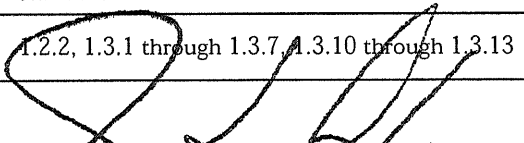


GENERAL ORDER

Las Vegas Metropolitan Police Department

Partners with the Community

TO :	ALL PERSONNEL	June 21, 2012	Directive No. GO-021-12
SUBJECT :	USE OF FORCE	Effective Date June 22, 2012	
Additional Information :	<p>This is an extensive revision which includes new definitions for the types of resistance employed by subjects. It gives clearer direction regarding ECD deployment and includes a new Use of Force Model.</p> <p>The changes to this policy are a result of recent findings of the Ninth Circuit Court, input from various bureaus on the department, as well as an in depth review of industry standards.</p>		
Accreditation Standards :	1.2.2, 1.3.1 through 1.3.7, 1.3.10 through 1.3.13	Dept. Manual Reference:	6/002.00
Approval Signature :	 Douglas C. Gillespie, Sheriff Jim Dixon, Undersheriff		

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- I. **POLICY**

The Las Vegas Metropolitan Police Department is committed to protecting people, their property and rights, while providing the best in public safety and service. The proper use of force is essential for policing. There are circumstances where individuals will not comply with the law unless compelled or controlled by the use of force. Yet, officers must also remain mindful that they derive their authority from the community and that unreasonable force degrades the legitimacy of that authority. In a Use of Force Incident, the governmental interest must match the level of force and intrusion upon an individual's constitutional rights.

It is the policy of this department that officers hold the highest regard for the dignity and liberty of all persons, and place minimal reliance upon the use of force. The department respects the value of every human life and that the application of deadly force is a measure to be employed in the most extreme circumstances.

II. DEFINITIONS

- A. **Approved Weapons** – Approved weapons are those weapons meeting department specifications for which officers receive proficiency and safety training. Prior to the use of any approved weapon option, the officer, when practical, will communicate to other officers and the subject that the use of the option is imminent, and clearly and audibly announce the same to all personnel in the immediate area unless exigent circumstances prevent this from occurring.
- B. **Blocking** - Blocking is the positioning of a police vehicle in the path of a suspect vehicle where contact between the vehicles is not anticipated or is anticipated to be minimal. The intent of blocking is to prevent an avenue of escape by the safe placement of a police vehicle.

- C. **Cuffing Under Power** - Cuffing under Power is a tactic where a secondary officer handcuffs a subject while the ECD (being deployed by the primary officer) is cycling and the subject is in Neuro-Muscular Incapacitation (NMI).
- D. **Deadly Force** - Deadly force is that degree of force, which is likely to produce death or serious bodily injury. Deadly force can also result from a force option being improperly applied. Deadly force is not limited to the use of firearms.
- E. **Electronic Control Device (ECD)** - The ECD is a Neuro-Muscular Incapacitation device that stimulates the motor neurons to contract disrupting communication from the brain to the muscles thereby causing temporary motor skill dysfunction.
 - 1. Spark Display - A non-contact demonstration of the ECD's ability to discharge electricity.
 - 2. Touch Stun - A secondary function of the ECD intended to administer pain to a subject by making direct contact with the body after the air cartridge has been expended or removed. Note: Use of the ECD in this mode is discouraged.
 - 3. Probe Mode - The primary function of the ECD, and when the ECD is fired and both probes make contact with a subject. The intent is that the subject be temporarily immobilized for the period of time the ECD is cycled.
- F. **Force Transitions** - The movement, escalation/de-escalation, from the application of one force type to another in conjunction with the "objectively reasonable" standard from Graham v. Connor, 490 U.S. 386 (1989). The officer must consider all the factors prior to using force and choose a reasonable option based on the "totality of the circumstances" present.
The LVMPD Use of Force Policy applies to all commissioned officers, but the legal standard specific to incidents involving use of force within a detention facility are set forth in Hudson v. McMillian, 503 U.S. 1(1992).
- G. **Imminent Threat** - "Imminent threat" refers to an impending violent act or resistance that an officer reasonably believes will occur, based on the totality of the circumstances.
- H. **Intermediate Force** - The level of force necessary to compel compliance by a subject displaying Aggressive Resistance, which is neither likely nor intended to cause death.
- I. **Involved Officer** - A commissioned officer or supervisor, who participated in, directed or influenced the application of the use of force.
- J. **Lateral Vascular Neck Restraint (LVNR®)** - LVNR® is a specific method of applying pressure to the side of a subject's neck to overcome resistance and allow safe control. This technique is used only in accordance with official departmental training and policy.
- K. **Levels of Control** - Levels of Control are broad categories of influence and or force in identifiable, escalating stages of intensity. They are identified as low level force, intermediate force, and deadly force.
- L. **Low Level Force** - Low level force is the level of force that is necessary to interact with a subject that is compliant or displaying Passive or Active Resistance.
- M. **Non-Deadly Force** - Non-deadly force is the level of force required to compel compliance, which is not intended to, and is not known to create a substantial risk of causing death or serious bodily harm.
- N. **Officer-Involved Shooting** - An officer-involved shooting is an officer's discharge of a firearm at a person, with or without physical injury or the death of the person.
- O. **Officer Witness Monitor** - An Officer Witness Monitor is a designated officer who is not involved in the use of deadly force. The responsibilities of the Officer Witness Monitor are to observe and prevent discussions regarding the incident among involved officer(s) and witness(s).
- P. **Other Firearm Discharge** - An "other firearm discharge" is an unintentional discharge of a firearm that does not cause injury or death to a person or the intentional shooting at, injuring, or killing animals.
- Q. **Precision Intervention Technique (PIT)** - The PIT is a specific manner of intentional contact using a police vehicle against a fleeing vehicle to cause the fleeing vehicle to come to a stop; this technique is used only in accordance with official department training and policy.
- R. **Public Safety Statement** - A public safety statement is a series of questions to obtain information and to determine an immediate threat to public safety. It is not an interview. This statement will be obtained by one of the first-responding supervisors and will contain the following questions:
 - 1. Is anyone injured? If so, where are they located?
 - 2. Are there any outstanding suspects? If so, what are their descriptions, direction and mode of travel? How long have they been gone? What crime(s) are they wanted for? What weapons are they armed with?
 - 3. Were you involved in an officer-involved shooting?
 - 4. Approximately where were you when you fired the rounds?
 - 5. Approximately how many rounds did you fire and in what direction did you fire them?
 - 6. Do you know if any other officers fired any rounds?
 - 7. Did the suspect fire rounds at you? If so, from what direction were the rounds fired?

8. Are there any weapons or evidence that needs to be secured and/or protected? Where are they located?
 9. Are you aware of any witnesses? If so, what is their location?
- S. **Ramming** - The use of a vehicle to intentionally hit another vehicle, outside the approved PIT, blocking and stationary vehicle immobilization policies. Ramming is prohibited unless it is a deadly force situation which can be clearly articulated.
- T. **Reasonable Force** - Reasonable force is an objective standard of force viewed from the perspective of a reasonable officer, without the benefit of 20/20 hindsight, and based on the totality of the circumstances presented at the time of the incident. See section IV, "Determining Objectively Reasonable Force."
- U. **Reportable Force** - Reportable force is any use of force which is required to overcome subject resistance to gain compliance that results in death, injury or complaint of injury, complaint of continuing pain, or any use of force greater than low level force (see Levels of Control) and any application of the LVNR@.
- V. **Serious Bodily Injury** - A bodily injury that creates a substantial risk of death; causes serious, permanent disfigurement; or results in a prolonged loss or impairment of the functioning of any bodily member or organ.
- W. **Significant Force** - Any force which results in treatment at a medical facility due to injuries or alleged injuries caused by any officer. Examples include, but are not limited to: skeletal fractures; injury or complaint of injury to a person's head or sternum area. All Significant Force is Reportable Force.
- X. **Stationary Vehicle Immobilization Technique (Pinching)** - Is a containment tactic whose use is restricted for specialized units. It employs extremely low-speed, intentional vehicle contact with a suspect vehicle. The purpose is to render a vehicle immobile by blocking it in place with police vehicles, so that suspects can be taken into custody.
- Y. **Witness Officer** - A commissioned officer or supervisor who did not participate in or directly influence the application of the use of force.

III. **USE OF FORCE TO AFFECT A DETENTION, AN ARREST OR TO CONDUCT A SEARCH**

- A. Officers may use reasonable force:
1. To protect themselves;
 2. To protect others;
 3. To affect a lawful detention;
 4. To affect a lawful arrest;
 5. To conduct a lawful search.
- B. If it is not already known by the subject to be detained, arrested, or searched, officers should, if reasonable, make clear their intent to detain, arrest or search the subject. When practicable, officers will identify themselves as a peace officer before using force.

