

Kenosha Police Department Policy and Procedure Manual

Subject: USE OF FORCE

| | |
|-------------------|---------------|
| Effective Date | June 1, 1999 |
| Last Revised | March 9, 2016 |
| Last Reviewed | March 9, 2016 |
| Policy Number | 1.3 |
| Distribution | All Personnel |
| Reevaluation Date | Annually |
| Number of Pages | 13 |

I. PURPOSE

The purpose of this policy is to provide the officers of the Kenosha Police Department with guidelines in the use of deadly and non-deadly force, utilizing the Intervention Options as set forth by the State of Wisconsin, Training and Standards, Defensive and Arrest Tactics curriculum.

II. POLICY

It is the policy of the Kenosha Police Department that sworn personnel use only the amount of physical force reasonable and necessary to arrest, apprehend, or restrain a person. Force may also be used in defense of self or others.

The level and amount of force which an officer uses must be reasonably necessary to accomplish the law enforcement objective. The U.S. Supreme Court, in the case of *Graham v. Connor*, said that use of force must be "objectively reasonable" in the given situation. The factors which, in general, enter into a determination as to whether force was "objectively reasonable" include:

- A. the severity of the alleged crime at issue;
- B. whether the suspect poses an imminent threat to the safety of officers and/or others; and
- C. whether the suspect is actively resisting or attempting to evade arrest by flight.

In making a determination as to the reasonableness of force, courts recognize that law enforcement officers have to make split-second decisions and reactions. That necessity is taken into consideration. Recognizing our legal and moral obligations to use force wisely and judiciously, it is the policy of the Kenosha Police Department that deadly force shall not be resorted to until other reasonable means of apprehension or defense has been evaluated.

III. DEFINITIONS

- A. **Excessive Force:** The use of more force than is reasonable and necessary to arrest, apprehend, or restrain a person. The use of excessive force will not affect the validity of the arrest. It will expose the officer to civil suit, discipline or both and, in aggravated circumstances, possible criminal liability.
- B. **Deadly Force:** In Wisconsin, the definition of deadly force applied by the police is the use of any means or instrumentality intended to or likely to cause death. An officer may

use deadly force when he/she believes it is necessary to prevent death or great bodily harm to themselves or to others. Therefore, the justification for deadly force is the immediate threat of death or great bodily harm, but the application of deadly force is that action which is likely to cause death.

- C. **Non-Deadly Force:** Any use of force other than that which is considered deadly force.
- D. **Electronic Control Device (ECD):** A weapon utilized by trained personnel that causes electro-muscular disruption to a combative or potentially combative subject. The use of this device is intended to incapacitate the subject with a minimal potential for causing death or great bodily harm.
- E. **Officer-Involved Death:** A death of an individual that results directly from an action or an omission of a law enforcement officer while the law enforcement officer is on duty or while the law enforcement officer is off duty but performing activities that are within the scope of his or her law enforcement duties.

IV. APPLICATION

This policy and procedure shall apply to all Officers of the Kenosha Police Department. Whenever force is used by an officer in the performance of their duties, that officer shall complete a detailed incident report documenting the specific force used and the outcome of the event in which the force was used.

V. MEDICAL ASSISTANCE REQUIREMENT

All department personnel who engage in the use of deadly or non-deadly force within the scope of their employment shall:

- A. Check the subject for injuries and administer first aid to their level of training, if required, first aid shall include, but is not limited to, treatment for Oleoresin Capsicum exposures and the use of a ECD.
- B. Summon an ambulance, paramedics, rescue unit, or appropriate medical aid, if necessary.
- C. Maintain close personal observation and keep in close physical contact with the subject while continuing to provide first aid while the subject is in their custody.
- D. All officers are to monitor all subjects involved in the use of force contacts for positional asphyxia whenever physical restraint is applied to the subject.

