

Policy:

PURPOSE

The need for law enforcement officers to use force will exist as long as members of the public are victims of violent crimes and officers in the performance of their duties are confronted with deadly and non-deadly force.

POLICY

The Louisville Municipal School District recognizes and respects the special value of human life. In vesting our School Resource Officers with the authority to use force, a careful balancing of human interest must be required. It is therefore the policy of the Louisville Municipal School District that only the minimum force reasonably necessary to effectively bring an incident under control, while protecting the lives of students, the school staff, the public, and the officer shall be used. Control is obtained through many methods: ask, advise, warnings, or the use of physical force. While the use of reasonable physical force may be necessary where situations cannot otherwise be brought under control, force may not be resorted to unless other reasonable alternatives have been exhausted or would be obviously ineffective under the particular circumstances involved. School Resource Officers are authorized to use whatever force is necessary to protect others and themselves from bodily harm. The use of excessive, unwarranted force or brutality, however, shall not be tolerated under any circumstances.

DEFINITIONS

Deadly Force: any use of force that is likely to cause death or serious bodily injury.

Non-Deadly Force: any use of force other than that which is considered as deadly force.

PROCEDURES

Whenever possible, School Resource Officers shall exhaust every other reasonable means of defense before resorting to the use of their firearms. Justification for the use of deadly force shall be limited to the fact known to the officer at the time the officer decides to use deadly force. Facts unknown to the officer shall not be considered in a later determination of justification of the use of deadly force by an officer nor as mitigating factors in determining post-deadly force disposition of the incident.

PARAMETERS FOR THE USE OF NON-DEADLY FORCE

1. Where deadly force is not authorized, officers shall assess the incident in order to determine which non-deadly force technique or weapon will be best to de-escalate the incident and bring it under control in a safe manner.
2. School Resource Officers are authorized to use department-authorized non-deadly force techniques and issued equipment for resolution of incidents as follows:
 - a. To protect themselves or another from physical harm.
 - b. To restrain or subdue a resistant individual.
 - c. To bring an unlawful situation safely and effectively under control.

PARAMETERS FOR THE USE OF DEADLY FORCE

1. School Resource Officers are authorized to use deadly force in order to:
 - a. Protect the officer or another from what is reasonably believed to be an immediate threat from death or serious bodily harm.
 - b. Present the escape of a fleeing felon whom the officer has probable cause to believe will pose a significant threat of death or serious physical injury to the officer or others.

Before using a firearm, School Resource Officers shall identify themselves and state their intent to fire, where feasible.

A School Resource Officer may also discharge a firearm under the following circumstances:

- . During range practice or competitive sporting events.
 - a. To destroy an animal that represents a threat to public safety, or in unusual circumstances as a humanitarian measure where the animal is seriously injured.

School Resource Officers shall adhere to the following restrictions when their firearm is exhibited.

- . Except for maintenance, inspection or training, officers shall not draw their firearms unless circumstances create reasonable cause to believe that it may be necessary to use the firearm in conformance with this policy.
 - a. Warning shots are prohibited.
 - b. Officers shall only fire their weapons from a moving vehicle under exigent circumstances.
 - c. A School Resource Officer who carries an off-duty firearm out of uniform shall carry the weapon concealed from view and have their badge in their possession. If an off-duty officer becomes involved in an incident that requires the display of their firearm, the officer shall affix their badge to their outer garment so that they may be recognized as a Law Enforcement Officer by the public and other Law Enforcement Officers.
 - d. Firearms shall not be loaded or unloaded in any school building except when such is ordered by a superior officer. Firearms shall not be dry-fired in any school building for any reason.
 - e. Officers of the Louisville Municipal School District shall never use a firearm to warn, threaten, bluff or otherwise supplement a verbal command except as authorized previously in this policy. The use of a firearm to strike a blow shall be considered as the use of deadly force and is not authorized except as within the parameters of this policy.
 - f. Firearms are never to be discharged in an attempt to arrest for any misdemeanor offense or lesser offense as enumerated in municipal ordinances or policies of the school district

TRAINING AND QUALIFICATIONS

DEADLY WEAPONS:

1. The Louisville Municipal School District shall schedule regular training and qualification sessions for duty. Sessions will be graded on a pass/fail basis.

