

**BAY CITY DEPARTMENT OF PUBLIC SAFETY
BAY CITY, MICHIGAN**

SECTION 3 - LAW ENFORCEMENT
GENERAL ORDER

April 23, 2019
INDEX NO. 3.15

RESPONSE TO RESISTANCE

I. PURPOSE

The purpose of this General Order is to establish policy and procedure regarding the appropriate and acceptable response to resistance and to provide for the treatment of any injury or complaint of injury resulting from the response to resistance.

II. POLICY

It is the policy of the Bay City Department of Public Safety to employ only the response to resistance which is reasonable and necessary to overcome the resistance offered, effect a lawful arrest or accomplish the lawful performance of duty while protecting the public.

III. SCOPE

This General Order shall apply to all sworn personnel of the Bay City Department of Public Safety.

IV. APPLICATION

This General Order constitutes department policy, intended for internal use only, and is not intended to enlarge the employee's civil or criminal liability in anyway. It should not be construed as a creation of a higher legal standard of safety or care in the evidentiary sense with respect to third party claims insofar as the employee's legal duty is imposed by law.

V. DEFINITIONS

- A. *Control* is an officer's response to neutralize the unlawful actions of a subject or to protect the subject from injuring themselves or others.
- B. *Response to Resistance* is the officer's attempt to establish control through physical means in the presence of resistance.
- C. *Resistance* is the subject's actions to evade an officer's attempt to establish control.
- D. *Non-deadly force* is the amount of force that will not likely result in great bodily harm or loss of human life.
- E. *Great bodily harm* is any injury that could cause significant physical impairment.

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- F. *Deadly force* is the amount of force that could result in great bodily harm or loss of human life.

- G. *Reasonableness* means within reason, moderate action suitable to the situation, consistent with department provided training and policies. The final decision as to the reasonableness of an officer's response will be determined on a case by case basis by members of the department who are called upon to review the appropriateness of those tactics or actions, based on what a reasonable officer would have done under like circumstances.

- H. *Last resort* situations are those where certain immediate and drastic measures must be undertaken by an officer in order to protect human life. Responses used in these situations may involve the use of techniques or weapons not covered by department policy; however, they remain to be measured by reasonable and necessary use of force standards.

- I. *Totality of circumstances* is whether an officer's actions are reasonable in light of all the facts and circumstances confronting the officer, at the time the response to resistance is used.

- J. *Subject control continuum* is the level of control established through the Michigan Commission on Law Enforcement Standards (MCOLES) and is the approved training for the Use of Force.

- K. *Disability* with respect to an individual means a physical or mental impairment that substantially limits one or more of the major life activities of such an individual; and there is a record of such impairment; or the individual is regarded as having such an impairment.

- L. *Graham Three Part Test* - the United States Supreme Court concluded that all uses of force in the course of an arrest will be judged by the Fourth Amendment standard of objective reasonableness. The Court also held that uses of force will be viewed from the perspective of an officer on the scene and without the benefit of 20/20 hindsight. In determining the reasonableness of a particular use of force the Court announced a three part test:
 - 1. How serious is the offense?
 - 2. Did the suspect pose a threat to the officer or others?
 - 3. Was the suspect actively resisting or trying to evade arrest?

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- M. *Hill v. Miracle* – Sixth Circuit appellate court decision that developed standards for use of force during medical emergencies where the subject in question has not committed a crime. The court stated that officers should consider the following when using force in these situation.
1. Is the person experiencing a medical emergency that renders him incapable of making a rational decision under circumstances that pose an immediate threat of serious harm to themselves or others?
 2. Is some degree of force reasonably necessary to ameliorate the immediate threat?
 3. Is the force reasonably necessary under the circumstances (i.e. not excessive)?
- N. *Medical Emergency* - an acute injury or illness that poses an immediate risk to a person's life or long-term health.
- O. *Secondary Impact* is an impact that occurs as a result of a subject experiencing neuro-muscular incapacitation and being unable to prevent themselves from falling.
- P. *Compliant Handcuffing* – anytime a subject is placed in handcuffs and the officer only has to verbally request or physically pull a subject's arm(s) into a position where handcuffs can be applied.
- Q. *Duty to Intervene* – Situations, whether violent or non-violent, in which an officer is obligated by law, policy or oath to take action.

