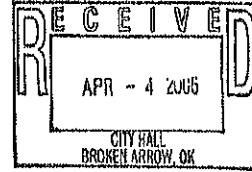


Firefighter Specialist



- ✓ NIMS/ICS
- ✓ Firefighter I
- ✓ Firefighter II
- ✓ Hazardous Materials Operation
- ✓ Choice of Swift Water Rescue, Building Collapse, or another approved discipline
- ✓ Agricultural Rescue (Vehicle & Machinery) Vehicle Extrication - Basic 6/26/2017
- ✓ Instructor I
- ✓ Confined Space Rescue
- ✓ Trench Rescue
- ✓ Ropes I
- ✓ Ropes II Rope Technician Certification - 6/26/2017
- ✓ Ropes III
- Flammable Liquids & Gases - 8/11/2017

* Both parties agree that participation is voluntary and overtime will not be paid.

* Classes not taught in Broken Arrow will be approved for *voluntary* attendance. Overtime, mileage, meals, etc. will not be paid. Class fees will be paid by the department; however, prior approval from the Fire Chief is necessary. Individuals must successfully complete and pass all class(es). Department will pay for one class, if class has to be re-taken it is individuals responsibility.

* Time off is permitted if the class will not be taught in Broken Arrow. If the class is held in Broken Arrow yet the *choice* is to attend an out-of-town class, personal arrangements must be made to cover the employee's shift, class fee, and any other expenses.

* This list may be adjusted depending on needs of the department.

* Members will not be penalized on the callback list if attendance at one of the classes on this list interferes with callback.

David Meeks for the Union 4-3-06
Date

Dennis McIntire 4-3-06
Dennis McIntire, Fire Chief Date

Colby Hicks for the Union 4-3-06
Date

Jay Gould 4-3-06
Jay Gould, Asst. Fire Chief Date

James M. Turner 4-4-06
Approved by City Manager Date

Members who attended FF Specialist incentive pay utilizing the classes required prior to June 26, 2017 will continue to receive the stipend.
J.H.M. 6-26-2017

7-26-17

J.C.
07/24/17

Memorandum of Understanding

Between City of Broken Arrow
&
IAFF Local 2551

07-10-02

Whereas there exists current contract language in article XXVII Section 2. that prohibits either Paramedic or Intermediate EMTs from driving fire equipment in the absence of the Driver and restricts this driving function to only 301 pay grade employees and;

Whereas there exists a current policy attempting to ensure that one Paramedic will be staffed on each engine whenever two Paramedics are on-duty at each station and;

Whereas the aforementioned arrangement has over the course of time, severely limited the Assistant Chief and corresponding Company Officers with their ability to manage their human resources and make the most efficient use of resources, while preventing all members from receiving the cross training and development needed to become and remain well-rounded in all the disciplines required of a Broken Arrow Fire Fighter and;

Whereas there exists no contractual language requiring advanced relief driver certification to ensure competency in driving, pumping, and operating fire apparatus prior to a candidate taking a promotional exam for the rank of Driver and;

Whereas both parties see the need to empower the Assistant Chiefs and Company Officers with the ability to manage their shifts and companies to provide for the most efficient use of resources and ensure all members are operating at peak performance in all fire related disciplines and;

Whereas both parties recognize the need to provide development opportunities and preparation to all members prior to taking a promotional exam;

Therefore, be it resolved that the parties negate the current language in Article XXVII Section 2. that allows only the 301 employees to drive in the absence of the Driver, and allow the Captain and or Assistant Chief the ability to utilize Relief Driver Certified Paramedic and Intermediate EMTs to act in this capacity at their discretion;

Be it further resolved that the Captain and or Assistant Chief be empowered to distribute EMS, Engine & Ladder duties among their assigned firefighters, in a manner that is equitable and ensures that all members are allowed to be rotated within their assigned station to optimize their performance in all fire related disciplines, provided that these assignments do not create any circumstances that cause a Captain or Driver to work in a position below their assigned rank;

1
RELIEF DRIVER

(PARAM-INTER)

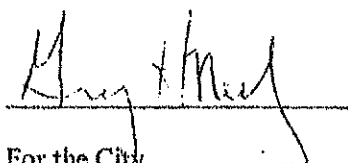
(QUALIFY TO TEST AT)

Be it further resolved that this new practice does not preclude management from reassigning or temporarily transferring personnel from station to station as staffing shortages dictate and;

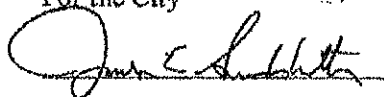
Be it further resolved that on future promotional examinations for the rank of Driver, there be included the stipulation that desirous members taking these promotional exams, will have successfully completed the Department's Relief Driver Examination in advance of a written and oral examination, and that the Department's Relief Driver Examination will serve as a gatekeeper to qualify desirous members for the remaining written and oral examinations.