2. School Resource Officers who fail to receive a passing score with their duty firearm in accordance with departmental testing procedures shall not be allowed to carry their firearm until qualification is completed. Repeated failure to pass may result in
3. A School Resource Officer who has taken an extended leave of absence or suffered a severe illness that could affect their ability to safely operate a firearm shall be required to qualify before returning to duty.

NON-DEADLY FORCE WEAPONS

1. A School Resource Officer is not permitted to use a non-deadly force weapon unless qualified in its proficient use as determined by the training procedures.
2. The following non-deadly force weapon is authorized for the Louisville Municipal School District School Resource Officers.
 - a. Oleoresin Capsicum (OC) or other chemical agent
 - b. **WEAPON MAINTENANCE**
All weapons utilized by the Louisville Municipal School District shall be maintained in perfect condition at all times. They shall be cleaned, oiled, and free from rust and corrosion. Careless and/or negligence will not be tolerated.

All firearms utilized by members of the Louisville Municipal School District Police Department shall be inspected for serviceability, fired and cleaned, minimally, every six months. This inspection shall be done by the department's armoire.

USE OF HANDCUFFS

All arrested persons shall be handcuffed. Officers may exercise their own judgment, in light of existing law, to handcuff any other person they think it necessary to restrain for the individual's personal safety and the safety of others (individual may or may not be under arrest).

USE OF FORCE CONTINUUM

The following is a guide for the Louisville Municipal District School Resource Officers in the implementation of force as may be necessary. The use of force continuum shall guide officers on when to apply types of "continuing force" in a situation based on a subject's actions, referred to as "levels of resistance." The higher the level of subject resistance, the higher the force those officers may use. As the situation either escalates or comes under control, levels of force used by the officers should be commensurably adjusted so that no more force than necessary will be used. Although levels of force may be skipped over as a particular situation dictates, whenever possible, officers shall first utilize the lower force option.

USE OF FORCE CONTINUUM SCALE

LEVELS OF RESISTANCE	LEVELS OF CONTROL
Psychological Intimidation	Verbal Commands Nonverbal Communication
Verbal Threats	Oleoresin Capsicum (OC)
Passive Resistance	Passive Control Techniques Pain Compliance Pressure Point Control

	Escort Techniques Light Subject Control
Active Aggression	Decentralization Heavy Techniques of Control (Empty Hand)
Aggravated Aggression	Defensive Tactics Intermediate Force
Lethal Force	Deadly Force Firearm

VERBAL AND NON-VERBAL COMMUNICATION

When faced with an arrest situation, civil disorder or other form of confrontation, verbal commands usually accompanied by non-verbal communication gestures will act as the officer's first request for compliance and control.

OLEORESIN CAPSICUM (OC) AND OTHER CHEMICAL AGENTS

1. OC spray should be employed whenever a School Resource Officer is confronted with a refusal by an individual to comply with legal commands during an arrest. In the use of force continuum, the use of chemical agents falls between the use of "verbal commands" and "hands-on" use of force when resistance is encountered. The timely and appropriate use of chemical agents can help to minimize injuries to both the officer and suspect. Their use may also reduce the need for further escalation of force.
2. OC spray may be utilized on a suspect, previously under control, who suddenly reacts violently during the post-arrest process.
3. OC spray is intended to be used solely as a control device to enable officers to carry out their duties in the safest, most efficient and most professional manner with the least chance of injury or harm to either the suspect or the officer.
4. OC spray, when employed, should be aimed directly into the suspect's face and a two to five second burst is fired by the officer. Incapacitation can result for fifteen to twenty minutes. Officer will render necessary aide to relieve effect.
5. Chemical agents are under no circumstances to be used as punishment or a coercive tool once an individual is under control and/or in custody.

