

CITY OF ANDERSON POLICE DEPARTMENT
Anderson, South Carolina

DIRECTIVE TYPE General Order	EFFECTIVE DATE July 9, 2020	NUMBER 109.8
SUBJECT Response to Resistance	REVISED July 9,2020	
This policy is for internal use only and does not enlarge an employee’s civil liability in any way. The policy should not be construed as creating a higher duty of care, in an evidentiary sense, with respect to third party civil claims against employees. A violation of this policy, if proven, can only form the basis of a complaint by this department for non-judicial administrative action in accordance with the laws governing employee discipline.		
REFERENCE General Order 170.2, 171.2, 172, 181	AMENDS/SUPERSEDES 109.7	
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- I. Purpose:** The purpose of this policy is to direct officers in the appropriate use of force.
- II. Policy:** The policy of this department is to protect and serve all citizens while at the same time respecting the rights of suspects and balancing the need for officer safety in use of force events. It is the policy of this department that officers will use only reasonable force to bring an incident or event under control. Reasonable force is only that force which is necessary to accomplish lawful objectives. All uses of force must be objectively reasonable. **The department and all officers recognize that the sanctity of human life serves as the guiding principle in use of force decisions.**
- III. Definitions:**
- A. Deadly Force:** Any force that creates a substantial likelihood of serious bodily harm or death.
 - B. Non-Deadly Force:** All uses of force other than force which is substantially likely to cause serious bodily harm or death.
 - C. Imminent:** Has a broader meaning than immediate or instantaneous, the concept of imminent should be understood to be elastic, involving an ongoing period of time depending on the circumstances rather than a moment in time under the definition of immediate.
 - D. Immediate:** means, That the officer is faced with an instantaneous, or presently occurring threat of serious bodily harm or death.
 - E. Chokehold:** means applying any direct pressure to the throat, windpipe, or airway of another with the intent to reduce or prevent the intake of air. "Chokehold" does not include any holding involving contact with the neck that is not intended to reduce the intake of air.
 - F. Neck Restraint:** A method of rendering a person unconscious by restricting the flow of blood to the brain by compressing the sides of the neck where the carotid arteries are located.

- G. Intervene:** To come between, whether verbally or physically, so as to prevent or alter a result or course of events.
- H. De-escalation.** Force can often be avoided through the use of de-escalation techniques and other non-dynamic law-enforcement tools such as police presence, containment, and communication. When feasible, officers will use de-escalation and other techniques to reduce the immediacy of threats to peoples' safety and stabilize incidents. Whenever possible, officers will seek to slow things down. Not every situation or subject can be deescalated. Conversely, officer behavior can escalate a situation. Officers should not intentionally escalate situations unnecessarily.
- I. Duty of care:** Officers have an affirmative duty to care for persons in their custody. Officers and supervisors are responsible for providing or obtaining appropriate medical attention to any person in their custody who is injured or complains of injury. This pertains whether injuries preceded custody, occurred during apprehension, or were sustained during custody. Additionally, officers have an affirmative duty to provide or obtain medical attention for members of the public who are injured as a result of police involved actions.
- J. Positional asphyxia.** Officers restraining a subject should be cognizant of and avoid positional asphyxia. This agency prohibits prolonged face-down prone restraint.
- K. Active resistance:** A subject actively resists when they take affirmative action to defeat a member's ability to take them into custody.
- L. Active Aggression:** Behavior that creates an imminent risk of physical injury to a subject, officer, or third party, but would not lead a reasonable officer to perceive a risk of death or serious bodily injury. Examples include but are not limited to an attack on an officer consisting of strikes, wrestling, undirected strikes with injury potential, kicks, shoves, or punches. Examples may also include words or behavior such as pre-assault cues that clearly indicate that such an attack or actions are imminent.
- M. Excessive Force:** is force that is not objectively reasonable from the perspective of a reasonable officer in the same circumstances. Excessive force will not be tolerated.
- N. Passive resistance:** A subject who takes no affirmative action to defeat the member's ability to make an arrest but who does not respond to verbal commands and presents a refusal to move by sitting down or acting as dead weight.
- O. Objectively Reasonable:** The amount of force that would be used by other reasonable and well-trained officers when faced with the circumstances that the officer using the force is presented with.
- P. Reasonable Belief:** Reasonable belief means that the person concerned, acting as a reasonable person believes that the prescribed facts exist.
- Q. Serious Bodily Harm: (18 U.S.C. § 1365 (h) (3)):** the term "serious bodily injury" means bodily injury which involves