VI. LEVELS OF SUBJECT RESISTANCE / SUBJECT ACTIONS

A. Passive Resistance

1. Any resistance that may include psychological intimidation and / or verbal resistance (e.g., blank stare, clenching of fist(s), tightening of jaw muscles, etc.)
2. Any type of resistance whereby the subject does not attempt to defeat the officer's attempt to touch and control the subject, but still will not voluntarily comply with verbal and physical attempts of control (e.g., dead weight, does not react to verbal commands, etc.)

B. Active Resistance

1. Any action by a subject that attempts to prevent an officer from gaining control of the subject (e.g., pulling / pushing away, blocking, etc.).
2. Physical actions / assaults against the officer or another person with less than deadly force (e.g., advancing, challenging, punching, kicking, grabbing, wrestling, etc.).

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3. Any force used against an officer or another person that may result in great bodily harm or loss of human life.

VII. LEVELS OF CONTROL / OFFICER RESPONSE

A. Officer Presence / Verbal Direction

1. Identification of Authority (i.e., uniformed presence, identification as a police officer)
2. Verbal Direction (e.g., for arrest or to control a subject's movement)
3. Use of Restraint Devices (i.e., compliant handcuffing)
 - a. Restraints/Handcuffs should not be applied unless there is a lawful justification.
 - i. When handcuffing for safety, officers must articulate in their report what specifically was a safety hazard.
 - b. Anything beyond simply pulling a subject's arms into position for handcuffing is considered a Response to Resistance and requires a Supervisor's Response to Resistance report be completed.

B. Compliance Control

1. Soft Empty Hand Techniques (e.g., joint lock, pressure points, etc.)
2. Compliance Control Devices (e.g., baton when used as a compliance control device rather than as an impact weapon)
3. These devices have varying risks of injury associated with them and therefore when used to physically control a subject, should be based on the Graham Three Part Test or upon the Hill vs. Miracle decision in instances involving a medical emergency.

C. Physical Controls

1. Hard Empty Hand Techniques (e.g., strikes, take downs, etc.)

D. Intermediate Controls

1. Intermediate Weapons (e.g., impact weapons, less-lethal devices such as chemical aerosol sprays, TASER, etc.)
2. These have varying risks of injury associated with them. The decision to deploy any less-lethal device, when used to physically control a subject, should be based on the Graham Three Part Test or upon the Hill vs. Miracle decision in instances involving a medical emergency.

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- E. Deadly Force Response
 - 1. Any force used by an officer that has a reasonable probability to cause great bodily harm or loss of human life

VIII. CONSIDERATION OF CIRCUMSTANCES

- A. Officers should consider the Graham Three Part Test when deciding the appropriate response to resistance during incidents involving criminal offenses.
 - 1. How serious is the offense?
 - 2. Did the suspect pose a threat to the officer or others?
 - 3. Was the suspect actively resisting or trying to evade arrest?
- B. In situations where the Graham Three Part Test does not apply because the person in question has not committed a crime, officers should consider the following according to Hill v. Miracle (6th Circuit Court of Appeals):
 - 1. Is the person experiencing a medical emergency that renders him incapable of making a rational decision under circumstances that pose an immediate threat of serious harm to themselves or others?
 - 2. Is some degree of force reasonably necessary to ameliorate the immediate threat?
 - 3. Is the force reasonably necessary under the circumstances (i.e. not excessive)?

