The overall purpose and/or reasons for the bill is to direct the Commissioner of the St. Louis Metropolitan Police Department to provide updates to the St. Louis Metropolitan Police Department’s Use of Force Policy.

The bill will require the Commissioner of Police to update the Use of Force Policy to include:

1. Ban officers from using chokeholds or strangleholds as a use of force method;
2. Require officers to use de-escalation tactics when appropriate and possible in place of use of force tactics;
3. Establish a duty to intervene policy, which would require officers to either stop or attempt to stop another sworn employee when force is being inappropriately applied or is no longer required; and
4. Edit the current use of force reporting policy to include comprehensive reporting and require officers to complete a report if a weapon is drawn and pointed at a civilian(s) regardless if the weapon was discharged or not.

The bill will improve the current use of force policy enacted by the St. Louis Metropolitan Police Department, which could lead a better relationship between the police and the communities they serve. As the Ferguson Commission report states, "The regular use of force has led many citizens to view the police as an occupying force in their neighborhoods, damaging community trust and making community safety even more difficult." According to the report, efforts to repair the relationship between police and the communities they serve "must begin through changes in use-of-force policies."
BOARD BILL NUMBER 63 COMMITTEE SUBSTITUTE AS AMENDED INTRODUCED BY: PRESIDENT LEWIS E. REED/ALDERWOMAN SHAMEEM CLARK-HUBBARD/ALDERMAN JOHN COLLINS-MUHAMMAD/ALDERWOMAN LISA MIDDLEBROOK/ALDERWOMAN TAMMIKA HUBBARD/ALDERMAN BRANDON BOSLEY/ALDERMAN JESSE TODD/ALDERWOMAN MARLENE DAVIS/ALDERWOMAN PAMELA BOYD/ALDERMAN BRET NARAYAN/ALDERMAN JOHN COATAR/ALDERMAN THOMAS OLDENBURG

An ordinance codifying into law the St. Louis Metropolitan Police Department Use of Force Policy Special Order, SO 1 - 01 issued April 16, 2014 to include: a ban on officers from using chokeholds or strangleholds as a use of force method; a requirement for officers to use de-escalation tactics when appropriate and possible in place of use of force tactics; to establish a duty to intervene policy; ban on no knock warrants; and include comprehensive reporting requirements; and containing a severability and an emergency clause.

BE IT ORDAINED BY THE CITY OF ST. LOUIS AS FOLLOWS:

SECTION ONE. Ban on chokeholds and strangleholds

a. Section one of this ordinance directs the Commissioner of Police to amend Section III of SO 1-01, USE OF NON-DEADLY FORCE GENERAL, issued April 16, 2014, to include a restriction to specifically ban the use of chokeholds or strangleholds by officers in non-deadly force encounters. A chokehold or stranglehold shall include, but is not limited to, any sustained and intentional pressure to the throat or windpipe, which may prevent or hinder breathing or reduce intake of air.

b. Penalties. Any person who violates subdivision a of this section shall be punishable by the fines and imprisonment of the City of St. Louis Charter, Article IV
c. Any penalties resulting from a violation of subdivision a of this section shall not limit or preclude any cause of action available to any person or entity injured or aggrieved by such violation.

SECTION TWO. Requirement for de-escalation tactics

a. Section two of this ordinance directs the Commissioner of Police to amend the St. Louis Metropolitan Police Department Use of Force Policy Special Order, SO 1 - 01 issued April 16, 2014, to include a new section requiring the use of de-escalation tactics. When it is safe under the totality of the situation and time and circumstances permit, officers shall be required to use de-escalation techniques and tactics in order to reduce any threat or to gain compliance to lawful commands without the use of force or with the lowest level of force possible. De-escalation may take the form of scene management, team tactics, and/or individual engagement. Even when individual engagement is not feasible, de-escalation techniques including scene management and team tactics such as time, distance, and shielding, should still be used unless doing so would create undue risk of harm to any person due to the exigency/threat of a situation.

b. Penalties. Any person who violates subdivision a of this section shall be punishable by the fines and imprisonment of the City of St. Louis Charter, Article IV.

c. Any penalties resulting from a violation of subdivision a of this section shall not limit or preclude any cause of action available to any person or entity injured or aggrieved by such violation.

SECTION THREE. Duty to Intervene Policy
a. Section three of this ordinance directs the Commissioner of Police to amend Section III of SO 1-01, issued April 16, 2014, to include a Duty to Intervene Policy that requires officers to either stop or attempt to stop another sworn employee when excessive force is being inappropriately applied or is no longer required.

b. It shall further include that officers who use force or observe the use of force shall verify that their supervisors are notified following any use-of-force incident. Upon receiving notice of an allegation of excessive use of force, officers shall verify their supervisors are aware of the allegation of unreasonable or unreported use of force by an officer.

c. Officers who observe excessive use of force and fail to report it shall be subject to disciplinary action, up to and including termination.

d. This ordinance shall mandate a training program for police trainees to cover racial profiling, implicit bias, procedural justice, establish a training program that covers the duty to intervene; and

e. Penalties. Any person who violates subdivision a or b of this section shall be punishable by the fines and imprisonment of the City of St. Louis Charter, Article IV

f. Any penalties resulting from a violation of subdivision a of this section shall not limit or preclude any cause of action available to any person or entity injured or aggrieved by such violation.

SECTION FOUR. Comprehensive reporting requirements.

a. The Commissioner of Police must amend Section VIIA. FIREARM

DISCHARGED/OTHER DEADLY FORCE (1.3.6.a) to include reporting requirements
when a firearm is withdrawn and pointed at a civilian regardless if the weapon is discharged or not.

b. If a National Police Misconduct Registry is compiled and maintained by the Department of Justice, the St. Louis Metropolitan Police Department shall comply and report data accordingly to include, but not limited to:

i. Each complaint filed against a law enforcement officer, aggregated by complaints that were found to be credible or that resulted in disciplinary action of the law enforcement officer, disaggregated by whether the complaint involved a use of force; complaints that are pending review, disaggregated by whether the complaint involved a use of force; and

ii. complaints for which the law enforcement officer was exonerated or that were determined to be unfounded or not sustained, disaggregated by whether the complaint involved a use of force.

iii. Discipline records, disaggregated by whether the complaint involved a use of force.

iv. Termination records, including the reason for each termination, disaggregated by whether the complaint involved a use of force.

v. Records of lawsuits and settlements made against law enforcement officers.

c. Annual comprehensive financial and management audits must be submitted to the Public Safety Committee of the Board of Aldermen annually no later than December 1 with the first report due by December 1, 2020.
g. Penalties. Any person who violates subdivision A of this section shall be punishable by the fines and imprisonment of the City of St. Louis Charter, Article IV

d. Any penalties resulting from a violation of subdivision a of this section shall not limit or preclude any cause of action available to any person or entity injured or aggrieved by such violation.