IV. **DETERMINING OBJECTIVELY REASONABLE FORCE**

Under the Fourth Amendment of the United States Constitution a police officer may only use such force as is "objectively reasonable" under all of the circumstances. The standard that courts will use to examine whether a use of force is constitutional was first set forth in Graham v. Connor, 490 U.S. 386 (1989) and expanded by subsequent court cases. The reasonableness of a particular use of force must be judged from the perspective of a reasonable officer on the scene, rather than with 20/20 vision of hindsight. The reasonableness must account for the fact that officers are often forced to make split-second judgments - in circumstances that are tense, uncertain, and rapidly evolving.

The reasonableness inquiry in reviewing use of force is an objective one: the question is whether the officer's actions are objectively reasonable in light of the facts and circumstances confronting them. The officer's perception may be a consideration, but other objective factors will determine the reasonableness of force. These factors may include but are not limited to:

1. The severity of the crime(s) at issue;
2. Whether the subject poses an immediate threat to the safety of the officer(s) or others;
3. Whether the subject is actively resisting arrest or attempting to evade arrest by flight;
4. The influence of drugs/alcohol or the mental capacity of the subject;
5. The time available to an officer to make a decision;
6. The availability of officers/resources to de-escalate the situation;
7. The proximity or access of weapons to the subject;
8. The environmental factors and/or other exigent circumstances.

The officer will use a level of force that is necessary and within the range of "objectively reasonable" options. When use of force is needed, officers will assess each incident to determine, based on policy, training and experience, which use of force option will de-escalate the situation and bring it under control in a safe and prudent manner.

Reasonable and sound judgment will dictate the force option to be employed. Therefore, the department examines all uses of force from an objective standard rather than a subjective standard.

The LVMPD Use of Force Policy applies to all commissioned officers, but the legal standard specific to incidents involving use of force within a detention facility are set forth in Hudson v. McMillian, 503 U.S. 1(1992).

LVMPD allows certain classifications of civilian employees to carry a firearm and OC spray while on duty. Civilian employees have no power of arrest and therefore may only use force consist with Nevada law on self defense or defense of others.

V. ***DUTY TO INTERVENE***

Any officer present and observing another officer using force that is clearly beyond that which is objectively reasonable under the circumstances shall, when in a position to do so, safely intercede to prevent the use of such excessive force. Officers shall promptly report these observations to a supervisor.

VI. ***LEVELS OF RESISTANCE (see Use of Force Model)***

It is important for officers to bear in mind that there are many reasons a suspect may be resisting arrest or may be unresponsive. The person in question may not be capable of understanding the gravity of the situation. Officers must consider several factors when dealing with a non-compliant subject. A subject may be non-compliant due to a medical condition, mental, physical, or hearing impairment, language barrier, drug interaction or emotional crisis, and have no criminal intent. This may not make the subject any less dangerous but it may require a change in tactics that will be more effective while maintaining officer safety.

- A. ***Compliant*** - A person contacted by an officer who acknowledges direction or lawful orders given and offers no passive/active, aggressive, or aggravated aggressive resistance.
- B. ***Passive Resistance*** - The subject is not complying with an officer's commands and is uncooperative, but is taking only minimal physical action to prevent an officer from placing the subject in custody and taking control. Examples include: standing stationary and not moving upon lawful direction, falling limply and refusing to use their own power to move (becoming "dead weight"), holding onto a fixed object, or locking arms to another during a protest or demonstration.
- C. ***Active Resistance*** - The subject's verbal or physical actions are intended to prevent an officer from placing the subject in custody and taking control, but are not directed at harming the officer. Examples include: walking or running away, breaking the officer's grip.
- D. ***Aggressive Resistance*** - The subject displays the intent to harm the officer, themselves or another person and prevent an officer from placing the subject in custody and taking control. The aggression may manifest itself through a subject taking a fighting stance, punching, kicking, striking, attacks with weapons or other actions which present an imminent threat of physical harm to the officer or another.
- E. ***Aggravated Aggressive Resistance*** - The subject's actions are likely to result in death or serious bodily harm to the officer, themselves or another. These actions may include a firearm, use of blunt or bladed weapon, and extreme physical force.

VII. ***LEVELS OF CONTROL (see Use of Force Model)***

When use of force is needed, officers will assess each incident to determine, based on policy, training and experience, which use of force option is believed to be appropriate for the situation and bring it under control in a safe and prudent manner. Officers must use the amount of force that is objectively reasonable to overcome resistance in order to take lawful police action. The level of control must be proportionate to the circumstances and the level of resistance encountered by the officers.

- A. ***Low Level Force*** - The level of control necessary to interact with a subject that is compliant or displaying Passive or Active Resistance. This level of force is not intended to and has a low-probability of causing injury. Examples are handcuffing a compliant arrestee for transport to detention facility or proning a suspect out on a high-risk vehicle stop.

This level of force includes:

- 1. Officer Presence
- 2. Verbal Communication
- 3. Empty Hand Tactics (Takedowns)
- 4. Handcuffs/Other LVMPD Approved Restraint Devices
- 5. Baton (As escort tool)
- 6. LVNR® (Level One – minimum restraint)
- 7. K-9 – (No bites)
- 8. Pinching

9. Blocking

- B. **Intermediate Force** - The level of force necessary to compel compliance by a subject displaying Aggressive Resistance, which is neither likely nor intended to cause death.

This level of force requires a Use of Force Report and includes:

1. Empty Hand Tactics (Takedown with injury, Strikes, Kicks)
2. Baton/Impact Weapons (Jabs, Strikes)
3. LVNR® (Level 2 – medium restraint; and 3-maximum restraint)
4. OC Spray
5. ECD
6. Low Lethality Shotgun (five yards or greater)
7. K-9 (with bites)
8. P.I.T. (Speeds 40mph or below)

- C. **Deadly Force** - Deadly force is that degree of force, which is likely to produce death or serious bodily injury. Deadly force can also result from a force option being improperly applied. Deadly force is not limited to the use of firearms.

1. Baton (Striking head, neck, sternum, spine, groin, or kidneys)
2. Low Lethality Shotgun (Fired at a distance less than five yards)
3. P.I.T. (More than 40mph)
4. Ramming
5. Firearm Use

D. **Parameters for Use of Deadly Force**

An officer may use deadly force upon another person only when it is objectively reasonable to:

1. Protect himself or others from what is reasonably believed to be an imminent threat of death or serious bodily injury;
2. Prevent the escape of a fleeing felon who the officer has probable cause to believe has committed a violent felony crime and is an imminent threat to human life if escape should occur. (See NRS 171.1455.) Officers will give some warning, if feasible, prior to the use of deadly force.

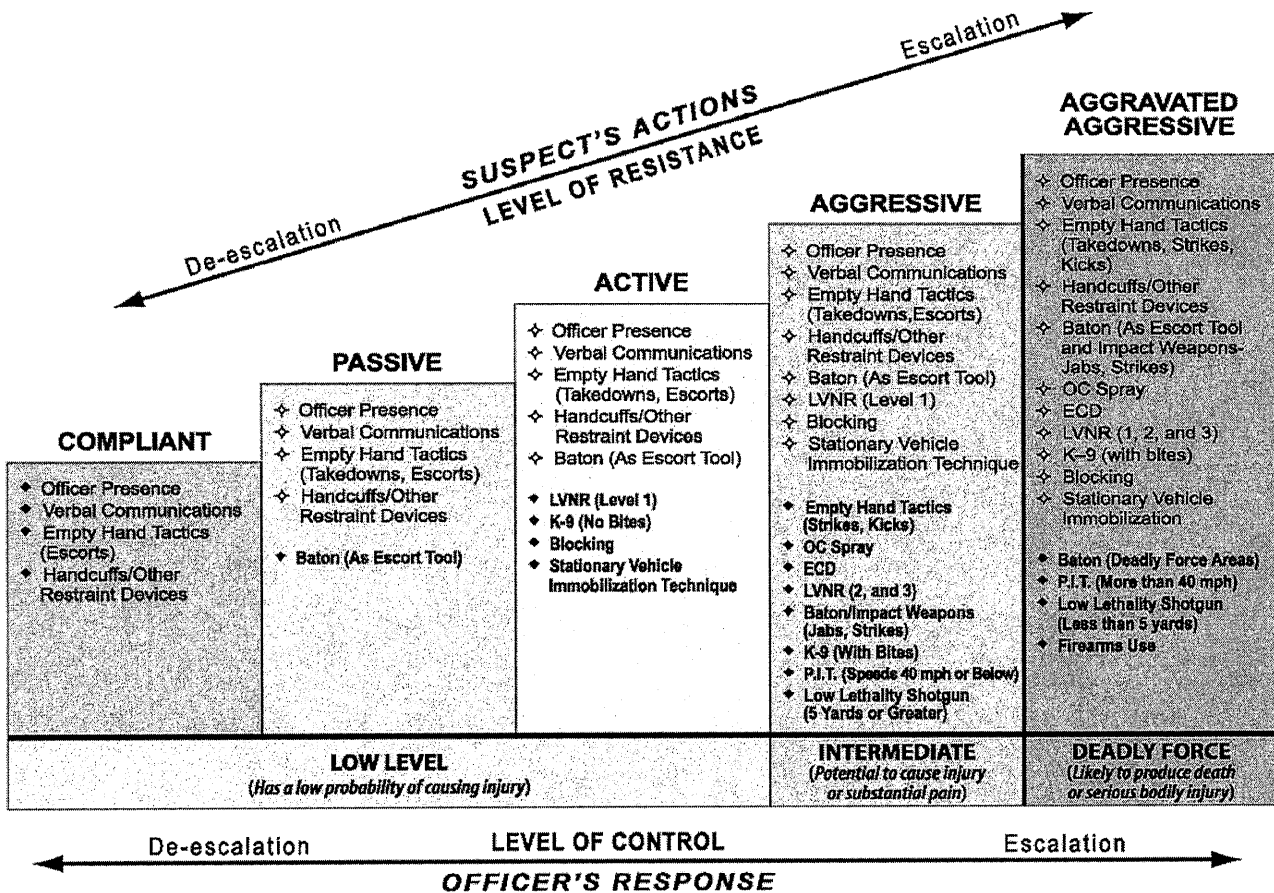
Example: ***“Police! Stop or I will shoot!”***

