



## POLICY AND PROCEDURE

Subject:  
**USE OF FORCE**

Policy Number:  
**101**

Number of Pages:  
**21**

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By the Authority of:

Chief of Police: Zachary Owen

### I. PURPOSE

The purpose of this policy is to provide sworn employees with guidelines on the use of deadly and less lethal force.

### II. POLICY

The agency recognizes and respects the value of human life. In vesting sworn members with the lawful authority to use force to protect public welfare, a careful balancing of all human interests is required. It is the policy of this agency that sworn personnel shall use only the force which is reasonable and necessary to accomplish lawful objectives and will apply de-escalation techniques when possible. Officers should use only that force which is objectively reasonable based on the totality of the circumstances involved.

### III. DEFINITIONS

- A. Deadly force: Any force that is likely to cause death or serious bodily injury.

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- B. Less lethal force: Any use of force other than that which is considered lethal force.
- C. Physical force: Any force required to overcome an assault or active resistance to arrest, or to control or restrain the movement of another, and which results in (or has the potential to result in) death or injury. Physical force may be either lethal or less lethal.
- D. Overt action: Any action taken by a person that makes it clear and apparent to the officer that the person intends to inflict death or serious physical injury on the officer or a third party.
- E. Reasonable belief: Reasonable belief means that the person concerned, acting as a reasonable person believes that the prescribed facts exist. What a reasonable and prudent officer would perceive.
- F. Serious bodily (physical) injury: Bodily injury that creates a substantial risk of death, extreme physical pain, serious permanent and obvious disfigurement, or protracted loss or impairment of the function of a bodily member, organ, or mental faculty.
- G. Imminent: Has a broader meaning than immediate or instantaneous, the concept of imminent should be understood to be elastic, involving an ongoing period of time depending on the circumstances rather than a moment in time under the definition of immediate.
- H. Active Aggression: Behavior that creates an imminent risk of physical injury to a subject, officer, or third party, but would not lead a reasonable officer to perceive a risk of death or serious bodily injury. Examples include but are not limited to an attack on an officer consisting of strikes, wrestling, undirected strikes with injury potential, kicks, shoves, or punches. Examples may also include words or behavior such as pre-assault cues that clearly indicate that such an attack or actions are imminent.

#### IV. PROCEDURES

- A. LEVELS OF RESISTANCE

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The purpose of this policy is to control resistive behavior with techniques that have minimal chance of injury. This force continuum was designed to give officers a model in which to learn the various levels of subject resistance and proper subject control responses. This is only a model and should be based on the subject's actions, the officer's perception of the threat, and the officer's knowledge of their own abilities. Each situation will be different, and officers will need to justify using force by articulating the facts, variables, and the totality of the circumstances. This type of continuum should serve as a guide to allow an officer the ability to make a sound and logical decision when using force.

#### Levels of Resistance

1. Physical Posturing – These are physical acts, on a non-verbal basis, which indicate to the officer that the subject may not be cooperative. (Examples: Bowing up shoulders, 1000-yard stare, etc.)
2. Verbal Resistance – These are verbal statements from a subject indicating that they are not going to cooperate with the officer or verbal threats toward the officer. (Example: "No, I am not going to jail!")
3. Passive Resistance (Dead Weight) – The subject goes limp on the officer while standing, sitting, or lying on the ground. (Example: Passive demonstrator sitting on the ground and refusing to move or leave)
4. Active Resistance (Defensive Resistance) - A physical action(s) from the subject that attempts to keep the officer from controlling them (Example: Subject pulls away from the officer or walks away from the officer)
5. Active Aggression (Assaultive Resistance) - The subject is attempting an assault or is physically assaulting the officer or citizen by using their personal weapons. (Example: Subject is punching or kicking the officer)
6. Deadly Assault - Deadly force encounter (Example: Subject presents and points a handgun at the officer)

