

State of Utah  DEPARTMENT OF NATURAL RESOURCES  POLICIES AND PROCEDURES	REF. NR-99-C-18	PAGE 1 of 4
	EFFECTIVE DATE: 04-19-1999	
	REVISION DATE: 07-03-2012	
SUBJECT: Impact Weapons Policy		
Michael R. Styler, Executive Director		

## I. PURPOSE

To define the Department of Natural Resources policy concerning the use, training and care of impact weapons carried by department law enforcement officers.

## II. POLICY

It is the policy of the Department of Natural Resources that department law enforcement officers are authorized and may carry impact weapons as a law enforcement tool upon successful completion of the weapons basic training and certification requirement. The use of force with the impact weapon is an action, which may be exercised by its law enforcement officers in accordance with the following section 76-2-403, Utah Code Annotated:

Any person is justified in using any force, except deadly force, which he reasonably believes to be necessary to affect an arrest or to defend himself or another from bodily harm while making an arrest.

Law enforcement officers are entitled to use force in the performance of their legal duties. The use of force by law enforcement officers is governed by the general principal that the amount of force used by the officer must be reasonable and not excessive. Law enforcement officers must substantiate use of force as being reasonable and necessary.

## III. AUTHORIZED IMPACT WEAPON

The authorized impact weapon is the ASP tactical baton manufactured by Armament Systems and Procedures.

State of Utah  DEPARTMENT OF NATURAL RESOURCES  POLICIES AND PROCEDURES	REF. NR-99-C-18	PAGE 2 of 4
	EFFECTIVE DATE: 04-19-1999	
	REVISION DATE: 07-03-2012	
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ASP tactical batons issued by the department will be black in color with a 21" or 26" overall length. The ASP tactical baton will be the sole tactical baton authorized for use by officers of this department.

#### IV. ASP TACTIAL BATON REQUIREMENTS

- A. All Department of Natural Resources law enforcement officers may be certified in the use of the ASP.
- B. The ASP may be carried while on duty by all ASP trained and certified Department law enforcement officers.
- C. Department law enforcement officers who are not trained and certified in the use of the ASP shall not carry the ASP.

#### V. AVAILABILITY OF THE ASP TACTICAL BATON

All department law enforcement officers trained and certified with the ASP tactical baton shall have their baton readily available while on duty. Officers will evaluate individual situations that may dictate the need for the ASP tactical baton.

#### VI. TRAINING AND CERTIFICATION

Officers will not carry or use the ASP tactical baton, until successfully completing the training and certification course. The department basic training and certification for the ASP is an eight-hour course. A department four-hour recertification class is required annually. Classes will be provided by DNR in-service instructors.

State of Utah  DEPARTMENT OF NATURAL RESOURCES  POLICIES AND PROCEDURES	REF. NR-99-C-18	PAGE 3 of 4
	EFFECTIVE DATE: 04-19-1999	
	REVISION DATE: 07-03-2012	
SUBJECT: Impact Weapons Policy		
Michael R. Styler, Executive Director		

VII. THE ASP TACTICAL BATON MAY BE USED IN INTERMEDIATE FORCE SITUATIONS

Intermediate force is defined as force requiring more than empty-handed force by less than deadly force.

VIII. NON-TARGET AREAS

Officers will not deliberately strike another person with an ASP tactical baton on the head, neck, spinal column, kidneys or the groin area. Such action would be considered a force likely to produce serious permanent bodily injury.

IX. UNAUTHORIZED IMPACT EQUIPMENT

Brass knuckles, sap gloves, black jacks or other similar equipment will not be carried or used by officers.

X. MEDICAL ASSESSMENT

Prior to releasing or incarcerating an individual having been struck or restrained by the use of an ASP tactical baton, the officer will have that person examined by qualified medical personnel. Paramedics, private certified technicians and doctors are considered qualified medical personnel.

XI. REQUIRED REPORTS

When a department law enforcement officer utilizes the ASP tactical baton in the apprehension or detention of a suspect or in self-defense, the officer will complete a USE OF FORCE INCIDENT REPORT.

State of Utah  DEPARTMENT OF NATURAL RESOURCES  POLICIES AND PROCEDURES	REF. NR-99-C-18	PAGE 4 of 4
	EFFECTIVE DATE: 04-19-1999	
	REVISION DATE: 07-03-2012	
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Every effort should be made to photograph and document any injury received by a department law enforcement officer and/or any other persons, if their injury occurred by the use of an impact weapon. It shall be noted in the officer's report if photographs were taken or not taken.

The report requirement also applies if officers find in an emergency it necessary to defend themselves with a flashlight, handcuff, ticket book cover or any other implement, whose primary purpose is not self defense.