E. **Elements of Deadly Force**

1. **Ability** - Ability exists when a person has the means or capability to cause grave injury, serious bodily harm or death to an officer or another. This may include, but is not limited to the following: the suspect's physical ability, size, age, strength, gender, combative skill, level of aggression, and any weapons in their immediate control.
2. **Opportunity** - Opportunity exists when a person is in a position to effectively resist an officer's control or to use force or violence upon the officer or another. Examples which may affect opportunity include: relative distance to the officer or others, and physical barriers between the subject and the officer.
3. **Imminent Jeopardy** - Based upon all the facts and a circumstance confronting the officer, the officer reasonably believes the subject poses an imminent threat to the life of the officer(s) or other third parties and the officer must act immediately to prevent death or serious bodily injury.
4. **Preclusion** - All other lesser alternatives have been reasonably considered and exhausted prior to the use of deadly force, to include disengagement. Deadly force in response to the subject's actions must remain reasonable while based upon the totality of the circumstances known to the officer at the time force was applied.

VIII. USE OF FORCE MODEL

Each bolded force option within the Levels of Control represents the highest levels of force options available; however, each other force option should be considered to help de-escalate the situation.



This graphic is intended as a general guideline for an officer. The suspect(s) actions will dictate the officer's use of force. Corrections officers will follow their established standard operating procedures in incidents involving use of force within a detention facility.

Force Transition: Force transition is the movement, escalation/de-escalation, from the application of one force type to another in conjunction with the "objectively reasonable" standard.

In use of force incidents, the officer will transition to differing degrees or types of force, including attempts to de-escalate. Force situations are dynamic and require an officer to continually assess the suspect's actions to ensure a proportionate response. Officers shall modify their Level of Control in relation to the amount of resistance offered by a subject.

IX. DE-ESCALATION

Policing requires that at times an officer must exercise control of a violent or resisting subject to make an arrest, or to protect the officer, other officers, or members of the community from risk of imminent harm. Clearly, not every potential violent confrontation can be de-escalated, but officers do have the ability to impact the direction and the outcome of many situations they handle, based on their decision-making and the tactics they choose to employ.

When reasonable under the totality of circumstances, officers should gather information about the incident, assess the risks, assemble resources, attempt to slow momentum, and communicate and coordinate a response. In their interaction with subjects, officers should use advisements, warnings, verbal persuasion, and other tactics and alternatives to higher levels of force. Officers should recognize that they may withdraw to a position that is tactically more secure or allows them greater distance in order to consider or deploy a greater variety of Force Options. Officers shall perform their work in a manner that avoids unduly jeopardizing their own safety or the safety of others through poor tactical decisions.

The prospect of a favorable outcome is often enhanced when supervisors become involved in the management of an overall response to potential violent encounters by coordinating resources and officers' tactical actions. Supervisors should possess a good knowledge of tactics and ensure that officers under their supervision perform to a standard. As a good practice, supervisors will acknowledge and respond to incidents in a timely manner where police use of force is probable.

X. *AUTHORIZED FORCE TOOLS, TECHNIQUES AND EQUIPMENT*

With minimal exception, only department-approved weapons and training techniques shall be used. Uniformed officers will carry all tools and equipment required by the policies of this agency. Officers should note that less lethal tools may result in a lethal outcome, or be ineffective even when used appropriately.

Non-uniformed commissioned personnel below the rank of captain are required to carry at least one intermediate force option - baton, OC spray, or ECD – on their person when on-duty unless the requirement is waived, via completion of LVMPD Form 483, by their division commander.

Supervisors of commissioned personnel should ensure their subordinates complete their minimum required hours of training within the calendar year. Officers completing an academy during the calendar year are exempt from the minimum hour requirement. Defensive tactics proficiency testing will be required for the quarter following graduation from an academy.

If the employee fails to demonstrate proficiency, the employee and/or the employee's supervisor will contact the Organizational Development Bureau as soon as practicable for assistance in formulating a remedial training program.

The following are authorized force tools/restraints and techniques which may be used when objectively reasonable and otherwise permitted under this policy. Specialized units may have additional tools that are not covered in this policy.

A. *Presence and Verbal Communication:*

Level of Control:

Low Level Force

Approved Use:

Officers will, when and to the extent reasonably possible, attempt to use verbal communication skills to control subjects before resorting to physical control methods.

B. *Empty Hand Tactics:*

Level of Control:

Low Level Force – takedowns (not likely to cause injury), escorts

Intermediate Level Force - takedown, strikes, kicking

Deadly Force - takedown, strikes, kicking

Certification/POST Requirements:

1. Entry level training is taught at the LVMPD police and corrections academies.
2. Annual Training - Two hours of Defensive Tactics training per quarter for lieutenants and below. NV POST requires officers must participate in 8 hours of Defensive Tactics training per year and demonstrate proficiency with each tactic/tool they are authorized to use.

Approved Use:

1. These tactics will be used only in accordance with policy and department training.
2. Members should only use tactics appropriate to the situation which have been taught by department Defensive Tactics instructors.

Post Use of Force Procedures:

Any incident where a subject is injured or complains of injury, or involves strikes, punches or kicks is reportable by completing a Use of Force Report in Blue Team.

C. ***Handcuffs, flexible handcuffs, or other restraint devices:***

Level of Control:

Low Level Force

Description:

Officers will only use department-authorized or issued handcuffs.

Certification/POST Requirements:

1. Entry level training is taught at the LVMPD police and corrections academies.
2. Two hours of Defensive Tactics training per quarter for lieutenants and below. NV POST requires officers participate in 8 hours of Defensive Tactics training per year and demonstrate proficiency with each tactic/tool they are authorized to use.

Inspection Requirement:

Handcuffs will be maintained in clean and working order.

Approved Use:

1. This tool will be used only in accordance with policy and department training.
2. In an attempt to minimize the risk of injury to officers and others during arrest situations, officers will handcuff all persons arrested as soon as possible.
3. During investigative detentions ("Terry Stops") where one or more of the following factors is present:
 - a. Articulable facts that the subject is physically uncooperative;
 - b. Articulable facts that a subject's actions at the scene may present physical danger to themselves or others if not restrained;
 - c. Reasonable possibility of flight based on the action of the subject;
 - d. Information that the subject is currently armed;
 - e. The stop closely follows a violent crime and the subject matches specific parts of a description;
 - f. When there are articulable facts that a crime of violence is about to occur;
 - g. Care and discretion should be used at extremes of age in handcuffing an individual during an investigative detention.
 - h. The authority to handcuff during investigatory stops continues for only as long as the circumstances above exist. Investigative detentions cannot exceed 60 minutes pursuant to NRS 171.123.
4. Suicidal persons;
5. During a search warrant service;
 - a. At a private residence as is reasonably necessary to execute the warrant in safety;
 - b. At a commercial business open to the public if it reasonably appears that handcuffing is necessary to protect an officer or others from physical harm. Circumstances which may justify initial handcuffing may change and eliminate continued justification;
6. Detoxification clients being transported;
7. By detention personnel moving in-custody subjects.