IX. ESCALATION AND DE-ESCALATION OF RESPONSE TO RESISTANCE

- A. An escalated response to resistance may be justified when an officer reasonably believes the level of force being used is insufficient to stop or control the resistance.
- B. Officers may escalate the response to resistance that is reasonable and necessary to control the situation, based on the level of resistance encountered. The officer must de-escalate or lessen the response to resistance as the subject begins to lessen the resistance offered.

X. RESPONSE TO RESISTANCE PROCEDURES

- A. Officers should assess the totality of the circumstances in order to determine the appropriate response to gain control in situations which officers have a duty to intervene. When possible, officers should attempt to gain control by means of verbal directives or commands.
- B. Sworn law enforcement officers acting in the capacity of a School Resource Officer (SRO) are not bound by MCL 380.1307b to 380.1307h, which regulate the Michigan

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Department of Education's Emergency Response of Seclusion and Physical Restraint of Students Protocol. They are exempt from these statutes when acting in a law enforcement capacity. School Resource Officers shall not use force for school administrative issues. School Resource Officers shall consider the totality of the circumstances, the Graham Three Part Test along with Hill v. Miracle when responding to resistance.

- C. If verbal directives or commands are ineffective or not feasible given the circumstances of the situation, the officer may escalate the response to resistance. The officer must decide what technique or authorized equipment is reasonable to use so that the incident can be de-escalated and brought under control.
- D. Officers are authorized to use department approved responses to resistance and authorized equipment for resolution of incidents, as follows:
 - 1. To stop potentially dangerous and unlawful behavior.
 - 2. To protect a person or the officer from injury or death.
 - 3. To protect subjects from injuring themselves.
 - 4. In the process of affecting a lawful arrest when the subject offers resistance.
- E. Officers responding to resistance shall render assistance to the subject after control has been established. Officers shall observe the extent of any injuries and assess the need for medical attention.
- F. Officers will contact a command supervisor as soon as feasible in regards to a response to resistance.
- G. A Supervisor's Response to Resistance Report will be completed by the shift supervisor whenever a response to resistance is applied. In addition, the shift supervisor shall ensure photographs are taken of injuries to people caused by any response to resistance.

XI. RESPONSE TO RESISTANCE METHODS

- A. Hobble
 - 1. The only hobble system to be used is the Ripp restraint issued by the Bay City Department of Public Safety.
 - 2. An officer can only use the hobble after satisfactorily completing training from a certified instructor.
 - 3. Upon restraining the subject, they should be placed in a seated position if practical.

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4. Avoid placing the subject on their stomach or any other position which may inhibit their breathing.
 5. When transporting a hobbled subject, run the end of the hobble out the rear door and close it before running it through the front door and close the door.
 6. Officers will not restrain suspects with their legs behind their back (hog-tying).
 7. A Supervisor's Response to Resistance Report must be filled out by the shift supervisor when applying the hobble.
- B. Pepper Spray
1. An officer can only carry pepper spray after satisfactorily completing training / recertification from a certified department instructor.
 2. Only pepper spray issued by the Bay City Department of Public Safety is authorized to be carried.
 3. The Graham Three Part Test should be utilized in the decision to deploy pepper spray unless it is a medical emergency, then the Hill vs. Miracle decision should be considered.
 4. Officers should consider the totality of the circumstances (i.e., people nearby and surroundings) before deploying pepper spray.
 5. Pepper spray should not be deployed around infants due to the sensitive nature of their respiratory system.
 6. Once a subject is restrained, pepper spray shall not be deployed against that subject unless the subject displays physical force that may harm themselves, a citizen or an officer.
 7. The transporting officer(s) will notify jail personnel on duty that the subject being incarcerated has been sprayed with pepper spray.
 8. A Supervisor's Response to Resistance Report must be filled out by the shift supervisor when deploying pepper spray.
- C. Baton
1. Only batons issued by the Bay City Department of Public Safety are authorized to be carried.
 2. The baton must be carried on the duty belt or exterior body armor carrier in an approved holster.
 3. An officer can only carry the baton after satisfactorily completing training / recertification from a certified departmental instructor.
 4. A baton may be used by trained personnel in the following situations:
 - a. To effect an arrest of a subject who acts aggressively or violently and will not comply with verbal commands. This level of resistance is categorized as active resistance.

