

### **1.3.5 Medical Aid After Use of Force**

#### **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. General Rule**

1. Officers shall arrange for an emergency medical service [EMS] to examine, treat and/or transport a subject to a medical facility if the force used by police personnel caused injury, injury is suspected or injury is alleged.

#### **B. Medical Treatment of Oleoresin Capsicum Contaminated Persons**

1. As soon as possible, person[s] contaminated by a release of oleoresin capsicum shall be exposed to fresh air and have their contaminated areas flushed with cold water.
2. Contact lenses of contaminated person[s] should be removed and thoroughly washed prior to reuse.
3. Evaluation by medical personnel [EMS] shall be initiated without delay in any of the following circumstances:
  - a. Any person who has been exposed to oleoresin capsicum and complains of itching, hives, difficulty swallowing, facial swelling [particularly around the eyes, lips or nose] or states that he/she has a known allergy to any variety of pepper.

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- b. Any person who admits to being under the influence of cocaine, amphetamines, barbiturates, PCP, opiates, heroin or high levels of alcohol.
- c. Any person who admits a history of heart problems, lung problems, diabetes, high blood pressure or other potentially serious medical condition.

#### C. Medical Release Required

1. When an arrestee is examined, treated and subsequently released from medical care, a written medical release shall be obtained. This shall be maintained in the arrest folder.
2. When emergency medical services [EMS] are summoned to evaluate and/or treat an arrestee and the individual refuses medical attention, the officer shall obtain a copy of the refusal form for the arrest folder and note the medical attention, or refusal of medical attention, in his/her report of the incident.

Effective:

Date: June 14, 2006

By Order Of:

Craig Foust  
Chief Of Police