Disapproved Use:

1. If medical circumstances make it unreasonable to handcuff an arrestee, officers will refrain from handcuffing.
2. When responding to a security office where a subject has already been placed in handcuffs prior to arriving to the scene, officers shall not place LVMPD handcuffs on the subject until they have reasonable suspicion or probable cause based on their independent investigation and/or findings.

Tactical Considerations:

1. Officers will check handcuffs for tightness and double lock as soon as it is safe to do so prior to transport.
2. When a handcuffed subject first complains that handcuffs are too tight and/or are hurting the subject, the officer having custody of the handcuffed subject will, as soon as reasonably possible, check the handcuffs to make sure that they are not too tight. If they are too tight (per training), they will be loosened and relocked.

3. Officers will transport subject to the detention facility in a timely manner and booked. Under no circumstances will a person under arrest be held in a transport vehicle longer than two (2) hours before being transported to the detention facility and booked.

Post Use of Force Procedures:

This is a low level force option. Any incident where a subject is injured or complains of injury is reportable by completing a Use of Force Report in Blue Team.

D. ***Baton/Impact Weapons:***

Level of Control:

- Low Level Force - when used as an escort tool
- Intermediate Force - when used for jabbing or striking
- Deadly Force - striking suspects on the head, neck, sternum, spine, groin, or kidneys

Description:

1. A baton is a department-authorized expandable straight baton or side handle baton.
2. All commissioned police personnel the rank of lieutenant and below must obtain certification training and carry the baton when in an approved LVMPD uniform (see 4/107.00).
3. Plain clothes officers are required to carry either OC spray, an ECD, or an expandable straight baton.

Certification/POST Requirements:

1. Entry level training is taught at the LVMPD police and corrections academies.
2. All officers, in the rank of lieutenant and below, shall complete the following requirements:
 - a. Receives initial baton training in the academy; or
 - b. Receives a minimum of eight (8) hours of initial PR-24 (AL or FX) or a minimum of four (4) hours of initial expandable straight baton training by an LVMPD certified Defensive Tactics Instructor.
3. Annual Training - Two hours of Defensive Tactics training per quarter for lieutenants and below. NV POST requires officers participate in 8 hours of Defensive Tactics training per year and demonstrate proficiency with each tactic/tool they are authorized to use.

Inspection Requirement:

Batons will be maintained in clean and working order.

Approved Use:

1. This tool will be used only in accordance with policy and department training.
2. Blocking, jabbing, to apply control holds, or passive/active escort techniques (Example: stirring the pot).

Disapproved Use:

1. A subject who poses no imminent threat will not be struck with a baton or impact tool.
2. Officers are discouraged from using their firearm as an impact tool due to the possibility of an unintentional discharge.
3. During non-deadly force incidents, officers will use reasonable care to avoid striking suspects on the head, neck, sternum, spine, groin, or kidneys, as these strikes may constitute deadly force.
4. The use of instruments as a weapon for the purpose of striking or jabbing (i.e., flashlights, radio, etc.) other than department-authorized batons, is strongly discouraged and acceptable only when other authorized force responses have been exhausted and are either unavailable or ineffective.
5. Officers must be able to articulate a compelling need to use any other device or object other than an authorized baton as an impact weapon.

Post Use of Force Procedures:

Any use of the baton, other than for escort/control hold or "stirring the pot," and any incident where a subject is injured or complains of injury, is reportable.

E. ***Oleoresin Capsicum Spray:***

Level of Control:

Intermediate Force

Description:

1. OC spray is a non-lethal agent which acts as an inflammatory and has a natural base as opposed to a chemical base.

2. All commissioned police personnel the rank of lieutenant and below must obtain certification training and carry OC spray when in an approved LVMPD uniform (see 4/107.00).
3. Plain clothes officers are required to carry OC spray, an ECD, or an expandable straight baton.

Certification/POST Requirements:

1. Entry level training is taught at the LVMPD police and corrections academies.
2. Annual Training - Two hours of Defensive Tactics training per quarter for lieutenants and below. NV POST requires officers participate in 8 hours of Defensive Tactics training per year and demonstrate proficiency with each tactic/tool they are authorized to use.

Inspection Requirement:

OC spray expiration date and serviceability will be checked.

Deployment Requirement:

1. When deploying, an officer will, if practical, announce a warning to the subject and other officers of the intent to deploy the OC spray if the subject does not comply with your commands.
Example, ***"Do what I am telling you to do, or I will spray you with pepper spray."***
2. Officer shall give the subject a reasonable opportunity to voluntarily comply.

Approved Use:

1. OC Spray will be used only in accordance with policy and department training.
2. OC spray may be used when subject is engaging or displays the intent to engage in aggressive resistant behavior which may cause injury.
3. OC spray may be used on vicious or aggressive animals when those animals interfere with the safety of the officers or citizens.
4. OC spray may only be used in a protest or demonstration situation when authorized by an incident commander in response to imminent threat of harm.
5. Correction Officers will follow their standard operating procedures regarding the use of OC Spray.

Disapproved Use:

1. Shall not be used on a subject inside a closed vehicle, unless an officer is attempting to secure an aggressive resistant suspect in a patrol vehicle. OC is not intended to be used to force extraction from an enclosed area, unless utilized in a detention facility.
2. Shall not be used on passive resistant protestors.
3. Shall not be used other than as an aerosol/stream.
4. Shall not be used on a handcuffed subject unless the subject is displaying Aggressive Resistance.

Tactical Considerations:

1. Whenever possible, should be used upwind and relatively close to the subject.
2. High capacity OC spray may be used as an intermediate level of control; however, officers will assess the effect the device will have on subjects in the general area due to the volume of agent dispersed.

Supervisory Responsibility:

Incident commander may authorize use in a protest or demonstration incident in response to imminent threat of harm.

Post Use of Force Procedures:

1. An officer using OC spray will:
 - a. Request medical attention to the scene, as soon as possible, to wash and treat affected skin/eye area whenever a subject is directly exposed to OC spray in the facial area, or to treat any underlying condition that could be aggravated by the OC spray;
 - b. Inform detention personnel during the booking process of prisoner exposure to OC spray;
 - c. Take prisoner to the nurse's station;
 - d. Use of this tool is reportable and will be reported by completing a Use of Force Report in Blue Team.
2. A civilian department member using OC spray on-duty will:
 - a. Request medical attention to the scene to wash and treat affected skin/eye area whenever a subject is directly exposed to OC spray in the facial area, or to treat any underlying condition that could be aggravated by the OC spray;
 - b. Request a field unit to respond and notify immediate supervisor;

- c. Field unit personnel responding to civilian use of OC spray will:
 - 1) Take appropriate enforcement action;
 - 2) Assist the civilian in completing the appropriate paperwork, including a Use of Force Report;
 - 3) Inform detention personnel during booking process of prisoner exposure to OC spray;
 - 4) Take prisoner to the medical section.

F. ***Lateral Vascular Neck Restraint®:***

There are three levels to applying the LVNR®. Level One begins with Low Level Force and may progress to the Intermediate based on the suspect's actions.

Level of Control:

- Low Level Force – LVNR® Level One – minimum restraint
- Intermediate Force - LVNR® Level Two - medium restraint;
- Level Three – maximum restraint.

Description:

The LVNR® is a control technique in which the carotid arteries on the sides of the neck are compressed, restricting blood flow to the brain, causing the subject to pass out.

Certification/POST Requirements:

1. Entry Level Training is provided in the LVMPD police and corrections academies. No officer will use the LVNR® without first completing the 12-hour certification course provided in the academy.
2. Training will be provided by certified LVNR® instructors only.
3. All commissioned officers below the rank of captain will receive training in the LVNR®.
4. Officers certified in the LVNR® will be required to complete an annual four-hour recertification course.
 - a. Any officer requesting an exemption from LVNR® training due to medical reasons must obtain a medical exemption from their physician.
 - b. This exemption must be obtained immediately upon requesting the exemption and at the beginning of each calendar year thereafter, and be forwarded to the Director of Risk Management.

Approved Use:

1. This tool will be used only in accordance with policy and department training.
2. The LVNR® is a defensive tactic to quickly and safely stop active/aggressive resistance.

Disapproved Use:

1. Will not be used on subjects that have been exposed to OC spray or who are experiencing difficulty breathing.
2. Officers will not use any other arm bar technique that involves a neck restraint.

Tactical Considerations:

1. When applying the LVNR®, only the amount of force necessary to bring the subject under control will be used.
2. Upon the subject being brought under control the LVNR® will be relaxed.