Be it further resolved that this MOU is being implemented with the expressed intent to craft future language with more specific details within the Department's Standard Operating Guidelines concerning promotional exams and eligibility. Parties agree to meet and confer at a future mutually agreeable dates and times to pursue the completion of a revised SOG Manual.

Be it further resolved that this MOU is being implemented with the expressed intent to change the current contract language to reflect the aforementioned changes. This change shall be reflected in the fiscal year 2002/2003 contract. This agreement in no way compromises either party's position on other contractual issue that may be before either party at any future date.



For the City



For the Union

7-11-02

Date

7-11-02

Date

Article XXVII, Section 2. sentence # 4 to state, " Any bargaining unit member that possesses relief driver certification may serve as Apparatus Driver in the absence of the regular assigned driver."



OPERATIONS 100	Page 4 of 4	Effective Date 12.24.20
Subject: Response to Resistance		
Approved By: Chief Brandon Berryhill	Supersedes OPS 100	Previous Date 08.01.17
OACP Standard/s: OPS.01.01, OPS.01.02, OPS.09.01, OPS.09.06 CALEA: 1.3.1, 1.3.4- 1.3.8, 1.3.13		

POLICY:

The Broken Arrow Police Department recognizes that the response to resistance by law enforcement requires constant evaluation. The purpose of this policy is to provide officers with guidelines on the reasonable use of force or response to resistance. While there is no way to specify the exact amount or type of reasonable force to be applied in any situation, each officer is expected to use these guidelines to make such decisions in a professional, impartial and reasonable manner.

It shall be the policy of the Broken Arrow Police Department for all employees to utilize the minimum amount of force necessary in the control and apprehension of all persons. Utilization of force must be objectively reasonable under Graham v. Conner standards.

- A. Officers must consider what is objectively reasonable given the totality of the circumstances confronting them.
- B. The criteria for determining "reasonable and necessary" as exhibited in Graham v. Conner are:
 - 1. The severity of the crime;
 - 2. Whether the suspect poses an immediate threat to the safety of the officers or others; and whether the suspect is actively resisting arrest or attempting to evade arrest by flight.

Given that no policy can realistically predict every possible situation an officer might encounter, Officers are entrusted to use well-reasoned discretion in determining the appropriate response to resistance in each incident.

For situations that do not pose an immediate threat, officers are entrusted and encouraged to slow down the situation, take advantage of distance, cover, and tactical repositioning, and use de-escalation techniques to achieve a lawful objective whenever possible. Supervisory assistance should be requested as applicable.

With the understanding that an officer can never know the actual nature of a threat or actual intent of another, the ultimate objective of every law enforcement encounter is to avoid or minimize injury. Nothing in this policy requires an officer to retreat or be exposed to possible physical injury before applying reasonable force.

DEFINITIONS:

Force:

Physical control techniques or methods applied in response to resistance, in an effort to compel an individual to comply with directives. Some examples of "force" as used in this policy: the use of o.c. spray, less-lethal weapons, K9 bite, and the authorized baton.

DE-ESCALATION:

Taking action or communicating verbally or non-verbally during a potential force encounter in an attempt to stabilize the situation and reduce the immediacy of the threat so that more time, options, and resources can be called upon to resolve the situation without the use of force or with a reduction in the force necessary. De-escalation may include the use of such techniques as command presence, advisements, warnings, verbal persuasion, and tactical repositioning

PROCEDURE:

A. Officer's Responsibilities:

If physical force is used and there is any indication of injury to a person in custody the officer must immediately evaluate the need for medical attention and treatment for the individual.

1. Arrange for treatment (and transportation if needed) of the person injured or complaining of injury.
2. Immediately notify his/her supervisor of the incident.

B. Blue Team Reporting Procedures:

A Blue Team entry shall be required to be completed by the officer who uses force or his/her immediate supervisor. The report should be completed by the end of shift of occurrence unless there are extenuating circumstances and approved by supervisor. If the supervisor is involved in the application of force then the supervisory review shall be completed by an uninvolved supervisor. The entry shall be completed in the following situations:

1. When a firearm is discharged as an application of direct or indirect force.
2. When a suspect is injured or claims injury.
3. When an officer strikes a suspect with an impact weapon.
4. An encounter involving a K-9 bite.
5. When an officer uses Oleoresin Capsicum (O.C.) spray.
6. The discharge of any less lethal weapon (i.e. Pepper ball, CEW).
7. When an officer utilizes any open handed/compliance techniques, strikes or takedowns that result in injury or complaint of injury.
8. When officer feels, for any reason, that a report may be beneficial at a later date.
9. When an officer's actions result in death of another person.

A Blue Team report is not necessary when an application of force does not meet the guidelines listed in this policy.

