	<p style="text-align: center;">ITHACA POLICE DEPARTMENT</p> <p style="text-align: center;">POLICY AND PROCEDURE GENERAL ORDER</p>	Distribution	General Order Number
		ALL PERSONNEL	3.04
		Original Issue Date	Reissue/Effective Date
		07/10/2019	MM/DD/YY
<p>Order Title:</p> <p>IMPACT WEAPONS</p>		Accreditation Standard: NY 2.2; 2.7; 6.1; 8.1; 14.1; 20.1; 20.6; 21.2; 25.1; 32.4; 33.1; 33.2; 35.1; 40.1; 40.2; 41.3	Section
		<p>Section Title</p> <p>RULES OF CONDUCT</p>	
<p>Rescinds:</p>		<p>Dennis Naylor, Acting Chief of Police</p>	

This General Order is for departmental use only and does not apply in any criminal or civil proceeding. This General Order should not be construed as creation of a higher legal standard of safety or care in an evidentiary sense with respect to third party claims. Violations of this General Order will only form the basis for departmental administrative sanctions. Violations of law will form the basis for civil and criminal sanctions in a recognized judicial setting

I. PURPOSE

The purpose of this General Order is to establish rules and procedures for the training, carrying, and use of impact weapons. The batons are authorized and issued impact weapons to be used for an officer's personal defense, and for controlling a subject who is actively resisting an officer's attempts to lawfully control him. The Ithaca Police Department's use of force is governed by Federal and New York State law, including, but not limited to, the Constitution of the United States.

II. POLICY

The policy of the Ithaca Police Department ("Department") is to use only that amount of force reasonably necessary to effect an arrest, control a situation, or defend themselves or others from harm. The Department recognizes that combative, non-compliant, armed and/or violent subjects cause handling and control problems that require specialized training and equipment. Thus, the Department has adopted the use of a non-lethal force philosophy to assist with the de-escalation of potentially violent confrontations. Any use of an impact weapon must comply with the Department's Use of Force Policy, General Order 3.01.

Any police officer who makes an unlawful, excessive, or unauthorized use of an impact weapon will be subject to disciplinary actions and may be subject to civil and criminal liability.

III. DEFINITIONS

Actively resisting: The actions of a subject who makes physically evasive movements to interfere with an officer's attempt to control that subject. These movements may include bracing, tensing, pulling away, or pushing.

Authorized weapons: The weapons that Department officers are permitted to carry, which meet Department specifications, and for which officers demonstrate proficiency and successfully complete training.

Deadly Force: Any physical force that can reasonably be expected to cause death or serious physical injury. Officers must understand that lethal physical force is an extreme measure and shall only be used in accordance with the law and as stated in this policy and other policies governing the use of force.

De-escalation: A decrease in the severity of force used in an incident in direct response to a decrease in the level of resistance encountered.

Force: Any physical strike or instrumental contact with a person; any intentional attempted physical strike or instrumental contact that does not take effect; or any significant physical contact that restricts the movement of a person. The term includes the discharge of a firearm or pointing a firearm at or in the direction of a human being, use of chemical spray, use of impact weapons, use of electronic control weapons (ECW), chokeholds or hard hands, taking of a subject to the ground, or the deployment of a canine. The term does not include escorting or handcuffing a person with minimal or no resistance. Use of force is lawful if it is **objectively reasonable** under the circumstances to effect an arrest, or protect the officer or other person.

Harm: Injury inflicted upon a person, whether visible or not.

Imminent threat: An officer's reasonable perception of impending danger, death, or serious injury from any action or outcome that may occur during an encounter. A subject may pose an imminent or impending threat even if s/he is not pointing a weapon at an officer but, for example, has a weapon within reach, is running for cover carrying a weapon, or is running to a place where an officer has reason to believe that a weapon is available.

Impact weapons: Department-approved tools that provide methods for gaining control of a subject when lethal force is not justified, but when empty-hand control techniques are not sufficient to effect control. These weapons should only be used when an officer is met with active resistance. The various batons authorized and/or issued by the Department are impact weapons.

