



LINCOLN POLICE DEPARTMENT GENERAL ORDERS

NUMBER: 1510
TOPIC: FORCE AND CONTROL TECHNIQUES
ISSUED BY: JAMES PESCHONG, CHIEF OF POLICE
DATE: 1-1-2016
SUPERSEDES: G.O. 1510, 2015
REFERENCE: G.O. 1430, N.R.S. 28-1407, et seq.

I. POLICY

Lincoln Police Officers may use control measures when and as authorized by law. Officers are expected to use de-escalation strategies, when possible, in order to minimize the need for the use of control techniques. Officers will use only that force which is reasonable and necessary under the circumstances as they know them to be. The application of any control technique will cease when the purpose justifying its use has been accomplished. The use of excessive force is prohibited. All officers will be issued a copy of this General Order and will receive instruction regarding its requirements before being authorized to carry a weapon.

II. PROCEDURE

A. Definitions

1. Lethal Force: Shall mean force that creates a substantial risk of causing death or serious bodily harm.
2. Less Lethal Control: Shall mean control techniques that do not create a substantial risk of causing death or serious bodily harm.
3. Serious Bodily Harm: Shall mean injury that creates a risk of death, causes serious permanent disfigurement, or results in long term loss or impairment of a major bodily function.
4. Reasonable Belief: Shall mean a reasonable conclusion based on the information known to the officer at the time.
5. Hospitalization: Shall be admission to a hospital, and does not include treatment and release at an emergency room.

B. Use of Firearms and Lethal Force

1. Officers may use lethal force only when the officer reasonably believes that the action is in defense of human life, including the officer's own life, or in defense of any person in imminent danger of serious bodily harm. In no case shall an officer discharge a

firearm until all other reasonable means have been exhausted or would be clearly ineffective.

2. Officers may draw or display firearms when engaged in a hazardous duty in which firearms may be needed. In effecting felony arrests, officers may display firearms for the purpose of obtaining and maintaining control of persons arrested.
3. Officers shall not draw or display firearms unnecessarily.
4. Shots fired into the air or ground in an attempt to cause a fleeing suspect to stop or surrender are prohibited. Shots fired into the air or ground may be employed with extreme caution for the following purposes only, and then only when other alternatives have been exhausted or would be clearly ineffective:
 - a. To stop a threatened felonious attack on an officer or a victim;
 - b. To summon aid when more conventional communication is not effective.
5. Officers shall not shoot at or into motor vehicles except in cases where the officers have no other reasonable alternative to protect their lives or the lives of other human beings.
6. A supervisor may approve the use of firearms to kill animals that are seriously injured or pose a threat to public safety when no other disposition is practical.
7. In all circumstances, officers will discharge firearms only when the safety of others has been taken into consideration, and will use the utmost caution to avoid endangering innocent persons.
8. Officers shall not surrender their firearms except as a last resort.

C. Use of Less Lethal Control

1. The department has adopted a resistance control continuum as a conceptual model for the use of control techniques. A chart depicting the continuum is contained in this General Order.

