

WEBSTER GROVES POLICE DEPARTMENT  
RULES AND REGULATIONS

SUBJECT: USE OF FORCE

AMENDS / SUPERSEDES: ALL PREVIOUS USE OF FORCE ORDERS

NUMBER: FOR 09-01

CALEA STANDARDS: 1.3.1, 1.3.2, 1.3.3, 1.3.4, 1.3.5, 1.3.6 (a,b,c,d)  
1.3.7, 1.3.8, 1.3.11 d, 52.2.7, 82.2.1 (a,b,c,d,e)

INDEXED AS: DEADLY FORCE  
USE OF FORCE

Initiated by: _____
Reviewed by: <u>Jan 17</u>
Approved by: _____
Effective Date: <u>04/05/2004</u>
*****
Revised by: _____
Approved by: _____
Effective Date: <u>02/08/2016</u>

This policy is for internal use only and does not enlarge an Officer's civil or criminal liability in any way. It should not be construed as the creation of a higher standard for safety or care in an evidentiary sense with respect to third party claims. Violations of this policy, if proven, can only form a basis of complaint by this Department, and then only in a non-judicial administrative setting.

DEFINITIONS

**POLICE OFFICER:** *A sworn commissioned Police Officer of the Webster Groves Police Department.*

**DEADLY FORCE:** *Any use of force that is likely to cause death or serious bodily injury, and includes:*

- 1. The firing of a firearm, even though no intent exists to kill or inflict bodily harm, or*
- 2. any force applied in any manner by any means that could be reasonably expected to cause death or serious physical injury.*

**NON-DEADLY FORCE:** *Any force other than that is considered deadly force.*

**EXCESSIVE FORCE:** *Force is excessive when its application is inappropriate to the circumstances.*

**REASONABLE BELIEF:** *What an ordinary and prudent person in the same or similar circumstances would believe based upon his knowledge of the facts surrounding the event as they existed at the time of the event.*

**SERIOUS PHYSICAL INJURY:** *A physical injury that creates a substantial risk of death, causes serious permanent disfigurement, or results in long-term loss or impairment of the function of any bodily member or organ.*

**USE OF FORCE INCIDENT:** *Any act or incident resulting from the use of force by a Department member which results in injury, alleged injury, or death to any person. Near-miss incidents involving the use of deadly force are within the scope of this directive.*

## PURPOSE

The purpose of this order is to establish Webster Groves Police Department policy regarding the use of force; to provide guidelines to assist Officers in applying “escalation of force” principles for the successful handling of resisting offenders, and to establish procedures for reporting the use of force.

## POLICY:

It is the policy of the Webster Groves Police Department to accomplish its Police mission as efficiently as possible, with the highest regard for human dignity of all persons and with minimal reliance upon the use of physical force. In vesting Police Officers with the lawful authority to use force to protect the public welfare, a careful balancing of all human interests is required. The use of physical or deadly force shall be restricted to circumstances authorized by law and only to the degree minimally necessary to accomplish a lawful Police task.<sup>1</sup>