VI. USE OF NON-DEADLY FORCE

- A. Officers may use only the amount of physical force necessary to consummate an arrest based on probable cause for a violation of state law, municipal ordinances, or federal law. Necessary force may also be used in the apprehension of a violent emotionally or mentally disturbed person, or in the subduing and restraining of an unruly, combative or abusive person.

While the use of reasonable physical force may be necessary in situations which cannot be otherwise controlled, force may not be resorted to unless other reasonable alternatives have been exhausted or would clearly be ineffective under the particular circumstances. Officers are permitted to use whatever force is reasonable and necessary to protect themselves or others from bodily harm. The use of excessive force

will not be tolerated under any circumstances and subject the officer to disciplinary action, criminal and civil liability. The failure of an officer to prevent the use of excessive force by another officer or failure to report the use of excessive force by another officer may subject the officer to disciplinary action, criminal and civil liability.

The purpose for use of force is to gain control in pursuit of a legitimate law enforcement objective. If verbalization is effective in gaining compliance, it is always preferable to physical force.

1. An officer should consider his/her reasons for interacting with the subject, i.e., do they have reasonable suspicion, probable cause, or other legal justification for the interaction.
 2. An officer should observe the subject's actions/behavior upon their initial involvement or approach.
 3. Address the subject in a courteous professional manner. Present questions calmly and directly.
 4. If an officer intends on arresting the subject, they should advise him/her of their intent to arrest and direct the subject to follow their instructions.
 5. If the level of force an officer is using is not effective in gaining compliance, the officer may disengage and/or escalate to a higher level of force.
 6. An officer need not escalate step-by-step through the Intervention Options. As the situation dictates, the officer may move from any level to another if he/she reasonably believes that a lower level of force would be ineffective.
 7. Once an officer has gained control of a subject, he/she must reduce the level of force to that level which is needed to maintain control.
- B. The use of an ECD has been authorized by the Kenosha Police Department and may be used by trained personnel when a subject is threatening to actively resist or is actively resisting an officer and the subject poses an articulable threat of harm to an officer or another person. It may also be used when the subject poses a threat of harm to himself or herself such as self-inflicted injury or a suicide attempt. Officers may include in the decision to use this force option information known to the officer at the time of the incident, including conduct or statements of the subject or prior history of resistive or assaultive behavior. Passive resistance without posing an articulable threat of harm to officers or others does not permit the use of an ECD.
1. An officer shall not brandish, display or threaten the use of an ECD unless he or she can reasonably conclude its use may become justified and is anticipated.
 2. Once an officer has been issued an ECD, it shall be mandatory for the officer to carry the ECD on their person.
 3. The ECD shall be worn on the side opposite of the officer's firearm.

4. In each instance, when an ECD is deployed during an incident, a determination will be made regarding the need for cover provided by another officer with his/her firearm; this type of cover shall be required in all cases in which the subject possesses a firearm, knife or other deadly weapon.
5. Department personnel who use an ECD against a person shall ensure the person is monitored for injury or provided medical treatment as soon as practical after the person is under control.
6. If an adverse reaction to the ECD occurs, and it appears that the subject is in need of medical treatment, or if medical assistance is requested by the subject, an officer shall request medical assistance via dispatch. The Emergency Medical Personnel shall be allowed to make an assessment of the person and transport as appropriate.
7. 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. If the probes are imbedded in other non-sensitive tissue areas, a trained officer may remove them according to the trained procedures.
8. After the probes have been removed, they shall be handled as a biohazard and packaged according to the trained procedure. The package shall be disposed of in an appropriate biohazard container.
9. When an ECD is used against a person or animal, the officer shall notify an on-duty supervisor and shall complete an incident report detailing the circumstances of the incident.
10. The ECD shall not be used in close proximity to open flammable liquids or in other flammable or combustible environments.
11. When an ECD is used, the officer will complete the Kenosha Police Department Use of Force Report and submit it to his/her supervisor by the end of the shift. The supervisor will review and forward a copy of the report to the Training Division.