- a. a substantial risk of death;
 - b. extreme physical pain;
 - c. protracted and obvious disfigurement; or
 - d. protracted loss or impairment of the function of a bodily member, organ, or mental faculty.
- R. Electronic Control Device:** Tasers (electronic control weapons) that disrupt the central nervous system of the body.
- S. Physical resistance may include non-threatening conduct such as hanging on to a fixed object to avoid being taken into custody or pulling away from an officer in an attempt to escape.**
- T. Immediate danger requires an articulable danger to the officer or some other identifiable person who is present.**

IV. Non-Lethal Weapons:

All **uniformed** officers of the City of Anderson Police Department will be issued a non-lethal defensive weapon that will be carried by officers while on duty in accordance with their assignment. As an alternate to deadly force, non-lethal weapons will be issued as defined in General Order 170.2. An officer may use these weapons when necessary to defend him/herself or another from physical harm, to overcome resistance to effect an arrest, or to prevent the escape of an arrested person. An officer will use only the minimum amount of force necessary to accomplish lawful objectives. Continued in-service training will be conducted by certified instructors for every officer issued the non-lethal defensive weapons to show proficiency in their use.

Officers will only possess and use those non-lethal weapons issued by the City of Anderson Police Department. The possession and use of any other type of non-lethal weapon is prohibited. See General Order 170.2 and 170A. (SCLEA 1.12)

V. Procedure:

- A.** In determining the appropriate level of force officers should apply the levels of force under the department's trained use of force options along with the following three factor test:
- a. How serious is the offense the officer suspected at the time the particular force used?
 - b. What was the physical threat to the officer or others?
 - c. Was the subject actively resisting or attempting to evade arrest by flight?
 - d. Officers must consider whether the force option they choose is proportional to the need for the force.
- B. Force Options:** Officers have several force options that will be dictated by the actions of the suspect upon the appearance of the police officer. Officers may be limited in their options due to the circumstances and actions of the subject. For example, an officer who immediately observes a subject with a firearm unjustifiably threatening another may immediately respond with deadly force without considering other force options.

- a. **Command Presence:** Visual appearance of officer where it is obvious to the subject due to the officer's uniform or identification that the officer has the authority of law.
 - b. **Verbal Commands:** Words spoken by the officer directing the subject as to the officer's expectations.
 - c. **Soft Empty Hand Control:** Officer's use of hands on the subject to direct the subject's movement; Techniques that have a low potential of injury to the subject.
 - d. **Chemical Spray:** Where subject exhibits some level of active resistance/active aggression, officers may use chemical spray to temporarily incapacitate the subject.
 - e. **Electronic Control Devices:** Where subject exhibits some level of active resistance/active aggression that would lead a reasonable officer to believe that the officer or some other person (other than the subject of the force) is in immediate danger, an officer may use an electronic control device to temporarily incapacitate the subject.
 - f. **Hard Hand Control:** Punches and other physical strikes, including knees, kicks and elbow strikes that have the possibility of creating mental stunning and/or motor dysfunction.
 - g. **Impact Weapons:** Batons, ASP/Expandable Baton may be utilized in cases where the officers believe the use of these weapons would be reasonable to bring the event under control. Examples would be where other options have been utilized and failed or where based on the officer's perception at the time, the other options would not be successful in bringing the event to a successful conclusion.
 - h. **Canine:** Use of canine to bite and hold subject to prevent escape or to gain control of a subject who is actively aggressing toward officer(s). Prior to deployment of a canine, a warning in the form of an announcement shall be made.
 - i. **Deadly Force:** Force that creates a substantial likelihood of serious bodily harm or death.
- C. Deadly Force:** The use of deadly force is objectively reasonable when:
- a. The officer is faced with an immediate threat of serious bodily harm or death to him/herself, or some other person who is present, or;
 - b. To prevent the escape of an individual in cases where the officer has probable cause to believe that the subject has committed a violent felony involving the infliction or threatened infliction of serious bodily harm or death AND by the subject's escape, they pose an imminent threat of serious bodily harm or death to another.
 - c. Officers should warn the subject prior to using deadly force where feasible.
- D.** Once the subject's active resistance has ceased and control has been gained an officer is no longer authorized to use force. Officers should immediately provide any necessary medical assistance to the subject to the degree to which they are trained and provide for emergency medical response where needed.
- E. Discharge of Firearms Restrictions:**
- a. Warning Shots are prohibited
 - b. Discharge of firearms is prohibited when the officer is presented with an unreasonable risk to innocent third parties.