## PROCEDURE:

### I. LEVELS OF FORCE

#### A. Use of Force Continuum

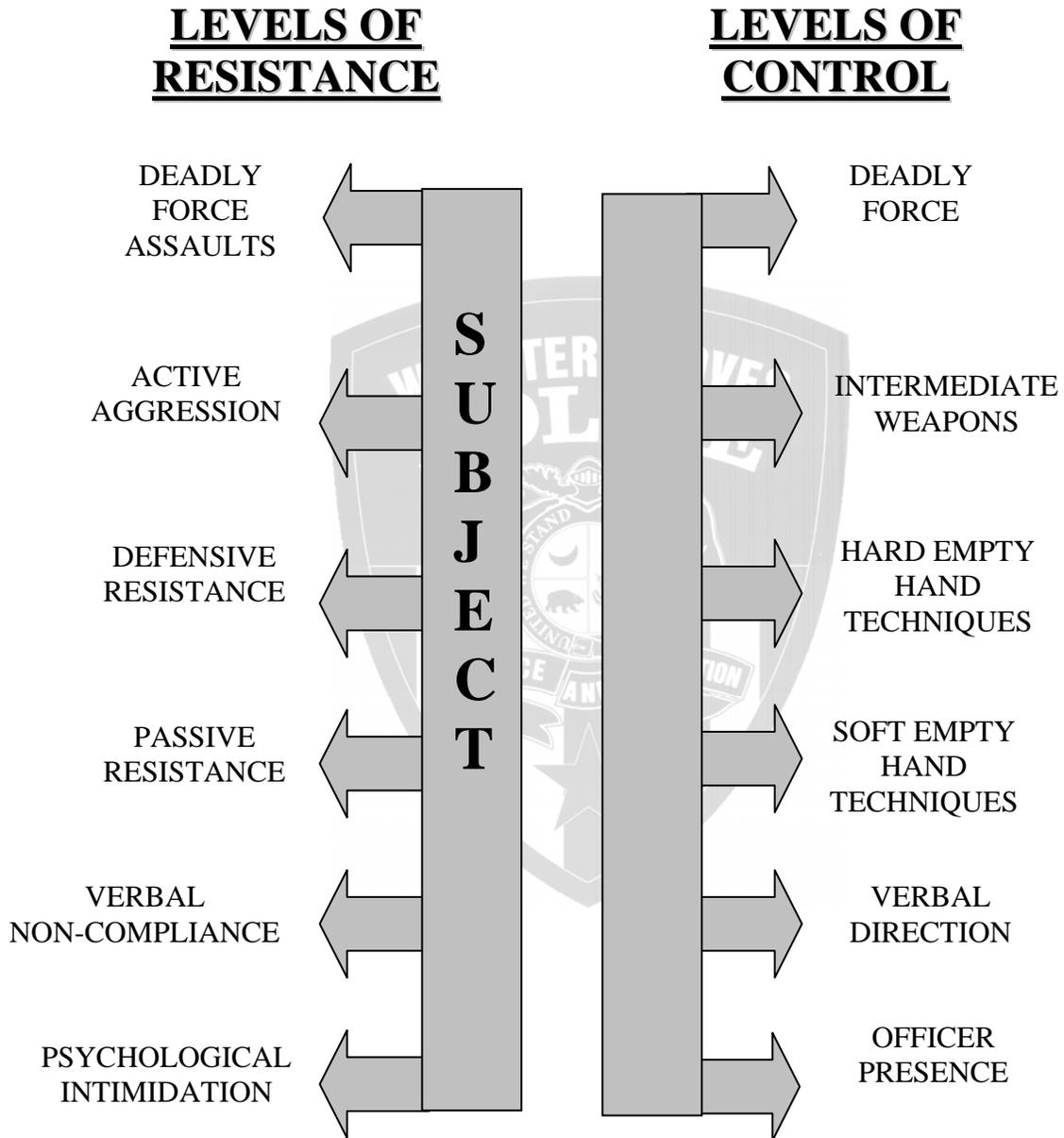
When the use of force is appropriate, members and employees shall, to the extent possible, utilize an escalating scale of options based upon the Use of Force Continuum (see diagram 1) and will not employ a more forceful measure unless it is determined that a lower level of force would not be adequate, or such a level of force is attempted and actually found to be inadequate. This Use of Force Continuum, in order of increasing severity, is set forth as follows:

1. Officer Presence
2. Verbal Direction
3. Soft Empty Hand Techniques (including joint locks and pressure point control)
4. Hard Empty Hand Techniques (Including strikes and take-downs)
5. Intermediate Weapons (ASP<sub>m</sub> collapsible baton, Pepper Spray and Taser)
6. Deadly Force

---

<sup>1</sup> CALEA 1.3.1

Diagram #1



**SUBJECT MAY ENTER THE CONTINUUM AT ANY LEVEL. OFFICER MAY ENTER AT ANY LEVEL THAT REPRESENTS A REASONABLE RESPONSE TO THE PERCEIVED THREAT POSED BY THE SUBJECT**

## II. REASONABLE FORCE

- A. Police Officers must frequently employ the use of force to effect arrests and ensure the public safety. The term “use of force” is generally associated with the discharge of a Police Officer’s firearm. However, “use of force” is construed to cover a wide range of techniques. These uses of force may range from Officer presence, verbal direction or coercion, empty hand control, intermediate weapons (impact, pepper spray, etc.) and lethal force.
- B. It is not intended that any suspect should ever be allowed to be the first to exercise force, thus gaining an advantage in a physical confrontation. Nothing in this Order should be interpreted to mean that an Officer is required to engage in prolonged hand-to-hand combat (with it’s inherent risks), before resorting to the use of force that will more quickly, humanely and safely bring an arrestee under physical control.
- C. In making an arrest, no more force shall be used than is reasonably necessary for safely taking custody of the arrestee, or for overcoming any resistance that may be offered, and for ensuring the delivery of the arrestee into safekeeping. When such resistance ceases, Police force should likewise stop. Unnecessary or excessive force is prohibited.
- D. Justification for the use of force is limited to what is reasonably known or perceived by the Officer at the time. Facts discovered after the event, which were unknown or unavailable at the time of the event, cannot be considered in later determining whether the force was justified no matter how compelling.

