

		Title: <p style="text-align: center;">Use of Force</p>		
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Special Instructions:				
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I. PURPOSE

The purpose of this policy is to establish guidelines for the use of force by sworn personnel.

This policy is based on the Defensive and Arrest Tactics (DAAT) program established by the Wisconsin Department of Justice – Law Enforcement Standards Board.

II. POLICY

A fundamental principle of policing, as reflected in the Mission Statement of the Grand Chute Police Department, is the preservation and protection of human life and safety of all persons. For this reason, it is the policy of the Grand Chute Police Department that officers, when compelled to use force, shall use only the amount of force that is objectively reasonable to achieve a lawful objective.

III. DEFINITIONS

- A. **Active Resistance:** Behavior which physically counteracts an officer’s control efforts and creates a risk of bodily harm to the officer, subject, or other persons.
- B. **Arrest Control Device:** The WRAP restraint device consisting of fabric panels used to temporarily restrict movement of a subject’s legs and ankles, thereby reducing their ability to kick while restraining them in an upright position.
- C. **Assaultive Behavior:** Direct action or conduct that generates bodily harm.
- D. **Bodily Harm:** Physical pain or injury, illness, or any impairment of physical condition, but less severe than great bodily harm.

- E. BOLA Wrap ® 100: A hand-held remote restraint device that discharges a bola-style tether designed to control encounters by temporarily entangling and restraining a person from a safe distance with minimal risk of injury.
- F. Choke Hold: A physical maneuver that restricts an individual's ability to breathe for the purpose of incapacitation.
- G. Deadly Force: The intentional use of a firearm or other instrument that creates a high probability of death or great bodily harm.
- H. De-escalation: An officer's use of time, distance, and relative positioning, in combination with Professional Communications skills, to attempt to stabilize a situation and reduce the immediacy of a threat posed by an individual.
- I. Defensive and Arrest Tactics (DAAT): A system of verbalization skills coupled with physical alternatives. It is the specific system formulated, approved, and governed by the Wisconsin Department of Justice – Law Enforcement Standards Board.
- J. Electronic Control Device (ECD): A battery powered device that uses propelled wires and probes or direct contact to deliver a safe amount of electricity for the purpose of affecting the sensory and motor functions of the human and animal nervous system. The intended purpose of this device is to incapacitate and help control threatened or active resistance and/or violent persons or animals.
- K. Medically Significant Behavior: A state of extreme mental and physiological excitement characterized by confusion, extreme agitation, hyperthermia, hostility, hallucinations, paranoia, and exceptional strength and endurance without apparent fatigue.
- L. Great Bodily Harm: Bodily injury which creates a substantial risk of death, or which causes serious permanent disfigurement, or which causes a permanent or protracted loss or impairment of the function of any bodily member or organ or any other serious bodily injury.
- M. Intervention Options: Trained techniques for intervening and gaining control in a disturbance. The techniques are categorized into five modes; presence, dialogue, control alternatives, protective alternatives, and deadly force, each reflecting the need for an increasing level of control. A list of trained intervention options can be found in Appendix A of this policy.
- N. Kinetic Energy Impact Projectiles: Flexible or non-flexible projectiles, which are intended to incapacitate a subject with a minimal potential for causing death or great bodily harm, when compared to conventional projectiles.

- O. Less-Lethal Force Philosophy: A concept of planning and force application, which meets operational objectives, with less potential for causing death or great bodily harm than conventional police tactics.
- P. Non-deadly Force: An amount of force that, under normal circumstances, would not be expected to result in great bodily harm or death.
- Q. Objective Reasonableness Standard: The standard established by the U.S. Supreme Court in *Graham v. Connor*, and incorporated in §175.44(2)(b), Wis. Stats., that reasonableness should be judged under the totality of the circumstances from the perspective of a reasonable officer at the scene with similar training and experience. Three elements of the standard are:
 - 1. The severity of the alleged crime at issue.
 - 2. Whether the person poses an imminent threat to the safety of officers and/or others.
 - 3. Whether the person is actively resisting seizure or attempting to evade seizure by flight.
- R. Passive Resistance: Non-compliant and non-threatening resistance to lawful orders.
- S. PepperBall Launcher: A non-lethal alternative that utilizes compressed air to deliver a PepperBall projectile.
- T. PepperBall Projectile: Plastic spheres that are filled with 5% PAVA powder and deployed by an air-powered launcher.
- U. Reasonable Belief: A conclusion reached by an ordinary, prudent and reasonably intelligent police officer that a certain fact situation exists under the totality of circumstances perceived by the officer at the time the officer acted.
- V. Reasonable Force: A physical act by a police officer in the performance of duty used to accomplish a legitimate law enforcement goal and objectively reasonable under the totality of circumstances as perceived by the officer at the time the officer acted. The totality of circumstances perceived by the officer can include statements made by the person or a known prior history of resistive or assaultive behavior.
- W. Vascular Neck Restraint: A technique that can be used to incapacitate individuals by restricting the flow of blood to their brain.

IV. PROCEDURES

A. General Guidelines

1. In serving the community, officers shall make every effort to preserve and protect human life and the safety of all persons. Officers shall also respect and uphold the dignity of all persons at all times in a nondiscriminatory manner.
2. When using force, a law enforcement officer is required to act in good faith to achieve a legitimate law enforcement objective. Officers shall use only that amount of force that is objectively reasonable, as defined in this policy, to control a situation, effect a seizure, or control a person. A force decision shall be based on the Disturbance Resolution Model and the Intervention Options incorporated in the DAAT system and found in Appendix A and B of this policy.
3. In deciding whether to use force, including which intervention options are appropriate, officers are permitted to consider all information known to the officer at the time of the incident, including conduct or statements made by the subject and prior history of resistive or assaultive behavior.
4. When time and circumstances reasonably permit, officers shall consider whether a subject's lack of compliance is a deliberate attempt to resist or an inability to comply based on factors including, but not limited to:
 - a. Medical condition
 - b. Mental impairment
 - c. Developmental disability
 - d. Physical limitations
 - e. Language barrier
 - f. Alcohol/drug induced impairment
 - g. Behavioral crisis
5. When officers can reasonably conclude that the lack of compliance is attributed to a condition enumerated in Section 3, above, and when deemed safe under the totality of circumstances, officers shall use de-escalation techniques to reduce the need for physical force. Such techniques should not compromise officer or public safety. These techniques may include:
 - a. Containing the threat;
 - b. Placing barriers between the subject and officer;
 - c. Creating distance and seeking cover and/or concealment;
 - d. Tactical positioning;
 - e. Utilizing professional communications, including verbal persuasion;

