

	<b>NEW PALTZ POLICE DEPARTMENT</b> <b>Policy and Procedures</b>	
	<i>Subject</i> <b>20.1 Officer Defensive Action</b>	
	<b>ISSUE: February 10, 2016</b>	<b>EFFECTIVE: February 10, 2016</b>
	<b>AMENDS: October 9, 2019</b>	<b>RESCINDS:</b>
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## PURPOSE

To establish the New Paltz Police Department's guidelines and limitations concerning the appropriate and acceptable use of deadly and non-deadly force as well as provide assurances that New Paltz Police Department members will report, and document all uses of defensive action whether or not it results in injury or death of another person and that uses of defensive action will be reviewed

## POLICY

It is the policy of the New Paltz Police Department that officers hold the highest regard for the sanctity of human life as well as the dignity and liberty of all persons. The safety of innocent persons and officers is of paramount importance. The application of deadly physical force is a measure to be employed in the most extreme of circumstances. This policy provides clear procedures to sworn officers regarding the use of force in the performance of their duties.

The main responsibility of New Paltz Police Department officers is to protect the life and property of the citizens. In compliance with applicable law, officers shall use only the amount of force necessary and reasonable to control a situation, effect an arrest, overcome resistance to arrest, or defend themselves or others from harm. When force is necessary, the degree of force employed should be in direct relationship to the amount of resistance exerted, or the immediate threat to the officers or others. There is a compelling public interest that officers authorized to exercise the use of force do so in an objectively reasonable manner and in a way that does not violate the civil rights guaranteed by our Constitution and applicable law. Officers who use excessive or unjustified force degrade the confidence of the community that they serve, undermine the legitimacy of a police officer's authority, and hinder the Department's ability to provide effective law enforcement services to the community.

Officers who use excessive or unauthorized force shall be subject to discipline, possible criminal prosecution, and/or civil liability. Use of force is only authorized when it is objectively reasonable and for a lawful purpose. Accordingly, the New Paltz Police Department will thoroughly review and/or investigate all uses of force by officers to assure compliance with all legal requirements and this policy.

## DEFINITIONS

Actively Resisting: When a subject makes physically evasive movements to interfere with an officer's attempt to control that subject; including bracing, tensing, pulling away, or pushing.

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**Authorized Weapons:** Weapons that meet Department specifications and officers are permitted to carry; and for which officers successfully complete proficiency and safety training.

**Conducted Energy Device:** Also known as an Electronic Control Device – a less than lethal incapacitating, intermediate weapon used for subduing a person by administering an electric shock for the purpose of disrupting superficial muscle functions. This is an intermediate weapon and is classified as non-lethal. The weapon should only be used when an officer is met with a certain degree of resistance or aggression through either actions or words.

**Critical Firearm Discharge:** A discharge of a firearm by a New Paltz Police Department officer to the extent such discharges are authorized under this policy (See Firearms Policy 20.5.) Range and training discharges, and discharges at animals are not included under this section.

**Deadly Physical Force:** Any physical force which under the circumstances in which it is used, is readily capable of causing death or other serious physical injury. For the purposes of this policy, deadly physical force can also be referred to as Lethal Force or Deadly Force. Officers must understand that deadly physical force is an extreme measure and should only be used in accordance with the law and as stated in this Policy.

**De-escalation:** A systematic approach incorporating communications skills and tactics and is utilized when discretionary time allows the member to resolve a situation with minimal force. It is especially applicable when dealing with persons in crisis in situations with limited risk.

**Soft Hand Control:** The use of physical strength and skill in defensive tactics to control arrestees who are reluctant to be taken into custody and offer some degree of physical resistance. Such techniques are not impact oriented and include pain compliance pressure points, takedowns, joint locks, and simply grabbing a subject. Touching or escort holds may be appropriate for use against levels of passive physical resistance.

**Hard Hand Control:** Impact oriented techniques that include knee strikes, elbow strikes, punches, and kicks. Control strikes are used to subdue a subject and include strikes to pressure points such as: the common peroneal (side of the leg), radial nerve (top of the forearm), or brachial plexus origin (side of neck).