C. Use Of Oleoresin Capsicum Spray (OC)

1. The use of OC is authorized by the State of Wisconsin and the Kenosha Police Department when the officer experiences active resistance or its threat from a suspect. Its proper use is to impede a subject. The best target area for the spray is the face.
2. When OC is used, the officer will complete the Kenosha Police Department Use of Force Report and submit it to his/her supervisor by the end of the shift. The supervisor will review and forward a copy of the report to the Training Division.

D. Use Of Incapacitating Techniques

1. The use of an incapacitating technique, i.e. diffused strike, is authorized by the State of Wisconsin and the Kenosha Police Department only when the officer has been fully trained in the application of the strike. The purpose of incapacitating techniques is to cause the immediate, temporary cessation of violent behavior. The diffused strike as

taught in the DAAT system has a greater effect and usually renders the subject temporarily unconscious.

2. When an officer uses an incapacitating technique, the incident shall be fully documented in an incident report.

E. Use of Intermediate Weapon

1. The baton is to be considered an intermediate weapon. Its proper use is to impede a subject, not to cripple, maim, or kill. The best target areas for the baton are legs, wrists, forearms, or lower abdomen.
2. When a baton is used, the officer will complete the Kenosha Police Department Use of Force Report and submit it to his/her supervisor by the end of the shift. The supervisor will review and forward a copy of the report to the Training Division.

F. Investigating Incidents of Non-Deadly Use of Force

1. The on-duty shift supervisor shall be responsible for the immediate review of an incident involving the use of non-deadly force. The shift supervisor shall require the involved officer to complete a detailed incident report and shall provide a copy of the report to the Shift Commander if there are known or suspected injuries to the suspect(s), officer(s), or unusual circumstances.
2. The Shift Commander shall ensure that proper departmental procedures were followed during and after the incident and shall take appropriate departmental action as required.
3. A preliminary report shall be submitted to the Chief of Police by the Shift Commander and shall include the names and statements of citizen witnesses. The Shift Commander shall be responsible for filing a preliminary disposition.
4. Upon receiving this preliminary report, the Chief of Police may request further investigation.

VII. USE OF HANDCUFFS AND LEG SHACKLES

A. An officer shall place handcuffs on any individual who is in custody when the officer reasonably believes the individual may become violent, attempt to escape, or pose a danger to himself/herself or others. With rare exception, such as medical reasons or investigative needs, custodial prisoners shall be handcuffed when transported to lockup, medical facilities, court, from the lockup area to other areas within the Public Safety Building or outside the Public Safety Building. Leg shackles may be used in conjunction with handcuffs and shall be used when transporting a person that is in custody, outside the Public Safety Building.

1. Whenever possible or feasible, handcuffs shall be placed on an individual with arms to the rear and palms facing outward. Handcuffs should be secure, allowing the wrists to turn slightly inside the cuff and double-locked.
2. If the person is to be handcuffed in the front, the transport belt should be used to secure the handcuffs.

3. The leg shackles should be placed on the individual's ankles allowing the cuff to turn slightly around the ankle and double-locked, with the key slot positioned to afford the easiest access at the time the shackles are to be removed.
4. After placing handcuffs or leg shackles on an individual, officers should exercise caution to prevent the person in custody from falling and shall provide physical escort to the person when walking.
5. When removing handcuffs from a person, officers are to hold the unfastened handcuff securely to prevent it from being used as a weapon, and also to maintain control of the individual if he/she becomes uncooperative.
6. Portions of the handcuffs and leg shackles section may be waived or altered at the direction of the supervisor to meet the requirements of unusual transport conditions.

VII. USE OF DEADLY FORCE

- A. Deadly force is force that is intended to or likely to cause death. Whenever safety permits, police officers should identify themselves and state their intent to shoot prior to using a firearm. Officers are to discharge their weapons to stop an assailant from completing a potentially deadly act as described. Officers should shoot to stop the threat and to minimize danger to innocent bystanders.