Post Use of Force Procedures:

1. All uses of the LVNR® will be reported by completing a Use of Force Report in Blue Team.
2. The arresting or transporting officer will:
 - a. Notify his immediate supervisor when the LVNR® is attempted or used;
 - b. Summon medical attention immediately when a subject is rendered unconscious, injured or claims injury as a result of the LVNR®;
 - c. Transport prisoner to the appropriate detention facility;
 - d. Inform the detention facility on-duty supervisor that the LVNR® has been applied earlier to the subject.

G. ***Electronic Control Device:***

All commissioned personnel at the rank of lieutenant and below must obtain ECD certification training. Sergeants and below must carry the ECD when in an approved LVMPD uniform (see 4/107.00), excluding NYE, 9/11 or any other Special Events as stated in the IAP for the Event.

Level of Control:
Intermediate Force

Description:

1. The ECD is a neuro-muscular incapacitation (NMI) device that disrupts the body's ability to communicate messages from the brain to the muscles thereby causing temporary NMI.
 - a. An air cartridge is a replaceable cartridge for the ECD which uses compressed nitrogen to fire two barbed probes on thin connecting wires, sending a high voltage/low current signal into a subject.
2. Use of the ECD Camera
 - a. Some ECDs are equipped with a video camera and audio recording device. The camera will allow recordings in high resolution black and white imagery, and stores up to 90 minutes of video in a looping format. Additionally, the camera has audio capabilities.
 - b. Any and all images, video, and/or audio generated by the ECD camera are the sole property of the Las Vegas Metropolitan Police Department. No video and/or audio may be downloaded unless obtained in the course of official duties. No material produced by the ECD cameras may be reproduced, uploaded to non-departmental websites, or otherwise disseminated without authorization from the Sheriff or his designee.
 - c. When an officer leaves the Patrol Division, the ECD camera must be turned into the Supply Section.

Certification/POST Requirements:

1. Entry Level Training is taught at the LVMPD police and corrections academies.
2. Defensive Tactics instructors who have been certified as ECD instructors will be the only authorized persons to instruct on the ECD.
3. Officers authorized to use an ECD must successfully complete an initial eight-hour certification training course, to include written and practical tests.
4. Once certified, officers must annually attend four-hour recertification training.
 - a. All commissioned personnel at the rank of lieutenant and below must obtain certification training.
 - b. All sergeants and below must carry the ECD when in an approved LVMPD uniform (see 4/107.00), excluding NYE or any other Special Events as stated in the IAP for the Event.
 - c. All officers, regardless of issuance of an ECD, will maintain their certification by attending the annual recertification class through the AOST Staff.
 - d. DSD personnel will continue to follow their established SOPs regarding ECD deployment.
5. If the employee fails to demonstrate proficiency after additional training has been given, the employee and/or the employee's supervisor will contact the Training Section for assistance in formulating a remedial training program.

Inspection Requirement:

1. Officers will use only authorized ECD equipment issued by the LVMPD. The ECD will be inspected for damage and cleanliness, and batteries and cartridges replaced by the officer when required. The battery display will be checked on the CID at the beginning of each shift. A reading of 20% or less will require the battery pack be changed. The battery pack will not be removed from the ECDs except when the reading is 20% or less or to conduct a data download. The ECD will never be stored more than 48 hours without the battery pack attached. When off duty, ECDs must be stored and secured in a climate-controlled area (i.e. locker), not in a vehicle.
2. Officers must conduct a spark check, outside the public view, at the beginning of shift to ensure the ECD will function properly. It is conducted by removing the cartridge, test firing the ECD and observing the electrical arc. This spark check does not require completion of a Use of Force Report. When spark checking or replacing cartridges, officers will not mask the ECD or point it in the direction of others.
3. Uniformed officers will carry the ECD in a department approved holster. The holster will be carried on the duty belt, on the side opposite the duty firearm. Cross-draw position is optional. Plain clothes officers will carry the ECD on their weak side. Officers have the option of carrying the standard DPM or the X-DPM which is an extended version, capable of carrying a spare ECD cartridge.

Deployment Requirement:

1. When displaying an ECD, officers will give a warning, when practical, to the subject and other officers before firing the ECD.

Example: ***"Do what I am telling you to do or I will taze you and it will hurt."***
2. Officer shall give the subject a reasonable opportunity to voluntarily comply.

Approved Use:

1. This tool will be used only in accordance with policy and department training.
2. The ECD is an Intermediate Level of Control and may be used when there is an imminent threat of physical harm.

Disapproved Use:

1. Officers are not authorized to draw or display the ECD except for training and inspection, unless the circumstances create a reasonable belief that use may be necessary. The ECD will be handled in the same manner as a firearm and will be secured prior to entering any detention facility.
2. The intentional use of more than one ECD simultaneously on the same subject is prohibited.
3. The ECD will not be used:
 - a. When the officer knows a subject has come in contact with flammable liquids or is in a flammable atmosphere;
 - b. When the subject is in a position where a fall may cause injury or death;
 - c. Punitively for purposes of coercion or in an unjustified manner;
 - d. To escort or jab individuals;
 - e. To awaken unconscious or intoxicated individuals;
 - f. When the subject is visibly pregnant, unless deadly force is the only other option;
 - g. When the subject is in handcuffs or waist restraints;
 - h. When a subject displays solely Passive or Active Resistance (i.e. peaceful protest, refusal to stand, non-aggressive verbal resistance, etc.);
 - i. When a subject is fleeing as the sole justification for use of the ECD.
4. The ECD should not be used in the following circumstances unless there are compelling reasons to do so which can be clearly articulated:
 - a. When the subject is operating a motor vehicle;
 - b. When the subject is holding a firearm;
 - c. When the subject is at the extremes of age (elderly and young children) or physically disabled;
 - d. In a situation where deadly force is clearly justifiable unless another officer is present and capable of providing deadly force to protect the officers and/or others as necessary.
5. Use of the ECD Camera:
 - a. The ECD camera will not be used as a simple recording device whether pointed at or away from subject(s), or while the officer is blocking or obscuring the lens or microphone (the unit displays a flashing "88" symbol advising that the lens is blocked).
 - b. The ECD camera may only be used for official police business. Any use of the ECD camera video or audio that is not in the performance of official duties is strictly prohibited.

Tactical Considerations:

1. There are three types of reportable ECD applications:
 - a. Spark Display - A non-contact demonstration of the ECD's ability to discharge electricity.
 - b. Touch Stun - (without a cartridge) - A secondary function of the ECD intended to administer pain to a subject by making direct contact with the body after the air cartridge has been expended or removed. Note: Use of the ECD in this mode is discouraged.
 - c. Probe Mode - When the ECD is fired and both probes make contact with a subject with the intent that the subject be temporarily immobilized for the period of time the ECD is cycled. Proper application will result in temporary immobilization of the subject and provide the officer a "window of opportunity" in which to take the subject safely into custody.
2. For a frontal shot, reasonable effort should be made to target lower center mass and avoid intentionally targeting the head, neck, groin and chest. It is recognized that the dynamics of each situation and officer safety may not permit the officer to limit the application of the ECD probes to a precise target area. Back shots are the preferred target area when practical.
3. Medical Considerations:
 - a. Personnel should be aware that there is a higher risk of sudden death in subjects under the influence of drugs and/or exhibiting symptoms associated with excited delirium. In addition, positional asphyxia - a death that occurs when a subject's body position interferes with breathing, either when the chest is restricted from expanding properly or when the position of the subject's head obstructs the airway - may exacerbate the condition of any individual who has received an ECD application.
4. When deploying an ECD, officers will:
 - a. When encountering subjects wearing heavy or loose clothing on the upper body, consider the legs as a target;

- b. Initial use of the ECD shall be a standard five-second cycle, and then the officer will evaluate the need to apply a second five-second cycle after providing the subject a reasonable opportunity to comply. Each subsequent five-second cycle requires separate justification. Once the subject has been exposed to three cycles, the ECD shall be deemed ineffective and another use of force option will be considered, unless exigent circumstances exist;
- c. Assess the suspect's actions after each application of the ECD;
- d. Control and restrain immediately. Begin control and restraint procedures, including cuffing under power, as soon as is reasonably safe and practical to do so in order to minimize the total duration of ECD exposure(s). The device user, and those assisting the user, should avoid touching the probes, wires, and the areas between the probes to avoid accidental shock during the electrical discharge;
- e. The use of "touch stun" mode should only be used to supplement Probe Mode to complete the Neuro-Muscular Incapacitation (NMI) effect. The ECD "touch stun" mode requires the same level of justification as probe deployment. Each "touch stun" must be separately justified and documented on the Use of Force Report.