- c. When a moving vehicle is involved, use of deadly force by discharging a firearm is dangerous, can be ineffective, and should not occur when there is an unreasonable risk to the safety of persons other than the subject. Whenever possible, officers should avoid placing themselves in a position where use of deadly force is the only alternative.
- d. Even when deadly force is justified, firearms shall not be discharged at a vehicle unless:
 - i. The officer has a reasonable belief that an occupant of the vehicle poses an imminent threat of death or serious physical injury to the officer or another person, or
 - ii. The officer has a reasonable belief that an occupant is using the vehicle in a manner that poses an imminent threat of death or serious physical injury to the officer or another person, and there is no avenue of escape.

F. Chokeholds & Neck Restraints: An officer shall not use a chokehold or neck restraint in the performance of his or her duties, **unless deadly force is justified.**

- i. In general, officers may use reasonable force to lawfully seize evidence and to prevent the destruction of evidence. However, officers shall not use a chokehold, neck restraint or any lesser contact with the throat or neck area of another in order to prevent the destruction of evidence by ingestion.
- ii. Officers shall not intentionally use any technique that restricts blood flow to the head, restricts respiration or which creates a reasonable likelihood that blood flow to the head or respiration would be restricted for the purpose of seizing evidence.
- iii. **Render Medical Aid:** Officers restraining a subject should be cognizant of and avoid positional asphyxia. This agency prohibits prolonged face-down prone restraint.
- iv. As soon as the subject stops resisting and is handcuffed and/or under control, monitor the person's vital signs closely. Take the following steps:
 - Roll the person onto his or her side, or into a sitting position
 - Monitor breathing
 - Check the pulse at the wrist
 - Check the person's facial skin color (a gray or blue tint is a sign of severe medical distress)
 - Determine if the person is functionally conscious (e.g., the person can exhibit voluntary movement, has the ability to converse, is aware of place/date/time)
 - If the person has difficulty breathing, is not at a functional level of consciousness, exhibits symptoms of medical distress, or if you have any doubt regarding the person's medical condition, request an emergency medic response and administer appropriate first aid.
 - If the person is being lodged at a correctional facility or taken to a medical facility, advise them if the person was rendered unconscious or subjected to a chokehold or neck restraint during restraint.

G. Less-Lethal Weapons/Tactics: Prior to deployment of any less-lethal weapon, officers must be trained and certified in the proper use of the weapon from both the technical and legal aspects. All deployments must be consistent with departmental use of force training and policy.

a. Chemical Spray:

- i. Chemical Spray shall not be deployed as a compliance technique for a person who is passively or verbally non-compliant. Active resistance/active aggression shall be required.
- ii. Chemical Spray shall never be used as a punitive measure.
- iii. Officers should never spray from a pressurized can directly into a subject's eyes from a close distance due to the potential for eye injury as a result of the pressurized stream. Officers should never spray directly into a subject's eyes from closer than three feet or the distance recommended by the manufacturer of the spray (whichever is shorter) unless deadly force would be justified.
- iv. Officers shall consider alternatives to chemical spray when attempting to control a subject in a crowded-enclosed area due to the innocent over-spray that may cause the onset of panic.
- v. Officers shall consider alternatives to chemical spray when the event is inside a building, particularly where the building has a closed-ventilation system due to the potential impact on innocent persons who may have to be evacuated (temporarily) from the locations.
- vi. Once control is gained, officers should immediately provide for the decontamination of the subject.
- vii. If the person shows any signs of physical distress or does not recover in a reasonable amount of time, officers should immediately direct an emergency medical response and render first-aid at the degree for which they are trained.