#### B. LEVELS OF CONTROL

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1. Officer Presence: No force is used. The mere presence of a law enforcement officer works to deter crime or diffuse a situation. Officer's attitude should be professional and non-threatening.
2. Verbalization: Officers issue calm, nonthreatening commands. Officers may increase their volume and shorten commands to gain compliance.
3. Empty Hand Control: Officers use bodily force to gain control of a situation.
  - a. Soft Empty Hand Control - Officers use of hands on the subject to direct the subject's movement (i.e. escorts, holds, and joint locks) to gain control of a situation. Techniques that have a low potential of injury to the subject.
  - b. Hard Empty Hand Control - Officers use punches and other physical strikes, including knees, kicks and elbow strikes that have the possibility of creating mental stunning and/or motor dysfunction to restrain an actively aggressive subject.
4. Less Lethal Weapons - Officers use less lethal weapons to gain control of an actively aggressive subject.
  - a. Chemical - Officers may use chemical sprays or projectiles embedded with chemicals to restrain an actively aggressive individual (e.g. pepper spray, PepperBall rounds)
  - b. Electronic Control Device - Officers may use electronic control devices, which use a high voltage but low amperage current, to immobilize an actively aggressive individual (e.g. Taser).
  - c. Impact Weapons - Batons, ASP/Expandable Baton may be utilized in cases where the officers believe the use of these weapons would be reasonable to bring the event under control. Active aggression is required. Examples would be where other options have been utilized and failed or where based on the officer's perception at the time, the other options would not be successful in bringing the event to a successful conclusion that active aggression is required.

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5. Deadly Force

Force that creates a substantial likelihood of serious bodily injury or death. Lethal Force or Deadly force actions can occur by using personal weapons, impact weapons, neck restraints, or firearms. Emergency weapons may also be used by the officer, especially when facing a high level of resistance. Should only be used if a suspect poses a serious threat to the officer or another individual.

C. ELEMENTS OF DEADLY FORCE

The last level of control is "deadly force." There are three components that must be present prior to the use of deadly force in self-defense situations

1. Ability - the capability or means to cause great bodily harm or death
2. Opportunity - in a position to cause great bodily harm or death
3. Jeopardy (intent) - an overt threatening move or gesture that could cause great bodily harm or death.

D. Parameters for Use of Deadly Force

1. Officers are authorized to fire their weapons and use deadly force to:
  - a. Protect the officer or others from what is reasonably believed to be an imminent threat of death or serious bodily harm; or
  - b. Prevent the escape of a fleeing felon whom the officer has probable cause to believe will pose a significant threat to human life should escape occur. Such action requires supporting facts such as a previously demonstrated threat to, or wanton disregard for, human life or commission of a crime involving the infliction or threatened infliction of serious bodily harm.
2. Before using a firearm, officers shall identify themselves and state their intent to shoot, where feasible.
3. An officer may also discharge a weapon under the following circumstances:

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- a. During range practice, competitive sporting events, or recreational purposes.
  - b. To destroy an animal that represents a threat to public safety, or as a humanitarian measure where the animal is seriously injured.
- 4. Officers shall adhere to the following restrictions when their weapon is exhibited:
  - a. Except for maintenance or during training, officers shall not draw or exhibit their firearm unless circumstances create reasonable cause to believe that it may be necessary to use the weapon in conformance with this policy.
  - b. Warning shots are prohibited.
  - c. Firearms shall not be discharged when it appears likely that an innocent person may be injured.
  - d. Firearms shall not be utilized as impact weapons.
- E. Parameters for the Use of Deadly Force Related to Vehicles
  - 1. **Officers shall avoid intentionally placing themselves directly in front of or directly behind a vehicle in a manner that would create a situation increasing the danger to the officer or another person.**
  - 2. Firing at vehicles should be avoided, unless a person in that vehicle commits an overt action that constitutes deadly force, either with a weapon or while using the vehicle as a weapon, that endangers the life of the officer or another person.
  - 3. Officers may only use deadly force on a person fleeing in a vehicle, provided the officer has probable cause to believe that the person is a felon and will pose a significant threat to human life should escape occur. Such action requires supporting facts such as a previously demonstrated threat to, or wanton disregard for human life or the commission of a crime involving the infliction or threatened infliction of Serious Physical Injury.

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F. Parameters for Use of Less Lethal Force

1. Where deadly force is not warranted, officers should assess the incident to determine which less lethal technique or weapon will best de-escalate the incident and bring it under control in a safe manner.
2. Officers are authorized to use agency-approved less lethal force techniques and equipment for resolution of incidents, as follows:
  - a. To protect themselves or another from physical harm;
  - b. To restrain or subdue a resistant individual; and/or
    - c. To bring an unlawful situation safely and effectively under control.
3. Pain compliance techniques may be effective in controlling a physically or actively resisting individual. Officers will only apply those techniques for which they have successfully and currently completed training by the agency or the SC Criminal Justice Academy. The application of any pain compliance technique will be discontinued once compliance has been achieved.

