
NUMBER: 5.03

EFFECTIVE DATE: FEBRUARY 1992
REVISION DATE: July 2021

SUBJECT: Response to Resistance Documentation

5.03.01 POLICY

The Wheat Ridge Police Department recognizes that officers are frequently confronted with situations where the response to force may be required to maintain public safety, affect arrests, overcome physical resistance or neutralize assaults. Department members who utilize force have the responsibility to factually document the occurrence pursuant to the procedures contained within this policy.

Colorado State Statutes require police officers to report witnessed acts of excessive force to their immediate supervisor. Wheat Ridge police officers will take reasonable actions necessary to stop other officers from using excessive force.

5.03.02 DEFINITIONS

- A. EXCESSIVE FORCE - Physical force which exceeds the degree of physical force permitted pursuant to Section 18-1-707, Colorado Revised Statutes. The use of excessive force shall be presumed when a peace officer continues to apply physical force in excess of the force permitted by Colorado Revised Statute 18-1-707 to a person who has been rendered incapable of resisting arrest.
- B. INJURY – An injury that goes beyond transitory pain or minor marks on the skin. An injury may or may not be visible.
- C. SERIOUS INJURY- An injury that poses a substantial risk of death, permanent disfigurement, protracted impairment of the function of any part of the body to include bone fractures and second or third degree burns.

5.03.03 RESPONSIBILITY OF OFFICER USING FORCE

- A. When a sworn member from another jurisdiction uses force in the City of Wheat Ridge, it shall be the responsibility of that officer to report and document the response to resistance to his/her department.
- B. Any officer observing the response to resistance shall document their observations in the assigned case report. The supervisor approving the case report shall forward the report through their chain of command to the Chief of Police and PSU.
- C. The PSU Sergeant shall forward a copy of the report to the appropriate agency for their review
- D. Officers are required to notify the on-duty supervisor when using an option of force greater than control and compliance. This notification shall occur as soon as practicable after the force was used; and prior to the end of their tour of duty.
- E. A Response to Resistance form shall be required under the following circumstances:

1. Members take an action that results in, or is alleged to have resulted in, injury or death of an officer or any person.
 2. Members have used an option of force greater than control and compliance.
 3. Members have applied force through the use of a lethal or less lethal weapon.
 4. A member discharges a firearm, other than for training or recreational purposes.
 5. When a member puts down or destroys an animal.
- F. The Response to Resistance form shall be completed in a manner to clarify details of the force used and the circumstances leading to the response to resistance.
1. All documentation shall be submitted to the on-duty supervisor.
 2. The response to resistance documentation may also be utilized at the officer's discretion in situations where there was not direct force; however, the verbal commands or other actions may be clarified through additional documentation.
 3. Officers shall fill out response to resistance documentation in other situations when requested by a supervisor.
- G. Any officer receiving an allegation that they used excessive force on a citizen shall immediately notify the on-duty supervisor and request the supervisor to respond to their location.
- H. Any officer using an option of force greater than control and compliance shall appropriately check for indications that the subject requires medical attention and provide that attention if necessary.
1. When there are indications that a citizen may be injured as a result of police force or incidents occurring while in police custody, the citizen shall be appropriately checked by medical personnel.
 2. Indications may include visible injuries or statements made by the citizen.
 3. See Policy 5.04 for specifics regarding officer involved shootings.

5.03.03 RESPONSIBILITY OF OTHER OFFICERS OBSERVING RESPONSE TO RESISTANCE

- A. Any member who observes a response to resistance situation that requires documentation as prescribed by this policy shall complete a written report.
- B. All officers observing another officer using an excessive or questionable degree of force shall take the appropriate steps at intervention. Officers shall notify the on-duty supervisor as soon as practicable.

5.03.04 SUPERVISORY RESPONSIBILITY

- A. The supervisor of the member using force greater than control and compliance shall ascertain the circumstances that led to the option of force that was used.
- B. The supervisor shall ensure that the potential for injury and the decisions on medical attention were made appropriately based on this option of force and indications of injury.
- C. The supervisor shall conduct the initial investigation of the response to resistance.
 - 1. In the event of force resulting in serious injury or death, the on-duty supervisor shall notify their chain of command for additional assistance.
- D. The supervisor shall ensure appropriate documentation is completed and submitted, which may include photographs.
- E. If the on-duty supervisor is below the rank of sergeant, the documentation shall be forwarded to the next supervisory level for review prior to submitting to the officer's chain of command.
- F. The member's immediate supervisor shall forward the documentation, along with written recommendations, to the member's chain of command for review.
- G. The involved member's chain of command shall review the response to resistance documentation and provide written comments as to the appropriateness of the response to resistance deployed. Completed response to resistance reports shall be forwarded to the Professional Standards Unit, along with a referenced RMS case number.
- H. The Chief of Police shall review all documented response to resistance situations and provide written comments as to the appropriateness of the force utilized.

5.03.05 RESPONSIBILITY OF PROFESSIONAL STANDARDS UNIT

- A. The Professional Standards Unit shall be responsible for record keeping and filing of response to resistance documentation.
- B. The Professional Standards Unit shall provide quarterly written reports, including information from response to resistance documentation, to the Chief of Police.
- C. The Professional Standards Unit shall review response to resistance documentation for recognition of trends and report such information to the Chief of Police.
- D. The Professional Standards Unit shall prepare a documented annual analysis on response to resistance reports
- E. The Professional Standards Unit may be directed by the Chief of Police to further investigate response to resistance complaints.

5.03.06 RULES

- A. Any employee, whose action(s) or response to resistance in an official capacity results in death or serious physical injury to any person, shall be placed on administrative leave pending an administrative review.