Post Use of Force Procedures:

1. All ECD activations are reportable with the exception of conducting a spark check. Unintentional activations will be reported on an Officer's Report.
2. Following an ECD deployment, the officer will:
 - a. Notify immediate supervisors that an ECD has been used as soon as reasonably possible after deployment. Summon medical attention when subject is injured or claims injury;
 - b. Ensure the probes are removed from the subject's skin by an ECD certified officer. If one or more probes strike the head, neck, or groin, officers shall take prompt care to monitor the condition of the subject and ensure probes penetrating these areas are removed by medical personnel;
 - c. Handle the probes in the same manner as contaminated needles and sharps in accordance with department bio-hazard disposal procedures (see 5/110.10), and impound all probes, wires and cartridges as evidence. In cases of deadly force or in-custody death CSI will impound the probes;
 - d. Complete Use of Force Report in Blue Team;
 - e. Present deployed ECD to supervisor for data upload prior to end of shift, if a reportable use of force incident occurred;
 - f. Forward a copy of the Use of Force Report, via Blue Team, to the supervisor;
 - g. Notify detention personnel, at the time of booking, that the subject has been struck with ECD probes or received a touch stun.
3. The officer's supervisor will:
 - a. Respond to the scene when a ECD has been used and notify the area lieutenant and/or watch commander that an ECD has been used;
 - b. Conduct an investigation of the ECD usage to determine justification and adherence to procedure, as well as to correct any identifiable training deficiencies (NOTE: Acting supervisors are not authorized to complete this investigation);
 - c. Assist with the completion of the Use of Force Report in Blue Team as necessary;
 - d. Ensure the data record of the ECD and/or the video in which a reportable use of force incident occurs into Blue Team prior to the end of shift. (X26 uploads must be attached in either a .pdf or .rtf format);
 - e. Ensure photographs are taken of the site of the puncture/probe impacts and any related injuries. Attach to the Use of Force Report in Blue Team;
 - f. Verify the probes, wires and cartridges are properly impounded and arrange for replacement cartridges. Accidental discharges will not require impounding of the probes, wires and cartridges unless there has been an injury.
4. The area lieutenant/watch commander will respond to the scene if serious bodily injury resulted from the use of the ECD.
5. Following an ECD deployment, the bureau/area commander will:
 - a. Ensure that the video has been viewed, if there is any, prior to completing the Blue Team administrative review;
 - b. Ensure the Use of Force Report is complete, accurate and forwards the report to the Internal Affairs Section via Blue Team;
 - c. Ensure a control log is maintained for ECD/cartridge check-out and check-in, and repairs.

Use of the ECD Camera

After an officer fires an ECD, the video evidence must be uploaded by the officer's supervisor into Blue Team prior to the end of shift (X26 uploads must be attached in either a .pdf or .rtf format). The supervisor will also

upload video that did not result in the officer firing the ECD if the video has sufficient evidentiary value, and attach an event number.

H. Low Lethality Shotguns

Level of Control:

1. Intermediate Force - when fired at a distance of five yards or greater.
2. Deadly Force - when fired at a distance less than five yards.

Description of Tool:

1. Low lethality shotguns are department-issued Remington 870 shotguns with the fore end and stock colored orange.
2. The ammunition is a 12 gauge, drag stabilized, less lethal round. The shell is clear/translucent, containing a 40 grain tear-shaped yellow beanbag with # 9 shot. The round has "drag stabilized beanbag" imprinted on the side.

Certification/POST Requirements:

1. Entry level training is taught at the LVMPD police and corrections academies.
2. Officers must re-qualify annually with the low lethality shotgun.

Inspection Requirement:

Officers will inspect their shotgun prior to the start of each shift to verify that it is only loaded with department- issued low lethality munitions.

Deployment Requirement:

1. Prior to firing a low lethality shotgun, when feasible, the officer will announce a warning to the subject and other officers of the intent to deploy the low lethality shotgun if the subject does not comply with commands.
For example, ***"Police! Do what I am telling you to do, or I will shoot you with a bean bag, and it will hurt."***
2. Officer shall give the subject a reasonable opportunity to voluntarily comply.
3. Two officers must be present if a low lethality shotgun is deployed.
4. Correction officers will continue to follow their standard operating procedures regarding the use of the low lethality shotgun.

Approved Use:

1. This tool will be used only in accordance with policy and department training.
2. The low lethality shotgun should only be used against persons who are armed with a weapon that could cause serious injury or death to themselves or others, or when a subject poses an imminent threat to the safety of the officer or other persons. This includes, but is not limited to: an edged weapon, club, pipe, bottle, brick, etc.
3. Officers are cautioned that the target area for impact munitions substantially differs from a deadly force target area. Instead of aiming for center mass of the body, the low lethality shotgun is aimed at abdomen, thighs or forearms. The head, neck, and groin should be avoided.
4. It may be used as an option to deadly force only when circumstances allow the officer involved to bring an incident to a safe conclusion without unnecessary risk to the officers.

Disapproved Use:

1. The low lethality shotgun will not be used in the following circumstances
 - a. Against persons who are holding a firearm unless there are compelling reasons to do so which can be clearly articulated.
 - b. In a civil unrest situation unless authorized by a lieutenant or above, and each application must have a specific targeted individual who presents an imminent threat; and it must be reasonably assured that other individuals in the crowd who pose no threat of violence will not be struck by the munitions.
 - c. When the subject is visibly pregnant, unless deadly force is the only other option.
2. The low lethality shotgun should not be used in the following circumstances unless there are compelling reasons to do so which can be clearly articulated:
 - a. When the subject is at the extremes of age (elderly and young children) or physically disabled;
 - b. When a suspect is in an elevated position where a fall is likely to cause serious injury or death;
 - c. When subject is handcuffed or otherwise restrained;

- d. As a breaching tool.

Tactical Considerations:

Officers should not fire the low lethality shotgun through mediums, such as glass or chain link fences, because the bag may tear and lead shot may be released.

Supervisory Responsibility:

1. In use of force incidents the area supervisor will:
 - a. Proceed immediately to the incident involving the low lethality shotgun deployment and assume tactical control;
 - b. Ensure that low lethality shotgun deployment is appropriate for the incident;
 - c. If low lethality shotgun deployment is inappropriate for the incident, modify or countermand deployment.

Post Use of Force Procedures:

1. After firing the low lethality shotgun, an officer must immediately notify his supervisor and summon medical attention for the subject.
2. If a deadly force incident has occurred, the area supervisor will notify dispatch, and request appropriate notifications be made.
3. The area/watch commander will respond when a subject has been struck with the low lethality shotgun projectile, and conduct a preliminary interview with the officer to determine who will investigate the use of force. If the low lethality shotgun was fired at a distance of closer than 5 yards, the incident shall be investigated as a deadly force incident and require a FIT and CIRT response. If the distance is determined to be 5 yards or greater, the supervisor will conduct the use of force investigation, and ensure a crime scene analyst responds.
4. The supervisor will document the scene and situation, and conduct interviews with other witnesses, if any. The documentation will be entered into Blue Team by the involved officer.
5. The officer will advise detention facility supervisor at the time of booking that the subject has been struck with the low lethality shotgun projectile and what medical attention has been administered to the subject.

I. Use of Canine

Level of Control:

- Low Level - No bites
- Intermediate Force - With bites

Certification/POST Requirements:

1. All police service dogs and detector dogs (explosive, narcotic and cadaver detection) will be initially certified.
2. Police service dogs will be re-certified on a quarterly basis, while detector dogs will be re-certified on a semi-annual basis.

Inspection Requirement:

Maintenance training with the K-9 team should occur on a daily basis to ensure the training standards are maintained.

Deployment Requirement:

K9 teams can be requested through Communications, 24 hours a day, 7 days a week. A K-9 team may need to be called out upon the approval of the section lieutenant or his designee.

Approved Use:

1. Canine will be used only in accordance with policy and department training.
2. LVMPD's police canine provides many valuable services, including searches and criminal apprehension, evidence and contraband searches and detection, locating missing persons, and public relations activities.
3. K-9 may be used in searches for misdemeanor suspects when the dog is maintained on a leash.
4. Canines are available to assist in searches, crowd control (only when approved by a lieutenant or above, and in accordance with policy 2/113.01, Use of Police Dogs), explosive and narcotic detection, in addition to regular patrol duties and special assignments.
5. A police service dog may be used by the handler to perform a search or apprehension and in compliance with this policy.

6. Canine is approved when there is probable cause to believe the suspect has committed a crime or is a danger to themselves or others, and when the suspect is actively evading efforts to take them into custody and the use of a canine would reduce risk to officers or the public.

Disapproved Use:

The use of canines in crowd control is highly discouraged, and this tactic will only be employed in accordance with policy 2/113.01, Use of Police Dogs.

Tactical Considerations:

1. In police operations, canine handlers are in charge and responsible for their dogs' deployment.
2. When it is believed a suspect may be armed with a weapon likely to cause injury or death to the police service dog, the handler may exercise his/her discretion before deploying the dog.
3. Risk to Third Parties: In using police service dogs, the canine handler shall exercise reasonable care to avoid unnecessary risk of injury to persons who are not the subject of a search or apprehension.