Defensive strikes are used by officers to protect themselves from attack and may include strikes to other areas of the body, including the abdomen or head. Techniques in this category include pressure point controls, stunning or striking actions delivered to a subject's body with the hand, fist, forearm, legs, or

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feet. These techniques target the major muscle groups and are delivered to create muscle cramping, thereby inhibiting muscle action and allowing the officer to subdue the subject. In extreme cases of self-defense, the officer may need to strike more fragile areas of the body where the potential for injury is greater. The use of chokeholds is prohibited unless the use of deadly force is authorized.

**Force:** Any physical strike or instrumental contact with a person; any intentional attempted physical strike or instrumental contact that does not take effect; or any significant physical contact that restricts the movement of a person. The term includes the discharge of a firearm, use of chemical spray, chokeholds or hard hands, taking of a subject to the ground, or the deployment of a canine. The term does not include escorting or handcuffing a person with minimal or no resistance. Use of force is lawful if it is objectively reasonable under the circumstances to effect an arrest, or protect the officer or other person, is used.

**Great Bodily Harm/Serious Physical Injury:** Serious bodily injury that creates a substantial risk of death, causes serious or permanent disfigurement, or results in long-term loss or impairment of the functioning of any bodily member or organ.

**Imminent Threat:** An officer's reasonable perception of impending danger, death, or serious injury from any action or outcome that may occur during an encounter. A subject may pose an imminent or impending danger even if he or she is not pointing a weapon at the officer but has, for example, a weapon within reach, is running for cover carrying a weapon, or running to a place where the officer has reason to believe a weapon is available.

**Impact Weapons:** Department approved tools that provide a method for gaining control of a subject when lethal force is not justified, but when empty-hand control techniques are not sufficient to effect control.

**Non-Deadly Force:** Any force used by an officer that would not reasonably be expected to cause death.

**Level of Control:** The amount of force that an officer uses to gain control over a subject.

**Level of Resistance:** The amount of force used by a subject to resist compliance with the lawful order or action of an officer.

**Non-Verbal and Verbal Non-Compliance:** When a subject expresses his/her intentions not to comply with an officer's directive through verbal and non-verbal means. An officer may encounter statements ranging from pleading to physical threats. Such statements may also include physical gestures, stances, and subconscious mannerisms.

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Objectively Reasonable Force: The degree of force used in effecting an arrest, investigatory stop, or other seizure is evaluated by using an objective, reasonable police officer standard. The reasonableness of each particular use of force will be judged from the perspective of a reasonable officer on the scene, based on the facts and circumstances known to and confronting the officer at the time. (See, *Graham v. Connor*, 490 US 388 (1989.)) In determining the appropriate level of force to be used, officers shall evaluate each situation in light of the unique facts and circumstances of each case. Those factors include, but are not limited to, the seriousness of the crime or suspected offense; the level of threat or resistance presented by the subject; the risk or apparent attempt by the subject to escape; and whether the subject was posing an imminent threat to officers or others.

Oleoresin Capsicum (OC) Spray: An inflammatory agent that irritates the mucus membrane and eyes to cause tears and pain. It is an intermediate weapon that is classified as being non- deadly. It should only be used, however, when an officer is met with a certain degree of resistance or aggression through either actions or words.

Passive Resistance: When a subject does not cooperate with an officer’s commands but does not take action to prevent being taken into custody. For example, a protestor who lies down in front of a doorway and must be carried away upon arrest.

Verbal Commands: The use of advice, persuasion, and/or warnings prior to resorting to actual physical force. In an arrest situation officers shall, when feasible, give the arrestee simple directions with which the arrestee is encouraged to comply. Verbal commands are the most desirable method of dealing with an arrest situation.

Defensive Action Report: A written report prepared according to departmental policy required when an officer uses defensive action.

## PROCEDURES

### A. General

1. When safe under the totality of circumstances and time and circumstances permit, officers shall use advisements, warnings, verbal persuasion and de-escalation tactics in order to reduce the need for force.
2. Force shall be de-escalated immediately when the subject complies with verbal and physical direction and/or it is safe to do so.

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3. When feasible based on the circumstances, officers will use disengagements; area containment; surveillance; waiting on a subject; summoning reinforcements; and/or calling in specialized units, in order to reduce the need for force and increase officer and civilian safety.
4. Officers shall allow individuals time to submit to arrest before force is used wherever possible.