b. Electronic Control Devices

- i. An electronic control device as a force option is the same level of force as chemical spray.
- ii. Electronic Control Device must be worn on the weak-side in either a weak-hand draw or cross-draw position.
- iii. An electronic control device constitutes a serious use of force
- iv. Electronic Control Device deployment shall not be considered for the passively resistant subject. Active resistance that poses a threat of immediate danger to the officer or another shall be required. It is noted that physical resistance is not the same thing as the risk of immediate danger.
- v. Flight from an officer, standing alone, is not a justification for the use of an electronic control device. Officers should consider the nature of the offense suspected, the level of suspicion with respect to the person fleeing, and the risk of immediate danger to the officer or others if the person is not apprehended immediately.

- vi. Officers must be trained concerning ability of electrical charge to act as an ignition for combustible materials. (Note: Officers have been seriously injured and or killed after deploying a Electronic Control Device in the presence of open natural gas during suicidal person call)
- vii. Multiple Electronic Control Device deployments against an individual may increase the likelihood of serious injury where the individual is suffering from other symptoms such as cocaine intoxication. Policy and training should encourage officers to minimize the successive number of discharges against an individual where possible.
- viii. The agency recognizes however, particularly where back-up officers are unavailable, that multiple applications may be necessary to gain or maintain control of a combative individual.
- ix. No more than one officer should deploy an electronic control device against a single individual at the same time.
- x. A contributing factor to serious injury or death is the level of a subject's exhaustion. Studies recommend that when an officer believes that control of a subject will be necessary and met with resistance, deployment of the Electronic Control Device should be considered early on in the event so that the person has not reached a level of exhaustion prior to the Electronic Control Device's use.
- xi. The preferred targeting is the center mass of the subject's back, however it is recognized that it is not always possible to get behind the subject.
- xii. Where back-targeting is not possible-the secondary area is lower center mass for a frontal deployment.
- xiii. Officers shall make all reasonable efforts to avoid striking persons in the head, neck, eyes or genitals.
- xiv. Officers are prohibited from using the device as punitive measure.
- xv. Electronic Control Devices shall not be used against person who is in physical control of a vehicle in motion unless deadly force would be justified based on an existing imminent threat.
- xvi. A warning prior to discharge is preferred but not always necessary for this type of force to be considered reasonable, model policies as well as courts have noted that giving a subject, who is assaultive toward the officer, a warning may enhance the danger to the officer and the subject by giving the subject time to avoid the deployment.
- xvii. Officers shall make all efforts to warn other officers that a deployment is about to occur.
- xviii. The device shall never be used on a handcuffed person to force compliance unless the subject poses a violent threat to the officer through physical conduct and cannot otherwise be controlled.