Post Use of Force Procedures:

1. The use of force scene will be immediately secured.
2. The canine officer/handler will immediately request medical assistance for any person who is injured or complains of injury.
3. The injuries will be photographed.
4. The incident will be documented on a Use of Force Report.
5. All uses of force by a K-9 handler team will be immediately investigated by the employee's immediate supervisor or another K-9 Detail supervisor. This investigation will include interviews of the witnesses and the suspect, if appropriate, and if the interview will not compromise any criminal investigation.
6. Injuries caused by the police service dog to persons who were not the subject of the search will be documented in an Officer's Report, and will require a supervisor response.

J. Precision Intervention Technique:

Level of Control:

Intermediate Force - PIT may be used to apprehend violators at speeds 40mph or below.

Deadly Force - PIT is considered deadly use of force in the following instances:

1. At speeds of more than 40mph;
2. When used on motorcycles;
3. When used to stop a vehicle with deflated tires;
4. When used on high center of gravity vehicles likely to roll over, such as vans, SUVs, and jeeps;
5. In circumstances creating a substantial risk of death or serious bodily injury.

Description:

PIT is a specific manner of intentional contact using a police vehicle against a fleeing vehicle to cause the fleeing vehicle to come to a stop.

Certification/POST Requirements:

1. Entry level training is taught at the LVMPD police and corrections academies.
2. Officers are trained on the PIT and when its use is permissible.
3. Only commissioned officers who maintain current certification may use this stopping technique.

Deployment Requirement:

1. Prior to initiating a PIT, officers will use their emergency equipment (red lights and sirens) and will give the operator of the suspect vehicle a reasonable opportunity to stop.
2. Officers will broadcast through dispatch the intent to use PIT if circumstances permit. Otherwise, notification will be made after the fact.

Approved Use:

1. This tool will be used only in accordance with policy and department training.
2. Circumstances warranting the use of PIT as deadly force are as follows:
 - a. Continued movement of the pursued vehicle would place others in danger of serious bodily injury or death; and/or
 - b. Apparent risk of harm, to other than the occupants of the pursued vehicle, is so great as to outweigh the risk of harm in making the forcible stop; and

- c. Other means of apprehension have been considered and rejected as impractical, i.e., continue to follow, stop sticks, call for the air unit.

Disapproved Use:

1. PIT will not be used unless the suspect demonstrates he/she is attempting to evade police and the elements necessary for an approved Vehicular Pursuit (6/014.00) are present (i.e., violent felony offense or suspect presents a clear and immediate danger to the public).
2. Officers driving department truck or SUV-type vehicles are not authorized to use PIT.

Tactical Considerations:

1. It is important that the PIT is applied within the parameters of the law and department policies to ensure the safety of persons and property, while enforcing the law by bringing a fleeing vehicle to a stop and taking suspects into custody for their criminal charges.
2. Officers will consider other means of apprehension before attempting forcible stops and will use a reasonable amount of force.
3. Officers will consider the safety of the public and suspects before executing this technique. The following locations and hazards should be evaluated:
 - a. Areas with pedestrians;
 - b. Other vehicle traffic;
 - c. Parked vehicles;
 - d. Telephone/utility poles;
 - e. Bridges;
 - f. Areas adjacent to paved roads with a large elevation change.

Supervisory Responsibility:

1. Immediately acknowledge notification over the radio, and assume responsibility for controlling PIT;
2. Order discontinuation of the PIT when the necessity for apprehension is outweighed by the dangers of the PIT;
3. Consider use of other options.

Post Use of Force Procedures:

Where there is contact with another vehicle, the incident will be investigated as either an accident or a Use of Force.

1. PIT (successful uses, attempts and/or declared uses) is considered reportable force and must be reported by completing the Use of Force Report in Blue Team;
2. A Pursuit Report in Blue Team will also be completed when the PIT was used during a pursuit;
3. The field supervisors shall respond to the PIT location and assume responsibility for the scene ensuring all applicable reports are completed and required notifications made.
4. The Communications supervisor shall notify a commissioned supervisor and a Traffic supervisor whenever PIT and/or vehicle ramming has been used to terminate a pursuit. They will advise a Traffic supervisor and the Director of Risk Management whenever the use of PIT and/or vehicle ramming results in property damage, injury, or death. The Traffic supervisor will respond, evaluate and determine Traffic's response. If it has been determined that the PIT has been a use of deadly force, the Fatal Detail, CIRT, and FIT will respond.
5. Traffic officers shall respond to assist with the traffic investigation. Since PIT is a planned enforcement technique, an accident report will not be required. In the event of third-party property damage, the responding traffic officer will complete the LVMPD 42, Vehicle Incident Report.
6. The on duty supervisor shall review the PIT to determine if procedures were followed. They will forward the report up through their chain to the bureau/area commander for review, and initiate any necessary corrective actions.
7. The bureau/area commander will ensure that the necessary investigative and corrective actions have been followed. He or she will record the comments/actions and forward the report to the Internal Affairs Bureau, via Blue Team.
8. If a vehicle belonging to an uninvolved citizen is damaged, the watch commander will respond to:
 - a. Offer the citizen alternative transportation, if available and necessary;
 - b. Offer to tow the damaged vehicle at department expense using the duty service to an LVMPD contract repair facility, or if the citizen insists, to a facility of the citizen's choice, for repair/replacement at the earliest opportunity;
 - c. Inform Risk Management, via Communications, of the damage and location where the vehicle will be towed. Risk Management will determine if a response is necessary;

- d. Instruct the citizen to contact Risk Management the next work day.

K. Blocking:

Level of Control:

Low Level Force

Description:

Blocking is the positioning of a police vehicle in the path of a suspect vehicle where contact between the vehicles is not anticipated or is anticipated to be minimal. In circumstances where the officer initiates contact it is a reportable use of force. In the use of blocking, the potential for injuries and vehicle damages are low. If the suspect initiates contact, the incident will be investigated as an incident.

Approved Use:

1. This tactic will be used only in accordance with policy.
2. The intent of blocking is to prevent the escape of a suspect by utilizing a vehicle to block the path of the suspect vehicle when contact is not anticipated or probable.

Tactical Considerations:

Officers will consider the safety of the public and suspects before executing this technique. The following locations and hazards should be evaluated:

- a. Seriousness of the crime;
- b. The number of suspects;
- c. If the suspect(s) are known to have weapons;
- d. The potential of the suspect using their vehicle as a weapon;
- e. The potential tactical disadvantage due to the close proximity of the suspect;
- f. The potential for creating a crossfire situation.

Post Use of Force Procedures:

1. This is a reportable use of force whenever contact is made between vehicles.
 - a. If the officer initiates contact with the suspect vehicle with his patrol vehicle the contact will be reported as a Use of Force in Blue Team; if the suspect vehicle is unoccupied, contact will be reported as a vehicle incident.
 - b. If the suspect vehicle unintentionally touches the patrol vehicle, the contact will be reported as a traffic incident. If the suspect intentionally strikes the patrol vehicle while it is occupied, the contact will be investigated as a potential crime.

L. Stationary Vehicle Immobilization Technique (Pinching)

Level of Control:

Low Level Force

Description:

Pinching is a pre-planned containment tactic that uses low-speed, intentional vehicle contact with a suspect's vehicle. This tactic is limited for use by specialized units with Bureau Commander's approval and training. The purpose is to render a vehicle immobile so that suspects can be taken into custody. Patrol officers may use a blocking technique.

Certification/POST Requirements:

1. Personnel assigned to an approved unit intending to use this technique for a preplanned apprehension, must re-certify each year by attending EVOC training in conjunction with PIT training.
2. Approval necessary for specialized units to train in and use this technique must be given by the specialized unit's bureau commander, and the ODB commander.
3. Training records for personnel certified in this technique will be maintained by the Training Section of ODB.

Deployment Requirement:

The officer has a reasonable belief that the suspect has committed a crime and has been attempting to evade, or has the potential to harm themselves or others.

Approved Use:

1. This pre-planned tactic is not approved for use by Patrol.

2. This tactic will be used only in accordance with policy and department training.
 - a. Pinching may be used as an apprehension technique when it is necessary and reasonable to do so under the circumstances.
 - b. It is authorized for specialized units who have gathered intelligence information on a specific suspect(s), and can articulate the need for the application of the technique based on the suspects' potential for violence, and the need to prevent a vehicular pursuit.

Tactical Considerations:

Officers will consider the safety of the public and suspects before executing this technique. The following locations and hazards should be evaluated:

1. Seriousness of the crime;
2. The number of suspects;
3. If the suspect(s) are known to have weapons;
4. The potential of the suspect using their vehicle as a weapon;
5. The potential tactical disadvantage due to the close proximity of the suspect;
6. The potential for creating a crossfire situation;
7. The size/weight of the suspect vehicle compared to the police vehicle.