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- b. To defend oneself, another officer or citizen from attack by a subject or animal.
- c. Officers should attempt to strike large muscle groups and nerve motor points where there is minimal chance of injury.
5. Officers will not purposely strike or jab a subject with a baton on the head, neck, sternum, spine, lower abdomen, groin or kidneys unless faced with a deadly force situation.
6. A Supervisor's Response to Resistance Report must be filled out by the shift supervisor after using the baton.

D. TASER

1. Definitions
 - a. *TASER* is a Conducted Electrical Weapon (C.E.W.) that is designed to use propelled wires or direct contact to conduct energy to affect the sensory and / or motor functions of the nervous system.
 - b. *Anti-Felony Identification Device (A.F.I.D.)* Each cartridge contains 20 to 30 A.F.I.Ds which are ejected when a TASER cartridge is discharged. Each A.F.I.D. contains the serial number of the cartridge.
 - c. *Cartridge* is a single use item that contains compressed nitrogen, A.F.I.D. tags, two probes, and the insulated wires. It is identified with a serial number.
 - d. *Drive Stun* is the process of utilizing the TASER as a pain compliance technique. This is done by activating the TASER and placing it against an individual's body. This can be done without a cartridge in place or after a cartridge has been deployed.
2. Deployment Considerations
 - a. The deployment of the TASER is considered a response to resistance. The decision to deploy a TASER should be made based upon the Graham Three Part Test or upon the Hill vs. Miracle decision in instances involving a medical emergency.
 - b. When deploying the TASER in probe mode, the location where secondary impact is likely to occur should be taken into consideration.
 - c. The TASER is not meant to be used in place of deadly force. However, there are tactical applications when applying proper strategies, the TASER may be considered deadly force.
 - d. The TASER should not be used without a firearm back-up in those situations where there is a substantial threat towards the officer(s) or others present. This can be accomplished by the deployment of a cover officer.
3. Authorized Personnel
 - a. Only sworn personnel who have successfully completed a department approved training course and are certified by a TASER Instructor are

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- authorized to carry and deploy the TASER.
- b. Annual re-certification training is mandatory to carry and deploy the TASER.
4. Issuance and Recording of the TASER
- a. Authorized sworn officers shall only carry and use the TASER and cartridges issued by the Bay City Department of Public Safety.
- b. The TASER will be inspected, and a daily spark test performed by the individual officer, to ensure the TASER is functioning properly.
- c. The TASER shall be carried on the opposite side of the body as the duty weapon.
5. Use of TASER
- a. The TASER may be used in the following situations and the officer(s) should consider the totality of the circumstances along with the Graham Three Part Test or Hill vs. Miracle in cases involving a medical emergency:
- a subject is threatening themselves with bodily harm;
 - a subject is actively aggressing an officer or another individual;
 - a subject is actively resisting an officer and other means of controlling the subject are not feasible or could cause injury to the officer(s), the subject, or others;
 - against animals who pose a threat towards the officer(s) or others;
 - in order to minimize the duration and intensity of a struggle with an individual who appears to be experiencing excited delirium / acute psychotic episode.
- b. The TASER will not be used for any of the following situations:
- to overcome passive resistance;
 - coercion;
 - intimidation by reckless display.
- c. When deploying the TASER, the center mass of the back or lower front torso should be the preferred target zone.
- d. Head, neck, face, chest and groin should not be intentionally targeted unless deadly force is justified.
- e. Muscle or nerve points are the target areas for drive stuns.
- f. Any repeated application of the TASER must be justified and the criteria used to re-deploy must be clearly documented.
- g. Prior to the deployment of the TASER, an officer:
- has the responsibility to visually and physically confirm that the instrument is in fact a TASER and not a firearm;
 - if feasible, immediately prior to the use of the TASER, the officer should notify other officers that they intend to deploy the TASER;
 - if feasible, immediately prior to the use of the TASER, the