- xix.** Officers should consider the location and environment of the subject. i.e. Is the subject at the top of a stairwell such that when incapacitated by the Electronic Control Device-they fall down the stairs causing a collateral injury.
- xx.** Officers should be aware that a subject's heavy clothing may impact the effectiveness of the electronic control device.
- xxi.** Officers should consider whether the subject has been exposed to combustible elements that may be on their person such as gasoline. The use of an Electronic Control Device on such persons may cause an ignition and fire.
- xxii.** Officers should consider the particular subject and any vulnerabilities they may have such as: a person who is small in stature or very frail will be more dramatically impacted; some agencies have been criticized as well as sued for use on pregnant women, the very young and the elderly.
- xxiii.** Alternative tactics shall be utilized where the officer has prior information that the subject suffers from a disability which would increase the danger to that person by using the Electronic Restraint Device. i.e. A person at the scene tells an officer that the subject has a heart condition.
- xxiv.** Where the officer encounters an unarmed and minimally threatening individual who is exhibiting conspicuous signs of being mentally unstable, the officer must de-escalate the situation and adjust the application of force downward.
- xxv.** Removal shall be conducted by medically trained personnel which may include officers of this department who have been trained in first aid and universal safety precautions. The impact site should be cleaned with an antiseptic or alcohol-based product and a bandage applied. Deployed probes that have been removed from a suspect should be treated as a bio-hazard.
- xxvi.** All persons who have been the subject of an Electronic Control Device deployment shall be cleared medically and monitored for a period of time with a focus on symptoms of physical distress. This monitoring can be performed by officers of the Department who have been trained in first aid and CPR.
- xxvii.** Where EMS is available, their services may be utilized for the removal of darts as long as such removal can be accomplished without causing further injury or pain to the subject.
- xxviii.** All persons who have been the subject of a Electronic Control Device deployment shall be cleared medically and monitored for a period of time with a focus on symptoms of physical distress. Any person who appears to be having any form of physical distress following the deployment of a ECD, shall be transported to a medical facility for a medical examination. It should be noted that studies indicate that persons who suffer from excited delirium may not be immediately impacted and the onset of difficulty may occur a period of time after the police control event.
- xxix.** Mandatory Medical Clearance at Hospital:
 - (a)** Persons struck in a sensitive area-eyes, head, genitals, female breasts.
 - (b)** Where officer cannot safely remove darts in accordance with training.

- (c) Persons who have been subjected to more than 15 seconds of deployment.
- (d) Persons who have been struck in the chest with the probes.
- (e) Persons who do not appear to have fully recovered after a short period of time (Model Policies use a ten-minute time limit however officers who observe unusual physical distress should immediately call for medical assistance and should not wait the ten-minute recovery period recommended by some of the model policies,
- (f) Persons who fall into one of the vulnerable classes such as juveniles, pregnant women, persons who are small in stature, persons who officers become aware have a pre-existing medical condition that increases danger and the elderly.
- (g) Subject who request medical assistance.

xxx. Documentation:

- (a) All deployments of an Electronic Control Device shall be documented including those cases where a subject complies once threatened with such a device. By documenting the non-discharge uses, an agency establishes officer judgment and control as well as the deterrent effect of this tool.
- (b) Photographs of the effected area, shall taken following the removal of darts from the subject to document any injury. Where the push-stun method has been used, photographs are extremely important due to the increased potential for this method to cause scarring.
- (c) Supervisory personnel shall be notified and review all Electronic Control Device deployment for consistency with policy and training.
- (d) Darts/Cartridges shall be properly stored and maintained as evidence following a discharge.
- (e) Officers are required to complete a "response to active resistance form" which shall be reviewed by a supervisor following the ECD use.
- (f) All deployments shall be reviewed by the agency as well as training personnel.
- (g) Where there is any indication of lasting injury, claim or complaint internal data from device shall maintainedAll ECD units will be audited monthly to ensure that all deployment/activations have been reported as required.

c. Impact Weapons: Batons, ASP/Expandable Baton

- i. Impact weapons may be utilized in cases where the officers believe the use of these weapons would be reasonable to bring the event under control.
- ii. Examples would be where other options have been utilized and failed or where based on the officer's perception at the time, the other options would not be successful in bringing the event to a successful conclusion.
- iii. Officers shall not intentionally strike a person in the head with an impact weapon unless deadly force would be justified.

VI. Duty to Intervene:

- A. Use of Force:** in accordance with the agency's **Duty to Intervene** policy Officers of this agency have an affirmative duty to intervene if they witness a use force that is clearly unreasonable. Any officer present and observing another officer using force that is clearly beyond that which is reasonable under the circumstances shall, when in a position to safely do so, intervene to prevent the use of unreasonable force. An officer who observes another employee use of force that exceeds the degree of force permitted by law should promptly report these observations to a supervisor.