- f. Requesting additional resources, including additional officers, CIT officers, or less lethal equipment; and/or
 - g. Ensuring a proportional response.
6. When the level of force used by an officer is not effective in gaining control of the subject, the officer may choose to either disengage or escalate to a higher level of force. This decision will be based on the totality of circumstances and concern for the safety of the officer, citizens, and the subject.
 7. When force is applied, officers shall not use force beyond that which is objectively reasonable to maintain control once the subject has stopped resisting and control of the subject has been established. The use of force must terminate when it is objectively reasonable that the subject is fully under control.
 8. All persons taken into physical custody will be handcuffed, searched, and then transported in a police vehicle unless exceptional circumstances exist. Prisoner transportation shall be performed in accordance with the *Prisoner Transport* policy.
 9. An officer shall not brandish, display, or threaten the use of any control devices, impact weapons, kinetic energy impact weapons, canine, or firearm unless he or she can reasonably conclude its use may become justified and anticipated.

B. Duty to Intervene and/or Report Noncompliant Use of Force

1. In the event an officer, while acting in an official capacity, observes another officer applying a level of force that is not objectively reasonable under the circumstances, as outlined in §175.44(2)(b) or (c), Wis. Stats., he or she shall intervene to stop the use of such force as soon as it is safe to do so.
 - a. In addition to the requirement imposed by this directive, the aforementioned duty to intervene is mandated by §175.44(4), Wis. Stats.
 - b. Such intervention shall occur without regard for chain of command or agency affiliation.
 - c. An officer who intervenes as required under this section shall report the intervention to his or her immediate supervisor as soon as practicable following the occurrence of the use of force.
2. In the event an officer, while acting in an official capacity, witnesses another officer use force that does not comply with that which is

objectively reasonable under the circumstances, as outlined in §175.44(2)(b) or (c), Wis. Stats., he or she shall report the noncompliant use of force as soon as practicable after the occurrence of the use of force.

- a. In addition to the requirement imposed by this directive, the aforementioned duty to intervene is mandated by §175.44(3), Wis. Stats.
 - b. Such reporting shall occur without regard for chain of command or agency affiliation of the officer using noncompliant force.
3. An officer who intervenes to stop force that is not objectively reasonable or reports noncompliant use of force shall be afforded all of the whistleblower protections granted under 175.44(5), Wis. Stats.

C. Arrest Control Device

1. The WRAP Restraint, manufactured by Safe Restraints Inc., is the department authorized arrest control device.
2. Officers who have successfully completed a department approved training course on the arrest control device are authorized to utilize the device.
3. The arrest control device will be stored in the supervisor and intensive use vehicles.
4. The arrest control device should be considered for use under the following circumstances:
 - a. When pre-assaultive, violent, or combative behavior is indicated;
 - b. To immobilize a violent or combative subject;
 - c. To limit violent or combative subjects from causing injury to themselves or others;
 - d. To prevent violent or combative subjects from causing property damage;
 - e. To restrain a subject after chemical spray or exposure to an ECD;
 - f. When conventional methods of restraint are ineffective.
5. The following procedures shall govern the use of the arrest control device:
 - a. The deploying officer should assemble a sufficient number of officers to assist with applying the arrest control device.
 - b. The arrest control device may be applied in its entirety, or any portion thereof. The upper harness can be used to prohibit a subject

from moving their handcuffs from back to front. The lower wrap can be used to immobilize a subject's legs. The ankle strap can be used to immobilize a subject's ankles. The helmet can be used to reduce the potential for injury with a subject who is hitting their head against other objects.

- c. Once applied, absent extenuating circumstances, the arrest control device should remain in place until the officer completes the transport to a destination facility such as the jail or hospital.
 - d. Once restrained, the subject shall be placed in either a side recovery or upright position.
 - e. While restrained, the subject shall be continuously monitored by an officer for signs of difficulty breathing or any other medical emergency.
 - f. Any subject transported in the arrest restraint device shall be secured with a seat belt prior to transport.
 - g. When transported by ambulance, the restrained subject shall be accompanied by an officer to ensure the subject can be quickly removed from the arrest restraint device at the request of medical personnel. The accompanying officer shall inform medical personnel of the circumstances leading to the restraint of the subject.
6. If practicable, officers should notify a supervisor of the need to apply the arrest control device prior to application. In all cases, a supervisor shall be notified as soon as practicable after the application of any portion of the arrest control device.
7. Officers shall complete an incident report any time the arrest control device is utilized. The following information is required to be included in the report:
- a. The circumstances, including subject behaviors, that led to the decision to use the arrest control device.
 - b. The total amount of time a subject was restrained in the arrest control device.
 - c. Details surrounding the method of transport for the restrained subject, including the application of a seat belt.
 - d. The name of the supervisor notified regarding the incident.
 - e. If a subject is restrained and released without arrest, the officer shall document the details of the detention and the need for handcuffs or other restraints.