SECTION FIVE. Ban on No-Knock Warrants for Drug Cases

a. Policy addition for search warrants authorized for drug cases shall require that a law enforcement officer execute the search warrant only after providing notice of his or her authority and purpose.

b. In this section, the term “no-knock warrant” means a warrant that allows a law enforcement officer to enter a property without requiring the law enforcement officer to announce the presence of the law enforcement officer or the intention of the law enforcement officer to enter the property.

SECTION SIX. Severability clause.

If any section, subsection, sentence, clause, phrase or portion of this Ordinance is held to be invalid or unconstitutional, or unlawful for any reason, by any court of competent jurisdiction, such portion shall be deemed and is hereby declared to be a separate, distinct and independent provision of this Ordinance, and such holding or holdings shall not affect the validity of the remaining portions of this Ordinance.

SECTION SEVEN. Emergency clause.

The Board of Aldermen hereby finds and determines that this Ordinance constitutes an “emergency measure” pursuant to Article IV, Section 20 of the City Charter because this
Ordinance establishes the District, which is a taxing district. Accordingly, this Ordinance shall take effect immediately upon its approval by the Mayor as provided in Article 12 IV, Section 20 of the City Charter.
METROPOLITAN POLICE DEPARTMENT – CITY OF ST. LOUIS
OFFICE OF THE CHIEF OF POLICE
SPECIAL ORDER

Date Issued: April 16, 2014  Order No.: SO 1-01
Effective Date: April 16, 2014  Expiration: Indefinite
Reference: Police Manual Rule 9
CALEA Standards: 1.3.1; 1.3.2; 1.3.3; 1.3.4; 1.3.5; 1.3.6; 1.3.7; 1.3.8; 1.3.12
Cancelled Publications: Section III of SO 1-01, issued May 24, 2006  Section V of SO 1-01, issued June 30, 2013
Subject: USE OF FORCE
To: ALL BUREAUS, DISTRICTS AND DIVISIONS

PURPOSE: To outline policy and procedures for the use of force by officers.

SECTION  SUBJECT
I. Philosophy for Use of Force and Periodic Review of Policy
II. Use of Deadly Force
III. Use of Non-Deadly Force – General
IV. Use of Non-Deadly Force – Pepper Mace
V. Use of Non-Deadly Force – Impact Weapons
VI. Use of Non-Deadly Force – Conducted Energy Device
VII. Administrative Procedures – Use of Force
VIII. Post Shooting Trauma/Serious Physical Harm/Critical Incident Stress Team & Programs

By Order of:

D. Samuel Dotson
Colonel
Chief of Police
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Date Issued: June 20, 2013
Order No.: Section I of SO 1-01
Effective Date: June 20, 2013
Expiration: Indefinite
Reference:
CALEA Standards: 1.3.1, 1.3.2, 1.3.5; 1.3.12
Cancelled Publications: Section I of SO 1-01 dated October 27, 2010
Subject: PHILOSOPHY FOR USE OF FORCE AND PERIODIC REVIEW OF POLICY
To: ALL BUREAUS, DISTRICTS AND DIVISIONS

PURPOSE: To outline policy and procedures for the use of force by officers.

A. INTRODUCTION

The policy and procedures in this Order are for Departmental use only and do not apply in any criminal or civil proceeding; policy/procedural violations will form the basis for Departmental action only. In addition, the policy and procedures are not to be construed as creating a higher legal standard of safety or care in an evidentiary sense with respect to third party claims.

B. PHILOSOPHY

1. It is the policy of the Board of Police Commissioners that a reverence for human life will guide officers in the use of deadly force. Deadly force will only be used when necessary to protect the lives of officers or other persons; it is never justified solely to protect property. (1.3.2)

2. Officers will use the least amount of force reasonably necessary to accomplish their lawful objectives while safeguarding their own lives and the lives of others. Deadly force will be a last resort, and will only be exercised when all reasonable alternatives have been exhausted or appear impractical. (1.3.1)

3. An officer will take care that he/she does not, by his/her own actions, create a situation in which the use of deadly force becomes necessary (e.g., jumping into the path of a fleeing vehicle in an attempt to stop same).

C. PERIODIC REVIEW OF USE OF FORCE POLICY (1.3.12)

1. All commissioned officers will be issued copies of and instructed in the use of force policies by the Academy staff before being authorized to carry a weapon. The issuance and instruction will be documented.

2. Monthly, the CALEA Accreditation Unit will disseminate the Department “Use of Force Policy Statement” to all officers via the Policy Acknowledgement SySystem (PASS). CALEA will monitor compliance with the acknowledgement of the Policy Review.
SO 1-01

3. Commanders and Supervisors will periodically review the Use of Force Policy and all relevant procedures with all commissioned personnel under his/her command.

D. RENDERING AID AFTER USE OF FORCE (1.3.5)

1. Any time a member uses force, appropriate medical aid will be provided for any person(s) involved. This does not mean that all persons upon whom any force was used need to be immediately evaluated by medical personnel. It may include increased observation to detect changes in physical condition, first aid, evaluation by paramedics, or transport to a medical facility, depending on circumstances.

2. Any officer who may have caused injury by lethal force, after the immediate threat has ceased, will approach the suspect to determine if life saving measures and/or appropriate medical aid should be initiated. If an officer determines immediate medical aid should be rendered, the officer will notify responding medical units, render the scene safe, and provide for appropriate medical first aid to the suspect.

DSD/vwt
251-13-00090
METROPOLITAN POLICE DEPARTMENT – CITY OF ST. LOUIS
OFFICE OF THE CHIEF OF POLICE
SPECIAL ORDER

Date Issued: July 15, 2009
Effective Date: July 15, 2009
Order No.: Section II of SO 1-01
Expiration: Indefinite

Reference:

CALEA Standards: 1.3.2, 1.3.3, 1.3.5
Cancelled Publications: Section II of SO 1-01, issued August 24, 2007

Subject: USE OF DEADLY FORCE

To: ALL BUREAUS, DISTRICTS AND DIVISIONS

PURPOSE: To outline policy and procedures for the use of deadly force by officers.

A. DEFINITIONS (1.3.2)

1. Deadly Force: - is any use of force that is likely to cause death or serious physical harm. Deadly force includes any discharge of a firearm at a person. It also includes strikes with a weapon to the following areas of the body:
   a. head, to include the cranium and face;
   b. neck;
   c. internal organs;
   d. genitalia; and
   e. spinal column.

2. Probable Cause: - facts and circumstances which lead a reasonable person to believe that a crime has been committed or is being committed by a particular person.

3. Reasonable Belief: - a belief or conclusion reached by a person with an ordinary degree of reason, prudence, care, foresight, or intelligence whose conduct, conclusion, or expectation in relation to a particular circumstance or fact is used as an objective standard by which to measure or determine something.

4. Serious Physical Harm: - physical injury that creates a substantial risk of death or that causes serious disfigurement or protracted loss or impairment of the function of any part of the body.