Officers using pain compliance techniques shall consider:

- a. The degree to which the application of the technique will be controlled given the level of active resistance;
- b. Whether the person can comply with the direction or order from the officers; and
- c. Whether the person has been given sufficient opportunity to comply.

G. Less-Lethal Weapons/Tactics:

Prior to deployment of any less-lethal weapon, officers must be trained and certified in the proper use of the weapon from both the technical and

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legal aspects. All deployments must be consistent with departmental use of force training and policy.

Chemical Spray:

1. Chemical Spray shall not be deployed as a compliance technique for a person who is passively or verbally non-compliant. Active aggression shall be required.
2. Chemical Spray shall never be used as a punitive measure.
3. Officers should never spray from a pressurized can directly into a subject's eyes from a close distance due to the potential for eye injury as a result of the pressurized stream. Officers should never spray directly into a subject's eyes from closer than three feet or the distance recommended by the manufacturer of the spray (whichever is shorter) unless deadly force would be justified.
4. Officers shall consider alternatives to chemical spray when attempting to control a subject in a crowded-enclosed area due to the innocent over-spray that may cause the onset of panic.
5. Officers shall consider alternatives to chemical spray when the event is inside a building, particularly where the building has a closed-ventilation system due to the potential impact on innocent persons who may have to be evacuated temporarily) from the locations.
6. Once control is gained, officers should immediately provide for the decontamination of the subject.
7. If the person shows any signs of physical distress or does not recover in a reasonable amount of time, officers should immediately direct an emergency medical response and render first-aid at the degree for which they are trained.

Electronic Control Devices

1. Electronic Control Device must be worn on the weak-side in either a weak-hand draw or cross-draw position.
2. An electronic control device constitutes a serious use of force.
3. Electronic Control Device deployment shall not be considered for the passively resistant subject. Active aggression that poses a threat of

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immediate danger to the officer or another shall be required. It is noted that physical resistance is not the same thing as the risk of immediate danger.

4. Flight from an officer, standing alone, is not a justification for the use of an electronic control device. Officers should consider the nature of the offense suspected, the level of suspicion with respect to the person fleeing, and the risk of immediate danger to the officer or others if the person is not apprehended immediately.
5. Officers must be trained concerning ability of electrical charge to act as an ignition for combustible materials (avoid known flammables and explosives). Electronic Control Devices can ignite explosive materials, liquids, fumes, gases, vapors, or other flammable substances (e.g., gasoline, sewer gases, meth labs, flammable personal defense sprays, hair gels, hand sanitizer, butane lighters). Some propulsion agents (carriers) are flammable. **DO NOT** deploy an Electronic Control Device in conjunction with flammable chemical weapon deployments.
6. Any use of force, including Electronic Control Device use, may cause or contribute to death or serious injury. Officers are called upon to deal with individuals in crisis who are often medically compromised and who may be susceptible to arrest-related death. This includes those who are already medically compromised due to heart disease, asthma, or other pulmonary conditions, and profound agitation, severe exhaustion, drug intoxication, or chronic drug abuse. **Electronic Control Device use on these individuals could increase the risk of death or serious injury. Officers should consider other options, when feasible, when dealing with known susceptible individuals.**
7. Multiple Electronic Control Device deployments against an individual may increase the likelihood of death or serious injury where the individual is suffering from other symptoms such as cocaine intoxication.
8. The agency recognizes however, particularly where back-up officers are unavailable, that multiple applications may be necessary to gain or maintain control of a combative individual. **Officers should consider other options after three unsuccessful cycles, when feasible.**

