD authorized specialty impact munitions rounds: Defense Technology 12 gauge “tear drop” drag stabilized bean bag round
5. The 12-gauge pump shotguns utilized to deploy Specialty Impact Munitions shall be dedicated to sole use of less-lethal alternatives. When deploying the 12 gauge shotgun as a less-lethal option, the officer shall insure each round in the weapon is ANPD authorized Specialty Impact Munitions. The deployment procedure will be taught during training.
 - a. When possible, efforts shall be made to have another officer observe the loading of less-lethal Specialty Impact Munitions into the shotgun.
 - b. The weapon will be clearly marked as a less-lethal weapon. This will be done by applying orange tape or paint to the weapon’s stock.
6. Specialty Impact Munitions may be delivered to the subject’s body in accordance with the following guidelines.
 - a. Primary Target Areas: The primary target area shall be designated as “Zone 1” consisting of the legs and buttocks. This area consists of large muscle groups. Where the threat level is appropriate and this zone is viable, it should be considered first. Multiple impacts to the primary target areas should be considered before progressing to the secondary target area. The groin area should not be intentionally targeted.
 - b. Secondary Target Area: The secondary target area shall be designated as “Zone 2” consisting of abdominal area. This area consists of medium muscle groups and has a greater potential for causing serious injury when struck.
 - c. Non-target Area: A non-target area shall be designated as “Zone 3” consisting of the head, neck, chest (center mass) and spine areas. Intentional impact to these areas will be avoided unless the use of deadly force is justified.
 - d. Effective Range: The 12-gauge drag stabilized round has an optimal energy rang of 20-50 feet. To minimize risk of serious injury deployments, a distance less than 10 feet should be avoided if possible and practical.

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7. In each instance where Specialty Impact Munitions are deployed, lethal cover shall be provided.

8. Effects.

- a. Blunt Trauma—the maximum desired effect of an impact munitions is blunt trauma—an impact from an object that leaves the body surface intact, but may cause sufficient (nonlife threatening) injury to distract and/or incapacitate the subject. The lowest expected response is pain. For this reason, projectiles impacting a person will always result in an injury. However, the intent of specialty impact munitions is to minimize the amount of injury that is painful. In most situations, the injury does not exceed bruising. Specialty impact munitions have been known to cause the following types of injuries: abrasions, contusions, lacerations, and fractures.
- b. Penetrating Trauma—the unintended and most undesirable outcome of an impact munitions is penetration. Penetration from a specialty impact munitions may result from a combination of the following: excessive kinetic energy as determined by the weight, size, shape, and velocity of the projectile; target distance; subject’s physical stature, shot placement, and clothing
- c. It should be noted that all specialty impact munitions have the potential for causing serious injury and/or death.
- d. All subjects who are struck by a specialty impact munitions shall be transported to a medical facility for examination.

E. Use of Restraints:

It is the policy of this department that all persons, including juveniles, placed in protective custody or under arrest, shall be properly handcuffed during transportation, except in the case of cooperative, non-threatening persons, where such decision shall be at the officer’s discretion with supervisor or OIC approval.

1. Handcuff-style Restraints. Because it is the policy of this department to use handcuffs during all transportation, except in the case of cooperative, non-threatening persons, where such decision shall be at the officer’s discretion, the following use procedures are provided:
 - a. The officer shall use departmentally approved restraints in accordance with department training and procedure.
 - b. Handcuffs shall be applied to the person’s wrists behind his/her back unless not

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- physically possible, except when transport belts are employed.
- c. Handcuffs will be double locked upon placement on the person in order to negate any attempted tampering by the person and to assure that accidental tightening of the cuffs cannot occur.
 - d. Handcuffs will be closed to a firm contact with offender's skin, but not so tightly as to produce pain, although one may expect comments as to discomfort.
 - e. Handcuffs will not intentionally be closed so tightly as to cause physical injury to the person.

F. Handcuffing Prisoners Being Transported:

1. Prior to any transportation of persons in custody, they shall be patted down for weapons.
2. When practical, prisoners shall be so placed in the police cruiser that seat belts may be secured about the prisoner in order to enhance their safety during transportation.

USE OF DEADLY FORCE

I. Law Enforcement officers are authorized to use deadly force when:

- I. 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.
- II. 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
- III. To prevent the escape of a fleeing violent felon who the officer has probable cause to believe will pose a imminent threat of death or serious physical injury to the officer or others.
- IV. If both practicable and feasible, a law enforcement officer shall give a verbal warning before using deadly force.

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II. Deadly Force Restrictions

- I. Officers may use deadly force to destroy an animal that represents a threat to public safety, or as a humanitarian measure where the animal is seriously injured when the officer reasonably believes that deadly force can be used without harm to the officer or others.
- II. Warning shots shall not be fired.
- III. Firearms shall not be discharged at a moving vehicle unless a person in the vehicle is immediately threatening the officer or another person with deadly force by means other than the vehicle. The moving vehicle itself shall not presumptively constitute a threat that justifies an officer's use of deadly force. An officer threatened by an oncoming vehicle shall move out of its path instead of discharging a firearm at it or any of its occupants.

III. FIREARMS. On duty and off duty.

- I. Officers, while on duty, shall carry and use only those firearms provided by the department, unless specific prior approval by the Chief of Police has been obtained.
- II. Officers shall not carry a second or hidden gun without specific prior written authorization from the Chief of Police.
- III. Officers shall carry and use ONLY that ammunition that has been issued by the department and approved by the Chief of Police.
- IV. All officers issued and or authorized to carry and use firearms shall act to reasonably prevent the misuse or theft of firearms under their control.
- V. Officers when off duty shall store the firearm in a safe manner when the firearm is not in use.
- VI. Officers shall load and unload firearms in a safe manner, with their safety and the safety of others their first consideration.
- VII. Officers shall unload firearms before cleaning.