8. The application of the arrest control device, by itself, is not a use of force subject to mandatory reporting. However, officers who use force while applying the device shall make required notifications as outlined in Section L of this directive.
9. Following each use, the arrest control device shall be inspected for signs of wear or damage. If cleaning is needed, a mild soapy solution may be used. The arrest control device should be allowed to thoroughly air dry prior to storage.
10. The arrest control device shall be stored in the following manner:
 - a. Lay the arrest control device on a flat surface with the leg band side up and detach the shoulder harness. Extend each of the leg bands out flat.
 - b. Fold each of the leg bands back onto itself so that the fold of the band protrudes two inches from the edge of the device body.
 - c. Ensure the “D” ring on the body of the device and harness is open and ready for use.
 - d. Keeping the bands inside the device, roll the device tightly towards the buckle and secure it with the ankle strap. Place the device in the storage bag.
 - e. Fully extend the harness buckles and tether. Attach the buckles to its counterpart and roll the harness up and place it in the storage bag.

D. BOLA Wrap ® 100

1. Officers who have successfully completed a department approved training course on the BOLA Wrap ® 100 are authorized to utilize the device.
2. The BOLA Wrap ® 100 will be mounted in the supervisor and intensive use vehicles.
3. A BOLA Wrap ® 100 may be used when reasonably necessary to control a person who is demonstrating at least one of the following behaviors, and there is a need to take the person into physical custody:
 - a. Continued passive resistance;
 - b. Active resistance, or such threats;
 - c. Assaultive behavior, or such threats;
 - d. Articulate threat of self-harm;
 - e. Articulate signs of medically significant behavior.

4. The following factors, when reasonably perceived by the officer at the time of the incident, require elevated justification for deployment. Under the following conditions the risk of direct or secondary injury to the subject is elevated; thus, the justification for a BOLA Wrap ® 100 deployment is also elevated. The officer must balance the elevated risk of injury with the need for immediate apprehension. Factors warranting an elevated deployment justification include:
 - a. Subject is running;
 - b. Subject is in an elevated position;
 - c. Subject is obviously, or known to be, pregnant;
 - d. Subject is in water sufficient to drown;
 - e. Subject is operating a vehicle;
 - f. Subject is nude;
 - g. Subject is elderly or obviously a juvenile;
 - h. Subject is handcuffed or otherwise restrained; and
 - i. Other situations where subject position or activity may result in collateral injury.

5. In each instance where a BOLA Wrap ® 100 is deployed, a determination will be made regarding the need for lethal cover. Lethal cover shall be required in all cases in which the subject possesses a weapon capable of causing death or great bodily harm.

6. The following procedures shall govern a BOLA Wrap ® 100 deployment:
 - a. The deploying officer should assemble a sufficient number of officers to assist with taking the subject into custody prior to use.

 - b. The aiming laser should never be intentionally directed into the eyes of another person as it may permanently impair his/her vision.

 - c. A loud verbal warning of “BOLA! BOLA! BOLA!” shall precede a BOLA Wrap ® 100 deployment. The purpose of the warning is to:
 - (1) Provide the individual with a reasonable opportunity to voluntarily comply.

 - (2) Provide other officers and individuals with a warning that the BOLA Wrap ® 100 device is going to be deployed.

 - d. The BOLA Wrap ® 100 should not be intentionally fired at the face, head, or neck unless deadly force is authorized.

- e. If the BOLA Wrap ® 100 has been deployed and the subject still cannot be controlled, officers should consider an escalation of force or should disengage.
 - f. Efforts to take the individual into custody should be made as soon as practicable following the deployment of the BOLA Wrap ® 100.
7. Department personnel who use a BOLA Wrap ® 100 device on a person shall ensure the person is monitored for injury as soon as practicable after the person is under control. If requested by the subject, or an officer feels it is necessary, on-scene medical attention or transport to a medical facility shall be arranged.
 8. If the BOLA Wrap ® 100 pellets (hooks) are imbedded in a sensitive tissue area, (i.e. neck, face, groin, or the breast of a female), officers shall arrange transport to a medical facility for removal. Pellets that are imbedded in other non-sensitive tissue areas may be removed by a trained officer.
 - a. Officer(s) shall photograph pellet impact locations on the subject's body.
 - b. Officer(s) shall photograph any additional injuries on the subject's body, which were caused during a deployment.
 9. The pellets shall be treated as a contaminated biohazard if imbedded into the subject's skin. Officers removing the pellets shall wear protective gloves.
 10. After the pellets have been removed, they shall be packaged according to the trained procedure. The deployed cartridge, tether, and pellets shall be retained for the same period as other evidence associated with the incident.
 11. Evidence collection shall proceed as outlined in the *Evidence Collection and Preservation* policy.
 12. Deployment of a BOLA Wrap ® 100 device is considered a Control Alternative in the Disturbance Resolution Model. Officers shall follow use-of-force reporting guidelines outlined in Section L., below.
 13. Trained officers shall complete a refresher course every two years.
- E. Electronic Control Device (ECD)
1. Officers who have successfully completed a department approved training course and written test concerning ECD use are authorized to carry the

device.

- a. Uniformed officers shall carry an ECD while on duty.
 - b. Non-uniformed officers may carry an ECD.
 - c. Officers should conduct a function check of their assigned ECD prior to the start of their shift if carrying an ECD. If the ECD is displaying an error, the officer should notify a supervisor.
 - d. Officers issued a Taser 10 should dock the battery pack from their ECD at least every 30 days. Officers issued a Taser X26P should notify a Taser instructor if the battery on the device requires replacement.
 - e. Officers whose primary assignment is a uniformed role shall carry their ECDs in an approved holster on their duty belt on the side of their body opposite their firearm. Officers may position their ECD holster for a straight draw or cross draw. Officers whose primary assignment is a non-uniformed role may carry their ECDs in an approved holster on their external vest carrier.
2. An ECD may be used when a subject is threatening to actively resist or is actively resisting an officer and the subject poses an articulable threat of bodily harm to an officer or another person. It may also be used when the subject poses a threat of bodily harm to himself or herself, such as self-inflicted injury or a suicide attempt. Mere passive resistance does not warrant the use of an ECD.
3. The following factors, when reasonably perceived by the officer at the time of the incident, require elevated justification for deployment. Under the following conditions the risk of direct or secondary injury to the subject is elevated, thus the justification for ECD deployment is also elevated. The officer must balance the elevated risk of injury with the need for immediate apprehension. Factors warranting an elevated deployment justification include:
- a. Presence of flammable materials;
 - b. Subject located in an elevated position;
 - c. Subject operating or riding any mode of transportation;
 - d. Subject running;
 - e. Subject is less able to protect self in a fall (restrained or handcuffed)
 - f. Subject obviously, or known to be, pregnant;
 - g. Subject in water sufficient to drown; and
 - h. Subject obviously frail or infirm.