**B. Use of Force Authorization and Limitations**

Officers of the Department are authorized to use only the amount of force necessary to accomplish lawful objectives. Force may be used:

1. To effect an arrest or prevent the escape from custody of a person whom the officer reasonably believes has committed an offense.
2. To defend the officer or others from the use, or imminent use, of physical force.
3. To take persons into protective custody when authorized by law, such as persons who are a danger to themselves or others, persons incapacitated by alcohol, and/or runaway children.
4. To prevent someone from committing suicide or inflicting serious physical injury upon themselves.
5. To assist a licensed physician or psychologist in providing necessary medical treatment.
6. To control a situation, and to overcome passive or active resistance to a lawful order.
7. To neutralize an unlawful assault and defend themselves or others from harm.

The authorized use of physical force ends when resistance ceases, and/or the officer has accomplished the purpose necessitating the use of force. Justification for the use of force is limited to the facts known or perceived by the officer at the time such force is used, including levels of resistance, suspect's behavioral cues, the number of officers and/or offenders present, and the availability of other options.

Force shall never be used to subject a person to torture and/or other cruel or inhumane or degrading treatment or punishment.

**C. Verbal Warning**

When tactically feasible, an officer will identify him/herself as a police officer and issue verbal commands and warnings prior to the use of force. When feasible, an officer will allow the subject an opportunity to comply with the officer's verbal commands. A verbal warning is not required in circumstances where the

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officer has to make a split-second decision, or if the officer reasonably believes that issuing the warning would place the safety of the officer or others in jeopardy.

#### D. Use of Deadly Force in Defense of Human Life

An officer is justified in using deadly physical force only when he or she reasonably believes such force is necessary to:

1. Defend the officer, or a third person, from the imminent threat of death or serious bodily injury.
2. Effect an arrest or prevent the escape from custody of a person whom they reasonably believe has committed or attempted to commit a felony involving the infliction or threatened infliction of serious physical injury; AND the officer reasonably believes this person still poses a significant threat of death or serious physical injury to the officer or other persons. Where feasible, the officer should give warning of the intent to use deadly physical force.
  - a. See, *Tennessee v. Garner*, 471 U.S.1, 85 (1985.): The United States Supreme Court ruled that the use of deadly force to prevent the escape of a suspected felon violates the Fourth Amendment prohibition against unreasonable seizure if used against an apparently unarmed, non-violent suspect (the case involved a burglary suspect). The Supreme Court further stated that deadly force may be used against an offender who has attempted or committed an offense involving the infliction or threatened infliction of great bodily harm. Deadly force may not be used against an unarmed, non-violent, property crime offender. The United States Supreme Court decision went on to state that when an officer is justified in the use of deadly force he will, if feasible, first give a verbal warning. (Example: "Police Officer, Halt").

#### E. Deadly Force Restrictions

1. Warning Shots Prohibited - Officers are prohibited from discharging their firearms as a means of warning or frightening a person.
2. Shooting at or from Moving Vehicles - Officers shall only discharge their firearms at or from a moving vehicle when a person in the vehicle is immediately threatening or using deadly physical force against them or another person present, by means other than the moving vehicle or when the vehicle is intentionally being used as a deadly weapon and all other reasonable means of defense have been exhausted or are not present or practical.

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- i. Officers should, as a rule, avoid tactics that place them in a position where a vehicle could be used against them. When confronted with an oncoming, moving vehicle, officers should attempt to move out of its path and avoid placing themselves in situations where the use of deadly force is more likely.
  
3. Risk to Innocent Bystanders - When officers are about to discharge their firearms, they should be aware of their field of fire, including the backstop, so as to not unnecessarily create a substantial risk of harm to innocent persons. Officers should not discharge their firearms when, based on the totality of the circumstances, discharging a firearm would constitute a greater risk to innocent human life than the subject's actions. (e.g. discharging a firearm into a crowd, or shooting into a building or through a wall, where the subject is not clearly identified, and it is unknown if there are other occupants present.)
  
4. Drawing and Pointing Weapons - Officers are prohibited from drawing and pointing their firearms at or in the direction of a person absent an objectively reasonable determination that the situation may escalate to the point where deadly force would be authorized under this policy. When it is determined that the use of deadly force is not necessary, officers shall, as soon as practicable, secure or holster their firearms. It is the rule of this department that drawing a firearm and pointing it at a target is considered a use of force.
  
