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Effective Date	January 1, 2010		



Wilkesboro Police Department

Electronic Written Directives Document

I. PURPOSE

The purpose of this policy is to provide officers of the Wilkesboro Police Department with the procedures for completing the Response to Aggression Report Packet.

II. POLICY

A. A written report shall be submitted when a Wilkesboro Police Officer applies the response to aggression through:

1. Discharging a firearm, including accidental discharges, and discharges that do not result in physical injury or death;
2. The use of a firearm by pointing the weapon at a person or showing the weapon or communicating that a weapon exists to the person for compliance purposes; or
3. The use of any Lethal weapons or less than Lethal weapons including the OC Spray or the Taser; or
4. The use of weaponless physical response such as but not limited to hand/arm pressure to gain compliance.

III. PROCEDURES FOR COMPLETING THE RESPONSE TO AGGRESSION REPORT

A. The report shall consist of an Incident Report and a Wilkesboro Police Response to Aggression Report. The officer initiating contact with the subject shall be responsible for writing the Incident Report and the Response to Aggression Report. Normally this report shall be submitted prior to the officer ending the shift on which the incident occurred. Additional time to complete the report may be granted to officers involved in incidents resulting in serious physical injury or death to another person since the officer's ability to concentrate and recall details of the event right after it occurred may be diminished due to the physical and mental stress of the event. In such cases the supervisor may complete the report or assign another officer to complete the Initial Incident and Response to Aggression Report and allow the initial officer up to 24 hours to submit a written supplemental report detailing the events.

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- B. If that officer is unable to write the report due to injuries or other justifiable circumstances the Shift Supervisor shall be responsible for completing the report or assigning another officer to complete the report using the information known at the time.
- C. The narrative of the response to aggression packet should contain a chronological account of the relevant events, actions, and information pertaining to the incident including, but not limited to:
1. The circumstances that brought the subject to the attention of the officer;
 2. The behavior of the subject when first observed or contacted by the officer;
 3. What action or behavior by the subject lead to the response to aggression or;
 4. How did the subject resist;
 5. What actions were taken by the officer, including weapons used;
 6. If O.C. Spray was used, describe decontamination procedures used;
 7. Description of injuries to officer and/or subject;
 8. Explanation of how the injuries occurred;
 9. Any unusual circumstances that may have contributed to the incident;
 10. List of any witnesses with name, date of birth, address, and work and home phone numbers.
- D. Officers that respond to aggression or resistance while providing mutual aid to another agency shall obtain a written report from the requesting agency detailing the events and the request for mutual aid.
- E. The Response to Aggression Report and a copy of an arrest report and/or citation, if applicable, shall be attached to the Incident Report.
- F. Other officers involved in the incident shall complete a supplemental report detailing their involvement in the incident. Only one incident report and one response to aggression report shall be submitted for each incident. All other reports are supplemental to the initial report.

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G. Weapons Discharge in another Jurisdiction

In the event that an officer's weapon is discharged in another jurisdiction, the officer will immediately notify the appropriate law enforcement agency in that jurisdiction and contact an on-duty Wilkesboro Police Department Supervisor as soon as practical. The officer involved in the discharge of a weapon in another jurisdiction shall comply with the reporting requirements of this policy by completing the Response to Aggression Report and Incident Report and submitting them to the on duty Wilkesboro Police Supervisor.

H. Weapons Discharge Off-Duty

In the event that an officer's weapon is discharged outside the line of duty, the officer will immediately advise the Communications Center of the incident and request that the appropriate supervisor be notified. The officer should secure the area of the shooting, if appropriate, and await the arrival of the supervisor. The supervisor will determine if an investigation is required and, if so, will conduct an investigation as if the weapon was discharged within the officer's official capacity. If the supervisor determines that an investigation is not required, the officer will forward a memorandum detailing the facts of the incident to the Deputy Chief of Police as soon as practical.

I. Weapons Discharge by Non-Employee

In the event that an officer's weapon is discharged by an individual who is not employed by the Department, under circumstances that would require a report by an employee, the officer will follow the same procedure as if he/she had fired the weapon.

IV. REVIEW PROCEDURES FOR RESPONSE TO AGGRESSION REPORT

- A. The immediate on duty supervisor of an officer involved in a response to aggression incident shall review the scene and the **Response to Aggression Report, Incident**, and/or **Supplemental Reports** submitted by those involved ensuring accuracy and completeness of the reports. The supervisor shall forward a copy of the reports to the Division Commander who will advise the Chief of Police and the Deputy Chief of Police of all response to aggression incidents resulting in injury to officers and/or suspect(s). The Division Commander shall notify the Deputy Chief of Police, Chief of Police, and prepare the report for review of the senior command staff at the next meeting. The senior command staff shall review and discuss the incident to ensure the policy of the department was followed, federal and state laws were followed, and there is no liability probability to the department. The findings of the

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senior command staff shall be documented on the report packet. The packets shall be place on file in the office of the Chief of Police.

- B. Violations of policy may result in an internal investigation as well as a criminal investigation into the actions of the officer(s) involved.
- C. Issues concerning the department policy on response to aggression, department training, weapons and equipment will be discussed at department staff meetings to improve the department's effectiveness during incidents requiring the response to aggression.

V. ANNUAL ANALYSIS OF RESPONSE TO AGGRESSION REPORTS

- A. Response to aggression Reports may be disseminated to appropriate city personnel in accordance with state law and city ordinances.
- B. The Professional Standards Unit will conduct and document an annual analysis of Response to Aggression Reports to reveal any patterns or trends that could indicate training needs, equipment upgrades, and/or policy modifications. The results of the analysis will be forwarded to the Chief of Police.
- C. Less Than Lethal Response Data
 - 1. The Chief of Police will submit Less Than Lethal response data to the Uniform Crime Records Section of the Federal Bureau of Investigation (FBI) for every incident that culminates in the death of a citizen because of the response to aggression by a police officer employed by the department.
 - 2. The Department will compile data on every **non-training** shot fired by departmental employees, excluding the use of a firearm to dispose of rabid, dangerous or injured animals.

VI. REFERENCES

CALEA 1.3.6; 1.3.7; 1.3.13