5. Significant Threat: - a convincing expression of an intention to inflict pain or injury; an indication of impending danger or harm; or a person or group regarded as a possible danger to others.

B. DEADLY FORCE POLICY (1.3.2)

Deadly force may be used in the performance of police duty under the following circumstances:
1. to protect the officer or others from what is reasonably believed to be an immediate threat of death or serious physical harm;

2. when reasonably necessary to prevent the escape of a person when ALL of the following conditions apply:
   a. the officer has probable cause to believe that the person committed a felony involving the infliction or attempted infliction of serious physical harm; AND
   b. the officer reasonably believes that the person is armed with a firearm or other item which can cause death; AND
   c. the officer has probable cause to believe that the person poses a significant threat to human life should escape occur.

3. In addition to the foregoing, an officer may discharge a firearm:
   a. to destroy seriously injured or dangerous animals when no other method is practical; or
   b. at an approved firing range; or
   c. in the laboratory by a qualified firearms examiner.

C. RESTRICTIONS

1. Preface

   The Department recognizes that in exceptional circumstances, violations of the following restrictions may be justified by necessity. Every use of deadly force will be reviewed on a case-by-case basis to determine the reasonableness of the officer's action.

2. Bystanders/Hostages

   An officer will not discharge a firearm, when to do so would endanger a bystander or hostage.

3. Shooting At Moving Vehicles or Suspects in Vehicles

   a. An officer will not discharge a firearm at or from a moving vehicle, nor at a suspect in a moving vehicle.

4. Identification as Officer and Verbal Warning

   Before shooting at a suspect, an officer will identify him/herself as an officer and state his/her intent to shoot, whenever possible.

5. Warning Shots (1.3.3)

   Warning shots are prohibited.
6. Drawing/Displaying of Weapons

Other than at inspections, training and other legitimate administrative purposes, an officer will only draw or exhibit a weapon when he/she has reasonable cause to believe that it may be necessary to use that weapon in compliance with this policy.
METROPOLITAN POLICE DEPARTMENT – CITY OF ST. LOUIS
OFFICE OF THE CHIEF OF POLICE
SPECIAL ORDER

Date Issued: April 16, 2014
Effective Date: April 16, 2014
Order No.: Section III of SO 1-01
Expiration: Indefinite

Reference:
CALEA Standards: 1.3.4, 1.3.5
Cancelled Publications: Section III of SO 1-01, issued May 24, 2006
Subject: USE OF NON-DEADLY FORCE - GENERAL
To: ALL BUREAUS, DISTRICTS AND DIVISIONS

PURPOSE: To outline policy and procedures for the use of non-deadly force by officers.

A. DEFINITION

Non-deadly Force: Any use of force not likely to cause death or serious bodily injury. Non-deadly force includes the use of defensive tactics (punches/kicks) as well as the offensive use of any Department approved weapon, other than a firearm, in a manner not embodied within the definition of “Deadly Force” in Section II of this Order. The use of pepper mace products containing oleoresin capsicum is also classified as non-deadly force.

B. NON-DEADLY FORCE POLICY (1.3.4)

1. Prior to the use of any force, officers will assess the situation to determine the best method to safely bring the incident under control with the least amount of force applied.

2. Officers may use non-deadly force for the resolution of incidents, as follows:
   a. To protect themselves or others from physical harm; or
   b. To restrain or subdue a resistant individual; or
   c. To bring any unlawful situation safely and effectively under control.

C. REPORTING USE OF NON-DEADLY FORCE (1.3.6 c)

1. An officer will prepare an I/LEADS report whenever he/she uses non-deadly force, including the use of defensive tactics (punches/kicks) as well as the offensive use of any Department approved weapon other than a firearm, against a person or animal. This report will always require the approval of a Watch Commander.

2. The “Officer Assault Segment” of the I/LEADS report must be completed whenever non-deadly force is used against a person.

D. RESTRICTIONS (1.3.4)

1. Personally owned pocket batons, i.e., slappers, saps, etc., are forbidden.
2. Flashlights may not be used as impact weapons.

NOTE: The Department recognizes that in exceptional circumstances, violations of this restriction may be justified by necessity. Such violations will be reviewed on a case-by-case basis to determine the reasonableness of the officer’s actions.

DSD/trp
METROPOLITAN POLICE DEPARTMENT – CITY OF ST. LOUIS
OFFICE OF THE CHIEF OF POLICE
SPECIAL ORDER

Date Issued: August 24, 2007 Order No.: Section IV of SO 1-01
Effective Date: August 24, 2007 Expiration: Indefinite
Reference:

CALEA Standards: 1.3.4, 1.3.5, 1.3.6, 1.3.11
Cancelled Publications: Section IV of SO 1-01 dated May 24, 2006
Subject: USE OF NON-DEADLY FORCE – PEPPER MACE
To: ALL BUREAUS, DISTRICTS AND DIVISIONS

PURPOSE: To establish procedures relating to the use of (1) Def-Tec Mark IV “First Defense” pepper mace; and (2) any other pepper mace products containing “oleoresin capsicum” approved by the Department.

A. DEF-TEC MARK IV PEPPER MACE (1.3.4)

1. Pepper mace is provided for use when force is necessary to control belligerent, uncooperative persons for whom verbal controls are ineffective. The product is designed to be used as an alternative to physical contact (an intermediate option) between the officer and person(s) involved.

2. Pepper mace contains ingredients derived from red pepper plants. It is designed to be sprayed directly into the face and eyes of a person from a distance of 3 to 8 feet (3 feet being ideal). As the product enters the eyes, nose and mouth of the person, it may incapacitate immediately by causing coughing, closing of the eyes and skin inflammation. The person may also experience a sense of panic.

3. Pepper mace is usually effective with most individuals, including persons under the influence of alcohol or drugs, and persons with mental health/emotional problems. The product is also usually effective against animals. Pepper mace causes no permanent physical harm; the symptoms mentioned in the previous paragraph begin to dissipate without treatment in 45 minutes.

4. Officers issued pepper mace will be required to undergo an instructional program conducted by a certified instructor before being issued the canisters. (1.3.11)

5. The Firearms Training Unit will be responsible for storing, issuing and replacing pepper mace products.

B. USE OF PEPPER MACE (1.3.4)

1. General Procedures

An officer may use pepper mace:

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a. to effect a lawful arrest, or to otherwise lawfully control a combative, uncooperative person, when verbal commands and persuasion have been ineffective in inducing cooperation; or

b. to control a dangerous animal.

2. Pepper mace will not be used against a person who is being controlled by a neck restraint.

3. Since pepper mace can adversely affect persons in the immediate area of the person against whom it is used, an officer should make every effort to avoid unnecessarily exposing bystanders to pepper mace.