## III. MEDICAL AID IN USE OF FORCE SITUATIONS:

- A. After any application of force:
  1. if the Officer observes injury, or;
  2. if the suspect complains of injuries the Officer shall immediately obtain appropriate medical aid for the suspect.<sup>2</sup>

## IV. USE OF FORCE:

- A. Members of the Webster Groves Police Department may use force in the performance of their duties in the following circumstances:
  1. To prevent the commission of a public offense.
  2. To prevent a person from injuring themselves.
  3. To effect the lawful arrest of persons resisting arrest or attempting to flee from custody.

---

<sup>2</sup> CALEA 1.3.5

4. In self-defense or in the defense of another person.

**B.** Before using force the Officer should consider these issues:

1. The actions on the part of the suspect which may justify the use of force.
2. The crime being or which has been committed.
3. Whether or not the situation requires the immediate use of force.

**V. USE OF INTERMEDIATE WEAPONS:**

**A. Oleoresin Capsicum Solutions-Pepper Spray:<sup>3</sup>**

Pepper Spray (Oleoresin Capsicum) is issued for official use, to assist all Officers when force is necessary to control or subdue, belligerent or uncooperative persons for whom verbal controls are ineffective.

**B. Issuance and use of Pepper Spray:**

1. The Sabre Brand Aerosol Projectors will be issued to all commissioned personnel for use as an intermediate weapons category use of force. The use of Pepper Spray will be limited to those situations which coincide with Intermediate Weapons on the Use of Force Continuum.
2. The carrying of the canister will be mandatory for all Sergeants and Patrol Officers assigned to the Patrol Division and / or that perform some form of the uniformed patrol function as part of their job assignment. Members of the Criminal Investigation Unit and Staff Officers will not be required to wear their assigned Pepper Spray Projectors, but is recommended that every effort should be made to have them readily available if needed.
3. Only those products issued by the Webster Groves Police Department will be authorized for Department use, unless another product is authorized on a trial basis by the Chief of Police.
4. An Officer may use Pepper Spray under the following circumstances:
  - a. To effect a lawful arrest when other lesser means are ineffective, or:
  - b. To lawfully control a combative, uncooperative person when verbal commands and persuasion have been ineffective, or:

---

<sup>3</sup> CALEA 1.3.4

c. To control a dangerous animal

5. As Pepper Spray is a method of physical control and may be used to overcome resistance to an Officer's lawful authority, any arrest in which Pepper Spray is used will be classified as "Resisting Arrest".
6. Department issued Pepper Spray canisters shall only be carried / used while:
  - a. On duty, or:
  - b. while performing Department approved secondary employment.
7. Officers must first participate in manufacturer-approved training and deployment techniques prior to issuance.
8. Use of the Pepper Spray product is regarded as a use of force, and all proper administrative forms shall be submitted as detailed in the Department's "Reporting Use of Force" Policy.
9. Officers at the scene are responsible for ensuring that the appropriate medical care is provided to a subject when Pepper Spray is applied.

**C. Spray / Delivery Techniques:**

1. Pepper Spray should be used at a distance of no less than three (3) feet or farther than eight (8) feet. Three (3) feet is the desired distance of application.
2. Pepper Spray should be deployed directly toward the face, with the primary target being the eyes. Use two (2) one-second bursts with the canister being kept upright in order to ensure reliable function.
3. OC products require surprise, due to the need for accurate eye / face contamination. If the suspect closes their eyes, holds their breath or in any way shields himself from the spray, it will not be as effective as when deployed without warning.
4. EMS personnel should be called immediately for medical assistance, if an individual exposed to Pepper Spray exhibits breathing difficulties, blistering, or if the symptoms of the Pepper Spray exposure persists.

**D. Taser International's X26 Advanced Taser**

1. The Webster Groves Police Department deploys the X26 Taser devices by those personnel certified in its use by Department Taser Instructors

2. The use of Taser will be limited to those situations which coincide with Intermediate Weapons on the Use of Force Continuum.
3. The Taser should be considered in those situations where other less lethal applications (strikes, kicks, pepper spray or baton) are not appropriate due to circumstances of the event.
4. Only Department issued Taser devices are authorized for duty use.
5. For further information reference the X26 Taser, refer to Department General Order FOR 09-03 “ X26 Taser”.