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- deploying officer should announce in a loud, clear, and commanding nature, "TASER, TASER, TASER!"
- h. The TASER should not be used in the following situations:
 - subjects who are near flammable liquids or gases;
 - in known clandestine lab environments (Meth Labs);
 - subject is in danger of falling from a significant height.
 - i. Due to the increasing chance of a subject drowning, the TASER should not be used on a subject who is in water except in last resort situations (as defined under "last resort" in this policy).
6. Responsibilities after Deployment
- a. Immediate action should be taken to apprehend the subject, care for the injured, and to protect the crime scene.
 - b. Once the subject is restrained or has complied with commands, the TASER should be turned off.
 - c. Removal of probes will be done at the earliest convenience by TASER certified personnel or medical personnel.
 - d. Removal of probes from the subject's eyes, face, throat, groin, or female breasts will be done only by medical personnel.
 - e. Officers shall provide first aid following removal of the probes by applying an antiseptic and Band-Aid to the probe sites as needed.
 - f. Officers will inspect the probes after removal to ensure the entire probe and probe barb has been removed. In the event a probe or probe barb has broken off, the subject should be provided with the appropriate medical attention to facilitate the removal of the object.
 - g. Individuals who do not appear to have fully recovered ten (10) minutes after deployment of the TASER shall be medically cleared at the hospital.
 - h. If unusual physical distress is observed after deployment of the TASER, officers shall immediately call for medical assistance.
 - i. Juveniles, individuals with pre-existing medical conditions, the elderly and pregnant females shall be medically cleared at the hospital after deployment of the TASER.
 - j. Subjects who have received a probe deployment across the chest shall be medically cleared at the hospital after deployment of the TASER.
 - k. Subjects who have received a prolonged duration exposure (exposures lasting longer than five seconds in duration) shall be medically cleared at the hospital after deployment of the TASER.
 - l. Subjects who have received multiple (more than one) exposures shall be medically cleared at the hospital after deployment of the TASER.
 - m. Subjects who request medical assistance after TASER deployment shall be medically cleared at the hospital.

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- n. Photographs shall be taken of the probe impact sites, except if in the area of the genitals or female breasts.
 - o. A use of TASER report (second page of the Supervisor's Response to Resistance Report) shall be completed by the shift supervisor even if the subject was not struck.
 - p. If practical, officers shall attempt to collect as many A.F.I.D. tags as possible.
 - q. The spent cartridge, probes and wires should also be collected as evidence. These items shall be treated as biohazards and marked appropriately as such when tagged as evidence.
 - r. Notify a supervisor.
 - s. Notify jail personnel that the TASER was deployed on the subject even if the subject has been treated at the hospital or by medical personnel.
7. Accidental Discharge
- a. If at any time, an officer accidentally discharges a TASER with probe deployment, a supervisor shall be notified of the incident and a police report shall be completed by the officer that discharged the TASER.
8. Maintenance and Care
- a. Cartridges will be replaced by their expiration date. These expired cartridges will be used for training purposes only.
 - b. The TASER will not be stored near flammable liquids or fumes.
 - c. Cartridges will not be stored near any source of static electricity
- E. Deadly Force
1. Guidelines
 - a. The use of deadly force is authorized in the following situations:
 - when such force is reasonable to protect themselves or others from what is reasonably believed to be an imminent threat of death or serious physical harm;
 - as a last resort, to prevent the escape of a subject whom the officer has probable cause to believe has committed an offense involving the infliction of serious physical injury or death and is likely to endanger human life or cause serious injury to another unless apprehended without delay;
 - in situations where the officer must overcome an attack that the officer reasonably believes would produce serious physical injury or death to the officer or another person;
 - when the use of techniques taught by the department's defensive tactics instructors are not practical under the circumstances, the officer may resort to any reasonable method to overcome the attack;