C. HANDLING OF CASE AS “RESISTING” (1.3.4)

1. Since pepper mace is a method of physical control, and may only be used to overcome resistance to an officer’s lawful authority, any arrest in which pepper mace is used will be classified as “Resisting Arrest.”

2. All procedures applicable to “Resisting Arrest” cases, as set forth in the Special Order entitled “Arrest, Booking and Related Procedures” will apply to cases where pepper mace is used with the following exception:

   EXCEPTION: The person against whom pepper mace was used will be taken to the hospital only when other force besides the pepper mace was used.

D. TREATMENT FOR PERSONS EXPOSED TO PEPPER MACE (1.3.5)

1. An individual exposed to pepper mace will be treated for the exposure as soon as he/she becomes manageable, according to the following procedures:
   
a. The exposed individual should be taken to a secure location and permitted to thoroughly wash his/her face and eyes with cold water for several minutes to neutralize the effects of the pepper mace. UNDER NO CIRCUMSTANCES WILL WARM OR HOT WATER BE USED, SINCE THIS WILL INTENSIFY THE SYMPTOMS. If water is not available, the person should be exposed to fresh air.

b. In cases of extreme exposure, the person will be taken directly to the City Justice Center and allowed to take a cold shower. Arrangements will be made by the arresting officer to provide the person with a change of clothing. Persons exposed to pepper mace will not be allowed to shower at any Patrol Division.

2. An officer will not remove contact lenses from the eyes of a person who has been exposed to pepper mace. The person may remove his/her own contact lenses, or, if necessary, EMS personnel will be contacted to remove the person’s lenses. Once removed, the contact lenses will be packaged and held until the subject is released from place of confinement (e.g., City Justice Center, hospital). The owner must be informed that, because he/she was exposed to pepper mace, the lenses are no longer usable and that placing them in the eyes will result in a return of the symptoms of the pepper mace exposure. The officer will indicate in his/her report that the owner was so informed.

3. EMS should be called immediately for medical assistance, if an individual exposed to pepper mace exhibits breathing difficulties, blistering, or if the symptoms of pepper mace exposure persist.

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E. REPORTING USE OF PEPPER MACE (1.3.6 c)

1. An officer will prepare an I/LEADS report whenever he/she uses pepper mace against a person or an animal. This report will always require the approval of a Watch Commander.

2. The “Officer Assault Segment” of the I/LEADS report must be completed whenever pepper mace is used against a person.
Date Issued: April 16, 2014  
Order No.: Section V of SO 1-01  
Effective Date: April 16, 2014  
Expiration: Indefinite  
Reference:  
CALEA Standards: 1.3.4, 1.3.5, 1.3.11  
Cancelled Publications: Section V of SO 1-01, issued June 30, 2013  
Subject: USE OF NON-DEADLY FORCE – IMPACT WEAPONS  
To: ALL BUREAUS, DISTRICTS AND DIVISIONS  

PURPOSE: To establish guidelines for the use of impact weapons, (i.e. batons/nightsticks).  

A. USE OF BATONS/NIGHTSTICKS (1.3.4)  
   1. Impact weapons may be used by officers when empty hand skills are insufficient to control the subject, but deadly force is not justified. However, specific strikes outlined in Section II of this Order constitute deadly force by the officer and are only justified when the officer can demonstrate he/she was in danger of serious physical injury or death.  
   2. Officers who carry batons or nightsticks are required to undergo an instructional program conducted by certified instructor before use.  

B. ISSUES TO CONSIDER (1.3.4)  
   1. An officer must assess all conditions affecting his/her decision to use the baton/nightstick. Specifically, an officer must assess the relative size and strength of the suspect to that of the officer. In addition, the officer must be cognizant of demonstrated and/or indicated skills of the subject.  
   2. The primary goal of the baton/nightstick, when used as non-deadly force, is to create a temporary muscle or motor dysfunction in a subject’s arms or legs. The acceptable targets include the area of the body where:  
      a. a strike would cause a nervous system reaction (i.e., radial nerve, median nerve, common peroneal nerve and the femoral nerve); or where  
      b. the bone is closest to the skin (i.e., forearm, upper arm, foot, ankle, shin and thigh).  

C. RENDERING AID AFTER USE OF FORCE (1.3.5)  
   1. Any time a member uses force, appropriate medical aid will be provided for any person(s) involved. This does not mean that all persons upon whom any force was used need to be immediately evaluated by medical personnel. It may include increased observation to detect changes in physical condition, first aid, evaluation by paramedics, or transport to a medical facility, depending on circumstances.
2. Any officer who may have caused injury by lethal force, after the immediate threat has ceased, will approach the suspect to determine if life saving measures and/or appropriate medical aid should be initiated. If an officer determines immediate medical aid should be rendered, or is not absolutely sure death has occurred, the officer will notify responding medical units, render the scene safe, and provide for appropriate medical first aid to the suspect.

3. **For Impact Weapon:**
   a. After striking the suspect, the officer will contact a supervisor and transport to a hospital if there is an apparent injury, or complaint of injury by the suspect. The officer will notify the booking officer the suspect was struck with an impact weapon.
   b. Blows to the following areas of the body are considered Deadly Force:
      1) head, to include the cranium and face;
      2) neck;
      3) internal organs;
      4) genitalia; and
      5) spinal column.

D. **REPORTING USE OF IMPACT WEAPONS** (1.3.6 c)

1. An officer will prepare an I/LEADS report whenever he/she uses an impact weapon against a person or an animal. This report will always require the approval of a Watch Commander.

2. The “Officer Assault Segment” of the I/LEADS report must be completed whenever an impact weapon is used against a person.
METROPOLITAN POLICE DEPARTMENT – CITY OF ST. LOUIS
OFFICE OF THE CHIEF OF POLICE
SPECIAL ORDER

Date Issued: July 25, 2008          Order No.: Section VI of SO 1-01
Effective Date: July 25, 2008       Expiration: Indefinite

Reference:
CALEA Standards: 1.3.1, 1.3.4, 1.3.5, 1.3.6, 1.3.7, 1.3.9, 1.3.10, 1.3.11, 1.3.12
Cancelled Publications: Section VI of SO 1-01 issued August 24, 2007

Subject: USE OF NON-DEADLY FORCE – CONDUCTED ENERGY DEVICE
To: ALL BUREAUS, DISTRICTS AND DIVISIONS

PURPOSE: To establish procedures for the use of a conducted energy device known as the “TASER”.

A. DEFINITIONS

1. **AFTER FIRING IDENTIFICATION DOTS (AFID):** Small identification tags ejected from the Air Cartridge when the X26 Advanced Taser is fired. The AFID’s have the individual unit’s serial number printed on them which identifies which unit was fired.

2. **Air Cartridge:** The replaceable cartridge of the X26 Advanced Taser which contains and fires the electrical probes. The Air Cartridge has two probes on the front allowing it to be used as a contact device. When the Air Cartridge is removed the X26 Taser can also be used as a contact Electro-Muscular Disruption device. The Air Cartridge has an expiration date and ejects 40 AFID identification tags when fired.