Non-deadly force: Any use of force not intended to, nor likely to, cause death or serious bodily harm.

Passive resistance: The actions of a subject who does not cooperate with an officer's commands, but who does not take action to prevent being taken into custody. For example, a protestor who lies down in front of a doorway and must be carried away upon request.

Serious bodily Injury: Injury that causes death or creates a substantial risk of death; permanent harm to health, disfigurement, or permanent loss of functions of any organ in the body; or injury that results in treatment at a medical facility. Note: minor treatment such as eye-washing, cleansing, and bandaging; evaluation with no injury discovered; etc., will be evaluated on a case-

by-case basis by a supervisor, and absent extenuating circumstances, may not be designated as serious bodily harm.

IV. PROCEDURES

A. Equipment and Training

1. Officers may carry and use only Department issued and approved impact weapons. Any impact weapon purchased by a member of the department must be of a type the Department has authorized and approved.
 - a. Monadnock Collapsible Baton and ASP.
 - b. Police baton
 - c. Impact projectiles
2. Authorized personnel shall train officers in the use and handling of the issued and approved impact weapons.
3. Officers shall not carry or use impact weapons until properly trained and certified and until they can demonstrate proficiency with such weapons.
4. Officers may carry an impact weapon when on duty. Impact weapons shall be carried in a holster or carrying device specifically designed for such purpose.

B. Use of the Impact Weapons

1. Officers may deploy impact weapons in response to active resistance. Officers may also use impact weapons to assist with restraining subjects or applying escort holds, consistent with Department training.
2. Officers must consider the following to determine the degree of force that may be used:
 - a. the severity of the crime involved;
 - b. the threat level encountered; and
 - c. the level of resistance by the subject.
3. Officers shall use only objectively reasonable force necessary to gain control of the situation, in light of the circumstances present. Any use of impact weapons must comply with the Ithaca Police Department's Use of Force policies. Officers are reminded that use of force is only authorized when it is objectively reasonable and for lawful purposes. (See General Order 3.01, *Use of Force*.)

4. Officers are obligated to de-escalate their use of force as the subject's resistance decreases.
5. Officers should avoid raising an impact weapon above the level of the head of the subject.
6. Officers must avoid extreme levels of force which may cause serious bodily harm when striking a subject with an impact weapon, except when the circumstances justify using such force because of imminent danger of serious bodily harm and the officer is acting in self-defense or in the defense of others.

C. Body Areas Vulnerable to Impact Weapon Strikes with Less Likelihood of Causing Serious Bodily Harm

1. Impact weapons should be used in a manner consistent with training in order to cause the minimum possible harm, by contacting pressure points, nervous centers, and any other area where the bones are close to the skin, especially the limbs.
2. Vulnerable areas less likely to cause serious bodily harm as identified in Diagram 1 as Green and Yellow target areas ([see Diagram on page 6 of this General Order](#))

D. Body Areas to be Avoided by Impact Weapon Strikes

1. The following are target areas considered to potentially result in serious physical injury or death and should not be intentionally targeted with an impact weapon unless lethal force is justified, consistent with Department policy and the law. The following areas are identified as red target areas in [Diagram 1](#):
 - a. Any area of the head/ neck
 - b. Spinal area
 - c. Kidney area
 - d. Solar plexus or celiac plexus (sternum, abdominal and cardiac trauma)

E. Verbal Commands

1. A verbal warning and time to allow the subject to comply must be given, prior to the use of an impact weapon, unless such warning would present a danger to the officer or others.
2. Verbal commands before, during, and after the use of an impact weapon are important in order to de-escalate any situation and gain compliance and control of an actively resisting subject.

F. Medical Aid

1. Any subject against whom an impact weapon is used, who is visibly injured or complains of injury, shall be evaluated by qualified medical personnel. Qualified medical personnel include medical professionals such as medical doctors, licensed nurses, or EMS first responders.