The Blue Team report should:

1. Articulate the reason for contact and establish that the contact was lawful.
2. Articulate the reason physical control was necessary.
3. Describe the type of control techniques utilized and amount.

Backing officers may supplement the original Blue Team report by completing a memorandum and attaching it to the original entry.

C. Supervisory Review:

1. Review original report in Blue Team to determine if actions were within BAPD procedures and policy guidelines.

2. Indicate findings, make recommendations and sign off on report. Forward up the chain of command.

D. Chief's Office Review:

1. Review Blue Team entry and determine findings.

E. Office of Professional Standards:

1. Check Blue Team entry for quality control and completeness.
2. Assign appropriate database number sequence in IA Pro.
3. Evaluate actions and if finding is "out of policy" or there is a policy concern, prepare notification to officer and chain of command for recommendations of training, policy changes and /or discipline if warranted.
4. If found to be "in policy" close file in IA Pro.

F. Supervisory Responsibilities:

1. In the event the officer or the person taken into custody has suffered injury, it shall be the responsibility of the immediate supervisor to respond to the location as soon as practical. In the event the employee's supervisor is not available (or is directly involved) another on duty supervisor will be dispatched to the specified location. The immediate supervisor shall follow up that all involved parties receive appropriate medical care and ensure that all necessary reports are completed. Supervisor shall note their own observations on the Blue Team review.
2. In the event the involved officer(s) is unable to complete the necessary reports due to injury; the supervisor will prepare or cause to be prepared his or her own report of the incident.
3. The supervisor will ensure that photographs are taken of injuries to the officer and/or the arrestee. Based on the circumstances, the supervisor may choose to document the absence of injuries with photographs as well.
4. Supervisors will ensure individuals who need to be maximally restrained or mental patients who are acutely aggressive, be transported by two officers. In circumstances where any suspect has been involved in an altercation with the officer they will arrange transportation to the jail by an un-involved employee.
5. Supervisors shall ensure prompt notification of the Chief of Police any time an officer is injured and requires medical treatment or any time a suspect receives medical treatment at a hospital emergency room for any obvious injury received as a result of control methods by a police officer or jailer. This does not include complaints of injury regarding minor over tightening of handcuffs, wrist locks, arm bars, or other tactical holds to gain compliance unless the use of such holds results in serious injury requiring immediate medical attention. Reports are to be submitted to the Chief's office according to policy.

REGULATIONS:

A. Any officer present and observing another officer using force that is clearly beyond that which is objectively reasonable under the circumstances shall, when in a position to do so, intercede to prevent the use of unreasonable force. An officer who observes another employee use force that exceeds the degree of force permitted by law should promptly report these observations to a supervisor.

B. Any officer/employee who fails to report the use of force or who knowingly makes a false statement in any Blue Team entry may be subject to discipline and/or held to be criminally liable.

C. NECK RESTRAINT, STRANGLE AND CHOKE HOLDS

Choke, strangle or similar holds which restrict the flow of blood to the brain or the person's ability to breathe are prohibited except where the officer reasonably believes there is an imminent threat of death or serious physical injury to him/herself or a third party and this action is the only reasonable means at the time to stop the threat.



OPERATIONS 101	Page 1 of 5	Effective Date 02.13.19
Subject: Deadly Force		
Approved By: Chief Brandon Berryhill	Supersedes OPS 101	Previous Date 02.13.17
OACP: OPS.01.01, 01.05, 01.06, 02.05, 02.06, 07.01, 11.04, 18.01, 18.05, PER.02.02, 02.06 CALEA: 1.2.2, 1.3.1, 1.3.2, 1.3.3, 1.3.5, 1.3.6, 1.3.7, 1.3.8, 1.3.13, 11.4.5, 22.2.1, 22.2.3, 22.2.4, 22.2.6, 42.2.1, 52.2.3, 52.2.7, 82.2.1, 83.1.1		

POLICY:

The Broken Arrow Police Department (BAPD) recognizes the value of all life and is committed to respecting human rights and the dignity of every individual. When deciding to use deadly force, employees shall act within the boundaries of law, ethics, good judgment and all accepted BAPD policies, practices, and training.

Employees shall only use that degree of force which is reasonable and necessary under the circumstances presented. An employee may use deadly force within the guidelines of this policy when all reasonable alternatives appear impracticable and the employee believes the use of deadly force is a necessary last resort. A verbal warning shall be given when feasible.

The safety of uninvolved citizens must always be weighed prior to any application of deadly force.

Deadly force is authorized by Oklahoma State Statute 21 § 732 under the following circumstances:

- A. In effecting an arrest or preventing an escape from custody following arrest and the officer reasonably believes both that:
 - a. Such force is necessary to prevent the arrest from being defeated by resistance or escape, and
 - b. There is probable cause to believe that the person to be arrested has committed a crime involving the infliction or threatened infliction of serious bodily harm, or the person to be arrested is attempting to escape by use of deadly weapon, or otherwise indicates that he will endanger human life or inflict great bodily harm unless arrested without delay.
- B. The officer is in the performance of their legal duty or the execution of legal process and reasonably believes the response to resistance is necessary to protect their self or others from the infliction of serious bodily harm.