3. **Conducted Energy Device (CED):** A weapon primarily designed to disrupt a subject’s central nervous system by means of deploying electrical energy sufficient to cause uncontrolled muscle contractions and override an individual’s voluntary motor responses.

4. **Data Port:** A computer data port located at the back of the X26 Advanced Taser which allows data to be downloaded from the device. Each time the device is fired it stores the time and date of activation.

5. **X26 Advanced Taser:** A 26 watt hand-held Conducted Energy Device manufactured by TASER International. The device fires two probes a distance of up to 21 feet from a replaceable Air Cartridge. The probes are connected to the weapon by a high-voltage insulated wire. Electrical pulses are sent along the wires to the probes with the intended effect being to temporarily incapacitate the targeted subject. The X26 Advanced Taser is the only Taser authorized for use by the Department. (1.3.9 a)

6. **Probes:** Projectiles that are fired from a Conducted Energy Device and penetrate the skin; wires are attached to the probes leading back to the CED.

B. INTRODUCTION

1. Officers should use the least amount of force necessary to accomplish their lawful objectives while safeguarding their own lives and the lives of others. (1.3.1)
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2. Consistent with this policy, the Department authorizes the use of the TASER CED by designated officers as an incapacitating weapon to: (1.3.4)

a. to control a subject exhibiting active aggression when an officer reasonably believes that his/her life is in danger;

b. to effect a lawful arrest, or to otherwise control a combative, uncooperative person when verbal commands and persuasion have been ineffective in inducing cooperation;

c. to prevent a subject from harming himself/herself or others; or

d. to apprehend a fleeing subject when the officer has PROBABLE CAUSE for arrest (the fact that a subject is fleeing, without probable cause or other extenuating circumstances, is insufficient reason to use the TASER).

NOTE: A TASER is never to be used on a passive subject, or as a pain-inflicting device to ensure compliance.

3. The TASER employs a pulsating electrical current through two probes which overpower the body’s normal electrical signals in the nervous system. When properly used to subdue a subject, the TASER system does not harm nerves, muscle or any other part of the human body.

4. The TASER is classified in the Department’s “Use of Force Index” as an Intermediary Weapon designed to resolve conflicts with minimal force.

C. TRAINING

1. The Police Academy, with the approval of the Chief of Police, will establish training and deployment guidelines for the use of TASER’s and Department-issued holsters. (1.3.11a) (1.3.12)

2. Only officers who have been trained by a certified instructor under the auspices of the Police Academy may employ a TASER. Officers are required to be re-certified annually. The Academy will maintain records to ensure that officers receive the training at the appropriate times. (1.3.10) (1.3.11b)

D. GENERAL PROCEDURES FOR USE OF TASER (1.3.4)

1. Only Department issued TASER’s may be used to restrain a subject.

2. The TASER will be used when other less-lethal force options have proven ineffective in controlling an aggressive subject or when it reasonably appears that other less-lethal options will be ineffective.

3. The TASER will be carried in accordance with Department-approved training and ONLY in the issued holster.

4. The TASER will not be carried on the same side as the officer’s duty weapon.

5. The TASER will NOT be carried or used by officers during Secondary Employment or off-duty.
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E. SITUATIONS WHERE TASER MAY BE USED

1. The TASER may be used in situations where:
   a. an officer reasonably believes that he/she will become engaged in a violent encounter with a subject either when the subject aggressively moves towards an officer or the subject's demeanor indicates the subject will engage the officer in a violent encounter; or
   b. it is deemed reasonable that lesser force options will likely be ineffective.

2. Examples of situations where the TASER may be considered for use will include, but not be limited to:
   a. a perceived mentally ill subject who may be violent and pose a threat to officers or others;
   b. a subject who is armed with some type of lethal weapon (e.g., knife, firearm) but is NOT posing an immediate threat to the officer(s) AND the TASER officer can deploy the TASER with a high probability of success;

   NOTE: The Officer using the TASER must have a backup officer present to provide lethal force if it becomes necessary

   c. an arrest attempt where the subject may be violent;
   d. a violent subject under the influence of drugs or alcohol; or
   e. a subject expressing the desire and having the means to commit suicide.

   NOTE: The TASER may be an effective option for use on violent animals, when used in accordance with training standards.

F. SITUATIONS WHERE TASER SHOULD BE AVOIDED IF POSSIBLE

Although not absolutely prohibited, officers should give additional consideration to the unique circumstances involved prior to applying the TASER in any of the following situations:

1. when the officer cannot approach the subject within its effective range;

2. near flammable liquids, gases, blasting materials or any other highly combustible materials which may be ignited by the use of the device, including potential methamphetamine (meth) labs or subjects contaminated with such materials.

3. when it is reasonable to believe that incapacitation of the subject may result in serious injury or death;

4. on persons in wheelchairs;

5. to control persons in operation of a vehicle in motion;

6. on elderly persons;
on pregnant women;

on persons with known heart problems;

on persons with an apparent debilitating illness or who are visibly frail;

on young children or those under 80 pounds;

on individuals with known neuromuscular disorders such as multiple sclerosis, muscular dystrophy or epilepsy; or

on an individual who refuses to come out of a holdover cell.

G. DEPLOYMENT OF TASERS

1. A TASER should not be pointed at any individual unless the officer reasonably believes it will be necessary to use the device.

2. The TASER is capable of delivering unlimited 5-second bursts of current once the probes make contact with the subject.

3. When deploying a TASER, officers should, under normal circumstances, use it for one standard cycle (a five second burst of current) and stop to evaluate the situation, while using verbal commands. Should an aggressive subject not comply with the commands of the deploying officer, he/she is to deliver a subsequent five-second cycle as reasonably necessary and re-evaluate the situation before delivering a final five-second cycle. Alternate methods to subdue the subject should be considered.

4. When possible, an officer who deploys the TASER will give a loud verbal warning prior to deployment, unless to do so would place any other person at risk. The deploying officer will shout the words “TASER, TASER!” This verbal warning will fulfill these purposes:

   a. give an aggressive subject a final warning that his/her actions are dictating the use of the TASER; and

   b. warn other officers and bystanders that the TASER is about to be deployed.

NOTE: Since the TASER cartridge produces a loud popping sound which could be mistaken for a gun shot, the loud verbal warning will notify other officers who may be on the scene that the discharge about to be heard is most likely the TASER being deployed.

5. The deploying officer will then direct the actions of any other assisting officer(s) on the scene in handcuffing the subject. The TASER will not deliver its charge to a second person unless that person places his/her hand or a body part in between the two probes. The TASER should not be used on handcuffed subjects unless they are actively resisting or exhibiting active aggression.

6. Assisting officers are also warned to approach the subject with caution so as not to break the wires connecting the probes to the TASER.