5. Use of Firearm to Destroy Animals - Officers may use deadly force against an animal that represents a threat to public safety, or as a humanitarian measure where the animal poses a danger to public safety or to the officers' safety, or where the animal is seriously injured after the officers have received authorization from the animal's owner (to the extent practicable) and the officer's supervisor.
  
6. Use of Department Weapons for Training and Other Purposes - Officers may discharge their firearms for the purpose of practice, firearms training, when on the police range or other established shooting ranges, or when authorized by the Chief of Police to participate in law enforcement competition events.
  
7. Use of Firearms While Under the Influence of Alcohol and/or Drugs - Officers shall not use any firearms or weapons while impaired by alcohol, drugs, or any other medical condition that might interfere with their judgment or proficiency.

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8. Security, Storage, and Safe Handling of Firearms – Refer to New Paltz Police Department Policy and Procedure 20.5 *Carrying and Use of Firearms*.

F. Use of Non-Deadly Force

Officers shall only use weapons and control techniques that are issued and/or approved for use by the Department. The use of non-deadly force shall be limited to defensive and control purposes. Officers shall use only the reasonable amount of force necessary to overcome resistance or accomplish the police task. The use of non-deadly force shall conform to applicable Department Standards of Conduct, policies, procedures, and training. Officers shall not carry any less lethal weapons, or employ any non-deadly techniques, prior to successfully completing the relevant Department approved training for each weapon or technique.

1. Authorization to Use Non-deadly Force - Officers are authorized to use Department approved, non-deadly force techniques and authorized weapons to:
  - a. Prevent the escape from custody, or to effect a lawful arrest, of a person whom the officer reasonably believes has committed an offense; or
  - b. Protect or defend the officer or others from what he/she reasonably believes to be active resistance while effecting or attempting to effect an arrest, or while preventing or attempting to prevent an escape.
2. Non-Deadly Force Restrictions - The following tactics of non-deadly force are prohibited unless circumstances authorizing deadly force arise:
  - a. Any chokeholds, with or without a device, that restricts a person's airway;
  - b. Any intentional strike with an impact weapon or object to a person's head or neck; and/or
  - c. Any use of flashlights, radios, or any other items not issued or trained specifically as defensive weapons.

In limited circumstances when a confrontation escalates suddenly, however, an officer may use any means or device at hand, but not limited to a flashlight, knife, radio and/or other equipment or object, to defend him/herself, defend themselves, another person, or to bring a situation under control when in light of the circumstances surrounding the officer, at the time, it was found reasonably necessary to do so as long as the level of defensive action is objectively reasonable given the existing circumstances.

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- d. Force shall not be used against persons in handcuffs, except as objectively reasonable to prevent imminent bodily harm to the officer or another person or persons, or, as objectively reasonable, where physical removal is necessary to overcome resistance.

3. Impact Weapons

Authorized impact weapons may be used only when an officer is confronted with occurring or imminent active aggression against him/herself or another person.

- a. The use of a baton or similar instrument to strike a blow to a subject's arms or legs will be considered use of non-deadly force. The use of any such items to intentionally strike a subject's head or neck is prohibited except where deadly force is authorized by this policy.

4. Oleoresin Capsicum (OC Spray)

Authorized OC spray is an alternative to physical control techniques and the use of other intermediate weapons. As with any other use of force, however, OC spray must not be used indiscriminately or without just cause. Officers must be able to articulate the reason(s) the subject was sprayed with OC spray.

OC spray shall be utilized as issued and authorized to prevent injury to the subject(s), officers and others. (Refer to Policy 20.3 for specifics regarding the authorized use of an OC spray.)

5. Conducted Energy Device

An Electronic Control Weapon (i.e., TASER®) is authorized for use when other less lethal options have been ineffective, or when it reasonably appears that such options will be ineffective in subduing the subject. Electronic Control Weapons shall only be used in situations where the subject is actively resisting or attempting to avoid arrest by escape and poses an imminent threat to the safety of him/herself, another person, or the officer. (Refer to Policy 21.3 for specifics regarding the authorized use of an electronic control device.)

G. Training and Qualifications

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In addition to training required for firearms qualification (Refer to the Firearms Policy 20.5), officers shall receive Department authorized training designed to simulate actual situations and conditions and, as otherwise necessary, to enhance officers' discretion and judgment in using deadly and less lethal force in accordance with this policy.