Warning shots and shooting from a moving vehicle is expressly prohibited.

DEFINITIONS:

Accidental Discharge –Anytime a weapon is discharged without intent, regardless of cause.

Deadly Force -Any application of force, which is likely to cause death or serious bodily injury.

Serious Bodily Injury – Involves a substantial risk of death, permanent disfigurement, or substantial risk of protracted loss or impairment of the function of any part or organ of the body.

PROCEDURE:

A. Employee's Responsibilities:

Employees who intentionally discharge a firearm (other than for training or the mercy killing of an animal) shall complete the following:

1. Employees who use deadly force shall notify a supervisor of the incident as soon as possible.
2. If injured, provide first aid to yourself, others and then to suspects as needed and as quickly as circumstances allow, pending the arrival of emergency medical assistance.
3. Relay all pertinent information to dispatch and other field units.
4. Secure the scene and separate suspect(s) and witnesses.

B. Supervisor's Responsibilities:

1. Ensure the scene is safe and determine the condition of the employee, suspect(s), and third parties. Provide medical aid if necessary.
2. Request additional officers as needed.
3. Initiate Chain of Command notification and other appropriate personnel. (CID, CSI, PIO, etc.)
4. The employee(s) who were involved in the deadly force situation should be medically checked by EMS regardless of injury. If the involved employee has to be transported to the hospital, a supervisor, when possible, shall accompany the employee until they have been released.
5. If a person is injured as a result of the officers use of deadly force and is transported to a hospital, an officer shall accompany that person in order to:
 - a. Locate, preserve, safeguard, and maintain the chain of custody of physical evidence;
 - b. Document a dying declaration, spontaneous utterance, or any other statement made by the injured person;
 - c. Maintain custody of that person if that individual has been arrested;
 - d. Identify relevant people, including EMS and medical personnel, and obtain from them information that is relevant to the investigation;
6. The scene must be secured as soon as possible and a sufficient perimeter established to safeguard evidence.
7. Assist in helping locate, identify and separate any suspects, victims and witnesses. If anyone must leave, a photograph should be taken of them, documenting the date and time, along with their personal contact information.
8. Make sure a crime scene log has been initiated. If an employee's name is on this log, they shall turn in a supplement report dictating their involvement with the incident, no matter how minimal.
9. A supervisor shall attempt to obtain a brief synopsis of the incident from the involved employee(s). The general questions that should be asked consist of:
 - a. What action by the suspect prompted the employee to use deadly force;
 - b. What direction and number of shots were fired;
 - c. Description and location of possible suspect(s), victim(s), and witnesses;
 - d. Description and location of potential evidence.
10. The supervisor shall ensure the involved employee has the opportunity to contact their attorney, a union representative, and their family.
11. The involved employee will be allowed an opportunity to meet privately with their attorney and/or union representative prior to participating in a voluntary walk through of the crime scene. The purpose of the walk through is not to obtain a statement, but to identify key items of evidence and different areas of the scene that are of importance to the investigation. The employee, at any time, may consult with their attorney, who must stay outside the crime scene.

12. The employee should remain adjacent to the scene in order to assist supervisors and detectives but be removed from immediate scene to create a psychological break. However, circumstances may warrant the transport of the employee to headquarters or a hospital.
13. Once CID personnel arrive on scene, the patrol scene supervisor shall brief and provide a thorough overview of all known facts surrounding the case.
14. If an involved employee is seriously injured the supervisor shall ensure timely notification of the officer's family and make arrangements to safely transport them to the hospital.
15. The Supervisor or their designee shall complete a Blue Team entry for the response to resistance. (This may be completed at a later date upon agreement with the Chain of Command.)

C. Post Incident:

1. A supervisor will ensure that those involved in the incident are allowed to contact family members as soon as practical.
2. The applicable Division Commander will contact all involved employees within 24 hours after the incident and explain the Employee Assistance Program (EAP) which is available to all employees.
3. Employee(s) directly involved in a deadly force situation that results in the death and/or serious injury of another person shall be debriefed by a mental health professional that is trained to work with law enforcement personnel, prior to their return to work.
4. Other involved department personnel will be afforded the opportunity to be debriefed by a mental health professional.
5. Any officer who exercises deadly force shall be placed on paid Administrative Leave. Other involved personnel may also be placed on paid administrative leave, depending on the individual circumstances.
6. The employee may request an alternative duty assignment within the department at the discretion of the Chief of Police.
7. The Chief of Police or their designee will keep the involved employee(s) updated on the status of any pending investigation.