PASSIVE CONTROL

1. To be used when suspect continues resistance to officer's control or arrest. Passive resistance is generally characterized by non-compliance with verbal commands, but has not resorted to physical resistance.
2. The measure employs of pain compliance, pressure point control techniques (PPCT), escort techniques and light physical control of the individual.

DECENTRALIZATION

1. To be used in response to active aggression and/or resistance. Acts of active

aggression and/or resistance include such acts as pulling away or fleeing and attempting to grapple with the officer.

2. These measures employ heavy techniques of control including empty hand impact and defensive tactics.

IMMEDIATE FORCE

1. To be used in response to continued active aggression. At this point, a threat of bodily injury to the officer or others exists.
2. OC spray may be employed.

LETHAL FORCE

1. To be used in response to lethal aggression. Deadly force is viewed as the last resort an officer has. It is to be employed only when the conditions exist that meet the criteria where deadly force may legally be employed.

REPORTING USE OF FORCE

1. A comprehensive written report prepared according to department rules shall be required in the following situations.
 - a. When a firearm is discharged.
 - b. When the use of force results in serious injury or death.
 - c. When a non-lethal weapon is used on a person.

The Louisville Municipal School District's Use of Force Report shall be forwarded through official channels to the Superintendent.

- . When a firearm is discharged.
 - a. When a use of force results in serious injury or death.
 - b. When a suspect complains that an injury has been inflicted.
 - c. When OC is deployed.

ADMINISTRATIVE REVIEW OF CRITICAL INCIDENTS

1. All reported use of force shall be reviewed by the appropriate authority to determine whether:
 - a. The Louisville Municipal School District rules, policies, or procedures were violated.
 - b. The relevant policy was clearly understandable and effective to cover the situation.
 - c. Department use of force training is adequate.
 - d. All findings of policy violations or training inadequacies shall be reported to the appropriate authority for resolution and/or discipline.
 - e. All use of force incident reports shall be retained as required by departmental policy and/or the law.
 - f. There will be a regular review of the use of force incidents by the appropriate authority to ascertain training or policy needs.

DISCIPLINE

Members of the Louisville Municipal School District Police are subject to disciplinary action, up to and including dismissal, if their use of force, deadly or non-deadly, involves the following:

1. A violation of the law.
2. A violation of the department's use of force policy or regulation.
3. Poor judgment involving a wanton disregard for public safety.
4. An accidental discharge of a firearm through carelessness and/or misconduct including any intoxicating substance, unjustified display of authority for personal advantage, or other clear misconduct which involves a firearm.

Any officer who violates any policy, procedure, rule of conduct or regulations may be disciplined or terminated.

DEPARTMENTAL RESPONSE – DEADLY FORCE INCIDENT

1. Where a School Resource Officer's weapon causes human injury/death, the officer shall be placed on administrative leave after completing all internal investigative requirements, and until is determined by a mental health professional that the officer is ready to return to duty.
2. The Louisville Municipal School District shall conduct an administrative investigation of all incidents where deadly force is used.
3. A board of review shall be convened whenever a firearm has been discharged by a member of the **Louisville Municipal District police staff**. The board review is one of inquiry and may conduct its own independent investigation into the matter at hand. The board shall include, but not be limited to, the following:
 - a. **The Assistant Superintendent**
 - b. **The Chief of Police for the Louisville Municipal School District**
 - c. **The Louisville Police investigator assigned the case**
 - d. **The Attorney for the Louisville Municipal School District**

The board shall convene within two (2) days of the incident, excluding week-ends and holidays, and determine what recommendations should be made to the Superintendent.

MEDIA / NEWS RELEASE

No information shall be released to the news media concerning police matters unless approved by the Superintendent or his designee.

Last Review Date: _____
Review History: []

Exhibits:

Regulations:

References:

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Approved/Revised Date:

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