Supervisory Responsibility:

1. Supervisors assigned to units authorized to use this technique will ensure all personnel operating LVMPD vehicles in a Stationary Vehicle Immobilization employment are current on annual certifications.
2. Order discontinuation of the pinch when the necessity for apprehension is outweighed by the dangers of the pinch.
3. Ensure this is the best tactic and that other reasonable options have been considered.

Post Use of Force Procedures:

1. This is a reportable use of force whenever contact is made between vehicles.
2. This technique is not considered an accident.

M. Firearm Use:

Level of Control:

Deadly Force - Shots fired

Description:

See policy 5/208.02 Authorized Firearms and Associated Equipment

Certification/POST Requirements:

See policy 5/108.14 Firearms Training

Inspection Requirement:

1. Ensure weapon is clean and functional at all times;
2. Ensure weapon is loaded with department duty ammunition and not mixed with practice ammunition;
3. Officer is responsible to know how many rounds are loaded in each magazine.

Deployment Requirement:

1. Before using a firearm, officers will, whenever feasible, identify themselves and state their intention to shoot.
Example: *"Police! Stop or I'll shoot!"*
2. Officer shall give the subject a reasonable opportunity to voluntarily comply.

Approved Use:

1. This tool will be used only in accordance with policy and department training.
2. Officers are to fire their weapons only to stop and incapacitate an assailant from completing a potentially deadly act. Officers should shoot at the "center mass" for maximum stopping effectiveness and minimal danger to innocent bystanders.
3. Protect the officer or others from what is reasonably believed to be an imminent threat of death or serious bodily injury.

4. Prevent the escape of a fleeing felon who the officer has probable cause to believe has committed a violent felony crime and is an imminent threat to human life if escape should occur (See NRS 171.1455 and Tennessee v. Garner, 471 U.S. 1(1985)).
5. Destroying Injured or Dangerous Animals - Officers may destroy an injured or dangerous animal under the following circumstances:
 - a. In self-defense;
 - b. To prevent serious harm to the officer or others; or
 - c. When the animal is so badly injured as to require humane relief from further suffering.

NOTE: A seriously wounded or injured animal may be destroyed only after all attempts have been made to request assistance from the agency (Humane Society, animal control, game warden, etc.) responsible for the disposal of animals. The destruction of vicious animals involves the same rules set forth for self-defense and the defense and safety of others. (See policy 5/109.08 for an exception regarding the Humane Disposal of Animals at Resident Locations.) Also, if the animal's owner is present, the owner will be allowed, at his option, to transport the animal to veterinary care.

Disapproved Use:

1. Officers are not authorized to draw or display their firearms, except for training at an approved firearms range, unless the circumstances create reasonable belief that it may be necessary to use the firearm in the performance of their duty.
2. Officers are not authorized to discharge their firearm:
 - a. As warning shots;
 - b. If it appears likely that an innocent person may be injured;
 - c. Either at or from a moving vehicle, unless it is absolutely necessary to do so to protect against imminent threat to the life of the officer or others. The imminent threat must be by means other than the vehicle, itself:
 - 1) Officers will attempt to move out of the path of an oncoming vehicle, if possible, rather than discharge their firearms;
 - 2) Officers will not intentionally place themselves in the path of an oncoming vehicle and attempt to disable the vehicle by discharging their firearms;
 - 3) Officers will not discharge their firearms at a fleeing vehicle (a vehicle moving away from the officer) or its driver.

Tactical Considerations:

1. An officer's decision to draw or exhibit a firearm should be based on the tactical situation at hand and the officer's reasonable belief there is a substantial risk that the situation will escalate to the point where deadly force may be justified. Unnecessarily drawing or exhibiting a firearm may limit an officer's alternatives in controlling a situation, create unnecessary anxiety on the part of citizens, and result in an unwarranted or accidental discharge of the firearm.
2. Officers are to fire their weapons only to stop and incapacitate an assailant from completing a potentially deadly act or causing serious bodily injury.
3. Officers should shoot at the "center mass" for maximum stopping effectiveness and minimal danger to innocent bystanders.
4. Flashlights mounted to firearms will be used only for the purposes authorized and intended and will not be used routinely in the place of a hand-held flashlight.

N. Deployment of Rifles

Level of Control:

Deadly Force - Shots fired

Description:

See policy 5/208.02 Authorized Firearms and Associated Equipment

Certification/POST Requirements:

See policy 5/108.14 Firearms Training

Inspection Requirement:

1. Ensure weapon is clean and functional at all times;
2. Ensure weapon is loaded with department duty ammunition and not mixed with practice ammunition;

3. Officer is responsible to know how many rounds are loaded in each magazine.

Deployment Requirement:

1. If there is a potential for deadly force an officer may deem an approved rifle is appropriate based on distance, available cover, and tactical situation presented. It is important for an officer to understand terminal ballistic capabilities and limitations of the rifle to be deployed.
2. It is incumbent on the officer to use discretion when deploying and displaying the rifle, and to only deploy the rifle when the situation dictates. The officer must be aware of the number of rifles already deployed.
3. Officer(s) deploying rifle(s) will :
 - a. Announce intent to deploy the rifle via the radio and receive an acknowledgment from dispatch;
 - b. Whenever possible, deploy the rifle using a two-officer team consisting of a single rifle carrier supported by a cover officer to ensure security of the scene;
 - c. Advise dispatch, via the radio, of deployment location and update dispatch and others assigned to the event whenever deployment location changes, thus providing situational awareness to all personnel on-scene of location of deployed rifle(s);
 - d. Advise dispatch, via the radio, of whether or not deploying officer is accompanied by a cover officer.
4. Communications will re-broadcast that a rifle has been deployed and notify the area supervisor of the deployment.

Approved Use:

1. This tool will be used only in accordance with policy and department training.

Supervisory Responsibility:

1. It is the supervisor's responsibility to ensure proper deployment of rifles and address over-deployment.
2. Area supervisor will:
 - a. Proceed immediately to the incident involving the rifle deployment and assume tactical control, when possible;
 - b. Ensure that rifle deployment is appropriate for the incident;
 - c. If rifle deployment is inappropriate for the incident, modify or countermand deployment.

Post Use of Force Procedures:

1. Upon completion of the incident the deploying officer's supervisor will ensure that officer(s) who deployed a rifle complete a rifle deployment report via Blue Team.
2. The report will detail the following:
 - a. Details of the incident;
 - b. Justification for the rifle deployment, including the nature of the threat resulting in decision to deploy rifle.
3. When multiple officers deploy rifles at a single incident, the sergeant should designate one of the officers to complete the Rifle Deployment Report, listing all officers that deployed a rifle as "involved officers" in the report.
4. Rifle deployment reports are not required when a rifle(s) is deployed as part of training or a tactical drill exercise (i.e., MACTAC tests).
5. SWAT is exempt from rifle deployment reporting procedures.
6. Corrections officers will follow their standard operation procedures when conducting a high risk transport, and are exempt from rifle deployment reporting procedures.
7. Supervisor of the deploying officer will:
 - a. Conduct a review of the deployment and make appropriate comments in the Rifle Deployment Report in Blue Team, to include any supervisory decisions countermanding or modifying original deployment;
 - b. Forward the report to the supervising lieutenant for review;
6. Lieutenant reviewing will:
 - a. Conduct a review of the Rifle Deployment Report and make appropriate comments;
 - b. Forward Rifle Deployment Report to the bureau/area commander;
7. Bureau/Area Commander will review Rifle Deployment Report and concur or disagree with deployment. If deployment was not in compliance with policy, take appropriate corrective action to include timely notification of the Division Commander.

XI. REPORTABLE FORCE INCIDENTS

Reportable force incidents which require the completion of a Use of Force Report in Blue Team include, but are not limited to:

1. Empty Hand Tactics (Takedown with injury, Strikes, Kicks)
2. Baton/Impact Weapons (Jabs, Strikes)
3. OC Spray
4. ECD (To include spark display)
5. LVNR® (Level 1, 2 and 3)
6. K-9 (With bites)
7. Blocking (With intentional contact)
8. Stationary Vehicle Immobilization Technique (Pinching - With contact between vehicles)
9. P.I.T. (Used or attempted)
10. Ramming
11. Low Lethality Shotgun
12. Firearm Use (Shots fired - outside the firearm's range, excluding off-duty situations such as hunting or participating in competitive shooting)
13. Deployment of Rifles (Excluding SWAT/SERT)

Supervisors will respond without necessary delay to all potential reportable uses of force. (See policy 5/109.01, Post Use of Force, for supervisor responsibilities. (2/11, 6/22/12)■

TP