D. CID Responsibilities:

1. Refer to the Department's Detective Manual which addresses violent crime scenes.
2. The responding CID Supervisor will be responsible for ensuring all reports are completed.
3. A supplemental report will be completed before the end of the shift by all responding employees, unless otherwise approved by chain of command. The employee(s) involved in the deadly force incident and those units (i.e. CID, Technical Investigators, Internal Affairs) whose reports require further investigation or follow-up may turn in at a later time as approved by CID Supervisor. All reports will be

reviewed and signed by a CID supervisor who was present and involved in the investigation.

4. CID will prepare their investigative report, for the Chief of Police following each deadly force incident investigated. CID shall submit every instance of Deadly Force to the appropriate District Attorney's office for their review.

E. Communication's Responsibilities:

1. When an employee uses deadly force against a suspect, regardless of the extent of injury, dispatch will dispatch the following department personnel to the scene:
 - a. EMS/Fire personnel;
 - b. On-duty supervisor;

REGULATIONS

A. Vehicular Assault:

The decision to utilize deadly force against the driver of a vehicle must be carefully weighed against the risk of having uninvolved passengers in the vehicle (i.e. children), bystanders or other officers. It is an exceptional circumstance that would allow for this action and generally includes, but is not limited to:

1. An officer is injured and unable to move out of the path of the vehicle;
2. An officer is trapped and unable to move out of the path of the vehicle;
3. The driver repeatedly attempts to run over the officer or another person, and there is no safe area available to get away from the vehicle; or
4. An occupant of the vehicle is shooting at an officer.

INTENTIONAL DISCHARGE OF FIREARM (ANIMALS):

It is the policy of the Broken Arrow Police Department that officers may use deadly force to stop a vicious animal that represents a threat to a person or persons when it is apparent that no other action will effectively stop the threat. Officers may find it necessary to use deadly force to humanely end the suffering of an animal that is so severely injured it appears it will not likely recover.

- A. In both instances officers are to notify the on duty supervisor immediately. If it is a mercy killing notification should be made prior to action if possible.
- B. If animal is domesticated, every attempt shall be made to contact the owner.
- C. With all uses of force it is the employee's responsibility to ensure the act can be performed safely taking into account their surroundings. (Calling out animal control may be an appropriate alternative)
- D. Make arrangements to have the carcass removed.
- E. Complete Blue Team entry for the firearm discharge.
- F. Complete applicable reports only when another crime has occurred. (i.e. animal bite, animal at large, harboring vicious animal, DPP, injury to any person, or collision, etc.)

ACCIDENTAL DISCHARGE OF FIREARMS:

It is the policy of the Broken Arrow Police Department that all accidental discharge of firearms shall be reported via a Blue Team Entry under "Firearm Discharge."

A. Employee Responsibilities:

1. Immediately ensure the scene is safe.
2. Provide first aid if necessary to any injured persons.
3. Immediately notify a supervisor.

B. Supervisor Responsibilities:

1. Provide any additional personnel if necessary to ensure scene safety.
2. Appoint officer to collect evidence and collect information for injured persons or damaged property for report, if any.
3. Notify Chain of Command, CID, CSI, etc. as necessary.
4. If any injuries or property damage occurs a Blue Team entry and a report must be filed.
5. If no injury or property damage occurs, a Blue Team entry for Firearm Discharge is sufficient.

C. Office of Professional Standards Responsibilities:

1. If an accidental firearm discharge results in no injuries or property damage, then report will be forwarded through Chain of Command.
2. If an accidental firearm discharge does result in property damage or injury, then OPS will conduct the investigation and forward findings to Chief of Police.



OPERATIONS 102	Page 1 of 2	Effective Date 07.22.13
Subject: Aerosol Defensive Tools		
Approved By: Chief Brandon Berryhill	Supersedes OPS 102	Previous Date 11.19.12
OACP Standard/s: OPS.01.02, OPS.01.05 CALEA Standards: 1.3.4-1.3.7, 1.3.9a, 1.3.10		

The purpose of this policy is to establish guidelines for the use of oleoresin capsicum (O.C.) aerosol spray.

It is the policy of the Broken Arrow Police Department that O.C. based aerosol spray products (commonly referred to as pepper spray) will be authorized for use by departmental members when warranted. This substance is intended to provide additional control options for gaining compliance of resistant or aggressive individuals in arrest and other enforcement situations. Using this substance may greatly reduce the need for other types of physical control techniques by the officers which might result in serious or potentially deadly injury to the offender, officer, or others present. Administration of OC spray is considered an application of force and shall be employed in a manner consistent with this Department's Response to Resistance policy.