An officer may use deadly force:

1. As a last resort in the defense of oneself, when there is reasonable cause to believe that the officer is in imminent danger of death or great bodily harm.
2. As a last resort in the defense of another person, whom the officer has reasonable cause to believe is being unlawfully attacked and is in imminent danger of death or great bodily harm.
3. As a last resort to prevent escape of a suspect, where the officer has probable cause to believe that the person to be arrested has used deadly force in the commission of a felony, and the officer reasonably believes there is no other way to make the arrest or retain custody of the person once arrested, or the person to be arrested can reasonably be thought to be intent on endangering human life or upon inflicting serious bodily harm. In any event, the officer should not use deadly force unless he/she believes it is necessary and then only as a last resort.

B. Use of Vehicles

1. Intentionally ramming and forcing a suspect off the roadway into a stationary object constitutes the use of deadly force and is authorized as a last resort pursuant to the conditions of this policy.

C. Restrictions on Use of Firearms

1. Police officers shall adhere to the following restrictions when their weapon is exhibited:
2. Except for maintenance or during training, police officers shall not draw or exhibit their firearm unless circumstances create reasonable cause to believe that it may be necessary to use the weapon in conformance with this policy.

3. Warning shot are not authorized.
4. Decisions to discharge firearms at or from a moving vehicle shall be governed by this agency's use-of-force policy and are prohibited if they present an unreasonable risk to the officer or others.
5. Shots to destroy animals are authorized only for self-defense or defense of another or when the animal is so badly injured that humanity requires its relief from suffering. A seriously wounded or injured animal may be destroyed only after all other resources have been exhausted and authorized by a supervisor. The destruction of injured or vicious animals should be undertaken with utmost regard for the safety of the public.
6. In an instance where an officer has discharged their weapon at a dangerous or seriously injured animal, they shall complete a thorough report.

D. The following procedures will be used to investigate incidents of firearms discharge by a police officer, excluding the use of firearms during authorized training, the destruction of an injured or dangerous animal, or the firing of a weapon by a police armorer. In addition, these procedures will also be used to investigate other uses of force by officers in the performance of their duties.

1. Whenever an officer discharges his/her firearm either intentionally or unintentionally, and that discharge does not result in death or injury, the officer shall as soon as possible:
 - a. Notify the on-duty supervisor and communications center of the incident and location.
 - b. The on-duty supervisor or designee shall investigate the incident and forward the result of that investigation to the Chief of Police.
 - c. The Chief of Police may request that the Firearms/Deadly Force Review Board review the circumstances of the incident. The Firearms/Deadly Force Review Board will evaluate, in a fact-finding fashion, each aspect of the firearms discharge.
2. The officer will remain at the scene, unless injured or if his or her safety is in jeopardy, until the arrival of a supervisor.
 - a. However, if the circumstances are such that the continued presence of the officer at the scene might cause a more hazardous situation to develop, i.e. a violent crowd, the supervisor responding or on the scene shall have the discretion to instruct the officer to respond to another more appropriate location.
 - b. As soon as the officer's presence is no longer required at the scene, the officer will be removed to the department, or other approved location by a supervisor or officer assigned by a supervisor.
 - c. If at the scene the officer is exhibiting signs of emotional stress and remaining at the scene appears to be harmful to the officer's psychological well-being, the on-scene supervisor may direct that the officer be removed from the

scene. An attempt to obtain a public safety statement from the officer should be made, however; this is contingent upon the condition of the officer.

3. The officer will protect his/her weapon for examination and submit the weapon to the appropriate authority if needed. Upon submission of his or her weapon, the officer will be issued another weapon, unless issuing another weapon would create unsafe conditions.
4. A complete, detailed statement/report shall be taken/completed by the officer(s) involved as soon as practical. Depending upon the circumstances surrounding the incident, this statement/report may be put off to a later time.
 - a. In the event the officer is hospitalized or otherwise incapable of completing a statement or report as required, the on-scene supervisor will prepare as complete a report as possible containing the officer's verbal statements, the reason the officer could not complete the report and other officers' or witnesses' statements.

