

1.3.10 Required Annual In-Service Training

I. POLICY

It is the policy of the Johnstown Police Department that all personnel comply with the provisions of this general order. All personnel shall be trained yearly on this general order

II. PURPOSE

The purpose of this general order is to provide guidelines to personnel in regard to the use of force and weapon safety. This general order outlines Chapter 5 of the Pennsylvania Crimes Code, weapon proficiency and qualification of personnel, medical aid after the use of force and reporting procedures for the use of force.

III. DEFINITIONS

1. Reasonable belief – the fact or circumstances the officer knows, or should know, that are such as to cause an ordinary and prudent person to act or think in a similar way under similar circumstances.
2. Serious bodily injury – bodily injury which creates a substantial risk of death or which causes permanent disfigurement, or protracted loss or impairment of the function of any bodily member or organ.
3. Forcible felony – the crimes of murder, voluntary manslaughter, rape, robbery, kidnapping, involuntary deviate sexual intercourse, arson, endangering persons and aggravated assault causing serious bodily injury.
4. Deadly force – force which, under the circumstances in which it is used, is readily capable of causing death or serious bodily injury.

IV. PROCEDURES

Persons, regardless of their involvement in a situation, shall be treated with humanity, courtesy and the dignity due any human being to the extent that such treatment is allowed by the subject's actions. Johnstown Police Officers and civilian employees shall maintain a professional bearing at all times. They shall not be argumentative or engage in acts that might incite a subject to become physically aggressive. Personnel shall never use a greater degree of force than that which is lawful, reasonable and necessary for the specific situation. Such reasonable and necessary force may be used to effect an arrest, to overcome unlawful resistance, to prevent an escape from custody to

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neutralize an unlawful resistance, or to neutralize an unlawfully assault upon an officer or another person. The use of physical force will end immediately when resistance ceases or when the arrest has been accomplished. Emphasis shall always be on obtaining control over the situation rather than forcing submission. Personnel shall not mentally or physically abuse any person that they contact or take into custody or control.

Justification for the use of force is limited to what reasonably appears to be the facts known or perceived by the officer at the time he/she decides to use such force. Facts unknown to the officer no matter how compelling cannot be considered in determining whether the action was justified.

Officers using force must be able to articulate the need and justification for the use of force and the reasons[s] why the level of force utilized was selected.

Full disclosure of the circumstances requiring the use of force, and the type and the extent of force, shall be thoroughly documented in the departmentally required "Suspect Resistance Report," and in an incident report.

A. Training and Demonstrated Proficiency Required

1. Annual in-service training shall be conducted as a minimum requirement for all personnel potentially applying any component of this use of force general order as a job responsibility.
2. Annual proficiency, as a minimum requirement, shall be demonstrated as a component of in-service training for all less than lethal weapons approved to be carried by all personnel authorized to use them.
3. Annual in-service training and proficiency qualification, as a minimum requirement, shall be mandatory for all firearms approved to be carried by all personnel authorized to use them.
4. Proficiency training must be monitored by an instructor certified for the weapon type whose proficiency is being demonstrated.
5. An officer who is unable to demonstrate proficiency with any approved weapon they have been authorized to use shall not be permitted to resume official duties with that weapon until proficiency has been satisfactorily demonstrated to a certified instructor for that weapon.

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B. Remedial Training

1. Any supervisor or certified instructor may recommend, and the captain may require, any Johnstown Police Officer to submit to remedial training when circumstances indicate that the officer has violated any provision of this policy or may otherwise benefit from remedial training.
2. Supervisors or certified instructors for any given weapon type may be assigned by the captain to conduct remedial training as required for personnel to maintain the knowledge, skills and abilities necessary to maintain proficiencies commensurate with the requirement of this general order.
3. Supervisors and/or firearm instructor shall report any incidents involving inappropriate or unsafe firearms handling or use for considerations of officer remedial training.
4. Remedial training shall be documents in accordance with any training requirements and the supervisor shall be advised of the progress and/or outcome of any required training.

C. Policy Issuance & Safety Procedures

1. All Johnstown Police Officers authorized to carry weapons shall be issued copies of, and annually instructed on, the provisions of this general order.
2. All officers bear responsibility to properly secure all weapons issued and owned to assure safety.
3. For officers hired after the effective date of this general order, this required instruction shall be completed prior to their authorization to carry weapons approved by this general order.

D. Scheduling

1. The Captain who is in charge of training, on an annual basis, shall conduct an analysis of all Suspect Resistant Reports submitted in compliance with this general order.
2. The analysis shall be employed to reveal the following minimum indicators:
 - a. Patterns or trends, which could indicate training needs.

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- b. Patterns or trends, which could indicate policy modification requirements.
- 3. All training in regard to firearms shall be documented and maintained by the Captain who is in charge of training. All training that is covered in this general order shall be documented and maintained by the Captain in charge of training.

Effective:

Date: March 22, 2006

By Order Of:

Craig Foust
Chief Of Police