

### **3-6-8 Response to Resistance/Aggression (RRA)/Use of Firearms Reporting Procedures**

#### **PURPOSE:**

The purpose of this general order is to delineate response to resistance and/or aggression and use of firearms reporting procedures for personnel of the Bowling Green Police Division.

#### **PROCEDURES:**

- I. Personnel are required to report any deliberate or accidental discharge of firearms and use of deadly force.
  - A. The employee will report the incident orally to the immediate supervisor as soon as practical after the incident in which the weapon was used.
  - B. A written report will be submitted by the employee involved prior to the end of the shift during which the incident occurred.
  - C. If the employee involved is injured or unable to make the report, the employee's supervisor will submit a written report prior to the end of the shift.
  - D. The report to be submitted to the chief will be the Response to Resistance/Aggression Report (RRA). If an internal affairs investigation is ongoing, this report will be maintained as part of the internal affairs file, until the investigation is completed. The policy does not apply to rounds fired at the range during regular practice unless an injury results from such discharge, or to the discharge of a weapon to destroy a sick or injured animal.
  - E. See Section VI of this order for reporting procedures.
  
- II. Canine Use of Force Investigations
  - A. A canine use of force investigation will be conducted whenever a Division canine bites or in any manner causes injury to a suspect or any other person.
  - B. The subject will be transported to the nearest hospital for necessary first aid or medical attention. If the subject refuses treatment, a copy of the treatment refusal form will be obtained from the Fire Division or involved hospital.
    1. The canine handler will notify the shift supervisor immediately of any use of force or accidental bite situation and forward reports to the operations bureau commander.
    2. The shift supervisor will notify the operations bureau commander of any canine use of force or accidental bite injury, as soon as practical.
    3. The operations bureau commander will initiate an investigation unless otherwise directed. If the operations bureau commander is

unavailable the investigation will be assigned to another command officer or investigator by the deputy chief of police

4. The completed investigation will be forwarded to the chief of police through the chain of command for review.
5. The canine handler will file a RRA report as soon as practical.
6. The canine handler and shift supervisor shall view the affected area (using good judgment if the person is of the opposite sex). Photos will be taken of the affected area whether or not there are visible signs of injury.
7. All injuries sustained by a subject shall be examined and attended to by a physician at a medical facility prior to transporting the injured person to the Police Division or the Wood County Justice Center.

- III. A complete investigation will be conducted into any accidental or deliberate discharge of a firearm or use of deadly force by an employee in the line of duty. Exceptions to this policy include practice and range activities (unless injury results), and the euthanizing by use of a firearm of animals. In all other instances, investigation will consist of the following:
  - A. On scene investigation by the employee's immediate supervisor - the shift supervisor or senior officer shall secure the scene, ascertain the facts and circumstances surrounding the incident, and contact the operations bureau commander. The operations bureau commander will then make notification to the chief and deputy chief. If the operations bureau commander cannot be reached, then the deputy chief will be called directly.
  - B. The supervisor or senior officer at the scene shall take possession of the weapon(s) used in the incident and all ammunition, when it becomes practical. The items should be handled as evidence and marked accordingly. Arrangements should be made to issue the employee another weapon.
  - C. In the event that the investigation concludes that the application of force was a result of negligence, the employee will be required to complete remedial and/or recertification training.
- IV. The detective sergeant will immediately be called to the scene of all employee involved shootings and use of deadly force, except range training, or animal euthanization. He will be called to initiate and coordinate any investigation(s) needed, and to assign investigators as required. In the event the detective sergeant is not available the operations bureau commander will initiate and coordinate any investigation(s) needed.
  - A. The investigations section will conduct a criminal investigation into all circumstances surrounding the shooting incident.
  - B. Concurrent with the criminal investigation, but conducted separately, an internal affairs investigation will be completed as directed by the chief of police. The purpose of the internal affairs investigation is to determine if

the conduct of the employee(s) involved in the incident conformed to the rules and regulations of the Division concerning the use of force. This investigation will not inhibit any criminal investigation that is underway.

- V. The patrol section and the investigations section will continue to discharge their responsibilities as they relate to any criminal investigation at hand.
  - A. They will secure the scene, collect evidence, conduct interviews with witnesses, and generally fulfill their obligations as they would in any shooting.
  - B. The investigations section will be responsible to pursue prosecutions of suspect(s) involved in the incident.
  - C. Copies of all investigative reports, sketches, photographs, etc., from the investigations section will be forwarded up the chain of command as soon as possible.
  - D. All officers and division personnel involved in the investigation of an officer involved shooting will cooperate fully and completely with the investigations section in the investigation.
  
- VI. Completion of criminal investigation - After the criminal portion of the investigation is completed by the investigations section, the chief of police will confer with the law director, the City administrator, and the County prosecutor. If appropriate, the findings of the investigation will be submitted to the Wood County Grand Jury.
  
- VII. Response to Resistance Aggression (RRA) Reporting Procedures
  - A. RRA Reports will be completed in all instances of injury, observation of injury, complaint of excessive use of force, and uses of force at levels above the level of balance displacement (BLUE level of the RRA continuum).
    - 1. Injuries will be photographed, if possible
    - 2. Employees will make arrangements to ensure that available audio and video recordings, including logger-recorder and in car camera recordings, are saved, if applicable.
    - 3. Employees will advise supervisory personnel immediately upon notice of a complaint.
  - B. Reporting process and format
    - 1. The report will be completed as soon as practical following the incident on a form prescribed by the chief of police and prior to the end of the employee's tour of duty.
    - 2. The narrative of the report will document, in chronological order, the following elements:
      - a. Employee's arrival
        - i. Approach to the scene (observed, unobserved, etc.)
        - ii. Observations upon arrival.

- iii. Initial contact with subject(s) (conversations or commands) (note: attempt to use direct, complete quotes)
  - b. Subject Action
    - i. Verbal
    - ii. Non-verbal
    - iii. Physical actions (aggression, resistance or other)
  - c. Employee's Response
    - i. Control methods used (note: proper terminology is important)
    - ii. De-escalation methods used
    - iii. Duration of resistance
    - iv. Hand-cuffing method used (e.g. double locking behind the back)
- C. Steps in Processing the Report
  - 1. The reporting employee's will sign and date the completed RRA report and forward it to his/her supervisor to be reviewed.
  - 2. The supervisor, as soon as practical after receiving a RRA report, will review it in detail for Compliance with Divisional RRA Directives. Supervisors shall take any necessary corrective Measures or recommend corrective measures to the chief of police when non-compliance with the Division's RRA directives is noted. The supervisor must document his/her corrective actions.
  - 3. The supervisor reviewing the RRA Report will, upon completion, sign and forward it to the appropriate bureau commander with an attached notation of corrective measures taken or recommended.
  - 4. The bureau commander will review the RRA report and attachments, take necessary corrective actions, and will forward it to the chief of police with any recommendations.
  - 5. Completed RRA reports will be filed in the Police Administration.
- D. The staff will conduct an annual analysis of RRA reports to insure that there is not a trend indicating a need for training or policy modification.

**REVIEW PROCESS:**

- I. This directive shall be reviewed on an annual basis by the chief of police or his/her designee.

**CANCELLATION:**

- I. This general order shall remain in force until revoked or revised by competent authority.

*(CALEA 1.3.6, 1.3.13) (Rev. 3/26/1999, 2/23/06, 1/30/07, 12/24/12, 5/13/15, 7/5/17)*