1. All officers shall, at least annually, receive in-service training in the Department's Use of Force Policy and related case law updates. All training, including remedial training, will be documented.
2. All officers qualified in the use of impact weapons, OC spray, electronic control weapons, and control techniques shall, at least every two years, re-qualify on such weapons or techniques under the instruction of a certified instructor.
3. Training and proficiency results for any authorized weapon will be documented in the training files. Officers must demonstrate proficiency with weapons in compliance with POSTC requirements.
4. All officers who fail to demonstrate the required proficiency with Department issued weapons shall receive remedial training. Remedial instruction for Department issued firearms shall follow the Department's Firearms Policy. (See Firearms Policy 20.5)
5. An officer failing to demonstrate proficiency with a weapon shall not return to duty with that weapon until such time as proficiency is demonstrated and documented.
6. Only officers demonstrating proficiency in the use of Department authorized weapons shall be approved to carry such weapons. (See Firearms Policy 20.5)

**H. Provide Medical Aid**

1. Any time a person has visible injuries or complains of being injured as a result of force used against him/her by an officer, the officer must take appropriate actions to provide medical care for the injured person when it is safe to do so. This includes providing first aid, requesting emergency medical services, and/or arranging for other transportation to a hospital or emergency medical facility.
2. Officers shall be trained in proper treatment procedures for persons exposed to chemical sprays and the effects of other less-than-lethal force. If the person is offered and/or refuses treatment, this refusal shall be recorded in the police report, along with all relevant information.

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Officers will notify the shift supervisor of the injury as soon as practical. If warranted, the shift supervisor will arrange to have photographs taken of the person's injuries, which will be attached to the police report.

**I. Use of Force Reporting**

The Department shall establish a use of force reporting system that allows for the effective review and analysis of all department use of force incidents. The reporting system shall be designed to help identify trends, improve training and officer safety, and provide timely and accurate information to the department.

Employees shall complete a departmental Defensive Action Report form whenever they use force against a suspect above un-resisted handcuffing. This includes;

1. Brandish, use or discharge a firearm at or in the direction of another person;
2. Using a chokehold or similar restraint that applies pressure to the throat or windpipe of a person in a manner that may hinder breathing or reduce intake of air; or
3. Displays, uses or deploys a chemical agent, including, but not limited to, oleoresin capsicum, pepper spray or tear gas; or
4. Brandish, use or deploy an impact weapon, including but not limited to an ASP, baton or billy;
5. Brandish, use or deploy an electronic control weapon, including but not limited to, an electronic stun gun, flash bomb or long-range acoustic device;
6. Engages in conduct which results in the death or serious bodily injury of another person. Serious bodily injury is defined as bodily injury that involves a substantial risk of death, unconsciousness, protracted and obvious disfigurement, or protracted loss of impairment of the function of a bodily member, organ or mental faculty.

**1. Employee's Responsibilities**

- i. When an employee finds it necessary to use force to affect an arrest, or for any other law enforcement purpose, whether on duty or off-duty, that officer shall:

1. Notify a Supervisor of the particulars as soon as circumstances allow in those cases which require a Defensive Action Report Form

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2. Complete a Defensive Action Report Form, which shall include all other employees involved in or witnessing the incident
3. If an officer observes another member of the agency using force that is clearly beyond that which is objectively reasonable under the circumstances shall, when in a position to do so, safely intercede to prevent the use of such excessive force. Officers shall report their observations/actions to their shift supervisor. If no supervisor is working notification will be made to the next scheduled supervisor.

All Defensive Action Reports must be completed and forwarded to the Shift Supervisor, or “All-Sergeants” if a shift supervisor is not working, as soon as practical after the incident. Sergeants will be held responsible to see that this form is completed prior to the Officer leaving their tour of duty.

However, when special circumstances exist, such as those incidents resulting in the death or serious injury of a person, the Chief of Police may grant an extension, on a case-by-case basis, and assign an alternate date and time for use of force reports to be completed and submitted.