4. In each instance where an electronic control device is deployed, a determination will be made regarding the need for lethal cover. Lethal cover shall be required in all cases in which the subject possesses a weapon capable of causing death or great bodily harm.
5. Officers deploying an electronic control device should not intentionally target the head, throat, chest (area of the heart), groin, genitals, or known pre-existing injury areas.
6. ECD Deployment Methods
 - a. For Taser 10, there must be 2 trigger pulls (deployment of 2 probes) to create the potential for NMI. For this reason, the first two probes should be deployed in rapid succession when practicable, and the officer should continually assess the subject's behavior to determine whether additional probes are reasonably necessary. The audible warning alert may be activated to warn subjects of the ECD's potential use as an attempt to de-escalate.
 - b. For Taser X26P, the primary deployment method is to discharge the ECD cartridge, propelling the probes and wires. The back-up deployment method is to firmly drive the attached fired ECD cartridge into the subject's body (drive stun). Removing the ECD cartridge to apply a drive stun is discouraged because it provides limited effectiveness and has a higher propensity for causing minor burns or friction abrasions to the skin than probe deployment.
7. ECD Duration of Deployment
 - a. A full five second cycle should be applied without interruption unless circumstances dictate otherwise. During this cycle, officers should take the opportunity to control, handcuff, or otherwise detain the subject as quickly as possible. Subsequent cycles may be necessary if the subject remains a threat and no behavior change has been observed while assessing the subject. Officers should be aware that a subject may not be able to respond to commands during or immediately after exposure to an ECD. Officers shall use the fewest number of ECD cycles necessary to accomplish the objective, realizing each cycle requires justification to be articulated by the officer.
8. Department personnel who use an electronic control device against a person shall ensure the person is monitored for injury as soon as practicable after the person is under control. If an adverse reaction to an electronic control device occurs, or if requested by the subject, transport to

a medical facility shall be arranged.

9. If the probes are imbedded in sensitive tissue areas, i.e. neck, face, groin, or the breast of a female, officers shall arrange transport to a medical facility for removal. Probes that are imbedded in other non-sensitive tissue areas may be removed by a trained officer according to the trained procedures.
 - a. Officer(s) shall photograph probe impact locations on the subject's body.
 - b. Officer(s) shall photograph any additional injuries on the subject's body which were caused during an electronic control device deployment.
10. The probes shall be treated as a contaminated biohazard. Officers removing the probes shall wear protective gloves.
11. After the probes have been removed they shall be handled as biohazard evidence and packaged in a puncture-resistant plastic evidence tube. The deployed cartridge, wires, and probes shall be retained for the same period as other evidence associated with the incident.
12. Forensic ECD evidence collection shall occur under any of the following circumstances:
 - a. Great bodily harm occurs to the subject or officer during or following the use of an ECD.
 - b. The ECD is not effective, which leads to escalation of force and the use of deadly force.
 - c. The subject dies following the use of an ECD.
 - d. The ECD is used on a subject displaying medically significant behavior (elevated risk of sudden in-custody death).
13. Forensic ECD evidence collection of the cartridge, AFIDs (anti-felon identification tags), wires, and probes shall be governed by the following collection process:
 - a. Take overall scene photos.
 - b. Mark location of evidence.
 - c. Take detailed measurements of evidence.

- d. Take detailed photos of evidence prior to collection.
 - e. Take detailed photos of probe or contact marks/wounds.
 - f. Collect probes, wires, and the cartridge as a unit, if possible. For Taser X26P, do not break the wires from the probes or cartridge. For Taser 10, break the wires as close to the cartridge as possible and do not break the wires from the probes.
 - g. Do not wrap or attempt to untangle the wires.
 - h. Place the whole cartridge units into puncture-resistant plastic evidence tubes.
 - i. For Taser X26P, collect AFIDs in a sealable container.
 - j. Collect the ECD, place it in a box, and enter it into evidence. Enter the cartridge unit and AFIDs (for Taser X26P) into evidence.
14. Following the use of an ECD under circumstances not requiring forensic ECD evidence collection, the officer shall conduct a function check of the ECD as soon as practicable.
- a. If the ECD is functioning normally, the ECD may remain in service. For Taser X26P, the officer shall notify a Taser instructor to arrange a download of the device logs. For Taser 10, the officer shall insert the battery from their ECD in the dock to download the device logs.
 - b. If the ECD is not functioning properly or any errors are displayed, the officer shall notify a supervisor and obtain a replacement ECD.
15. When an electronic control device is used against a person or animal, the Use of Force report shall include the serial number of the deployed unit and the serial number of the deployed cartridges in the narrative of the report.
16. An ECD use against a person or animal is considered to occur when an officer uses the ECD to perform a drive stun or deploy the probes, whether the probes hit the intended target or not.
17. Trained officers shall complete a refresher course and a written examination related to the use of the department approved electronic control devices every year.

18. Only ECD units and accessories approved by the Chief of Police or his/her designee shall be permitted for carry and use by members of the department.