**E. ASP™ Collapsible Baton:**<sup>4</sup>

1. The Department issued baton will be carried by uniformed Officers below the rank of Lieutenant at all times while on duty. Although Lieutenants and Captains are not required, they are encouraged to have a baton available while on duty.
2. The baton shall only be used in accordance with current Departmental training standards. The use of the baton shall be restricted to quelling physical confrontations where other verbal or physical force alternatives would be, or have been, ineffective or inappropriate.
  - a. The Department issued baton shall be the ASP (tm) collapsible baton.
  - b. Prior to being authorized to carry the baton, Officers will be required to successfully complete the manufacturer approved certification courses. Only certified instructors will be utilized to conduct certification and annual re-certification courses for the Department.
  - c. Only batons issued by this Department shall be authorized for use by its employees.
  - d. When carried, the baton will be secured in a manner consistent with established uniform standards.
  - e. Other types of striking devices (“slappers”, weighted gloves, num-chucks etc.) are strictly prohibited and shall not be carried while on duty or acting in an official capacity as a member of this Department.
  - f. The Chief of Police may authorize limited use of a baton device different than the current issued equipment for special purposes such as research and evaluation.

**VI. USE OF DEADLY FORCE:**

---

<sup>4</sup> CALEA 1.3.4

- A.** Webster Groves Police Officers are authorized to use deadly force in order to: <sup>5</sup>
1. Protect the Police Officer or others from what is reasonably believed to be an imminent threat of death or serious bodily harm, or;
  2. Prevent the escape of a fleeing felon whom the Officer has probable cause to believe will pose an imminent threat to human life should escape occur
- B.** Before using a firearm, Police Officers shall identify themselves and state their intentions, where feasible.
- C.** A Police Officer may also discharge a weapon under the following circumstances:
1. To give alarm or call assistance in an emergency when no other means can reasonably be used, and then only in a safe direction.
  2. For range practice, when authorized for training purposes, or at an organized match competition.
  3. To destroy an animal that represents a threat to public safety, or a seriously injured animal when other disposition is impractical and only after receiving authorization from a superior Officer, if time permits.
- D. Unauthorized Use**
1. Warning Shots Prohibited
    - a. Police Officers of the Webster Groves Police Department shall not fire into the air or ground as a warning to, or in an attempt to halt a fleeing criminal. <sup>6</sup>
    - b. Police Officers shall not fire upon, or fire as a warning to, a person who has been ordered to halt because of a mere suspicion, and who, without making any physical resistance simply flees to avoid arrest. <sup>7</sup>
  2. Police Officers shall not fire at or from a moving vehicle, except when;
    - a. The occupant of the other vehicle is using, or threatening to use, deadly force by means other than the vehicle, or
    - b. A vehicle is operated in a manner deliberately intended to strike an Officer or citizen; and all other reasonable means of defense have been exhausted, which include moving out of the path of the vehicle, and the safety of innocent persons would not be unduly jeopardized by the Officer's actions.
  3. No Department-issued firearm shall be used for any purpose not described in this General Order. (Example: shall not be used for hunting purposes).

---

<sup>5</sup> CALEA 1.3.2

<sup>6</sup> CALEA 1.3.3

<sup>7</sup> CALEA 1.3.3

4. Use of “choke holds”, or any other **respiratory** restraint technique is prohibited, and to be considered Deadly Force.

## VII. USE OF FORCE REPORTS

It is the policy of the Webster Groves Police Department to ensure that all sworn personnel are properly trained and equipped to utilize appropriate and reasonable levels of physical force, as determined by the particular circumstances, in order to protect public safety.

- A. As part of this process, the Department requires that a Use of Force Report be completed by any Officer who uses physical force to overcome a subject’s resistance and Part II Use of Force Report for use of force incidents which result in injury, alleged injury or death.
- B. The Use of Force Reports will be used to assist in identifying training and equipment needs. The reports will also provide for the immediate documentation of the force used so that should a complaint be filed, the pertinent facts would be readily available.
- C. After a use of force incident, the Officer’s initial actions will address the medical needs, if any, of the suspect involved. If, in an Officer’s opinion, a prisoner needs medical attention, or at the request of the prisoner, the Officer shall contact a Supervisor who shall either authorize the transportation of that prisoner or arrange for the transportation of the prisoner to a medical treatment facility. If the Officer is in doubt as to the necessity of medical treatment, the prisoner will be transported, by appropriate means, for medical evaluation of their condition. Nothing in this section shall preclude the immediate application of emergency life saving measures of summoning of emergency medical assistance, if required, prior to notification of a Supervisor.
- D. Off-duty Officers involved in the use of force situations are subject to the same reporting procedures as on-duty Officers. When an off-duty Officer is involved in a use of force situation, they shall notify an on-duty Supervisor immediately.
- E. For more information on completion of the Use of Force Report, refer to the Department’s Incident / Use of Force Report Manual.<sup>8</sup>