## 2. Shift Supervisor’s Responsibilities

- i. The shift supervisor will immediately respond to the scene when notified of a use of force and initiate an investigation into the matter as required by the department when an officer uses physical force, deadly physical force or draws their weapon on a person.
  1. The supervisor’s preliminary investigation should include;
    - a. interviewing officers at the scene
    - b. interviewing and obtaining contact information of witnesses
    - c. photographing the scene, officers, defendants, etc.
    - d. locating, securing and reviewing video capturing the defensive action.
  2. All of these actions, along with any concerns or deviations in policy, are to be documented in the supervisor’s narrative in the defensive action report.
- ii. If the subject sustained minor injury that does not require transport to the hospital the shift supervisor will send an email notification to the Lieutenant.

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- iii. When a reportable use of force incident occurs, the Shift Supervisor or OIC has the primary responsibility to make certain that all necessary Defensive Action Report Forms are properly completed, reviewed for accuracy, and submitted as required by officers under their command. The Supervisor will sign the report and forward it to the Lieutenant and carbon copy the Chief of Police.
- iv. If the use of force occurred on a tour without a supervisor, the next scheduled supervisor shall review all reports pertaining to the incident as well as the Defensive Action Report and sign the Supervisory portion of the report. Supervisors involved in a use of force incident will forward the Defensive Action Report to the Lieutenant. If the Lieutenant is involved in the use of force he/she will forward their Defensive Action Report directly to the Chief of Police.
- v. When an on-duty or off-duty employee has been involved in a use of force incident, which has resulted in death or serious injury to any person, the Shift Supervisor or OIC will immediately report the incident to the Chief and Lieutenant, via the chain of command. This also includes those cases where any firearm is accidentally or purposefully discharged which results in injury or death to any person.
  - 1. The Chief of Police and/or their designee will respond to the scene. The officer may be placed on administrative leave after complying with the internal investigation requirements of the department (see Officer Involved Shooting policy 21.4). If so placed on leave, such officer shall remain on leave until it is determined by medical and mental and/or EAP professionals that the officer is fit to return to duty.
  - 2. The department shall conduct both an administrative and criminal investigation into the incident.

### 3. Administrative Responsibility

- i. All Defensive Action Reports will be reviewed by the Lieutenant to determine whether the action was consistent with policy and procedure, whether the action warrants further administrative review/investigation and recommendations on equipment upgrades, training and/or policy issues, if applicable. Upon completion of the review, the Lieutenant will sign off and forward the form to the Chief of Police for same.

	<b>NEW PALTZ POLICE DEPARTMENT</b> <b>Policy and Procedures</b>	
	<i>Subject</i> <b>20.1 Officer Defensive Action</b>	
	<b>ISSUE: February 10, 2016</b>	<b>EFFECTIVE: February 10, 2016</b>
	<b>AMENDS: October 9, 2019</b>	<b>RESCINDS:</b>
<i>N.Y.S. Accreditation Ref: O20.1</i>	<i>Page 14 of 14</i>	<b>Authority: Chief Joseph A. Snyder</b>

1. Any use of force incident resulting in the injury to an officer, defendant or bystander will be investigated by the Lieutenant.
  - ii. All findings of policy violations or training inadequacies shall be reported to the appropriate authority for resolution and/or discipline.
  - iii. The Lieutenant may confer with Department instructors/trainers who specialize in the field of force used, as needed. The Chief of Police will be informed about any incident that may not be consistent with policy and procedure or indicates the action warrants further administrative review/investigation.
  - iv. The Lieutenant will conduct an annual analysis of all "Use of Force" incidents and provide a comprehensive report to the Chief of Police.

J. Maintenance and Accountability for Weapons

1. The Department Armorer will maintain a list of all approved weapons and ammunition that will be made available to all employees. The armorer will also maintain inventory reports for all weapons authorized by the agency.
2. All weapons will be inspected by a qualified armorer prior to issuance to an officer. Only weapons authorized by the agency may be used by agency personnel in the performance of law enforcement duties.
3. At each training session for lethal or less-lethal weapons the armorer or instructor will conduct an inspection of all weapons assigned to each officer present and confirm that:
  - i. The weapons are properly assigned to the officer carrying the weapon;
  - ii. That the weapons (lethal and less-lethal) are in working order;
  - iii. That inventory records accurately reflect weapons assigned to individual officers.
4. The procedures listed above will also apply to any weapons authorized by the agency for off-duty carry.
5. Whenever a weapon is found to be unsafe or not functioning properly the weapon will be turned in by the officer and the officer will request a replacement. The Department Armorer will maintain an inventory of replacement weapons and assure such weapons are available for issuance when needed.