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9. No more than one officer should deploy an electronic control device against a single individual at the same time.
10. A contributing factor to serious injury or death is the level of a subject's exhaustion. Studies recommend that when an officer believes that control of a subject will be necessary and met with resistance, deployment of the Electronic Control Device should be considered early in the event so that the person has not reached a level of exhaustion prior to the Electronic Control Device's use.
11. Electronic Control Device-induced cardiac risks are low, but not zero.  
**To reduce cardiac risks (when practicable):**
  - a. Target the back.
  - b. Avoid targeting the chest and heart region unless justified.
  - c. Avoid repeated or continuous exposures unless justified.
12. The most preferred targeting is the center mass of the subject's back **(avoid the head and neck)**. The back contains larger muscle groups, which reduces the risk of hitting sensitive body areas, and clothing usually fits tighter on the back. However, it is recognized that it is not always possible to get behind the subject.
13. Where back-targeting is not possible, frontal deployments to the lower torso area below the chest and the larger muscle areas such as the legs are usually effective than hitting the chest, (split the beltline with each of the probes). Officers shall make all reasonable efforts to avoid striking persons in the head, neck, eyes, throat, chest, or other sensitive body areas.
14. Officers are prohibited from using the device as punitive measure.
15. Electronic Control Devices shall not be used against person who is in physical control of a vehicle in motion unless deadly force would be justified based on an existing imminent threat.
16. A warning prior to discharge is preferred but not always necessary for this type of force to be considered reasonable. A warning may enhance the danger to the officer and the subject by giving the subject time to avoid the deployment.

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17. Officers shall make all efforts to warn other officers that a deployment is about to occur.

18. The device shall never be used on a handcuffed person to force compliance unless the subject poses a violent threat to the officer through physical conduct and cannot otherwise be controlled.

19. Officers should consider the location and environment of the subject (i.e. is the subject at the top of a stairwell such that when incapacitated by the Electronic Control Device they fall down the stairs causing a collateral injury).

20. Officers should be aware that a subject's heavy clothing may impact the effectiveness of the electronic control device.

21. Officers should consider whether the subject has been exposed to combustible elements that may be on their person such as gasoline. The use of an Electronic Control Device on such persons may cause an ignition and fire.

22. Officers should consider the subject and any vulnerabilities they may have before using an Electronic Control Device on pregnant women, small children, the elderly, or low body-mass-index / very thin or frail persons. **Electronic Control Device use on these individuals could increase the risk of death or serious injury.**

23. Alternative tactics shall be utilized where the officer has prior information that the subject suffers from a disability which would increase the danger to that person by using the Electronic Control Device (i.e. a person at the scene tells an officer that the subject has a heart condition).

24. Where the officer encounters an unarmed and minimally threatening individual who is exhibiting conspicuous signs of being mentally unstable, the officer must de-escalate the situation and adjust the application of force downward.

On January 11, 2016, the Fourth Circuit Court of Appeals published an

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opinion in The Estate of Ronald H. Armstrong v. The Village of Pinehurst,  
810 F.3d 892 which ruled upon the use of a Taser. The Fourth Circuit stated:

*“we intend this opinion to clarify when taser use amounts to excessive force in, at least, some circumstances. A taser, like a gun, a baton, ... or other weapon, is expected to inflict pain or injury when deployed. It, therefore, may only be deployed when a police officer is confronted with an exigency that creates an immediate safety risk and that is reasonably likely to be cured by using the taser. The subject of a seizure does not create such a risk simply because he is doing something that can be characterized as resistance - - even when that resistance includes physically preventing an officer’s manipulations of his body. Erratic behavior and mental illness do not necessarily create a safety risk either. To the contrary, when a seizure is intended solely to prevent a mentally ill individual from harming himself, the officer [a]ffecting the seizure has a lessened interest in deploying potentially harmful force.”*

The Court went on to rule that “law enforcement officers should now be on notice that such taser use violates the Fourth Amendment” and officers will not be granted qualified immunity. When considering the use of a TASER against a mentally ill individual being taken into custody pursuant to mental health commitment proceedings, the court outlined several rules:

- a. TASERs are proportional force only when deployed in response to a situation in which a reasonable officer would perceive some immediate danger that could be mitigated using the TASER.
- b. TASER use is unreasonable force in response to resistance that does not raise a risk of immediate danger.
- c. Physical resistance is not synonymous with “risk of immediate danger.”

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- d. Where, during the course of seizing an out-numbered mentally ill individual who is a danger only to himself, police officers choose to deploy a TASER in the face of stationary and non-violent resistance to being handcuffed, those officers use unreasonably excessive force. While qualified immunity shields the officers in this case from liability, law enforcement officers should now be on notice that such TASER use violates the Fourth Amendment.

The Court has provided guidance on two issues. First, they have ruled when a Taser (and other weapons) can be used. Next, they have ruled that any use outside of their ruling is excessive force.