## VIII. PROCEDURE FOR USE OF FORCE REPORTING:<sup>9 10 11 12</sup>

- A. Officers are required to complete the Use of Force Report in the following circumstances:
  1. When an Officer applies physical control holds, compression, or pain compliance techniques to make an arrest;<sup>13</sup>
  2. When an Officer directly presents, or utilizes an intermediate weapon (OC Spray,

<sup>8</sup> CALEA 82.2.1 c

<sup>9</sup> CALEA 82.2.1 a

<sup>10</sup> CALEA 82.2.1 b

<sup>11</sup> CALEA 82.2.1 d

<sup>12</sup> CALEA 82.2.1 e

<sup>13</sup> CALEA 1.3.6 d

Baton) in order to effect control and gain compliance,<sup>14</sup>

3. When an Officer directly presents or utilizes their firearm (pistol, shotgun, rifle) in order to effect control and gain compliance.<sup>15</sup>
  4. When an Officer's actions result in, or is alleged to have resulted in, injury or death of another person.<sup>16</sup>
- B.** The Officer shall contact their immediate Supervisor and advise them of the circumstances surrounding the use of force incident and is responsible for the completion of the Use of Force Report, Part I. The Officer's Supervisor must be notified of all use of force incidents, and must thoroughly investigate and determine when a Use of Force report is required. The Supervisor is responsible for investigating the incident and for completing Part II - Suspect Record and Part III - Witness Record portions of the report. If the immediate Supervisor is unavailable, the report shall be submitted to the Division of Field Operations Commander.
- C.** The Supervisor will review the circumstances of the incident with the Officer involved and any witnesses present at the scene. They will note the general condition of the suspect by direct observation.
1. Under no circumstances will a Supervisor decline to speak with a suspect regarding a use of force incident.
- D.** The Officer will complete the Use of Force Report Form, Part I and return it to the Supervisor prior to ending their tour of duty.
- E.** The Supervisor shall review the report form and forward a copy to the following personnel:
1. Shift / Divisional Commander (copy)
  2. The Division of Field Operations Commander (to receive original report);
  3. The Chief of Police (copy)
- F.** The Field Supervisor will forward the original copy of the report to the Divisional Commander, indicating either their assessment or recommendation for further investigation. The Divisional Commander will review the report and the Shift Supervisor's assessment, and forward it with their own assessment to the Division of Field Operations Commander. In the case of a Detective's involvement, the Criminal Investigations Unit Supervisor will review the report and submit the document to the Division of Field Operations Commander through the chain of command.
- G.** The Division of Field Operations Commander will review the initial report and the recommendations of both the Shift Supervisor and the Divisional Commander. The

---

<sup>14</sup> CALEA 1.3.6 c

<sup>15</sup> CALEA 1.3.6 c

<sup>16</sup> CALEA 1.3.6 b

Division of Field Operations Commander will indicate concurrence or recommendation for further action on the Use of Force Report, Section IV and forward it to the Chief of Police.<sup>17</sup>

1. If further investigation is required, Division of Field Operations Commander shall initiate the investigation through the chain of command.

**H.** The Chief of Police will review the completed report and indicate final approval in the space provided on Use of Force Report, Part IV. The City Manager and City Attorney will be kept fully informed and consulted.

**I.** The Original report will then be forwarded to the Division of Field Operations Commander for filing.

**IX. PROCEDURES FOR USE OF FORCE RESULTING IN INJURY:**<sup>18 19 20</sup>

**A.** The Division of Field Operations Commander shall be notified as soon as possible, whenever injuries have been inflicted by a Department employee;

1. Notification shall be made to an immediate Supervisor by the employee involved.

2. The Supervisor is responsible for the notification of the Division of Field Operations Commander.

3. In the absence of the Division of Field Operations Commander, the Division of Investigation and Support Services Commander will be notified.

4. The Division Commander will be responsible for making notification to the Chief of Police.

**B.** With the consent of the injured party, the Field Supervisor shall have photographs taken of the injuries. Officers with visible injuries shall also be photographed.

**C.** After the Use of Force Report has been completed, the original shall be forwarded via the Officer's Chain of Command to the Division of Field Operations Commander.

**D.** After review and completion, the Division of Field Operations Commander will then forward the original Use of Force Report to the Chief of Police.

**E.** The Chief of Police will review the report and return the original copy to the Division of Field Operations Commander to be logged and filed.