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- deadly force is utilized as a last resort when other measures are not practical under the existing circumstances.
 - b. Before using a firearm, officers shall identify themselves and state their intention to shoot only if it is feasible and safe to do so.
 - c. The intentional use of a police vehicle against a suspect on foot will be considered a use of deadly force.
 - d. Use of deadly force is prohibited in the following situations:
 - when the circumstances justifying the use of deadly force no longer exist;
 - to fire warning shots;
 - solely based upon a subject failing to obey a command to stop.
 - e. It should be considered that firing at or from a moving vehicle may adversely affect accuracy and may increase the possibility of harm to an uninvolved bystander; therefore, officers should not fire at or from a moving vehicle, except in last resort situations (as defined under “last resort” in this policy).
2. Drawing / Displaying of Firearms
- a. Officers may draw and / or display firearms when the use of firearms is authorized;
 - b. for inspection purposes;
 - c. the officer(s) feel his or her safety is in peril and such danger which could be construed as life threatening (i.e., building searches, search warrants, felony traffic stops, etc.);
 - d. the person to be apprehended has committed or there is probable cause to believe the person to be apprehended has committed a felony offense and / or the possibility of confrontation with deadly force exists based on:
 - severity of the felony.
 - individual or number of individuals to be apprehended.
 - credible information received concerning weapons and / or possibility for violence.
 - other circumstances under which the felony arrest is to occur which renders the drawing or display of a firearm as a reasonable precaution provided that conditions are such that drawing or displaying the firearm can be accomplished without unreasonable risk or accidental discharge.
3. Destruction of Animals
- a. When feasible, officers should notify their supervisors of the situation prior to the destruction of the animal. Officers may use either firearm (departmental issued pistol or long rifle) to destroy severely injured animals or vicious or rabid animals which are directly threatening persons or other domestic animals provided other reasonable means or apprehension are not available or

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feasible. Such destruction requires that it can be accomplished in complete safety with regard to other persons and property.

- b. Once an animal is destroyed, it is the policy of the Bay City Department of Public Safety to exhaust all avenues in locating and notifying the animal's owner.
- c. A police report shall be completed whenever a firearm is discharged to destroy an animal.

XII. MEDICAL CONSIDERATIONS

- A. Officers responding to resistance a subject offers shall make medical treatment available when:
 - 1. Subject requests medical treatment.
 - 2. Subject complains of injury or continued pain.
 - 3. Subject was rendered unconscious.
 - 4. An officer observes or suspects injury to the subject.
 - 5. Subject does not substantially recover from the effects of a chemical aerosol spray after following the manufacturer's decontamination instructions.
 - 6. Subject has been impacted with less lethal munitions.
 - 7. When directed to do so by a supervisor.
- B. Officers providing a subject with medical treatment shall document the treatment given in an incident report.
- C. Officers shall receive permission from the attending physician prior to removing a subject from the medical care facility if the subject was seeking medical treatment.
- D. Officers providing a subject with medical treatment shall notify their supervisor as soon as possible.
- E. Should a subject be transported to a medical care facility, a supervisor shall be notified as soon as possible.

XIII. REPORTING THE DISCHARGE OF FIREARMS OR THE USE OF DEADLY FORCE

- A. Investigation Responsibility
 - 1. All shootings and responses to resistance resulting in death or serious injury involving employees of this Department will be investigated by an outside agency such as the Michigan State Police.