25. Removal shall be conducted by medically trained personnel which may include officers of the Department who have been trained in first aid and universal safety precautions. The impact site should be cleaned with an antiseptic or alcohol-based product and a bandage applied. Deployed probes that have been removed from a suspect should be treated as a bio-hazard.
26. All persons who have been the subject of an Electronic Control Device deployment shall be cleared medically and monitored for a period of time with a focus on symptoms of physical distress. This monitoring can be performed by officers of the Department who have been trained in first aid and CPR.
27. Where EMS is available, their services may be utilized for the removal of darts as long as such removal can be accomplished with causing further injury or pain to the subject.
28. All persons who have been the subject of an Electronic Control Device deployment shall be cleared medically and monitored for a period of time with a focus on symptoms of physical distress. Any person who appears to be having any form of physical distress following the deployment of an ECD, shall be transported to a medical facility for a medical examination. It should be noted that studies indicate that persons who suffer from excited delirium may not be immediately impacted and the onset of difficulty may occur a period of time after the

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police control event.

29. Mandatory Medical Clearance at Hospital:

- a. Persons struck in a sensitive area-eyes, head, genitals, female breasts.
- b. Where officer cannot safely remove darts in accordance with training.
- c. Persons who have been subjected to more than 15 seconds of deployment.
- d. Persons who have been struck in the chest with the probes.
- e. Persons who do not appear to have fully recovered after a short period of time (Model Policies use a ten-minute time limit however officers who observe unusual physical distress should immediately call for medical assistance and should not wait the ten-minute recovery period recommended by some of the model policies,
- f. Persons who fall into one of the vulnerable classes such as juveniles, pregnant women, persons who are small in stature, persons who officers become aware have a pre-existing medical condition that increases danger and the elderly.
- g. Subject who requests medical assistance.

30. Documentation:

- a. All deployments of an Electronic Control Device shall be documented including those cases where a subject complies once threatened with such a device. By documenting the non-discharge uses, an agency establishes officer judgment and control as well as the deterrent effect of this tool.
- b. Photographs of the affected area shall be taken following the removal of darts from the subject to document any injury. Where the push-stun method has been used, photographs are extremely important due to the increased potential for this method to cause scarring.
- c. Supervisory personnel shall be notified and review all Electronic Control Device deployment for consistency with policy and training.
- d. Darts/Cartridges shall be properly stored and maintained as

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evidence following a discharge.

- e. Officers are required to complete a “response to active resistance form” which shall be reviewed by a supervisor following the ECD use.
- f. All deployments shall be reviewed by the agency as well as training personnel.
- g. Where there is any indication of lasting injury, claim or complaint internal data from device shall be maintained. All ECD units will be audited monthly to ensure that all deployment/activations have been reported as required.

Impact Weapons: Batons, ASP/Expandable Baton

1. Impact weapons may be utilized in cases where the officers believe the use of these weapons would be reasonable to bring the event under control. Active aggression is required.
2. Examples would be where other options have been utilized and failed or were based on the officer’s perception at the time, the other options would not be successful in bringing the event to a successful conclusion.
3. Officers shall not intentionally strike a person in the head with an impact weapon unless deadly force would be justified.

H. Guidelines for the Application of Physical Control Techniques

1. Officers may use only the amount of physical force that is objectively reasonable based on the totality of the circumstances involved to overcome resistance or bring a volatile and dangerous situation under control. the physical force used should be only for the period required to gain compliance of the resisting individual or to gain control of the situation.
2. Chokeholds and vascular neck/carotid restraints are prohibited and may only be applied when the use of deadly force is justified and objectively reasonable.
3. Absent justified deadly force situations, the agency prohibits the application of all physical restraint maneuvers that restrict the intake of oxygen or flow of oxygenated blood to the brain for the purpose of gaining control of a subject.

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4. When restraining individuals on the ground, officers should position the subject in a manner that will assist breathing, such as placement on their side, and avoid pressure to the chest, neck, or head as soon as is possible after officers gain control of the individual. Minimal force should be used against persons in handcuffs or otherwise restrained, except as objectively reasonable to prevent imminent bodily harm to the individual; the officer; any other person or persons present; or, as objectively reasonable, where physical removal is necessary to overcome passive resistance.
5. This policy will in no way limit an officer's response should the resistance escalate to a level that would justify a higher level of force, to include the use of deadly force. In limited circumstances when a confrontation escalates suddenly or violently, an officer may use any means or device at hand to defend themselves, as long as the level of force used is objectively reasonable given the existing circumstances.