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IV. INVESTIGATION INTO THE USE OF DEADLY FORCE

- I. Whenever an incident occurs where deadly force is used, whether accidental or intentional, the officer involved shall notify his immediate on Duty Supervisor at once. (In the event a Supervisor is involved, they will immediately notify the next senior officer.) The Supervisor shall:
 - I. Assume responsibility for the security, preservation and investigation of the scene.
 - II. Notify the Chief of Police immediately, or in his absence, the next highest ranking officer available, and a department firearms instructor if a firearm was discharged.
 - III. All incidents involving the use of deadly force shall be investigated by an outside agency, with consideration to use the Wisconsin Department of Justice, Division of Criminal Investigations(DCI) as the lead investigation agency.
- V. The Supervisor, or in his/her absence the Senior Officer at the scene, shall ensure the involved officer(s) is removed from the scene to an area of privacy as soon as practical. Another officer shall be assigned to act as a support companion to the involved officer and shall remain with the involved officer for as long as needed. The support officer should not discuss the facts of the incident nor question the involved officer about the incident.
- VI. If an officer has discharged a weapon in the incident, the weapon will remain in the officer's holster until he/she is removed from the scene. The officer is responsible for protecting the discharged weapon as evidence and, as soon as practical, shall turn over the weapon and ammunition the Supervisor or Investigating Agency to be preserved. If the weapon is an officer's duty weapon, he/she shall be advised it will be replaced as soon as practical.
- VII. Another weapon and ammunition will be immediately reissued to the officer, unless there is a legitimate concern for the officer's safety or the investigating officer develops reasonable grounds to believe that a crime may have been committed by the officer during the incident.

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- VIII. Obtain the names, addresses and telephone numbers of all witnesses, bystanders or of anyone else who may have information concerning the incident. This information will be provided to the investigating agency.
- IX. All information and media releases shall be cleared through the Chief of Police, or in his absence the Captain.

REPORTING THE USE OF FORCE

If an officer uses force listed in the intervention options as “Oleoresin Capsicum Aerosol Spray” or greater, the officer shall contact an on-duty supervisor, or senior officer, as soon as practical.

The officer shall also complete an incident report, documenting circumstances necessitating, and manner of such use, and complete a Use of Force Report. The Use of Force Report shall be forwarded to the Chief.

Duty to report noncompliant use of force. 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 in the course of that law enforcement officer's official duties shall report the noncompliant use of force to a supervisor as soon as is practicable after the occurrence of the use of such force.

A person who intentionally fails to report a noncompliant use of force as required may be fined not more than \$1,000 or imprisoned not more than 6 months or both.

Duty to intervene. 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 in the course of that law enforcement officer's official duties if all of the following apply:

The law enforcement officer observes the use of force that does not comply with the standards.

The circumstances are such that it is safe for the law enforcement officer to intervene.

A law enforcement officer who intervenes as required shall report the intervention to his or her immediate supervisor as soon as is practicable after the occurrence of the use of such force.

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A person who intentionally fails to intervene as required or intentionally fails to report an intervention as required may be fined not more than \$1,000 or imprisoned not more than 6 months or both.

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, intervened to prevent or stop a noncompliant use of force, 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.

TREATMENT OF INJURED PRISONERS/MEDICALLY SIGNIFICANT BEHAVIOR

All department personnel who engage in the use of deadly or non-deadly force within the scope of their employment shall:

1. Check the subject(s) for injuries and administer first aid as required.
2. Injured subjects(s) are to be transported to the nearest medical facility for proper treatment by ambulance. An officer may transport to the nearest medical facility, depending on the circumstances and severity of the injuries.
 - a. The prisoner must consent to such medical treatment unless under protective custody.
3. Maintain close personal observation and keep in close physical contact with the subject while continuing to provide first aid while the subject is in your custody.
4. During the time awaiting treatment and during the treatment activities, the officer shall not relax security.

AGENCY REVIEW OF USE OF FORCE INCIDENTS

- I. It shall be the duty of the Shift Supervisor, or the Officer in Charge at the time, to review all incidents where the use of non-deadly force is involved and prepare a report when requested by the Chief. If the Chief requests a report, the report will include the relevant facts,

ANTIGO POLICE DEPARTMENT POLICY



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circumstances surrounding the incident and a conclusion as to whether the use of force violates any Rule of Conduct, Directive, Policy, or Procedure.

- II. The Chief of Police will be required to review every incident in which an officer uses deadly force.
- III. The Chief of Police may review every incident in which an officer(s) uses force. If the facts of the incident support a conclusion that the use of force was improper, excessive or constituted the misuse of police equipment, the Chief of Police will take the appropriate actions and/or disciplinary action to correct any deficiency.

This policy is for departmental use only and does not apply to any criminal or civil proceeding. The department policy shall not be construed as a creation of a higher legal standard of safety or care in any evidentiary sense with respect to third party claims. Violations of this policy will only form the basis for departmental administrative sanctions. Violations of law will form the basis for civil and criminal sanctions in a recognized judicial setting.

This policy is effective commencing on June 21, 2022.

Signed:

A handwritten signature in black ink that reads "Daniel J. Duley".

Antigo Police Department
Chief of Police