VII. Reporting Control to Active Resistance:

- A. Purpose:** It is the purpose of this policy to provide police employees and supervisors with guidelines for reporting control to active resistance. The department requires a Report to Control Active Resistance (RCAR) form to capture all required information described in this policy.
- B. Policy:** Police officers are given the authority to use force to overcome a subject's resistance to the officer's order to comply, effect arrest, defend against assault, and prohibit flight. It is incumbent that officers be held accountable to safeguard the rights of members of the public. This policy mandates that members of the Department accurately, completely and timely report subject control of active resistance and a supervisor conducts a prompt investigation and reports this investigation findings.

VIII. Definitions:

- A. Reportable control to active resistance:** Any force used by an officer to compel compliance from a subject in conformance with the officer's official duties, whether on or off duty or while employed in an off duty paid detail, including:
- a. Physical force:** Use of any part of an officer's body, such as joint manipulation, leverage, pain compliance, take down maneuvers or neck restraint holds.
 - b. Chemical agents:** Use of any chemical agent to overcome subject resistance.
 - c. Impact tools/strikes:** Use of any tools, object or body part to strike a subject
 - d. Electronic tools:** Use of any electronic equipment on a subject being controlled
 - e. Injury or complained of injury:** Any time the subject being controlled is injured or complains of injury.
 - f. Pointing of Firearms:** Any time an officer points a firearm at an individual, notwithstanding the fact that deadly force is not ultimately deployed. This does not include drawing a firearm and maintaining at the low-ready position.
 - g. Firearms discharges:** Any discharge of a firearm other than at the range or during qualification whether unintentional, for animal dispatch, or whether a subject is hit or not will be reported in a separate manner consistent with these policies.
 - h. Canine use:** Use of a police canine will be reported on a special form to capture any form of use whether there is contact with a subject or not.

B. Procedures:

- a. Officers who become involved in an incident that required any degree of force are required to immediately notify their supervisor. The involved officer will provide a detailed documentation of the use of force utilized in the official police report prepared for the incident involved.
 - b. An Active Resistance Report shall be prepared by a supervisor whenever an officer of this agency utilizes reportable force, as described in the definition of this policy, in the performance of their duties.
 - c. The Active Resistance Report will be completed in detail including a narrative account of the following:
 - i. The actions of the subject that necessitated that use of force as a response to overcome the active resistance of the subject.
 - ii. The reasons why force was required and the type of force the officer utilized in overcoming the resistant subject.
 - iii. Any injuries or complaint of injuries of either the subject or the officer and any medical treatment received.
- C. Supervisory Responsibilities:** Once notified of an incident in which an officer has utilized force, the supervisor will immediately respond to the scene to investigate the incident. If the involved officer's supervisor is not available to respond, another supervisor will be dispatched to complete the Active Resistance Report. The supervisor will accomplish the following investigative steps in conducting the investigation:
- a. Interview the involved subject if they are cooperative, to determine their account of the incident and if they have a complaint. If they do have a complaint the supervisor shall complete a Citizen Complaint form. If have any type of injury, Internal Affairs or the designated departmental IA person will be notified. Additionally, should the supervisor determine that unreasonable force was utilized, the Internal Affairs designated investigator will be notified and assume control of the investigation.
 - b. If a crime scene exists; or police equipment exists, which may contain forensic evidence, the supervisor shall ensure that the scene and evidence is processed, photographed and preserved.
 - c. Take photographs of the involved officer(s) and subject(s) depicting any potential injuries or documenting the lack of any injuries to the parties involved.
 - d. Interview, preferably tape-recorded, all witnesses to the incident and document their description of the event.
 - e. Ensure that a qualified health care provider handles any injuries or other medical condition being experienced by the involved person.
 - f. The supervisor shall review any video recording of the incident, if available, prior to the completion of the Active Resistance Report and the approval of the officer's reports
 - g. The supervisor investigating the use of reportable force shall be responsible for the review and approval of the officer's reports of the incident, when practicable
 - h. The officer will complete the Active Resistance Report prior to completing their shift and submit it along with the officer's report to their chain of command for review.

i. Exceptions: The following do not require the completion of an Active Resistance Report unless otherwise required by the above policy:

- i.** Handcuffing or escorting a compliant, cooperative subject.
- ii.** Physical removal of peaceful demonstrators whom do not resist.