G. Training

1. Only those officers specifically trained, assigned, and authorized shall carry or utilize impact weapons. Officers must be trained and certified every two years by a certified instructor or trainer.
2. Based on the training requirements of the New York State Division of Criminal Justice Services and the Municipal Police Training Council, officers will be required to demonstrate proficiency with impact weapons as well as knowledge of the laws and this Department's policies concerning the use of force.
3. All training, including remedial training, shall be documented.
4. Officers must receive refresher training every two years by a certified instructor.

H. Reporting Responsibilities

1. Any member using an impact weapon to apprehend, control, or restrain a subject shall:
 - a. Notify his shift supervisor, and
 - b. Complete a Use of Force Report form as required by General Order 3.05, *Reporting and Investigating Force*.

I. Responsibility of Supervisors

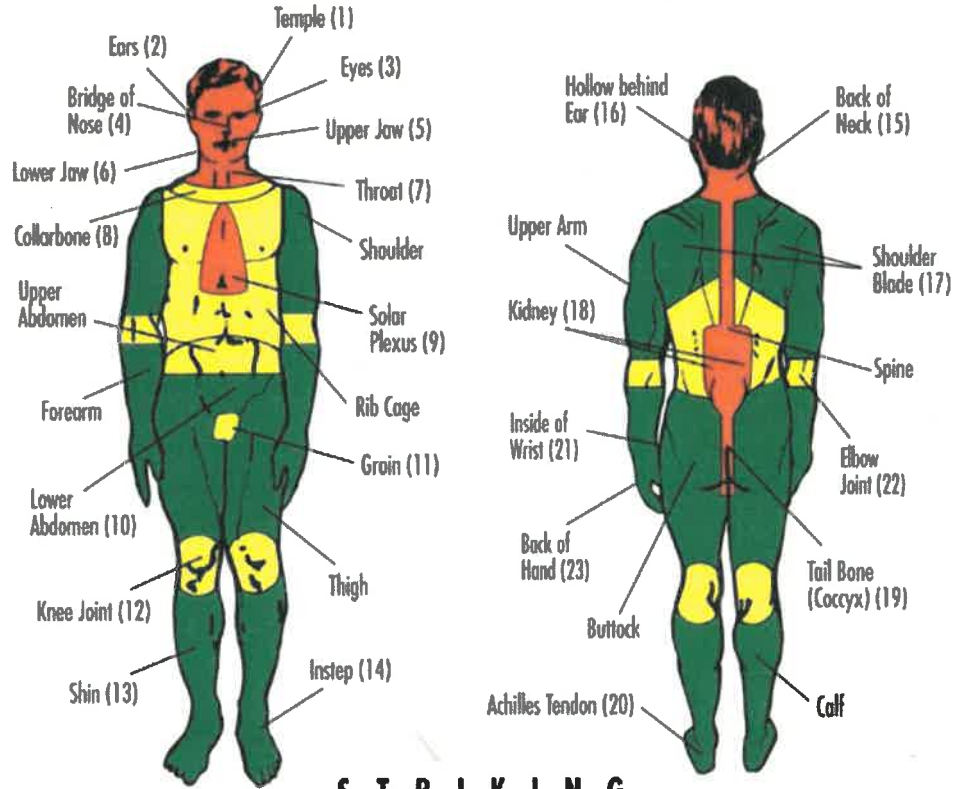
- a. As outlined in the Reporting and Investigating Force Policy, General Order 3.05, a supervisor must respond to the scene of the incident and conduct an investigation when an impact weapon has been used on a subject.

Diagram 1



BATON CHART

Escalation Of Trauma By Vital And Vulnerable Striking Areas



S T R I K I N G

GREEN TARGET AREAS	YELLOW TARGET AREAS	RED TARGET AREAS
<p>REASONING: Minimal level of resultant trauma. Injury tends to be temporary rather than long-lasting, however exceptions can occur.</p> <p>Except for the HEAD, NECK, and SPINE, the whole body is a Green Target Area for the application of baton blocking and restraint skills.</p>	<p>REASONING: Moderate to serious level of resultant trauma. Injury tends to be more long-lasting, but may also be temporary.</p>	<p>REASONING: Highest level of resultant trauma. Injury tends to range from serious to long-lasting rather than temporary and may include unconsciousness, serious bodily injury, shock or death.</p>