I. Medical Aid

In all instances where the use of force has caused or has the potential to have caused injury appropriate medical aid will be provided. Emergency medical services for serious injuries will be requested immediately or as soon as it is safe to do so. Special attention should be paid to the potential for non-visible injuries that could result from impact with the ground, strikes to the head or heart, and/or the application of a neck restraint.

J. Reporting Uses of Force

1. A written report is required in the following situations:
  - a. When a firearm is discharged outside of the firing range, except when discharged as part of training or recreational purposes;
  - b. Takes an action that results in (or is alleged to have resulted in or had the potential to have resulted in) injury or death of another person;
  - c. When a lethal or less lethal weapon is used to apply force; or

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- d. Applies any physical force.
  2. If any use of force leads to death or serious bodily injury, this report shall be reported to the National Use of Force database.
  3. Each officer involved in the use of force in any of these situations will be required to document his or her individual actions during the incident.
  4. All reported uses of force will be reviewed by the appropriate authority which may include the employee's supervisor, General Counsel, agency head, and/or outside entities to ensure that:
    - a. Agency rules, policy, and procedures were adhered to;
    - b. The relevant policy was clearly understandable and effective to cover the situation; and
    - c. Agency personnel are properly trained in the use of force, and use of force policies are reviewed annually by all officers.
  5. There will be a documented annual analysis of agency activities, policies, and practices pertaining to use of force.
  6. All use of force reports shall be retained as required by approved record retention schedules.
- K. Agency Response to Officer Involved Incidents Resulting in Death or Serious Bodily Injury
1. Where an officer's actions or use of force causes death or serious physical injury (not limited to shootings and may include incidents such as fatal motor vehicle collisions), the officer shall be placed on administrative duty pending the completion of an administrative review.
    - a. The agency shall ensure that an independent criminal investigation is conducted (i.e. SLED, SCHP, etc.)
    - b. The agency shall determine the person responsible for the administrative investigation.
    - c. The agency will ensure that personnel responsible for managing these incidents receive annual process training.

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- d. The agency will assist all potentially impacted personnel with counseling and awareness training.
2. Duties of First Responding Officer: Upon arrival at the scene the first uninvolved officer will be the officer-in-charge and assume the duties of a supervisor until relieved by a supervisor and should:
  - a. Secure the scene and coordinate pursuit of any suspects.
  - b. Take all reasonable steps to obtain emergency medical attention for all apparently injured individuals.
  - c. Secure the scene and identify witnesses.
3. On Scene Supervisor Responsibilities: Upon arrival at the scene the first responding supervisor should:
  - a. Ensure the scene is secure and as safe as possible for other responders.
  - b. Manage pursuit of suspects if any.
  - c. Take all reasonable steps to obtain emergency medical attention for all apparently injured individuals.
  - d. Attempt to obtain a brief overview of the situation from any involved officers.
  - e. Because potential witnesses to an officer-involved death incident or other major incident may be lost or the integrity of their statements compromised with the passage of time, a supervisor should take reasonable steps to identify all persons present at the scene and in the immediate area.
  - f. Any potential witness who is unwilling or unable to remain available for a formal interview should not be detained absent reasonable suspicion to detain or probable cause to arrest. Without detaining the individual for the sole purpose of identification, the supervisor should attempt to identify the witness prior to his/her departure.
  - g. Witnesses who are willing to provide a formal interview should be asked to meet at a suitable location where criminal investigators may obtain a recorded statement. Such witnesses, if willing, may be transported by department personnel.

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- h. Provide all available information to the Shift Supervisor and Dispatch. If feasible, sensitive information should be communicated over secure networks.
- i. Take command of and secure the incident scene with additional personnel until relieved by an investigator or other assigned personnel.

4. Notifications: The following notifications will be made as soon as practicable:

- a. Police Chief
- b. Deputy Chief
- c. Investigators
- d. Assisting Law Enforcement Agency(ies)
- e. Psychological/Peer support personnel
- f. Involved officer's representative (if requested)

L. Authorized Firearms and Less Lethal Weapons

1. The official handgun(s) to be carried/used by on-duty officers is/are:

- a. Glock 9mm Model 19\_\_\_\_\_
- b. \_\_\_\_\_
- c. \_\_\_\_\_

Ammunition will be issued by the agency.