**F.** If the force is such that the affected individual requires hospitalization, the Field Supervisor shall immediately notify the Chief of Police and the Division of Field Operations Commander regardless of the hour of the day.

<sup>17</sup> CALEA 1.3.7

<sup>18</sup> CALEA 82.2.1 b

<sup>19</sup> CALEA 82.2.1 d

<sup>20</sup> CALEA 82.2.1 e

- G.** If an Officer encounters a degree of resistance sufficient to justify a charge of resisting arrest or assault, these charges will be made immediately.
- H.** It shall be the responsibility of Division of Field Operations Commander to purge all Use of Force Reports after a period of three years.

**X. FIREARMS DISCHARGED - INVESTIGATIVE PROCESS:**<sup>21 22 23 24</sup>

The following procedure will be used to investigate every incident of firearms discharged by a Department member except for target practice, ballistics examination, or other Department training.<sup>25</sup>

**A. Involved Officer**

1. Whenever a member discharges a firearm either accidentally, unintentionally or officially, they shall immediately:
  - a. Determine the physical condition of any injured person and render first aid when appropriate.
  - b. Request necessary medical aid.
  - c. Notify the Dispatcher of the incident and location.
2. The Officer shall remain at the scene, unless they are injured, until the arrival of the appropriate investigators. However, if the circumstances are such that the continued presence of the Officer at the scene may cause a more hazardous situation to develop, (violent crowd), the Commanding Officer at the scene shall have discretion to instruct the Officer to respond to another more appropriate location
3. The Officer will protect their weapon for examination and submit said weapon to the appropriate investigator.
4. The Officer shall, utilizing the Use of Force Report, prepare a detailed report in accordance with Sections VIII & IX of this General Order.
5. The Officer should not discuss the incident with anyone except:
  - a. Supervisory and Critical Incident Review Board personnel.
  - b. The Officer's legal counsel
  - c. Department's psychologist

---

<sup>21</sup> CALEA 82.2.1 a

<sup>22</sup> CALEA 82.2.1 b

<sup>23</sup> CALEA 82.2.1 d

<sup>24</sup> CALEA 82.2.1 e

<sup>25</sup> CALEA 1.3.6 a

d. Chief of Police

6. The Officer shall be available at all times for Critical Incident Review Board and other administrative interviews and statements regarding the incident and shall remain subject to recall to duty at any time.

**B. Communications Shall**

1. Dispatch medical aid.
2. Notify the on-duty Supervisor.

**C. On-duty Supervisor Shall:**

1. Proceed immediately to the scene.
2. Where injury resulted, shall insure the following are notified (not in order):
  - a. Divisional Commander.
  - b. Division of Field Operations Commander
  - c. Chief of Police
  - d. Criminal Investigations Unit Supervisor
3. Secure the scene.
4. Conduct a preliminary field investigation.
5. Render command assistance to the assigned investigator(s).
6. Assist the involved Officer(s).
7. Arrange for the Officer(s) involved to be transported to a Department approved facility for drug testing.
8. Submit a detailed written report of the results of the investigation to:
  - a. The Chief of Police.
  - b. The assigned investigator(s).
  - c. The Critical Incident Review Board.

**D. Criminal Investigations Unit**

The Criminal Investigations Unit will conduct a thorough investigation of every shooting by a Police Officer which results in injury or death. The investigation shall include the following minimum procedural standards:

1. Proceed to the scene immediately.
2. Assume control of the scene.
3. Where injury resulted, consult with the St Louis County Prosecutors Office.
4. Examine the weapon(s) of all Officers present at the time shots were fired, including secondary weapons and weapons in Police vehicles.
5. Secure weapons which may have been fired.
6. Secure samples of unspent ammunition.
7. Separate, secure and interview all on-scene witnesses.
8. Photograph the scene.
9. Secure all physical evidence. Have proper medical authorities secure projectiles from victim's body.
10. Secure communications tape.
11. Obtain hospital, autopsy, lab and photographic reports.
12. Before interviewing or requesting written statements of involved Officer(s), the investigator shall advise the Officer(s) of their rights (Miranda Warnings) in a criminal investigation. The Miranda Warning form will be retained as part of the original report.
13. The Criminal Investigative Unit shall prepare a detailed report of the investigation and submit same to:
  - a. The Chief of Police.
  - b. The County Prosecuting Attorney.
  - c. The Critical Incident Review Board.