D. Firearms:

- 1. All officers of the City of Anderson Police Department will be issued weapons as outlined in General Order 170.2. While officers are on duty, all handguns will be fully loaded. (SCLEA 1.16B)
- 2. Officers will carry departmentally issued ammunition only, as outlined in General order 170.2. Proficiency must be documented with the weapon, through a certified firearms instructor.
- 3. All officers, while on duty, will possess only departmental issued weapons and ammunition on their person or in any departmental vehicle.
- 4. Officers of the City of Anderson Police Department are required to possess their badge and identification card at all times. Officers shall exercise their discretion in whether or not to carry their service weapon while off-duty. In the event an officer elects to carry his or her weapon while off-duty, it shall be done so in accordance with state law and the following departmental regulations:
 - a. The officer's authority and power of arrest under South Carolina Statutes and the officer's Oath of Office require that the officer be prepared at all times to enforce these statutes. In his or her capacity as a Law Enforcement Officer of the City of the Anderson City Police Department, the officer is directed to enforce the Statutes of South Carolina and the Ordinances of the City of City of Anderson, within the Municipality of the City of Anderson, 24 hours a day, 7 days a week, 365 days a year.
 - b. This directive authorizes you to keep yourself properly prepared and equipped at all times in order to execute and carry out your sworn duty. If, in your judgment carrying a weapon is appropriate, you shall comply with all departmental regulations in carrying the weapon concealed in civilian clothing. (Reference policy regarding pistol, badge, and identification card)
- 5. Any off-duty weapon other than that issued by the City of Anderson Police Department must have a written request submitted to the officer's division commander and be approved by the Chief of Police, in writing (See General Order 172). It will then be the officer's responsibility to furnish the ammunition and meet proficiency requirements with the approved weapon during standard departmental firearms qualifications. In the event that a written and approved request is not on file and an officer has not met the proficiency

requirements, the officer will only carry the departmental issued service weapon.

6. Class II and III officers shall carry their assigned weapon to and from work only. Class II officers which are assigned to the Detention Division will be designated by the Chief of Police or his designee to carry such weapons.

E. Department Rifles:

1. The City of Anderson Police Department will provide the members of the department with AR-15 rifles as available and ammunition as outlined in General order 171.2. Any other weapon that is carried must be approved by the Chief of Police.
2. All rifles will be loaded and unloaded outside of the department building, in accordance with safety procedures. All rifles will be loaded with ammunition as outlined in General Order 171.2. At no time will there be a loaded rifle inside the building. When being unloaded, the action will be open and the muzzle will be pointed in a safe direction.
3. Whenever a rifle is exposed to outside elements, it will be wiped down prior to being returned to the gun rack.
4. All rifles carried inside the building will be carried with the muzzle pointed in a safe direction.
5. The rifles will be carried within department vehicles in the rack mounted within that vehicle if available.
6. The rifles will be loaded with a full magazine, safety on. Unless the weapon is removed from the vehicle in the line of duty, no shell will be placed in the rifle chamber. At the completion of the incident, before being placed in the vehicle rack, the shell will be removed from the chamber.
7. When removed from the vehicle, the rifle shells are to be turned in with the gun.

F. Department Shotguns:

1. The City of Anderson Police Department will provide the members of the department with shotguns and ammunition as outlined in General order 171.2. Any other weapon that is carried must be approved by the Chief of Police.
2. All shotguns will be loaded and unloaded outside of the department building, in accordance with safety procedures. All shotguns will be loaded with ammunition as outlined in General Order 171.2. At no time will there be a loaded shotgun inside the building. When being unloaded, the action will be open and the muzzle will be pointed in a safe direction.
3. Whenever a shotgun is exposed to outside elements, it will be wiped down prior to being returned to the gun rack.