F. Oleoresin Capsicum Spray (OC)

1. Officers and Community Service Officers, who have been trained and certified in the use of OC shall carry department issued OC while on duty.
 - a. Officers who are trained in the use of, and carrying, an electronic control device may choose not to carry OC.
 - b. If an officer has a special duty assignment that does not make carrying OC feasible, the officer may be exempt from carrying OC for the assignment.
 - c. Community Service Officers shall carry department issued OC only when on duty and are limited to the use of OC for animal control duties or self-defense.
2. Trained personnel may use OC when a subject is threatening to actively resist or is actively resisting an officer and the subject poses an articulable threat of bodily harm to an officer or another person. Mere passive resistance does not warrant the use of OC.
3. Generally, OC should not be sprayed directly at the eyes of a person from a distance of less than 3 feet because of increased risk of eye injury from the pressure of the spray.
4. Department personnel who use OC against a person shall ensure the person is decontaminated as soon as practicable after he or she is under control.
 - a. If possible, the person should be exposed to fresh air and the contaminated site flushed with cold water or wiped with a department issued OC decontamination product.
 - b. Officers should continue to monitor the exposed person for any unusual reactions to the exposure. If the exposed person has an unusual reaction or requests medical attention, transport to a medical facility shall be arranged.
5. Trained personnel may use OC to protect themselves or others from an aggressive or vicious animal. If circumstances permit, and it can be done without endangering department personnel, reasonable efforts to decontaminate domesticated animals should be taken or the

decontamination information should be conveyed to the animal's owner.

G. Intermediate Weapons/Impact Weapon: (expandable and straight baton)

1. Uniformed officers shall be required to have an approved impact weapon available to them while on duty. An impact weapon must be carried by a uniformed officer if an ECD is not carried.
2. The use of authorized batons is permitted to impede a subject, preventing him or her from continuing active resistance or assaultive, or otherwise dangerous, behavior.
3. Permitted baton techniques are those taught as part of the DAAT system governed by the Wisconsin Department of Justice – Law Enforcement Standards Board.

H. Chemical Munitions and Diversionary Devices

1. Chemical munitions and diversionary devices will only be deployed by officers trained in their use
2. Use of these devices will be in accordance with the requirements of this policy.
3. Injuries to a person resulting from the use of chemical munitions and diversionary devices shall be documented in an incident report.

I. PepperBall Launcher System

1. Only department-issued PepperBall launcher(s) are authorized for use by officers. These launchers will be maintained by a certified armorer and inspected annually.
2. All users of the PepperBall launcher(s) must successfully complete an initial instruction course and complete re-certification training on a biennial basis.
3. PepperBall launcher(s) shall be used in a manner consistent with department training and the manufacturer's recommendations regarding effective distances and target areas. Each situation must be evaluated on the totality of circumstances at the time of deployment.
4. A verbal warning should precede the use of the PepperBall launcher(s) unless such warning would otherwise endanger the safety of officers or when the warning is not practicable under the circumstances. Once a

verbal warning is given, officers shall give the subject a reasonable opportunity to voluntarily comply.

5. Area Saturation or Area Denial is the use of PepperBall projectiles to deny access to an area and/or gain compliance of movement from an area. In this application, PepperBall projectiles are launched to impact surrounding objects and must not be launched directly at a person.
6. Direct Impact is when PepperBall projectiles are launched at an individual. PepperBall is a non-lethal force option and may be delivered toward a subject's body in accordance with the following guidelines:
 - a. The preferred target area is the upper abdomen. Other targets of opportunity may be utilized, depending on the totality of the circumstances.
 - b. PepperBall projectiles are propelled with an amount of force that could cause injury should they strike the head, neck, or groin. For this reason, officers shall not intentionally target these areas unless the officer reasonably believes the subject poses an imminent threat of death or great bodily harm.
7. When PepperBall projectiles have been introduced into a residence, building interior, vehicle, or other enclosed area, officers shall complete the following actions:
 - a. Provide notice to the property owner or occupant of the presence of residue that could result in irritation or injury if the area is not properly cleaned;
 - b. Complete the Suspected Chemically Contaminated Property form (Appendix C), serve a copy upon the owner or occupant of the property, and document the service in the official incident report.
8. Persons who have been affected by the use of PAVA powder from a PepperBall projectile should be provided with clean water and air to cleanse the affected areas. In the event an individual complains of prolonged or severe symptoms from exposure to PAVA powder, they shall be examined by medical personnel.
9. A volley of 3-5 PepperBall projectiles, in rapid succession, is considered one use of force. Such use of force shall be reported in compliance with section O, below.

J. Kinetic Energy Impact Projectiles

1. Trained department personnel may use kinetic energy impact projectiles in circumstances where a level of force less than deadly force may be appropriate for resolving the situation and when the risk associated with closing on the subject to take control makes other alternatives unsafe.
2. In each instance where kinetic energy impact projectiles are deployed, a determination will be made regarding the need for deadly force cover. Deadly force cover will be required in all cases in which the subject possesses a weapon capable of causing death or great bodily harm.
3. The department shall maintain two dedicated less-lethal delivery systems, the Remington 870, 12-gauge pump shotgun and the GL 1-40 40 mm launcher.
 - a. Only department personnel trained in the use of these devices are authorized to utilize them.
 - b. Only department authorized and issued rounds may be used in the less-lethal delivery systems.
4. Remington 12-gauge pump shotgun less-lethal delivery system.
 - a. 12-gauge lethal ammunition is not authorized for duty use and will not be carried by an officer or stored in a patrol vehicle.
 - b. When deploying the Remington 12-gauge pump shotgun less-lethal delivery system, the officer will visually and physically inspect the weapon to verify it is unloaded. The officer will visually inspect each less lethal kinetic energy impact projectile prior to loading. This deployment loading procedure will be taught during training.
 - c. One Remington 12-gauge pump shotgun less-lethal delivery system will be kept in the supervisor vehicle and a second will be carried in an intensive use vehicle.
 - d. Each Remington 12-gauge pump shotgun less-lethal delivery system will be deployed with ten less-lethal rounds. Five rounds of ammunition will be kept in a sidesaddle holder affixed to the shotgun and five rounds will be kept in heat-sealed plastic.
5. The Penn Arms GL 1-40 40mm less-lethal launcher will be kept in the supervisor vehicle with five rounds of ammunition.
6. Kinetic energy impact projectiles may be delivered to the subject's body in accordance with the following guidelines:

- a. Primary Target Areas (Legs and buttocks): The arms may also be targeted as a primary target under some circumstances. The officer must consider the proximity of the targeted portion of the arm to vital areas of the body. Primary target areas shall be considered when incapacitation is necessary but the threat is not imminent. Multiple impacts to the primary target areas should be considered before progressing to the secondary target area.
 - b. Secondary Target Area (Lower Abdomen): The secondary target area will be considered when incapacitation is critical due to the imminent threat posed by the subject.
 - c. Head/Neck/Chest Area: Intentional impact to these areas will be avoided unless the use of deadly force is justified.
7. Subjects who are struck by a kinetic energy impact projectile shall be transported by ambulance to a medical facility for examination.
 8. Officers shall photograph any injury on a subject's body caused from being struck by a kinetic energy impact projectile.
 9. Officers shall collect the impact projectile and empty shell casing as evidence.
 - a. If the impact projectile has been biohazard contaminated, officers shall wear protective gloves.
 - b. The projectile shall be placed in a suitable evidence container before being placed in a red biohazard bag and entered into evidence.
 10. Trained officers shall complete a refresher course and written examination every two years.

K. Canine Apprehension

1. The use of a canine to apprehend a subject, resulting in a bite, is considered a use of force under this policy.
2. A police canine may be used to apprehend an individual under the following circumstances:
 - a. There is a reasonable belief that the subject poses an imminent threat of bodily harm to another person or him or herself.

- b. The subject is physically resisting arrest or detention and poses an imminent threat of bodily harm to the officers and/or others and the use of the canine appears necessary to overcome such resistance.
 - c. The subject is believed to be concealed from officers in an area that makes a canine search and apprehension the most appropriate method to avoid the potential threat outlined in sections a and b, above.
- 3. Unless a subject presents a reasonably perceived threat of bodily harm to officers or others, mere flight from pursuing officers shall not justify a canine apprehension.
 - 4. When a canine apprehends a subject, the canine shall be given commands to release the bite and be brought under physical control by the handler as soon as practicable after the subject stops the resistive behavior and complies with officer commands.
 - 5. If the canine bites a subject with no apparent effect on the subject, the canine handler should consider having the canine disengage. Officers must then decide to escalate or disengage from the situation.
 - 6. If a canine apprehension results in a bite or injury, in addition to the requirements of this policy, the handler shall comply with all requirements established in the *Police Canine* policy. Subjects who are bitten or injured by the canine shall be transported to a medical facility for treatment.

L. Use of Deadly Force

- 1. The intentional use of deadly force is permissible under the following circumstances:
 - a. As a last resort, to stop behavior that has caused or imminently threatens to cause death or great bodily harm to the officer or another person and when the officer reasonably believes all other options have been exhausted or would be ineffective.
 - b. As the final alternative, to effect an arrest or prevent the escape of a fleeing felon whom the officer reasonably believes has committed a felony involving the actual or threatened use of deadly force. The officer shall also have probable cause to believe the suspected felon poses an imminent threat of death or great bodily harm to the officer, or others, if not immediately apprehended.

- c. As the last resort, to euthanize a dangerous animal or one that is so seriously injured that humanity dictates its dispatch to alleviate further suffering, but only after careful consideration is given to the public's safety and whether other alternatives may be feasible.
2. If both practicable and feasible, officers shall identify themselves and issue a verbal warning before using deadly force.
3. Firearms shall not be discharged at a moving vehicle unless:
 - a. A person in the vehicle is threatening the officer or another person with deadly force by means other than the vehicle; or
 - b. The vehicle is operated in a manner deliberately intended to strike an officer or another person, and all other reasonable means of defense have been exhausted or are not present or practical, which includes moving out of the path of the vehicle.
4. The decision to discharge a firearm when the target of the force is not clearly visible shall be guided by Section 1, above; however, it shall be prohibited if it creates an unreasonable risk to the officer or others. Firing into a building or through a door is not permitted unless officers are being fired upon from within and no alternative means of cover is available.
5. The use of choke holds and/or vascular neck restraints is prohibited, except under circumstances that would otherwise justify the use of deadly force.
6. Deadly force shall not be used when the officer is in doubt as to whether or not he or she has the legal justification to do so.
7. Officers shall not discharge a firearm as a warning.

M. Pointing of Firearm

1. If an officer intentionally points a firearm at a person in the course of duty and does not discharge the firearm, the officer shall complete an incident report detailing the circumstances. If multiple officers are involved, only the officer assigned the call is required to complete an incident report. All other officers shall prepare and submit a supplemental report.
2. A Grand Chute Police Department Use of Force report is required if an officer intentionally points a firearm at a person in the course of duty and does not discharge the firearm.