#### **E. Critical Incident Review Board**

1. The Critical Incident Review Board shall convene and review the circumstances attendant to each discharge of a firearm by a Department member. Firearms training or ballistic testing are exempt.
2. The Board shall consist of:

- a. Division of Field Operations Commander.
  - b. Criminal Investigations Unit Supervisor.
  - c. A Divisional Commander chosen by the Chief of Police
  - d. A Sergeant chosen by the Division of Field Operations Commander.
  - d. One (1) Officer of the same rank as the Officer(s) that discharged the weapon, selected by said Officer(s).
3. The Critical Incident Review Board will evaluate, in explicit and fact-finding fashion, each aspect of an Officer involved in a shooting. Such evaluation will include:
    - a. A thorough review of the criminal investigation report.
    - b. A thorough review of the internal affairs report.
    - c. Hearing of direct testimony, if necessary, from Officers and witnesses.
  4. The Critical Incident Review Board will develop findings and make recommendations to the Chief of Police in the following areas:
    - a. Whether the shooting was within policy, out of policy, or accidental.
    - b. Tactical considerations.
    - c. Training considerations.
    - d. Quality of supervision.
    - e. Corrective action.
    - f. The post-shooting investigative process and quality.

## **XI. ADMINISTRATIVE REMOVAL FROM LINE DUTY:**<sup>26</sup>

- A.** Any employee who's direct action(s) or use of any force results in death or life-threatening injury shall be placed on administrative leave. This leave shall be without the loss of pay or benefits, pending the results of the investigation. The assignment to administrative leave shall not be interpreted to imply that the employee has acted improperly.<sup>27</sup>
- B.** While on administrative assignment, the employee will be available at all times for official Departmental interviews and statements regarding the use of deadly force incident and shall be subject to recall to regular duty at any time. The employee shall not discuss the incident with anyone except the County Prosecuting Attorney, Department personnel

<sup>26</sup> CALEA 52.2.7

<sup>27</sup> CALEA 1.3.8

assigned to the investigation, the employee's legal counsel, the employee's psychologist, the employee's chosen clergy, the employee's immediate family, and the Chief of Police.

- C. Upon completion of the investigation, the Chief of Police may:
1. Return the employee to active duty status.
  2. Return the employee to administrative duty. The employee may be assigned to administrative duty for a period of time as deemed appropriate by the Chief of Police.
  3. Suspend the employee without pay if discharge of the weapon was negligent or criminal.
  4. Suspend the employee pending further investigation of the matter, when the facts available clearly indicate that the employee may be guilty of misconduct, negligence, or recklessness in the use of or discharge of a firearm, as appropriate.

## **XII. PSYCHOLOGICAL SERVICES FOR THE OFFICER:**

- A. In all cases where any person has been injured or killed as the result of the use of deadly force by a Police Officer, the involved Officer(s) will be required to undergo an emotional de-briefing with a Department furnished psychologist within five working days of the incident. The purpose of this de-briefing will be to allow the Officer(s) to express their feelings and to deal with the moral, ethical and / or psychological after-effects of the incident.
- B. The Officer will be afforded the opportunity to continue psychological services. These subsequent visits will be the Officer's choosing and shall continue as determined by the psychologist and Officer.

## **XIII. CIVIL RIGHTS INVESTIGATION:**

- A. The Department will acknowledge the rights of the Federal Government to conduct an independent investigation to identify any civil rights violations which may have occurred.
- B. The Department will not request any of its members who may be the subject of an investigation to confer with Federal Investigators without the advice of counsel.

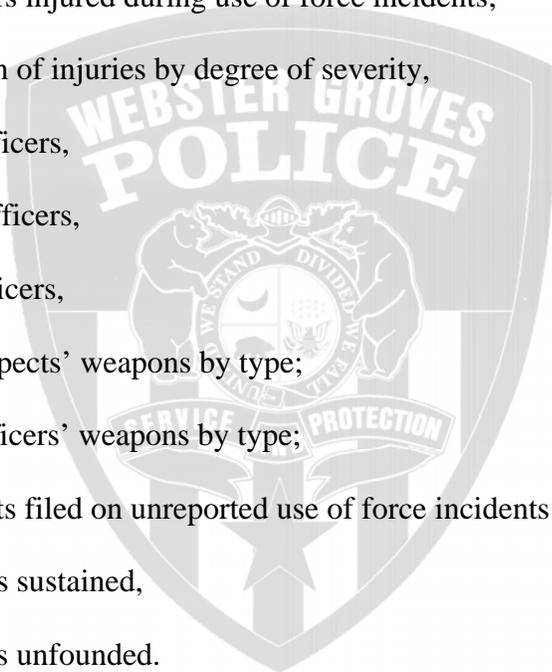
## **XIV. USE OF FORCE REPORT ANNUAL SUMMARY:<sup>28</sup>**