4. All shotguns carried inside the building will be carried with the muzzle pointed in a safe direction.
5. The shotguns will be carried within department vehicles in the rack mounted within that vehicle.
6. The shotguns will be loaded with a full magazine, safety on. Unless the weapon is removed from the vehicle in the line of duty, no shell will be placed in the shotgun chamber. At the completion of the incident, before being placed in the vehicle rack, the shell will be removed from the chamber.
7. When removed from the vehicle, the shotgun shells are to be turned in with the gun.

G. Firearms Qualification

1. The required qualification periods will be set forth by the Chief of Police. All training and proficiency data concerning firearms qualification and requalification will be documented. All officers of the City of Anderson Police Department will be required to meet qualification standards no less than annually with their service weapon. Any officer who carries an approved off-duty weapon will be required to qualify with that weapon no less than annually. All firearms qualifications will be conducted by a certified firearms instructor meeting the requirements set forth by the South Carolina Criminal Justice Academy. (SCLEA 1.17 & 1.18A, B)
2. Firearms proficiency will be a minimum of 75% of the maximum qualification course score. (SCLEA 1.17)
3. Any officer on light duty status or absent from the day of qualification, will be required to qualify before returning to their regular assignment.
4. Officers who fail to meet the proficiency requirement for their firearm will be re-tested up to an additional two (2) times. If an officer fails both of these re-tests, the officer will be (1) Placed on administrative duty, (2) Placed into remedial firearms training, and (3) Required to purchase the necessary amount of ammunition for the next qualification course. The officer will be required to complete remedial training and re-qualify within 6 months or the officer will be subject to disciplinary actions including and up to termination. (SCLEA 1.18C)
5. Officers hired by the City of Anderson Police Department, who are currently certified by the South Carolina Criminal Justice Academy, must qualify with their issued weapon before beginning their duty assignment. The issue of the weapon and qualification record will be maintained within the individual's personnel file. (SCLEA 1.17)

6. All officers - including all newly hired officers for the City of Anderson Police Department - will be required to sign a statement of receipt and understanding for all policies concerning the use of force and weapons, before being issued a weapon, authorized to carry the weapon, or being allowed to complete the initial qualification requirement. (SCLEA 1.19

H. Servicing of Department Weapons:

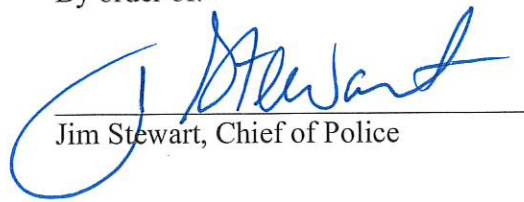
1. Before a firearm is issued to an employee, the firearm will be inspected by a qualified firearms instructor or armorer and the firearms instructor or armorer will either approve or disapprove the firearm for use. The firearms instructor or armorer must document approval. See General Order 186. (SCLEA 1.16c
2. The firearms instructor or armorer will, no less than annually, perform a thorough inspection of every issued weapon. The inspection will confirm the serial number of the weapon and the officer that the weapon is issued to. In the event a weapon is deemed inoperable, the firearms instructor or armorer will remove the weapon from service until the time necessary repairs are complete. The officer will be issued a spare department weapon meeting the same specifications contained within this General Order. (SCLEA 1.16C)
3. Any officer whose issued weapon requires servicing beyond the normal cleaning must deliver the weapon to the firearms instructor or armorer with a written description of the problem. Under no circumstances will any officer remove any parts from the weapon other than what is required for standard cleaning. (SCLEA 1.16C)
1. Any officer who finds a problem with a department shotgun will make written documentation of the problem and report it to the firearms instructor or armorer. (SCLEA 1.16C)
2. The firearms instructor or armorer will maintain a record on every firearm that is approved for on-duty use. See General Order 186. (SCLEA 1.16D)

I. Storage of Agency Authorized Firearms

All officers will provide safe and secure storage of agency-authorized firearms. Recommendations for safe and secure storage include, but are not limited to the following: (SCLEA 1.16E)

- Locked in gun safe.
- Locked in gun vault box.
- Locked with trigger locks.
- Locked in vehicle.

By order of:


Jim Stewart, Chief of Police

7-9-20
Date