2. Qualified officers may be issued a shotgun and/or patrol rifle. Approved agency-issued shotguns and/or patrol rifles are:

- a. \_\_\_\_\_
- b. \_\_\_\_\_
- c. \_\_\_\_\_

Ammunition will be issued by the agency.

3. Qualified officers may be issued one or more less lethal weapons. Approved agency-issued less lethal weapons are:  
The official less lethal weapons for use by officers are:

- a. \_\_\_\_\_
- b. \_\_\_\_\_
- c. \_\_\_\_\_
- d. \_\_\_\_\_

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Officers will only carry these agency-approved less lethal weapons.

**M. Firearms and Less Lethal Weapons Training and Qualification**

1. All law enforcement officer shall be required to qualify at least once a year with their departmental issued or authorized service handgun. Firearms training and qualification will be scheduled by the Chief of Police and/or his or her designee. The course of fire will consist of training courses approved by the Chief of Police and the South Carolina Criminal Justice Academy (SCCJA). Firearms training and successful demonstration of proficiency is mandatory by all certified law enforcement officers. All law enforcement officers shall be required to score a minimum of 75% of the SCCJA Basic Course of Fire.
2. If a law enforcement officer carries an off-duty or back-up firearm, he or she shall be required to qualify (on an approved course) with that firearm annually in addition to his or her issued service handgun.
3. If a law enforcement officer carries a shotgun or a patrol rifle, he or she shall be required to qualify with that firearm annually in addition to his or her issued service handgun. Law enforcement officers shall be required to score a minimum of 80% of the "scoring of hits only" standard of scoring and will be graded on a pass or fail basis.
4. If a law enforcement officer carries an authorized less lethal weapon, he or she shall be required to qualify with that less lethal weapon annually.
5. Firearms qualification courses will be monitored by an appropriate certified firearms instructor. Less lethal weapons qualification courses will be monitored by an appropriate less lethal weapons instructor. All scores will be recorded as part of the permanent training record of the law enforcement officer.
6. All law enforcement officers shall be permitted to have a minimum of three qualification attempts, at the discretion of the Chief of Police (or designee), with firearms and less lethal weapons on the scheduled qualification day. If a law enforcement officer requires extra training before he or she can meet the minimum requirements of the specific

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weapons training, an appropriate certified weapons instructor should provide coaching assistance to the law enforcement officer.

7. In the event a law enforcement officer is unable to qualify with his or her primary handgun at a required qualification session, the law enforcement officer shall meet with the Chief of Police (or designee) and surrender his/her badge, his/her credentials, and firearm(s). The law enforcement officer will be removed from all field assignments until he/she qualifies with his/her primary handgun. The Chief of Police will decide on suspending the officer or placing the officer on administrative duty. The Chief of Police should direct the law enforcement officer to attend remedial training with a firearms instructor.
8. The Chief of Police (or designee) will determine a time limit for the law enforcement officer to successfully qualify with his/her primary handgun. During this time, the law enforcement officer must attend any required remedial training with a certified firearms instructor until a satisfactory score is achieved. The law enforcement officer will be reinstated after he/she qualifies with his/her primary handgun. The Chief of Police (or designee) will return the law enforcement officer's badge, credentials, and firearm(s) so that the officer can return to full duty.
9. If the law enforcement officer still cannot qualify with his/her primary handgun, then the law enforcement officer will meet with the Chief of Police again. The Chief of Police should administer whatever type of disciplinary action he/she may deem necessary up to and including termination.
10. If a law enforcement officer fails to qualify (after remedial training) with a shotgun, a patrol rifle, a back-up firearm, or an off-duty firearm, or any of the approved less-lethal weapon, he or she will not be permitted to carry such firearm(s) or less-lethal weapon(s).
11. Any law enforcement officer who has suffered an illness or injury that could affect his or her ability to use a firearm may be required to re-qualify prior to returning to duty, at the discretion of the Chief of Police.
12. Authorized weapons are those with which the officer has qualified and received agency training on proper and safe usage, and that comply

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with agency specifications. Officers are required to review all use of force and weapons policies annually. The training officer will document all training and policy reviews.