

## RESPONSE TO RESISTANCE OR ASSAULTIVE BEHAVIOR

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### REPORTING RESPONSE TO RESISTANCE OR ASSAULTIVE BEHAVIOR

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**Purpose:** This policy aims to provide guidelines for this department's officers and supervisors on the reporting of response to resistance or assaultive behavior.

**Policy Statement:** The North Little Rock Police Department's policy is that officers use only the force objectively reasonable and necessary to accomplish lawful objectives, effectively bringing an incident under control while protecting the lives of officers and citizens.

#### Summary of Changes:

#### Definitions:

**Directional Control:** This is defined as the minimum physical force necessary to direct or restrain another's movement. Directional control that does not result in an injury or complaint of injury is specifically excluded from this policy. The mere placing of handcuffs on a prisoner will not require a Response to Resistance or Assaultive Behavior Supplement unless the handcuffs become an appliance to exert pressure to control the arrestee further.

#### Procedure:

##### 1. General

- 1.1 Any officer involved in any response to resistance or assaultive behavior (on or off duty) will notify a supervisor as soon as possible.
- 1.2 An incident report detailing the response to resistance or assaultive behavior will be completed by the primary officer involved in the incident. The incident report will specifically cover the incident's facts, details, and all officer actions.
- 1.3 Non-sworn members are not specifically included in this policy; however, all members are required to assist a law enforcement officer if requested following Arkansas § 5-54-109 (Refusing to assist law enforcement officer). Any non-sworn member involved with resistance or assaultive behavior incident will notify an on-duty supervisor as soon as possible.
- 1.4 A Response to Resistance or Assaultive Behavior Supplement Form will be completed in addition to the incident report whenever any of the following occurs:
  - 1.4.1 The use of any force results in an injury or the complaint of injury to any person; [CALEA 4.2.1b]
  - 1.4.2 Use of OC Spray,
  - 1.4.3 Use of Taser (CEW),
  - 1.4.4 Use of Impact/Less Lethal Weapons, [CALEA 4.2.1c]
  - 1.4.5 Use of Canine,
  - 1.4.6 Use of Physical Strikes. [CALEA 4.2.1d]
- 1.5 The officer who initiated the subject control will complete the Response to Resistance or Assaultive Behavior Supplement.
  - 1.5.1 All other members involved or witnessing the incident will complete a supplement to the incident report detailing their actions and any observations made during the incident.
- 1.6 The investigating supervisor will be responsible for obtaining written statements from non-members witnessing the incident. When a witness is not able or willing to make a written or audio/visual recorded statement, the supervisor will reduce the information to writing and note the witness did not complete some form of a statement.
- 1.7 The investigating supervisor will be responsible for obtaining photographs of injuries or lack of injuries to all persons involved in the incident. **A photograph showing a lack of injury may be as crucial as one showing an injury.**

##### 2. File Format

- 2.1 Files regarding response to resistance or assaultive behavior will be completed by the investigating supervisor and will be prepared as follows:

- 2.1.1 All documentation will be placed in the Blue Team File.
- 2.1.2 Before the end of the investigating supervisor's shift on the date of the incident, the investigating supervisor will complete the following at a minimum:
- 2.1.3 Record the involved members under the links tab.
- 2.1.4 Enter the member's name, type of incident, and report number in the summary tab.
- 2.1.5 Enter the incident's date and location in the "When" + "Where" tab.
- 2.2 The investigating supervisor will be responsible for ensuring that the necessary documentation is obtained and included in the file before routing it through the chain of command.
- 2.3 Examples of documentation to be attached are:
  - 2.3.1 Response to Resistance or Assaultive Behavior Supplement;
  - 2.3.2 Incident report;
  - 2.3.3 Supplement reports from police personnel;
  - 2.3.4 Statements from witnesses; and
  - 2.3.5 Arrest Disposition Report (ADR's);
  - 2.3.6 Any photographs, audio, or video;
  - 2.3.7 Investigating supervisor's summary/recommendations regarding the incident.

### **3. Review**

- 3.1 The investigating supervisor will review the resistance or assaultive behavior file for completeness and compliance with departmental policy.
  - 3.1.1 If the resistance or assaultive behavior incident involves serious physical injury or requires an investigative effort beyond the reporting supervisor's scope, the supervisor shall forward the incident file to the Chief of Police for investigation by the Professional Standards Unit.
- 3.2 The chain of command will review the resistance or assaultive behavior file at each level. [CALEA 4.2.2] A minimum of two supervisors will review the incident for compliance with departmental policy.
- 3.3 The Division Commander will review the recommendations for concurrence and make any additions or changes to them if needed. The results of the review and recommendations will be forwarded to the Chief of Police.
- 3.4 If the officer is involved in three or more resistance or assaultive behavior incidents in six months, the Professional Standards Unit will advise the member's Division Commander of an Early Warning Alert by sending them an alert via Blue Team. The commander or designee will review the member's history involving resistance or assaultive behavior. The purpose of this review is to determine:
  - 3.4.1 If training methods or policies and procedures need to be changed or developed;
  - 3.4.2 The involved officer requires remedial training or other corrective actions; or
  - 3.4.3 There is a need for departmental in-service training.
- 3.5 The resistance or assaultive behavior file will be forwarded to the Professional Standards Unit, where it will be entered into the IAPro Database;
- 3.6 The resistance or assaultive behavior file will be forwarded to the Training Unit by the Professional Standards Unit.
- 3.7 The Training Unit will review the file for any training issues that need to be addressed and will notify the officer's Division Commander if any are noted.
- 3.8 The Professional Standards Unit will annually conduct an analysis of activities, policies, and practices regarding the department's response to resistance or assaultive behavior. [CALEA 4.2.4]

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Patrick Thessing  
Chief of Police