IX. INVESTIGATING INCIDENTS OF POLICE INVOLVED SHOOTINGS, IN-CUSTODY DEATHS, AND OTHER USE OF FORCE INCIDENTS WHICH RESULT IN THE DEATH OF AN INDIVIDUAL

- A. The following procedure will be utilized to investigate every incident of firearms discharge by a department officer that results in the death of an individual, an in custody death, and other officer involved incidents which result in the death of an individual. This same procedure will apply to the death of an individual that is traffic related involving an officer.
- B. At the discretion of the Chief of Police, or his designee, this same procedure may be utilized to investigate an incident of firearm discharge by an officer that results in bodily harm of an individual.
 1. Whenever an officer discharges a firearm, either accidentally or officially, he/she shall immediately determine the physical condition of any injured person and request the required medical assistance.
 2. The Shift Commander on duty shall have the discretion to instruct the officer(s) involved to respond to another more appropriate location or remain at the scene. If an involved officer is directed to another location, a non-involved officer should be assigned to accompany the involved officer. A Peer Support team member may be given this assignment.
 3. The Shift Commander shall ensure that photographs of the involved officers are taken prior to them leaving the scene, if practical.
 4. It shall be the responsibility of the on-duty Shift Commander to ensure that the incident scene is secured. Any evidence that may degrade because of environmental factors shall be protected and/or collected. Any exigent circumstances must be identified and stabilized.
 5. The scene will be maintained by the Kenosha Police Department or designated officers of another agency until the outside investigative agency arrives.
 6. The Shift Commander will ensure that the involved officer(s) protects the weapon(s) for examination and submit said weapon to the appropriate

investigating authority. If the weapon is a departmental weapon, another department owned weapon will be issued to the officer as a replacement.

7. The Shift Commander will notify the Chief of Police, Deputy Chief of Police, Inspector of Police, the Detective Bureau Captain, the District Attorney and the Medical Examiner. The Shift Commander or his/her designee will be responsible for contacting the primary outside investigative agency. In the event the primary outside investigative agency is not available, consult with the Chief of Police or their designee.
8. The outside investigative agency designated by the appropriate authority shall investigate the police involved shootings, traffic related deaths, in-custody deaths, and other officer involved deaths. The contacted outside investigative agency shall provide at least two investigators, one of whom will be designated as the lead investigator.
9. The Wisconsin Department of Criminal Investigation (DCI) will be the primary outside investigative agency contacted. This request will be made in situations in which there has been an officer involved death, to include, but not limited to, the following:
 - An officer(s) of the Kenosha Police Department has shot someone.
 - An officer of the Kenosha Police Department has been shot.
 - An off-duty officer of the Kenosha Police Department has been involved in a shooting incident.
 - An officer of the Kenosha Police Department is involved in a vehicle pursuit which results in the death of a citizen or officer.
 - The death of an individual that results directly from an action or omission by an officer(s) of the Kenosha Police Department while he /she is on duty or while an officer of the Kenosha Police Department is off duty but performing activities that are within the scope of his/her law enforcement duties.
10. In the event that a death occurs to an individual as a result of an officer's action that is traffic-related, DCI will be contacted and advised the incident is traffic-related. DCI will then contact the Wisconsin State Patrol Technical Reconstruction Unit (TRU).
11. The Detective Bureau Captain is the primary liaison between the Kenosha Police Department and DCI or TRU. In the event that the Detective Bureau Captain is unavailable, the Detective Bureau Lieutenant shall be designated as the liaison between the Kenosha Police Department and DCI or TRU.
12. The Detective Bureau Captain or in his/her absence, the Detective Bureau Lieutenant, will coordinate with DCI in contacting the Wisconsin State Crime Lab to respond for evidence collection. If the Crime Lab is unable to respond, the Detective Bureau Captain/Lieutenant will be responsible for coordination of evidence collection with DCI and other personnel as needed.
13. If requested, the Kenosha Police Department will provide assistance to DCI or TRU. The assistance and all other department activities in regards to the incident will be coordinated between DCI or TRU and the departmental liaison.