7. Following a TASER deployment, officers should use a restraint technique that does not impair respiration.
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8. For maximum effect, TASER’s should be fired at center body mass. The head, face, breast, or genitalia should be avoided if possible.

9. The TASER “probe mode” should be the primary setting option, with “drive stun” mode generally used as a secondary option. The “drive stun” mode is an application of the TASER directly to the subject with a spent air cartridge in place or with the air cartridge removed. This application delivers the 50 thousand volts of current to the adversary resulting in pain and is to be used when a failure has occurred or when other circumstances dictate its use. The subject will experience pain but exhibit little or no involuntary muscle contractions.

10. A Supervisor should respond to all incident scenes where a TASER has been deployed and conduct an initial review of the TASER deployment.

H. POST USE PROCEDURES (1.3.5)

1. Probes, AFID’s and cartridge packs used against individuals will be recovered and seized as evidence.

2. Probes which penetrate skin:
   a. If the probes have penetrated skin, they will be removed only by officers trained in their removal and at the direction of the Scene Supervisor.
   b. In the event that a probe is broken off in the skin or the probe is not fully intact, the subject will be transported to a contracted hospitalization provider.
   c. ONLY hospital personnel are to remove probes embedded in sensitive tissue areas such as the head, neck, throat, face, female breast or genitalia.
   d. The probes will be packaged in accordance with existing procedures for the storage and handling of bio-hazardous materials.

3. Probes which have not penetrated skin will be packaged to ensure the safety of persons later handling the evidence packages.

4. Packaging:
   a. All probes seized as evidence will be packaged in accordance with the existing procedures concerning sharp objects.
   b. Spent cartridges and some of the AFID’s from the spent cartridge will be packaged as evidence and may be placed in the same larger envelope as the spent barbs.

I. MEDICAL TREATMENT (1.3.5)

1. Persons who have been TASERed or experienced a drive-stun (stunned) do not normally require medical treatment, unless there are indirect injuries, such as those sustained from a fall after TASER use, etc.

2. The electrical pulse effect does not cause any long-term health issues. Once the 5-second electrical pulse has ceased, the subject will not feel any additional disruption in their central nervous system. The TASER should not affect the functions of a pacemaker, and it should not cause the subject to experience any kind of additional twitching or uncontrolled spasms.
3. All subjects experiencing the TASER will be taken to the hospital for evaluation if exposure was greater than the standard (i.e., three or fewer activations of five-second duration). If the subject experiences three or fewer five-second activations, he/she will be taken to the nurse at the City Justice Center for evaluation.

J. **AFTER USE REPORTING (1.3.6 b) (1.3.6 c)**

1. With the exception of training, all instances of TASER use, including accidental discharges, will be reported. All use of the TASER to control a subject, including but not limited to deploying the probes, a “drive stun,” using the aiming dot or an arc display will be recorded in the I/LEADS report narrative of I/LEADS, located on Page 2 of the Incident module. In these cases, officers will be required to check the box next to “Weapons Discharged by Police” located on Page 3 of the Incident module.

**NOTE 1:** TASER discharges will normally be included in a formal I/LEADS report with complaint numbers. For accidental TASER discharges not involving an injury, an officer will submit an Intra-Department report instead of an I/LEADS report through channels to his/her Commander containing complete details, within 24 hours.

**NOTE 2:** Every I/LEADS report of TASER use must be linked in I/LEADS to TASER [Taser] Role in I/LEADS.

2. If an employee is injured in the accidental discharge, the responding Supervisor will take immediate action relative to providing medical attention to the injured employee. The Supervisor will also complete an “Employee Injury Report,” RES-70, in accordance with Section II, SO 3-03, “Work Related Injury, Illness & Limited Duty.”

3. Deployment of the probes, a “drive stun,” aiming the dot or an arc display are considered a use of force and are subject to the same reporting requirements as other uses of force.

4. The incident report which documents the use of a TASER will indicate the serial number of the unit used, the distance between the officer and subject at the time it was fired, the locations of impact on the subject, and an evaluation of the effectiveness of the device on the subject.

5. All copies of the Arrest Register will be clearly marked in red ink “TASER” when a subject is booked after the application of a TASER.

6. **TASER related reports must be reviewed and approved by a sergeant and command rank officer—not an acting command rank officer.** If a command rank officer is not on-duty for the respective command, the command rank officer of another assignment will review and approve the report.

7. Each use of a TASER will require a Critical Incident Review to be conducted by the officer’s chain of command. A report of the review will be forwarded to the officer’s Bureau Commander for approval. (1.3.7)

K. **MAINTENANCE**

Testing and maintenance of the TASER will be consistent with the manufacturer’s specifications and conducted by the Armory staff.

JM/klh
250-08-06624
METROPOLITAN POLICE DEPARTMENT – CITY OF ST. LOUIS
OFFICE OF THE CHIEF OF POLICE
SPECIAL ORDER

Date Issued: July 31, 2012  Order No.: Section VII of SO 1-01
Effective Date: July 31, 2012  Expiration: Indefinite
Reference:
CALEA Standards: 1.3.6; 1.3.7
Cancelled Publications: Section VII of SO 1-01, issued October 27, 2010
Subject: ADMINISTRATIVE PROCEDURES – USE OF FORCE
To: ALL BUREAUS, DISTRICTS AND DIVISIONS

PURPOSE: To outline administrative procedures concerning incidents involving the use of force.

A. GENERAL – FIREARM DISCHARGED/OTHER DEADLY FORCE (1.3.6.a)

An officer will, if able, submit an Intra-Department Memorandum with complete details through the chain of command to his/her Commander within 24 hours whenever he/she:

1. discharges his/her firearm other than during qualification or training;
2. accidentally causes property damage or personal injury while qualifying or training at the Department firearms range or during private use (hunting, target practice, etc.);
3. uses other weapons or equipment as deadly force; or
4. witnesses any portion of an incident in which a firearm has been discharged or other deadly force has been used.

