

COVINGTON POLICE DEPARTMENT STANDARD OPERATING PROCEDURE

Subject: LESS LETHAL WEAPONS / ASP TACTICAL BATON

Date of Issue: 01-01-1999

Number of Pages: 3

Policy No. P045

Review Date: 06-01-2009

Distribution: Departmental

Revision Date: 08-12-2020

I. Purpose

To provide guidelines for the use of less lethal weapons.

II. Statement of Policy

It shall be the policy of the Covington Police Department that police officers shall use only that force that is reasonably necessary to effectively bring an incident under control, while protecting the life of the officer or others. Less lethal weapons include, but are not limited to hands, ASP expandable baton, O.C. pepper spray, Taser, etc. The department does not authorize the use of neck restraints or similar weaponless control techniques.

III. Authorized Impact Weapons

- A. All Uniformed and Investigative Personnel will be issued a 21 inch ASP Expandable Baton with a foam handle, model number F-21C.
- B. No officer shall carry or use any other baton than the one described in paragraph "A" above while in the performance of their duties as a police officer. The Chief of Police may grant exceptions for officers engaged in special operations such as ESU or narcotics operations. In such cases, the officer must be certified with the baton before being allowed to carry it.

IV. Carrying of Impact Weapons Off Duty

Police personnel will be allowed to carry an approved impact weapon off-duty. Only the departmental issued impact weapon is approved for carrying off duty. Other impact weapons may be approved for off duty use provided that officer has the baton registered with the ASP Baton Instructor and the officer has been certified with the baton. The Chief of Police has authority in determining which batons will be carried off duty. Request for approval must be in writing and sent to the Departmental ASP Instructor. The ASP Instructor will then forward the request to the Chief of Police.

V. Use of Impact Weapons

- A. The ASP Baton is a defensive tactical tool that will be utilized against assaultive suspects who may cause bodily harm. The weapon may be used to protect citizens and law enforcement officers from physical resistance to arrest. The

baton may also be used as a control and restraint weapon in the event of passive resistance.

- B. The use of less lethal weapons and the Asp baton can sometimes be avoided through the use of de-escalation techniques and other non-dynamic law enforcement tools when reasonable. Officers will use de-escalation and other techniques to reduce the immediacy of threats to other peoples' safety and stabilize incidents. Officers will seek, when reasonable, to slow things down but realize not every situation can be de-escalated. An officer's behavior can escalate a situation, but the officer(s) should not attempt to intentionally escalate situations unnecessarily.
- C. The officers of this department have an affirmative duty to intervene if they witness a use of force that is clearly unreasonable. The officer, if he/she observes another officer exceeding the use of force, permitted by law, shall intervene to prevent the use of unreasonable force and if necessary, separate the person being arrested from the arresting officer. The Intervening officer shall promptly report these observation(s) and his/her actions to the supervisor.
- D. Officers have an affirmative duty to care for persons in their custody. Officers and supervisors are responsible for providing or obtaining appropriate medical attention to any person in their custody who is injured or complains of injury. This pertains whether injuries preceded custody, occurred during apprehension, or were sustained during custody, even if the arrested persons are believed to be feigning an injury, officers should still take the complaint serious and ensure medical attention is given.
- E. Additionally, officers have an affirmative duty to provide or obtain medical attention for members of the public who are injured because of police involved actions. Officers restraining a subject should be cognizant of, and avoid, positional asphyxia. This department prohibits prolonged face-down prone restraint. The officer should properly restrain the subject and place the subject in an upright position (sitting or standing) or side laying position.
- F. Any officer, who strikes someone with an ASP Baton while in the performance of his or her duties as a police officer on or off duty, shall complete a Police Response to Aggressive Resistance Report within 24 hours of the incident. The report will be reviewed in the manner described in SOP P040, Section V.
- G. The Watch Commander will forward a copy of the Police Response to Aggressive Resistance Report to the Patrol Division Captain or his designee.
- H. If any person complains of an injury after being struck with the ASP Baton or if injury is readily apparent, the officer shall provide the person access to medical attention.

VI. ASP Expandable Baton Certification

- A. Each officer is required to complete an eight hours basic certification class for the expandable baton before the officer will be issued the baton.
- B. Each officer will undergo biennial recertification training on the use of the ASP Expandable Baton. Review of this policy and the use of force policy are required at the recertification training. Each baton will be inspected during this time by a certified instructor.

This SOP supersedes any SOP previously issued.

BY ORDER OF THE CHIEF OF POLICE:

Stacey L. Cotton
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Chief of Police