14. Officers shall identify available witnesses to the incident and may take a written / recorded statement if the witness is unable or unwilling to wait for the arrival of the contacted outside investigative agency. If the witness is willing, he/she should be transported to the Public Safety Building pending the arrival of an investigator from the contacted outside agency.
15. The on-duty Shift Commander shall ensure that the Kenosha Police Department Peer Support team coordinator(s) is advised of the incident.
16. Upon receiving the preliminary report from the outside investigating agency, the Chief of Police may request further investigation by the Investigations Division for any related crimes. The Chief of Police may also request further investigation by the outside investigative agency and/or the Internal Affairs Division.
17. The officer involved shall provide a public safety statement of the incident to the on scene supervisor, if requested, and provide the same to the outside investigating agency, if needed. It is preferred that the outside investigating agency obtain this information from the on scene supervisor so that the involved officer does not have to continually repeat the information prior to giving an official statement.
 - a. A Public Safety Statement is obtained due to the exigent circumstances that surround the incident. The intent is to obtain information necessary to ensure officer and public safety and information that may assist in apprehension of involved subjects.
 - b. The outside investigating agency may request, if an officer is able, a brief walk-through so that the officer is able to explain where evidence may be located and where involved persons were. An officer should not view any video of the incident prior to the walk-through.
 - c. If multiple officers are involved, a separate walk-through should be conducted with each individual officer.
18. If there is more than one officer involved, circumstances of the incident are not to be discussed between the officers until each officer has provided a formal statement.
19. A formal statement from involved officers should occur within 48 to 72 hours of the incident. It is recommended that the officer have at least 2 sleep cycles in between the event and providing a formal statement. The involved officers may review video of the incident prior to the formal statement.
20. The investigating officer(s) of the contacted outside investigative agency may interview any and all witnesses.
21. In the event the outside investigating agency develops reasonable grounds to believe that a crime may have been committed by the officer(s) in the course of the incident, or the incident is to be considered a criminal investigation, the officer(s) will be advised by Miranda Warnings prior to continuing the interview. Until such time, the officers are to be treated as witnesses.
22. The Chief of Police shall determine at what time an administrative investigation by the Internal Affairs Division and/or the Firearms/Deadly Force Review Board will

commence. This investigation will be separate from an investigation conducted by an outside investigative agency as provided by Wisconsin State Statute 175.47(3) (c).

- C. The following procedure will be utilized for contact with the victims of officer involved deaths:
1. Pursuant to Wisconsin State Statute Section 950.08(2g)(h), If the victim is a victim of an officer involved death, as defined in s. 175.47 (1)(c) information about the process by which he or she may file a complaint under s.968.02 or 968.26(2) and about the process of an inquest under s.979.05 is to be provided by the outside investigating agency.
 2. The outside investigating agency shall be responsible for providing in writing to the victim of an officer involved death, the basic rights of victims under Wisconsin Statute 950.08(2g)
- D. Psychological Services
1. The Kenosha Police Department will make every effort to provide or make available psychological services for the officer and/or the officer's family, when an officer is involved in a deadly-force incident involving injury or death.
 2. Psychological services shall not be related to any departmental investigation of the incident. The counseling sessions will remain protected by the privileged physician-patient relationship, and no reports of the sessions or information discussed will be filed with the department.
 3. A Peer Support team member may be assigned to assist the involved officer as needed.
 4. Any officer directly involved in a deadly force incident which results in injury or death shall be placed on leave. This leave will commence at the direction of the Chief of Police. This leave shall be with pay and benefits. The officer shall be subject to recall to duty at any time, while on leave, unless it is determined that they are unable to work by a psychologist or physician. The assignment of leave is in the best interest of the officer and shall not imply or indicate the officer has acted improperly, or is being punished.
- E. Officer Responsibility
1. An officer involved in a deadly force incident may be assigned to desk duty or "administrative duty" for a period of time deemed appropriate.
 2. The officer shall remain available at all times for official departmental interviews and statements regarding the shooting/deadly force incident and shall be subject to recall to duty at any time. The officer shall not discuss the incident with anyone except the district attorney, departmental personnel assigned to the investigation, the officer's private attorney, the officer's psychologist, the officer's chosen clergy, the officer's immediate family, and departmental personnel or anyone authorized by the Chief of Police.