B. DEADLY FORCE REPORTING (1.3.6.b)

1. I/LEADS Report Preparation
   a. An I/LEADS report will be prepared by the District of occurrence, detailing any incident outlined in Section II of this Order. This report will always require the approval of a Watch Commander.
   b. If an officer kills or seriously wounds someone, the Homicide Section will be notified immediately and assume responsibility for the police investigation and the preparation of the police reports(s).
   c. Officers involved in deadly force incidents outside the City of St. Louis will promptly contact the Police Department of that jurisdiction and cooperate with the investigation of the incident. In addition, the involved officer will notify the Command Post of the incident. The Command Post officer will notify the Internal Affairs Division as well as the involved officer’s Unit Commander. A copy of the police report from the reporting agency will be obtained by the investigating command and submitted as an attachment to the Administrative Report.
2. **Administrative Investigation and Report (1.3.7)**

a. The Commander of the involved officer will conduct an administrative investigation and prepare the administrative report of each incident. However, if the incident involves the wounding or death of a suspect/victim, or the incident occurs outside the City of St. Louis, the Internal Affairs Division will conduct the administrative investigation and prepare the administrative report.

b. The administrative investigation findings will be submitted on an Administrative Reports Transmittal Sheet, GEN-14 (ARTS), with recommendations. The ARTS will detail the circumstances of the incident including but not limited to:

1) all personnel involved in the incident;
2) damage and/or injury sustained;
3) the type of weapon used and the date of last instruction in the use of deadly force;
4) the serial number of the firearm if applicable;
5) whether the firearm was issued by the Department or privately owned if applicable;
6) the date the firearm was approved for use if applicable;
7) date of qualification for weapon used if applicable;
8) the number of rounds discharged if applicable;
9) whether the ammunition was Department approved if applicable; and
10) the number of previous shots fired incidents.

c. **Attachments to the ARTS will include:**

1) a copy of each involved officer's Intra-Department Memorandum;
2) detailed memorandums from all officers who witnessed any portion of the incident in which a firearm has been discharged or other deadly force was used if applicable;

**NOTE:** Follow-up Memorandums may be necessary to clarify any discrepancies or inconsistencies with in memorandums and/or police reports.

3) physical audio recordings (tape, CD, DVD, etc.) for all corresponding radio communication relative to the incident, including a copy of the submitted Radio Communication Request Form requesting recorded radio communications relative to the incident;

4) physical video recordings (VHS tape, CD, DVD, etc.) for all digital in-car camera footage from all responding vehicles and/or other available video footage, including a copy of the submitted Video File Request form(s); if video is unavailable, this fact should be noted in the ARTS; and

5) all corresponding NetViewer data.

**NOTE:** Once the ARTS has been approved for filing by the Board of Police Commissioners, the Inspector of Police will be responsible for determining how long recorded radio communication and in-car camera footage will be retained.
d. **Recommendations**

1) If no violation of the Department use of force policy/procedure is indicated, an ARTS will be prepared with the recommendation that the report be “Approved for File,” and forwarded through the chain of command to the Board of Police Commissioners.

2) If a violation of the Department use of force policy is indicated, an Allegation of Employee Misconduct Form, GEN-150 will be prepared in accordance with Department procedures.

3) If no violation of the Department’s deadly force policy/procedure is indicated, but a violation unrelated to the use of deadly force is indicated:
   a) the use of force incident will be processed separately; and
   b) an Allegation of Employee Misconduct Form will be prepared for the non-use of deadly force-related violation.

4) If no violation of the Department’s deadly force policy/procedure is indicated, but there is evidence that the officer departed from normal training standards or tactical courses of action:
   a) A recommendation will be made that the use of force incident be “Approved for Review and Instruction”;  
   b) the Commander will recommend appropriate steps to retrain the officer when dealing with future similar situations; and
   c) once the retraining has been completed, the officer’s Commander will send a memorandum to the Inspector of Police for inclusion in the officer’s file.

3. **Examination of Firearms**

a. When an officer has shot someone, or the circumstances of the incident indicate that the officer may have shot someone, the Homicide detective or in some cases the Internal Affairs investigator assigned to investigate the incident will take possession of the weapon used by the involved officer and deliver it to the Laboratory Division for examination.

b. An officer may obtain a replacement firearm from the Department Armorer between 7:00 a.m. and 2:00 p.m., Monday through Friday or from the Command Post at all other times.

c. Weapons will be released by the Laboratory Division to the Firearms Training Unit only upon the written authorization of the Internal Affairs Division and the Homicide Section. A replacement weapon will be returned to the party from whom it had been obtained.

d. In all incidents in which the officer is not required to surrender his/her firearm, the ranking officer on the scene will inspect the officer’s weapon and issue replacement ammunition.
C. NON-DEADLY FORCE REPORTING (1.3.6.c) (1.3.6.d)

An original report will be prepared containing complete details, including the circumstances surrounding the application of the non-deadly force; the non-deadly force method employed by the officer; and the injuries sustained, if any. The report will always require the approval of a Watch Commander.

D. POST-SHOOTING/SERIOUS PHYSICAL HARM/CRITICAL INCIDENT TRAUMA PROGRAM

All officers involved in the application of deadly force are required to report for the incident trauma program as outlined in Section VIII of this Order.

E. HUMAN RESOURCES DIVISION (1.3.6.e) (1.3.6.d) (1.3.7)

1. The Human Resources Division (Human Resources) will use the RAMS System and internal reports to identify all incidents of the following nature:
   a. firearm discharges by police officers;
   b. resisting arrests, interfering with arrests and assaults against police officer;
   c. use of force by officers; and
   d. complaints against officers.

2. Monthly, Human Resources will forward a computer generated Use of Force Notification Form to the Commander of each officer involved in an incident in which force was applied. The Commander will indicate on the form any recommendations he/she is making regarding the officer or the incident. If the Commander does not have a recommendation, this will be noted on the form. The form must be returned to Human Resources within fourteen (14) days of notification.

3. Human Resources is responsible for submitting the following periodic reports through the chain of command to the Chief of Police:
   a. Statistical report concerning the number of each of the above type incidents (monthly);
   b. Report concerning the need for policy/procedural modifications and/or training modifications as determined by the Use of Force Review Committee (quarterly); and
   c. Report detailing the number of incidents in which officers have discharged firearms (annually).

4. The Director of Human Resources will select personnel to serve as peer counselors to employees traumatized by critical incidents, including shootings, fatal auto accidents, crimes involving young victims, etc. See Section VIII of this Order for complete details.
F. USE OF FORCE REVIEW COMMITTEE

1. A Use of Force Committee will be comprised of the following individuals or their designated representative:
   a. Deputy Chief, Bureau of Professional Standards (Chairperson)
   b. Deputy Chief, Bureau of Community Policing
   c. Director, Human Resources
   d. Any other individual appointed by the Chief of Police

2. The committee will meet quarterly to review all use of force incidents during the quarter. The committee will not make recommendations for action in individual cases, but will provide the Chief of Police with a brief report on overall findings and make recommendations regarding the Use of Force Policy. The Chief of Police, after reviewing the committee’s recommendations, may make recommendations on changes in policy, procedure or training to the Board of Police Commissioners.

DI/wcw
251-12-00103
METROPOLITAN POLICE DEPARTMENT – CITY OF ST. LOUIS
OFFICE OF THE CHIEF OF POLICE
SPECIAL ORDER

Date Issued: October 27, 2010          Order No.: Section VIII of SO 1-01
Effective Date: October 27, 2010       Expiration: Indefinite

Reference:

CALEA Standards: 1.3.8

Cancelled Publications: Section VIII of SO 1-01, issued May 18, 2009

Subject: POST SHOOTING TRAUMA/SERIOUS PHYSICAL HARM/CRITICAL INCIDENT STRESS TEAM & PROGRAMS

To: ALL BUREAUS, DISTRICTS AND DIVISIONS

PURPOSE: To provide procedures for assisting members in adjusting to the emotional trauma normally associated with police shootings, incidents involving serious physical harm, and other critical incidents.

