

RESPONSE TO RESISTANCE – SPECIAL CONSIDERATIONS

POLICY:

It is the policy of the Omaha Police Department (OPD) that officers will be cognizant of the possibility of injury or death to a subject after a Use of Force interaction and shall take reasonable and necessary steps to make certain of the care and safety of subjects under their direct control.

DEFINITIONS:

Excited Delirium Syndrome: A state of extreme mental and physiological excitement characterized by extreme agitation, hyperthermia, hostility, and exceptional strength and endurance without apparent fatigue.

Sudden Arrest Related Death: Any subject's death within 24 hours of law enforcement interaction where force or restraint was employed on the subject in attempts to capture, control, and/or restrain the subject.

PROCEDURE:

I. Subject Transportation

- A. Officers transport subjects for a variety of reasons and in a variety of situations. All subject transportations will conform to OPD policies and procedures.
- B. Handcuffing will be done in accordance with specific procedures for the transportation of arrestees and mentally ill subjects.
- C. Officers may restrain the legs (hobble) of combative subjects with appropriate leg restraints.
 1. Officers shall receive defensive tactics training in proper leg restraint procedures before hobbling prisoners.
 2. Hobbles may be flexible handcuffs, commercial leg restraint devices, or lengths of approximately a half-inch diameter cotton or nylon rope with a fixed loop on one end.
 3. Hobbles or flexible handcuffs shall not be used to secure a subject's legs to fixed objects inside a vehicle, as this could result in serious injury in the event of an accident. Leg restraining devices shall not be affixed to the subject's handcuffs, nor shall subjects be transported face down with their hands behind their back and their legs tied to handcuffs (commonly called "hog tying").
 4. When an officer uses leg restraints, the trailing end of the restraint will be anchored (pinched) out the passenger door of the vehicle so as to not catch on anything while the vehicle is in motion.
 5. Detained subjects shall not be left unattended or unobserved. Officers are responsible for the care of subjects in their custody.

II. Sudden Arrest Related Death

- A. The following factors heighten the possibility of Sudden Arrest Related Death:
 1. Blows to the abdomen.
 2. Significant struggle involving multiple officers (violent resistance).

3. Restriction on the breathing of a subject due to the physical position of the subject's body.
 4. Excited Delirium Syndrome.
 5. Use of pepper mace or other chemical agent.
 6. Apparent respiratory distress.
 7. Drugs or alcohol or both.
- B. Upon request, the Omaha Fire Department will transport subjects considered at-risk for Sudden Arrest Related Death.
1. An OPD officers shall accompany the subject in the squad to make certain of the safety of paramedics and the subject and to prevent an escape attempt. Officers will consult with paramedics to make certain squad personnel are comfortable with the security of the situation.
 2. Officers who made the initial arrest shall NOT assist in the transportation, if possible. This allows officers time to recover and complete reports.
 3. After treatment at the hospital, most subjects calm down sufficiently to be transported from the hospital by OPD officers in a cruiser. However, if circumstances exist, officers may request the individual be transported by OFD squad to the Douglas County Department of Corrections (DCDC) for booking.

III. When a Subject Loses Consciousness

- A. Immediate medical attention shall be provided to any subject who loses consciousness following the use of any degree of force (i.e., use of the Carotid Restraint Control Hold (CRCH) techniques, etc.).
- B. In cases where the application of force causes unconsciousness, the subject shall be transported to a hospital emergency room and offered medical treatment.
1. This provides additional, independent evidence that the subject was cared for properly and helps officers assess the individual's well-being with the advice of competent medical personnel.
 2. The Medical Director for the Omaha Fire Department has advised that paramedics cannot offer such an opinion based upon examinations in the field.
 3. Officers shall inform medical personnel who receive custody of the subject whether the subject was subjected to the CRCH and if the subject lost consciousness as the result of the use of the technique(s). (See the "Response to Resistance – Special Techniques and Less-Lethal Weapons policy).
- NOTE:** Subjects may refuse treatment by medical personnel. Officers shall document the refusal in their reports.
- C. Transportation may be by police vehicle or rescue squad.

IV. Douglas County Department of Corrections (DCDC) Facility

- A. Arresting officers shall notify DCDC staff of any prisoner coming into detention who:

1. Has been rendered unconscious during arrest.
2. Received medical treatment prior to being transported to detention.
3. Had the CRCH applied (whether or not they lost consciousness).
 - a. If the CRCH technique was utilized and the subject lost consciousness, the subject shall receive full medical clearance from qualified medical personnel prior to being booked into DCDC.
4. Is subject to factors that heighten the possibility of Sudden Arrest Related Death.

REFERENCES:

I. Previous OPD Orders

- A. Previous OPD General Orders include the following: #12-13, 14-14, 54-15, 17-16, 115-16, and 39-18.

II. CALEA Accreditation Standards

- A. Relevant CALEA Accreditation standards include the following: 1.3.5 and 70.2.1.