The Division of Field Operations Commander will be responsible for issuing a summary report on the use of force by Department personnel. The report will summarize data relating to Officers, suspects weapons and injuries. It will also include any recommendations for procedure, training, or policy changes. The report will be issued annually and contain the following information:

---

<sup>28</sup> CALEA 1.3.13

- A. Total Use of Force Reports Filed;
- B. Number of suspects injured during use of force incidents;
  - 1. Breakdown of injuries by degree of severity,
  - 2. Age of suspects,
  - 3. Race of suspects,
  - 4. Sex of suspects,
- C. Number of Officers injured during use of force incidents;
  - 1. Breakdown of injuries by degree of severity,
  - 2. Age of Officers,
  - 3. Race of Officers,
  - 4. Sex of Officers,
- D. Breakdown of suspects' weapons by type;
- E. Breakdown of Officers' weapons by type;
- F. Civilian complaints filed on unreported use of force incidents;
  - 1. Complaints sustained,
  - 2. Complaints unfounded.



**This Order supersedes all previous written and unwritten policies of the WEBSTER GROVES POLICE DEPARTMENT on the above subject.**

**By Order Of,**

A handwritten signature in black ink, appearing to be 'Dale Curtis', is written over a horizontal line.

**Dale Curtis  
Chief of Police**

**A**

**Administrative Removal From Line Duty ..... 15**  
 administrative leave ..... 15  
 chief's findings ..... 15  
 officer availability ..... 15

**C**

**CALEA**

1.3.1 ..... 2  
 1.3.11 d ..... 9  
 1.3.13 ..... 16  
 1.3.2 ..... 7  
 1.3.3 ..... 8  
 1.3.4 ..... 5, 7  
 1.3.5 ..... 4  
 1.3.6 a ..... 12  
 1.3.6 b ..... 10  
 1.3.6 c ..... 10  
 1.3.6 d ..... 9  
 1.3.7 ..... 11  
 1.3.8 ..... 15  
 52.2.7 ..... 15  
 82.2.1 a ..... 9, 12  
 82.2.1 b ..... 9, 11, 12  
 82.2.1 c ..... 9  
 82.2.1 d ..... 9, 11, 12  
 82.2.1 e ..... 9, 11, 12

**Civil Rights Investigation ..... 16**  
 federal government's right of investigation ..... 16  
 right to council ..... 16

**F**

**Firearms Discharged Inestigative Process ..... 12**  
 CIU ..... 13  
 communications ..... 13  
 critical incident review board ..... 14  
 involved officer ..... 12  
 on duty supervisor ..... 13

**L**

**Levels of Force**  
 use of force contium ..... 2  
**Levels Of Force ..... 2**

**M**

**Medical Aid In Use Of Force Situations ..... 4**  
 applied when ..... 4

**P**

**Procedure for Use of Force Reporting ..... 9**  
 chief review ..... 11  
 DFO review ..... 10  
 filing of report ..... 11  
 supervisor review of incident ..... 10  
 supervisor to be contacted when... ..... 10  
 time requirements ..... 10  
 when required ..... 9

**Procedures For Use Of Force Resulting In Injury ..... 11**

DFO review ..... 11  
 photographs to be taken ..... 11  
 purging of files ..... 12  
 resisiting arrest charge ..... 11  
 Storage of file ..... 11  
 supervisor to be notified ..... 11  
 when hospitalization is required ..... 11  
**Psychological Services For The Officer ..... 16**  
 continued services ..... 16  
 required when... ..... 16

**R**

**Reasonable Force ..... 4**

**U**

**Use of Deadly Force ..... 7**  
 authorized situations ..... 7  
 authorized weapons discharge ..... 8  
 unauthorized use ..... 8

**Use Of Force ..... 4**

appropriate circumstances ..... 4  
 considerations ..... 5

**Use of Force Report ..... 9**

addressing medical needs ..... 9  
 off duty officers ..... 9  
 part 1 and part 2 required when... ..... 9  
 training purposes ..... 9

**Use of Force Report Annual Summary ..... 16**

civilian complaints filed ..... 17  
 number of officers injured ..... 17  
 number of reports filed ..... 16  
 number of suspects injured ..... 16  
 types of officer's weapons ..... 17  
 types of suspect weapons ..... 17

**Use of Intermediate Weapons ..... 5**

ASP baton ..... 7  
 delivery techniques ..... 6  
 issuance of pepper spray ..... 5  
 pepper spray ..... 5