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- a. Officers who are directly involved will not be required to complete an incident report.
 - b. The outside agency investigating the incident may interview the officer(s) who are directly involved.
 2. The internal investigation shall be handled by the Bay City Public Safety Director or their designee.
 - a. Officers who are directly involved will not be required to complete a memorandum.
 - b. The Public Safety Director or their designee shall interview the officer(s) who are directly involved as soon as practical.
 3. Non-injury accidental discharges and shootings involving animals.
 - a. The employee's supervisor will investigate non-injury accidental discharges not involving a police action and shootings involving animals.
 4. Accidental discharge involving police action.
 - a. If an accidental discharge occurs while the employee is performing a law enforcement function, the Public Safety Director shall determine if the Bay City Department of Public Safety or an outside agency such as the Michigan State Police shall handle the investigation.
 5. Any Discharge of a Firearm for other than for training or recreational purposes.
 - a. A police report will be completed and an internal review of the incident will occur.
- B. Officer's Responsibilities
1. Immediately notify a shift supervisor.
 2. Surrender his / her weapon to the supervisor upon request.
- C. Supervisor's Responsibilities
1. Report to the scene of the incident upon notification whether inside or outside of the Department's jurisdiction.
 2. Upon arriving on scene, the supervisor shall request the officer to surrender their weapon. The weapon should be handled as evidence and treated as such.
 3. The weapon shall be turned over to the proper investigating agency if requested.
 4. Notify and assist the outside agency with the investigation for response to resistance incidents resulting in death or serious injury.
 5. Conduct an investigation if the action is a non-injury accidental discharge or destroying an animal.
 6. Provide the officer with a replacement duty weapon.

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7. Direct the appropriate command personnel, at the discretion of the Public Safety Director, to initiate personal contact with the involved officer and family to provide department support and assistance as soon as possible.
 8. Ascertain preliminary findings and immediately report to the Public Safety Director.
 9. Prepare an incident report regarding the incident.
- D. Post Use of Force Counseling
1. Post trauma counseling shall be offered to the officer at the expense of the Department.
 2. At the discretion of the Public Safety Director, an officer whose actions result in the death or serious physical injury of someone will be reassigned or placed on administrative leave pending a documented meaningful review or investigation.

XIV. POST RESPONSE TO RESISTANCE INCIDENTS

- A. A Supervisor's Response to Resistance Report shall be completed any time an officer's response to resistance rises beyond compliant handcuffing.
1. The supervisor completing the Response to Resistance Report should notify their immediate supervisor as soon as practical if the response to resistance was not within policy in their estimation.
 2. The Supervisor's Response to Resistance Report shall be forwarded to the Patrol Operations Captain for their review. The report shall be forwarded to the Support Operations Captain for review if the Patrol Operations Captain is unavailable.
 3. After review by a Captain, the Response to Resistance Report shall be forwarded to the Professional Standards Sergeant for another level of review.
 4. Any individual may recommend further investigation or internal review if they feel it is warranted.
 - a. The recommendation for further action will be in the form of a memorandum addressed to the Public Safety Director detailing the reasons further review is necessary.
- B. The Public Safety Director or their designee will complete an annual, documented summary of all Response to Resistance incidents and a written annual analysis of all Response to Resistance incidents in the aggregate.

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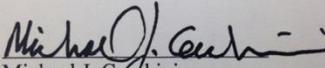
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XV. REPORT COMPLETION

- A. A police report will be completed in all of the following situations.
1. An officer discharges a firearm for anything other than training or recreational purposes.
 2. An officer applies deadly force.
 - a. The report will be completed by a supervisor as soon as the involved officers can be interviewed regarding the incident.
 3. An officer applies less lethal devices/weapons.
 4. An officer applies weaponless subject control at a level above compliant handcuffing.
 5. An officer unintentionally discharges a firearm and/or TASER.
- B. In all of the situations listed above that require a police report, the report will be reviewed by a supervisor for compliance to policy. The reviewing supervisor will determine if any further investigation/review is warranted.

By order of:


Michael J. Cecchini
Public Safety Director