PROCEDURE:

A. Use:

1. The use of O.C. spray is intended to prevent injury to the subject involved, the officer and others present. The governing factor in the use of the aerosol is whether its use is reasonable and necessary.
2. Whenever practical and reasonable, Officers should issue a verbal warning prior to using OC against an individual.
3. The use of O.C. Aerosol spray may prevent the escalation of control techniques required and may be used under the following circumstances:
 - a. Where an officer is threatened with physical force and other means of controlling the offender are unreasonable or could cause injury to the offender, the officer, or others present.
 - b. When verbal commands have failed and an offender is actively or aggressively resistant.
 - c. When the officer, offender or other person(s) would be endangered by the use of other physical control techniques.
 - d. Use of OC should be avoided, if possible, under conditions where it may affect innocent bystanders.

B. Follow up:

1. The effects of OC vary among individuals. Therefore, all suspects shall be handcuffed as soon as possible after being sprayed. Officers should also be prepared to employ other means to control the suspect if they do not respond sufficiently to the spray and cannot otherwise be subdued.
2. As soon as practical, after an offender has been controlled by the use of O.C. spray, the officer will:
 - a. Be alert and monitor subject for any indications that the individual needs medical care. (Breathing difficulty, gagging, profuse sweating and loss of consciousness, any other medical problems or if suspect requests medical assistance.)
 - b. Flush the offender's face and other affected areas with water if the offender cooperates. Offender will NOT be forcibly decontaminated.
 - c. Expose the offender to fresh air if cooperative.
 - d. If necessary, have EMS respond to offer first aid.
 - e. If necessary, transport to medical facility for treatment.
 - f. Book the offender into jail or take other appropriate action. (Officers must notify Jail Staff that the suspect has been sprayed with OC Spray)
3. With the exception of training and testing, all intentional uses of O.C. Spray are required to be documented with an entry to Blue Team and will include:
 - a. All circumstances surrounding the use of aerosol.
 - b. Effects on the offender that were caused by the O.C. spray.
 - c. Name, address, D.O.B., and arrest information for the offender.
 - d. First aid measures given to or offered to the offender to neutralize or alleviate the effects of the product.
4. All accidental uses of O.C. spray are required to be reported in an inter-office memorandum to the officer's immediate supervisor.

REGULATIONS:

- A. Officers must maintain departmental issued OC in operational and charged state. Officers must keep OC properly stored. Any expired, inoperable, damaged, or empty devices must be reported to the officer's supervisor for replacement.
- B. Only the brand of O.C. aerosol spray, which has been approved by the Chief of Police, is authorized for use by Officers.
- C. Any use of an O.C. based product contrary to the direction of this policy may subject the officer to disciplinary action.



OPERATIONS 103A	Page 1 of 4	Effective Date 09.04.15
Subject: Less Lethal – CEW		
Approved By: Chief Brandon Berryhill	Supersedes Ops 103A	Previous Date 07.22.13
OACP: OPS.01.02, OPS.01.05 CALEA: 1.3.1, 1.3.4-1.3.7, 1.3.9a, 1.3.9c, 1.3.9d, 1.3.10, 1.3.11		

Officers will use only that force which is objectively reasonable and necessary. The department has adopted a less-lethal force philosophy to assist with the de-escalation of a potentially violent confrontation. Conducted Electrical Weapon (CEW)/Taser will be authorized for use for department personnel who have met all departmental training and certification requirements to carry a CEW. A CEW enhances an officer's ability to neutralize an aggressive, combative, armed and/or violent suspect/subject situation without the additional escalation of force. An officer may also use a CEW to neutralize an attack of a vicious animal. This decreases the chance of injury to officers, suspects, and others.

The CEW will not be deployed on a passively resistant subject unless the CEW can be used to prevent an individual from hurting themselves, or others. The use of a CEW is justified when the subject has displayed intent to actively resist the officer's attempt to control or arrest, and/or an officer's attempt at empty hand control would be ineffective or not reasonable under the circumstances, and when deadly force is not justified. The use of a CEW is intended to temporarily incapacitate an offender, not to cause permanent injury. Officer deploying a CEW should be aware of Excited Delirium and contributing factors that lead to Excited Delirium deaths.

Any use of the CEW contrary to the direction of this policy may result in revocation of the officer's right to use device and may subject the officer to disciplinary action.

DEFINITIONS:

Active Aggression:

A threat or overt act of an assault (through physical or verbal means), coupled with the present ability to carry out the threat or assault, which reasonably indicates an assault or injury to any person is imminent.

Active Resistance:

Any action taken by a suspect to resist arrest or facilitate escape without assault. (i.e. Non-compliance, pulling away, twisting or turning, resisting control, etc.)

Conducted Electrical Weapon:

The CEW influences the human body in two ways; In stun mode it impacts the sensory nervous system by causing pain or distracting sensations to the applied area. In probe mode the CEW can temporarily disrupts the central nervous system by causing Neuro Muscular Incapacitation (NMI). NMI affect both the sensory and motor nerves, by stimulating the motor nerves causing uncontrollable muscle contractions that inhibit the subjects ability to perform coordinated movement.