3. Officers who discharge their weapons in a use of force incident which results in injury or death of an individual shall complete the department's handgun qualification course prior to returning to full duty.

X. Firearms/Deadly Force Review Board

- A. At the direction of the Chief of Police and as soon as practical, the Firearms/Deadly Force Review Board shall convene to review circumstances surrounding each discharge of a firearm by an officer other than for excluded purposes. The Chief of Police shall convene this Board to review other incidents involving the use of deadly force by officers of the Department.
 1. The Firearms/Deadly Force Review Board will consist of the following members, unless a member is involved in the incident or subsequent investigation, in which case an alternate Captain, Employee's Immediate Supervisor or person of equal rank will be appointed at the discretion of the Chief of Police.
 - a. Captain of Planning, Training and Research..
 - b. Sergeant, Training Division.
 - c. The employee's immediate supervisor, unless involved in the incident, at which time an alternate first-line supervisor will be appointed.
 - d. A departmental firearms instructor.
 - e. A Defense and Arrest Tactics instructor.
 2. The Firearms/Deadly Force Review Board will evaluate, in a fact-finding fashion, each aspect of an officer-involved use of deadly force. Such an evaluation shall include but is not limited to:
 - a. A thorough review of the investigation reports.
 - b. Information from officers and witnesses, if necessary.
 - c. An examination of physical evidence.
 3. The Firearms/Deadly Force Review Board will develop findings and make recommendations to the Chief of Police in the following area:
 - a. Whether the use of force was within policy, outside of policy or accidental.
 - b. Tactical and training considerations.
 - c. The quality of supervision prior to, during and after the use of force incident.
 - d. Potential disciplinary considerations.
 - e. The quality of the post-use of force investigative process.
 4. The Department will not conduct an administrative investigation, unless the Firearms/Deadly Force Review Board or the Chief of Police determines that Departmental policy has been violated. If any violation of Department policy has taken place, the purpose of the administrative investigation will be to determine the facts of the use of deadly force as they relate to departmental policy and procedure.

5. In all cases where any person has been injured or killed as a result of firearm discharge or other use of deadly force by a police officer, all officers closely involved or affected will be required to undergo a debriefing with a recognized counselor provided by the department as soon as possible. Members of the Peer Support Team will be allowed to assist involved officers through this process. An officer directly involved in the incident should meet alone with the counselor and then may meet with other officers in a group setting if they are able or choose to.
 - a. The purpose of this debriefing will be to allow an officer to express their feelings and to deal with the moral, ethical and/or psychological after-effects of the incident.
 - b. Upon returning to duty, the officer may be assigned to administrative duty for a period of time as deemed appropriate by the Chief of Police.

XI. MEDIA RELEASES

- A. All media releases will be cleared by the Chief of Police or designee.

XII. TRAINING AND POLICY ISSUANCE

- A. All officers, prior to being authorized to carry a department authorized weapon(s), will be issued a copy of this policy in conformance with the Issuance of Policy and Procedures Policy of the Kenosha Police Department and demonstrate proficiency with the authorized weapon(s).
- B. All officers will receive annual training in the use of force policies and will demonstrate proficiency with the authorized weapons as prescribed by the policy on range and weapons training.


John W Morrissey, Chief of Police