A. DEFINITIONS

1. **Serious Physical Harm**: Physical injury that creates a substantial risk of death or that causes serious disfigurement or protracted loss or impairment of the function of any part of the body.

2. **Critical Incident**: Any event that places an individual’s experience outside the range of usual human experience and that would be markedly distressing to almost anyone.

   **EXAMPLES**: Serious threat to one’s life or physical integrity; serious threat or harm to one’s children, spouse or other close relatives and friends; sudden destruction of one’s home or community; or witnessing another person who is being (or has recently been) seriously injured or killed as a result of an accident or physical violence.

B. TRAUMA/STRESS PROGRAM

The Department has adopted a two-part program consisting of the following:

1. Post Shooting Trauma/Serious Physical Harm Program consisting of (a) peer counseling; (b) temporary assignment to administrative duties; (c) referral to department Employee Assistance Program for debriefing/therapy; and (d) required post shooting fitness to return to duty psychological evaluation. (1.3.8)

2. Critical Incident Stress Program consisting of peer counseling and Employee Assistance Program intervention for employees who have been involved in critical incidents e.g., observed traffic accidents involving death or serious injuries, abused/neglected children, etc.
C. POST-SHOOTING TRAUMA/SERIOUS PHYSICAL HARM PROGRAM

1. Eligibility

The Post Shooting Trauma/Serious Physical Harm Program is designed for members involved in the death or serious injury of a citizen through use of a firearm or other means during the course of duty. This includes (1) the member involved in the incident; (2) any member accompanying the involved officer; or (3) any member who witnessed or was otherwise affected by the shooting or critical incident. (1.3.8)

2. Peer Support Program

a. General Information

1) The Post Trauma Support Team (PTST) is a volunteer group of commissioned officers who may have been previously involved in police shootings or other critical incidents and who have received training in peer assistance from the current Employee Assistance Program (EAP) staff. Officers will be selected for the PTST by the Officer in charge of the selection process for the PTST and the Director, Human Resources, after consultation with their Commanders. An up-to-date list of qualified team members will be maintained at the Command Post and in the Homicide Section (Homicide).

2) The Officer in charge of the selection process for the PTST will arrange for the current EAP to conduct (1) the initial training of new team members; and (2) semi-annual refresher training session for active team members.

b. Homicide Section Responsibility

1) A Homicide Supervisor will arrange for eligible officers to be conveyed to Homicide as soon as circumstances permit. The Supervisor will have the Command Post notify two members of the PTST to respond to Homicide for consultation with the involved member(s). Whenever possible, the involved member(s) will be permitted to select the team members to assist him/her.

2) The Homicide Supervisor will also generate a computer message to the involved member’s Commander, the Director of Human Resources and the Benefits Section advising that the member was involved in a police shooting. (1.3.8)

c. Conducting of Peer Assistance Sessions

1) The PTST member may talk to the involved member(s); however, they are not to talk to witnesses to the incident, including members who are witnesses.

NOTE: A separate peer assistance team may be assigned to assist a member who witnessed the incident.

2) A PTST member may discuss with the involved member his/her (involved member’s) feelings about the incident. A PTST member may also share his/her own feelings regarding similar incidents in which he/she was involved. However, the PTST member will not discuss the facts of the case being investigated.
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3) PTST members will keep their conversations with the involved member confidential, with the exception of situations involving criminal acts or violations of Department rules and regulations. Team members will make this point known to the member(s) prior to any conversations. Team members do not have the legally protected privilege of patient confidentiality.

4) PTST members are not to maintain any notes or records of their consultations. Information on the number of contacts can be kept for statistical purposes.

5) An involved member will be offered at least one peer assistance session. Additional sessions will be arranged at the request of the involved member.

6) PTST members will be granted overtime for off-duty consultations.

3. **Administrative Assignment (1.3.8)**
   
a. The involved member(s) will be given an administrative assignment by his/her Commander and will not wear a uniform.

b. The involved members will not be allowed to work secondary employment while on administrative assignment.

4. **Debriefing/Therapy and Post Shooting/Serious Physical Harm Return to Work Psychological Evaluation**
   
a. Members will, between 24 and 48 hours after the incident, be required to report for Critical Incident Stress Debriefing, in civilian attire, to the office of the current EAP. The EAP will arrange a date/time for the member to report for a psychiatric evaluation with the department psychologist. The member’s Commander will ensure that this is done.

b. The department psychologist will make a determination as to the duty status of the officer and so advise the Benefits Section of the Human Resources Division. Prior to any notification being sent to the Department psychologist, a release form will have to be signed by the involved officer. The department psychologist will determine the need for future counseling sessions.

c. As soon as the department psychologist releases an officer for return to full duty, the Benefits Section of the Human Resources Division will be notified by email; and the member’s Commander will be notified immediately of the status of the member.

d. The counseling sessions between the member and the EAP will be strictly confidential unless it is believed that the member’s mental state poses a serious threat to the member or others. Under such circumstances, the EAP staff is required by law to notify this Department, via the Benefits Section of the Human Resources Division.

D. **CRITICAL INCIDENT STRESS PROGRAM**

1. **Introduction**
   
a. The Department maintains a Post Trauma Support Team (PTST) for employees who may need assistance after being involved in critical incidents including police shootings or other incidents involving serious physical harm.
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b. Any employee who witnesses or is otherwise involved in a critical incident, e.g., responding officer, Dispatcher, ETU Officer, etc., may request to meet with the PTST or contact the Employee Assistance Program. Commanders, who believe an employee under their command has been adversely affected by an incident, may direct that employee to meet with the PTST or the Employee Assistance Program.

2. **Goal**

The goal of the Critical Incident Stress Program is to ensure that all personnel involved in a potentially traumatic incident will receive the support and services necessary to make a successful recovery by providing:

a. immediate support to all involved personnel;

b. management of post-trauma consequences; and

c. support for the involved person and his/her family.

3. **Procedures**

Upon arrival at the scene of a critical incident, the Precinct Supervisor or Watch Commander will inform the Command Post of the nature and scope of the incident, the location of the staging area, and request two PTST members to respond. An up-to-date list of qualified PTST members will be maintained by the Command Post. The Command Post officer will contact two PTST members as well as notify Director, Human Resources or his/her designee that a critical incident has occurred. The PTST member may contact the EAP to respond as well if needed.

4. **Involved Personnel**

a. Involved personnel will remain on full duty status unless the Director, Human Resources requests special duty.

b. Involved personnel will be debriefed by the EAP 24 to 72 hours after the incident. PTST members are to be included if they were present at the incident.

c. Involved personnel and their families will be provided long-term counseling by the EAP if deemed necessary. The EAP will notify Director, Human Resources if long-term counseling is recommended.

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