Drive Stun :

Deployment of a CEW without the probes.

Excited Delirium:

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

Exigent Circumstances:

Circumstances that cause a reasonable person to believe prompt action is necessary to prevent physical harm to officers or others.

Less-Lethal Force Philosophy:

A concept of planning and force application, which meets operational objectives, with less potential for causing death or serious physical injury than conventional police tactics.

Qualified Officer:

Are police personnel who have successfully completed departmental training and certification requirements in the use of the CEW.

Passive Resistance:

Physical actions that do not prevent the officer's attempt to control. (Example: a person who remains in a limp, prone position, or passive demonstrators, etc.)

PROCEDURES:

- A. The decision to use the CEW is based on the same criteria an officer uses when selecting to deploy any less-lethal force option. The decision must be made dependent on the actions of the subject, the threat (human or animal) facing the officer(s), and the totality of the circumstances surrounding the incident, including but not limited to, taking into consideration the subject(s) age, mental state, and the physical impact on the subject.
 1. Upon encountering a situation that may require the use of a CEW, if time permits, request a supervisor and a backing officer before deploying.
 2. Officers should give a verbal warning that a CEW will be deployed unless such notice would compromise officer safety.
 3. The "fleeing" of a subject should not be the sole justification for the use of a CEW. The severity of offense, threat to self, or threat to others should be considered before officer's use a CEW on a fleeing subject.
 4. Officers shall not simultaneously deploy CEWs on an individual. Each application of the CEW must be evaluated in the same manner the first application was applied. In the ideal set of circumstances, custody and control officer(s) will gain physical control of the suspect while still under the influence of the CEW. In exigent circumstances, less than ideal, additional applications may be appropriate if additional personnel are not present and approaching the suspect may cause a greater threat to the officer or other citizens. Officers must assess the effectiveness after an initial activation and determine if a second application is warranted or a different tactic should be employed.
 5. A CEW can be an ignition source and should not be deployed near flammable liquids, fumes or highly flammable environments such as methamphetamine labs.

6. Officers should also avoid using a CEW on individuals who are positioned on an elevated surface because they cannot control their fall (i.e., subjects who are standing on a ledge, balcony, bridge, or on the side of a hill).
7. A CEW shall not be used on handcuffed persons unless they are exhibiting active aggression, and/or to prevent individuals from harming themselves or others.
8. A CEW may cause temporary incapacitation, which can be dangerous for specific individuals or in specific situations. Therefore, it should not be used on the following individuals unless exigent circumstances exist:
 - a. Subjects who are in/near water
 - b. Obviously pregnant females
 - c. Young children
 - d. Elderly persons
 - e. Visibly frail persons
 - f. Persons with low body mass
9. Officers that deploy a CEW shall obtain photographs of the probe impact sites as well as any other related injuries.
10. Officers shall advise booking personnel when a subject has received a CEW application.
11. The CEW probe will be removed by EMS or other qualified medical personnel. Used cartridges and probes are considered biohazards and will be placed in a biohazard receptacle.
12. Officers will complete a Blue Team entry.
13. Officers shall ensure that the data record of their CEW is downloaded by designated staff as soon as possible after deployment, usually by the end of their shift. If the incident occurs outside of normal business hours, officers will ensure this download is conducted during the next business day.
14. Only properly functioning and charged CEWs shall be carried on duty. Any CEW which is not functioning properly, damaged, lost, stolen, or unsafe, will be immediately removed from service. This will be reported to the officer's supervisor and the CEW will be returned to the training unit or designated staff for repair or replacement.

TRAINING:

- A. Training in the use of the CEW will consist of an approved Department Training Program developed to prepare the qualified officer to deploy the CEW when necessary. Continuing education training on the CEW should occur on an annual basis.
- B. Only a certified Taser instructor will conduct training and basic user certification for the CEW which will include:
 1. Physical competency and device retention;
 2. Recent changes to the policy;
 3. Technology changes; and,
 4. Reviews of local and national trends in the use of an CEW

REGULATIONS:

- A. Officers shall only carry the department-issued CEW after successfully completing the approved training.
- B. All uniformed, patrol officers at the rank of Sergeant and below shall be required to carry a CEW while on duty.
- C. Any deployment of an CEW (drive stun or with probes), except during authorized training, shall be documented by making an entry to Blue Team; an CEW device's serial number will be included in the report with a copy of the print out from the CEW attached.
- D. CEWs shall not be used against suspects in physical control of any vehicle in motion, unless exigent circumstances exist.
- E. CEWs shall be maintained in a holster on an officer's weak (support) side to avoid accidental drawing and/or firing of an officer's sidearm.
- F. Officers shall request medical personnel evaluate and/or transport the subject to a medical facility after a successful CEW deployment.
- G. Subjects displaying symptoms of Excited Delirium will be transported to a hospital for observation and medical clearance.
- H. All persons who have been subjected to a CEW exposure should be monitored regularly while in police custody even if they received medical care.
- I. A CEW shall only be used in the manner established by department training and this policy.
- J. A CEW shall never be used as a means of punishment.
- K. Officers shall never point a CEW at another person unless intending to deploy it.
- L. Officers should avoid intentionally targeting the sensitive areas of the body such as the head, throat, breast, chest or area of the heart, genitals or known pre-existing injury areas. The preferred target areas are below the neck for back shots and the lower center mass (below the chest or heart area) for front shots.
- M. Officers shall not modify an CEW.

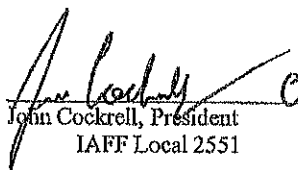
MEMORANDUM OF UNDERSTANDING

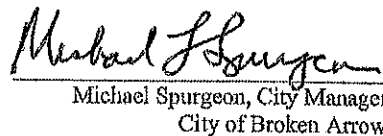
The City of Broken Arrow, Oklahoma ("City") and IAFF Local 2551 ("Local") enter into this Memorandum of Understanding ("MOU") to update the Administrative Operating Procedures (AOP) Chapter 3, Subject 1 (Uniforms) related to renaming of the Fire Investigator to Deputy Fire Marshal and a provision for an alternate back insignia for each Station/Division specific T-shirt design; and updating Chapter 3, Subject 11 (Radio Usage) related to renaming of the Fire Investigator to Deputy Fire Marshal.

The parties agree to the revised language as shown below:

1. The parties agree on the changes made in the attached, red-lined version of AOP Chapter 3, Subject 1 (Uniforms) and 11 (Radio Usage). These changes shall be effective immediately and incorporated into the AOP.

Agreed to on this 1st day of September 2021.

 09/16/21
John Cockrell, President
IAFF Local 2551

 09/28/2021
Michael Spurgeon, City Manager
City of Broken Arrow

Station 7 Design approved April 14, 2022



Station 2 Design approved March 27, 2023

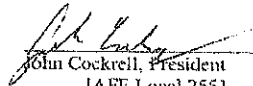


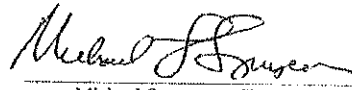
MEMORANDUM OF UNDERSTANDING

The City of Broken Arrow, Oklahoma ("City") and IAFF Local 2551 ("Local") enter into this Memorandum of Understanding ("MOU") to further define the promotional processes for the ranks of Captain and Lieutenant.

1. The City agrees implement the promotional process (outlined below) for Lieutenant and Captain promotional process only. All other promotional process shall continue to adhere to the terms and conditions of the Collective Bargaining Agreement (CBA) and the Administrative Operating Procedures (AOP).
2. The parties further agree on the Lieutenant and Captain promotional process as outlined below. The promotional process attached shall be followed by the parties until a successor CBA is negotiated between the parties.

Agreed to on this 10th day of November, 2021.


John Cockrell, President
IAFF Local 2551

 11/12/2021
Michael Spurgeon, City Manager
City of Broken Arrow

Methods of testing for Lieutenant and Captain

1. The reading lists for the Lieutenant and Captain written exams will be established and posted digitally in a location accessible to all members.
 - a. The content of the reading list shall be at the discretion of the Fire Chief or their designee.
 - b. The content of the reading list will be reviewed and updated by the Fire Chief at the outset of each fiscal year. No changes, with the exception of the leadership-style book, may be made within the 30 days prior to an applicable promotional posting.
 - c. The reading list shall consist of the following:
 - i. The current AOP at the time of posting.
 - ii. The current EOP at the time of posting.
 - iii. The current CBA at the time of posting.
 - iv. Broken Arrow Streets (Lieutenant only)
 - v. No more than two technical manuals.
 - vi. One leadership-style book chosen by the Fire Chief, to be announced at the time of posting.
2. The testing components for Lieutenant and Captain shall consist of:
 - a. A written exam worth 100 points. Candidates must pass the written exam with a score of 70% to continue to the assessment center.
 - b. A three-part assessment center worth 300 points. Candidates must pass the assessment center with an average score of 70%.
 - i. The administration shall strive to use assessors who are unfamiliar with the candidates.
 - c. The point value for the examination process (written exam and assessment center) will be 400 points.
 - d. Education and seniority points will be added to the examination process points to calculate the final scores only after the candidate successfully passes the written exam and assessment center with a minimum score of 70% for each.
 - e. An interview with the Fire Chief may be included. If an interview is to be conducted, it must be included in the promotional process posting.