N. First Aid and Medical Assistance

1. Officers who use force against a person shall ensure the subject is monitored for injury as soon as the scene is secured.
 2. If an injury is observed or reported by the person, officers shall provide first aid and/or request medical assistance as needed.
 3. In addition to visible injuries and those reported by the subject, officers should be observant for indicators that the subject is experiencing a medical problem that is contributing to their behavior.
 4. If medically significant behavior is suspected, officers shall request an emergency response from EMS. Officers shall ensure the subject is continuously monitored until the subject is evaluated by EMS.
- O. Required Notifications and Reports upon Use of Force
1. Whenever an officer is responsible for an accidental or intentional discharge of a firearm while on or off duty (other than during firearms training, hunting or participation in sporting or recreational events), or the accidental or intentional use of deadly force by any means, the following notifications and reports shall be made:
 - a. Intentionally discharged at a person
 - (1) The officer shall notify a supervisor as soon as possible.
 - (2) The supervisor shall notify the Field Operations Division Commander.
 - (3) The Field Operations Division Commander will immediately notify the Chief of Police.
 - (4) An investigation will be conducted and thoroughly documented by investigative personnel in a comprehensive incident report, initiated by the responding supervisor.
 - (5) The involved officer will generally not prepare an incident report regarding their involvement in the use of force. Rather, the actions of the involved officer will be documented in the report prepared by investigative personnel following an interview with the involved officer.
 - (6) Other personnel not directly involved in the incident may be required to prepare supplemental reports documenting their involvement. Preparation of these reports will be

coordinated by the Technical Operations Division Commander.

- (7) Each officer discharging a weapon shall complete a Grand Chute Police Department Use of Force report.

b. Intentionally discharged at an animal

- (1) The officer shall notify the Communications Center and his or her supervisor prior to discharge, or immediately thereafter if prior notification is not practicable.
- (2) The officer involved in the intentional discharge of a firearm at an animal shall document the justification for the discharge in addition to information about the weapon used, number of rounds expended, and type of animal involved. This documentation shall occur in the CAD screen associated with the incident.
- (3) An incident report is not required unless directed by the supervisor.

c. Accidental discharge not resulting in injury

- (1) The officer shall immediately notify the on-duty supervisor.
- (2) The officer shall complete a written memorandum to the Field Operations Division Commander that documents the details of the incident.

d. Accidental discharge resulting in injury

- (1) The officer shall immediately notify a supervisor. The officer shall render first aid or request EMS as necessary.
- (2) The supervisor shall notify the Field Operations Division Commander. The involved officer shall document the details of the incident in a memo to the Field Operations Division Commander and prepare an incident report as directed by the supervisor.
- (3) The Field Operations Division Commander shall notify the Chief of Police and may notify the Technical Operations Division Commander to initiate an investigation into the incident.

2. When an officer uses force that includes a control alternative or greater, (excluding escort holds) in the order of appearance on the list of Intervention Options, he or she shall contact an on-duty supervisor as soon as practicable after the use of force. The officer shall also complete an incident report documenting the circumstances.
3. In addition to any other reporting requirements in this policy, whenever an officer uses any amount of force against another person that results in, or is alleged to have resulted in, injury or death to a person, he or she shall contact an on-duty supervisor as soon as practicable after the use of force. The officer shall also complete an incident report documenting the circumstances.
4. Each officer involved in a use of force event shall complete a Use of Force report. When completing a Use of Force report, officer(s) should only include the force or countermeasures used by the officer completing the report.
5. Whenever a supervisor is notified of a use of any force as outlined in this policy, he or she shall respond to the scene to monitor the situation and conduct a preliminary review of the incident. The supervisor is responsible for ensuring each officer involved in the use of force completes a Use of Force report electronically in Frontline Pro Standards. All Use of Force reports will be reviewed by a supervisor to ensure the use of force complies with department policy before forwarding it to the Field Operations Division Commander.
6. The Field Operations Division Commander shall review each incident to determine if a Use of Force Review Team is to be convened under this policy or if the circumstances of the incident warrant an investigation into the officer's use of force. Additionally, the Field Operations Division Commander shall submit Use of Force and Arrest-Related Death Data (UFAD) to the Wisconsin Department of Justice through TraCS.
7. Annually, the Field Operations Division Commander shall complete and submit to the Chief of Police a written analysis of all incidents involving the use of physical force by officers. The report will also identify trends and/or training needs.

P. Use of Force Review Team

1. The Use of Force Review Team shall consist of the following personnel:
 - a. Technical Operations Division Commander (Chairperson)
 - b. Field Operations Division Commander (Vice-Chairperson)

- c. The Town Attorney
 - d. A department DAAT and/or firearms instructor
 - e. One officer selected by the involved officer(s). Each officer involved may select their own officer/representative.
2. If the involved officer is incapacitated and cannot designate an officer to serve on the review team, the Chief of Police will direct the officer's supervisor to select an officer to represent the involved officer. The selected officer is subject to the approval of the involved officer(s) should the officer(s) cease to be incapacitated prior to the completion of the investigation.
 3. If the officer involved in a use of force incident is a captain, the Chief of Police will chair the Use of Force Review Team. If the Chief of Police is the officer involved, the Technical Operations Division Commander will coordinate with the Police and Fire Commission to select the person who will chair the review team. This may require the assistance of an outside agency.
 4. The Use of Force Review Team shall conduct an administrative review of the following uses of force:
 - a. The accidental or intentional use of deadly force by an officer, whether or not injury or death occurs.
 - b. All incidents involving the accidental or intentional discharge of a firearm, excluding the intentional use to dispatch an animal or the use of kinetic energy impact projectiles, unless their use causes great bodily harm or death.
 - c. All incidents resulting in great bodily harm to a person by an officer's use of force.
 - d. Any additional situations as directed by the Chief of Police.
 5. This administrative review shall be separate from any criminal investigation conducted by the Technical Operations Division or any other investigative agency selected by the Chief of Police.
 6. The purpose of this review is to determine whether the use of force was consistent with the policies and *Code of Conduct* of the department.
 7. Upon conclusion of the review, the Use of Force Review Team shall

submit to the Chief of Police a written report of their findings and conclusions. The report shall include a description of how the review was conducted, a listing of all facts established by the review, any disagreement between members, and a recommended disposition.

8. The Use of Force Review Team report shall include a finding that the officer's use of force was:
 - a. Within policy
 - b. Outside of policy
 - c. Outside of policy, with extenuating circumstances
9. Any officer who uses force which results in death or great bodily harm to another person shall be assigned to administrative duties, or may be placed on administrative leave at the discretion of the Chief of Police, pending the completion of the use of force review and final action of the Chief of Police.