2. The resistance control continuum is a guide on when to use control, and what type and degree of control technique to use. The continuum is founded on the principle that officers should:
 - a. Attempt to de-escalate the situation first, whenever possible.
 - b. Respond to the resistance with a level of control that is sufficient to overcome the resistance, but is reasonable and necessary under the circumstances.
 - c. Select a type and degree of control in consideration of the particular circumstances at hand, such as:
 - (1) Environmental factors;
 - (2) Reaction time;
 - (3) Attributes of both the subject and the officer, such as size, strength, etc.;
 - (4) Known factors such as medical, psychological or physical impairments, or the influence of alcohol or drugs.
 - d. Escalate the level of control if the present level is ineffective or if the subject escalates the resistance.
 - e. De-escalate the control as the subject is brought under control.
 3. The resistance control continuum is only a guide, and is not intended to cover all situations, and all possible variables.
 4. Officers shall employ less lethal control techniques consistent with the methods and procedures instructed by the department.
 5. Use of TASER
 - a. TASER is an intermediate weapon.
 - b. Unless extreme or unusual circumstances exist, TASER should not be used upon:
 - (1) Small children;
 - (2) Pregnant subjects;
 - (3) Handcuffed subjects;
 - (4) Subjects actively operating a motor vehicle;
 - (5) Subjects in an elevated position;
 - (6) Fleeing suspects.
 - c. TASER should not be used near flammable or explosive chemicals.
 - d. Officers should use TASER for one standard cycle (five seconds) then evaluate the situation to determine if subsequent cycles are necessary. Officers should consider that exposure to TASER for longer than 15 seconds (whether due to multiple applications or continuous cycling) may increase the risk of death or serious injury. Any subsequent applications should be independently justifiable, and risks should be weighed against other force options.
 6. Officers may be requested to use control techniques in non-arrest situations, to effect a lawful purpose, such as restraining a person who is mentally ill or injured for treatment. Officers may provide such assistance to caregivers when necessary in emergency circumstances, but should not use force in the absence of an emergency or when other less intrusive methods would suffice.
- D. Medical Aid
1. Officers should provide care and obtain appropriate first aid when subjects are injured in use of force and control incidents. Officers should summon emergency medical units promptly in the event of a medical emergency resulting from use of force or control techniques. Officers should employ the following precautions:
 - a. Place subject in an upright position as soon as safely possible;
 - b. Stay with the injured party;
 - c. Summon emergency medical assistance immediately if the subject displays visible signs of medical distress, such as loss of consciousness, difficulty breathing, convulsions or tremors.
 2. If a subject injured by use of force or control techniques is transported by ambulance, an officer shall accompany the subject in the ambulance.
 3. Officers should regularly observe the subject to determine his or her state of consciousness and physical condition whenever weapons or the following techniques have been employed. The duty to observe shall end upon the arrival of emergency medical personnel.
 - a. Hard empty hand techniques;
 - b. OC spray or other chemical agents;
 - c. Baton strikes;
 - d. Specialty impact munitions;
 - e. TASER discharge.
 4. When it can safely be done, officers shall assist in decontaminating subjects who have had contact with OC spray.
 5. Officers should obtain necessary medical treatment for subjects prior to booking. Hospital examination shall be obtained for any subject when a TASER or specialty impact munitions to include bean bag and baton have been used, or when there has been any loss of consciousness. Officers should notify corrections staff of any use of OC spray, TASER, loss of consciousness, or

- other known medical distress or condition which may have occurred.
6. Officers shall document medical treatment in appropriate reports, to include the circumstances, method of transport and where the treatment was received.

E. Notification and Reporting

1. In the following types of cases officers are required to personally notify their immediate supervisor or the duty commander, who shall complete a Use of Control Technique Report. Officers shall also complete a Supplementary Report or ACI documenting the circumstances of the force or control measure in these cases:
 - a. Discharge of a firearm (on or off duty) other than for training or recreation;
 - b. Any use of force or control which results in injury;
 - c. Any use (not merely display) of a weapon of any kind, including, but not limited to, firearms, baton, TASER, and OC spray;
 - d. Use of any hard empty-hand technique.
2. Upon notification, a supervisor is to immediately respond and conduct an investigation into the use of TASER.
3. The duty commander shall notify the officer's commanding officer, the assistant chief, the chief of police, the police legal advisor and the Internal Affairs Unit whenever police action has resulted in death, hospitalization or heightened community interest.

F. Review of Use of Force or Control

1. The Department has adopted a Use of Control Technique Report as a method of tracking the use of force or control and compiling data.
2. The duty commander shall distribute a copy to the officer's commanding officer, to the assistant chief and to the Management Services Unit.
3. The Management Services Unit shall distribute the report to the legal advisor, to the Education and Personnel Unit and to Internal Affairs. The Management Services Unit shall make any recommendations pertaining to department policy or practice to the chief of police.

G. Investigation of Lethal Force or Control and Serious Injury

1. Incident Investigation

- a. All incidents involving the use of force or control by department personnel which result in the death of a person will be investigated by the Criminal Investigations Team or by another law enforcement agency to be determined by the chief of police. The purpose of this investigation is to determine if a crime has been committed and, in the case of an in-custody death, to provide evidence for the grand jury investigation.
 - b. If another law enforcement agency is conducting such an incident investigation, the chief of police will assign a commanding officer to serve as a liaison to that agency during the investigation.
2. Administrative Investigation
 - a. The Internal Affairs Unit shall undertake a separate internal investigation, following the guidelines contained in General Order 1430, "Internal Investigations." The purpose of this investigation is to determine compliance with department procedures and gather information for the internal use of the department.
 - b. Any employee whose actions result in a death or serious bodily injury will be removed from line duty assignment pending administrative review. Return to full duty will be at the discretion of the chief of police.