Q. Policy Distribution and Training

1. A copy of this policy, including all future amendments or revisions thereto, shall be distributed as outlined in the department's written directive system. In addition, the policy shall be available on the department's website.
2. All personnel shall receive, be trained in, and demonstrate their understanding of this policy before being authorized to carry any weapon in the course of their official duties.
3. On an annual basis, the firearms coordinator shall conduct training on the *Use of Force* policy and any related legal updates for all sworn personnel as part of the firearms training and qualification program. Additional training may occur as dictated by changes to the policy and/or law regarding use of force.
4. The Grand Chute Police Department's Defensive and Arrest Tactics instructor(s) shall conduct training for all CSO's authorized to carry OC.
5. Training of force techniques not covered in the Defensive and Arrest Tactics (DAAT) program established by the Wisconsin Department of Justice – Law Enforcement Standards Board (LESB) is permitted if the following conditions are met:
 - a. The technique is trained by an instructor who has received credible training in the performance and instruction of the technique and has maintained certifications in the training, where applicable.

- b. The technique is evaluated for inclusion in the Intervention Options, found in Appendix B of this policy. This evaluation will consider the purpose and goal of the technique and the propensity for injury. When possible, the technique will be compared to LESB approved techniques to guide the decision, ultimately to be made by the Chief of Police or his/her designee and a certified DAAT instructor.
- c. Training of the techniques shall be performed in accordance with the *Training* policy.



David Maas
Chief of Police

09-15-2025

Date:

Appendix A

DISTURBANCE RESOLUTION

(First approved by the Law Enforcement Standards Board on March 2002 and revised March 2007)

1) APPROACH CONSIDERATIONS

- | | | |
|----|----------------------------|--|
| A. | Decision-Making | Justification
Desirability |
| B. | Tactical Deployment | Control of Distance
Relative Positioning
Relative Positioning with Multiple Subjects
Team Tactics |
| C. | Tactical Evaluation | Threat Assessment Opportunities
Officer/Subject Factors
Special Circumstances
Level/Stage/Degree of Stabilization |

2) INTERVENTION OPTIONS

MODE

PURPOSE

- | | | |
|----|--------------------------------|---|
| A. | Presence | To present a visible display of authority |
| B. | Dialogue | To verbally persuade |
| C. | Control Alternatives | To overcome passive resistance, active resistance, or their threats |
| D. | Protective Alternatives | To overcome continued resistance, assaultive behavior, or their threats |
| E. | Deadly Force | To stop the threat |

3) FOLLOW-THROUGH CONSIDERATIONS

- | | | |
|----|--------------------------|---|
| A. | Stabilize | Application of restraints, if necessary |
| B. | Monitor/Debrief | |
| C. | Search | If appropriate |
| D. | Escort | If necessary |
| E. | Transport | If necessary |
| F. | Turn-Over/Release | Removal of restraints, if necessary |

Appendix B

Intervention Options

Mode	Tactic(s)	Purpose
Presence	Professional Presence <i>Open Stance</i> <i>Ready Stance</i> <i>Defensive Stance</i>	To present a visible display of authority
Dialogue	Tactical Communication <i>Search Talk</i> <i>Persuasion</i> <i>Light Control Talk</i> <i>Heavy Control Talk</i>	To verbally persuade
Control Alternatives	Escort Holds <i>Blanket the Arm</i> <i>Escort Position</i> Compliance Holds <i>Come-along</i> <i>Pressure Points</i> <i>Mandibular Angle</i> <i>Hypoglossal</i> Control Devices <i>BOLA Wrap ® 100</i> <i>O.C.</i> <i>PepperBall</i> <i>Electronic Control Device</i> Passive Countermeasures <i>Decentralizations</i> <i>Secure-the-Head</i> <i>Hug-Yourself</i> <i>Lower-Your-Center</i> <i>Pull-In/Push-Down</i>	To overcome passive resistance, active resistance, or their threats
Protective Alternatives	Active Countermeasures <i>Vertical Stuns</i> <i>Focused Strikes</i> Incapacitating Techniques <i>Diffused Strike</i> Intermediate Weapons <i>Baton</i> Kinetic Energy Impact Projectiles <i>12 ga. Bean Bag Projectile</i> <i>GL 1-40 40 mm projectile</i> Canine Apprehension	To overcome continued resistance, assaultive behavior, or their threats
Deadly Force	Firearm	To stop an imminent threat.

Grand Chute Police Department

Suspected Chemically Contaminated Property



During a police operation, the Grand Chute Police Department deployed PAVA powder from a PepperBall launcher on the property located at: _____

PAVA powder is an organic compound that generally remains in or on the property until the property is cleaned and sufficiently ventilated. Anyone entering the property or coming into contaminated surfaces may experience effects from the powder. Some potential effects include:

- Involuntary eye closure
- Shortness of breath, difficulty breathing
- Gagging sensation, coughing
- Burning sensation on eyes, lungs, and skin
- Exposed skin inflammation

If you leave the contaminated area the symptoms should dissipate. If your symptoms continue or worsen, you should seek medical attention from a qualified professional. Emergency medical assistance can be reached by calling 911.

Decontamination can be accomplished by ventilating the contaminated area with fans and wiping down surfaces with a wet cloth. Do not use any detergent that contains chlorine bleach, as this may cause a reaction with the PAVA powder. Any material that cannot be washed, dry-cleaned, or ventilated should be discarded.

The Grand Chute Police Department is not responsible for cleaning up the powder remaining on the property. If the above steps are insufficient to remove the powder, a professional hazardous materials cleaning service may be contacted at the owner's expense to assist with decontamination.

If any damage occurred to a structure, the owner may report the damage to their property insurance company.

Responsible Party Name: _____

Responsible Party Signature: _____

Address: _____ Phone: _____

Officer serving: _____ Badge: _____

Case Number: _____ Date: _____