



## Chapter 9 - Use of Force

### Section 900 - Use of Force

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#### 900 - USE OF FORCE

GFPD officers shall be thoroughly familiar with MCA regarding use of force. Use of force is restricted to only that force reasonable and necessary to control and terminate resistance to a lawful enforcement action. This includes arrest, preventing injury to any person, facilitating capture, or preventing escape. Each use of force is unique and will be evaluated on totality of the circumstances faced by the officer, including his experience level.

Techniques utilizing pain compliance, use of pressure points, and forceful come-along techniques are considered a use of force. The pointing of a firearm at an individual is considered a use of force. The GFPD does not consider verbal commands or weaponless, hand-to-hand control techniques required in a standard arrest or contact situation to be a use of force.

Any use of force greater than that reasonable and necessary to gain compliance shall be deemed excessive. *Graham v. Connor* identified the following three considerations when determining whether the use of force is reasonable:

1. The severity of the crime
2. Whether the suspect posed an immediate safety threat to the officers or others
3. Whether the suspect actively resisted arrest or attempted to evade arrest by flight

Punishment inflicted by an officer through the use of excessive force is a civil rights violation and carries a potential for discipline, civil liability, and criminal fines and imprisonment, and will never be tolerated

#### DUTY TO INTERVENE AND REPORT

All Department members are obligated to ensure compliance by themselves and other members with Department regulations, policies, and the law. Consistent with the Department Policy titled "Disciplinary Procedures", Department members will be held accountable for using force that violates law, directives or other Department Policy.

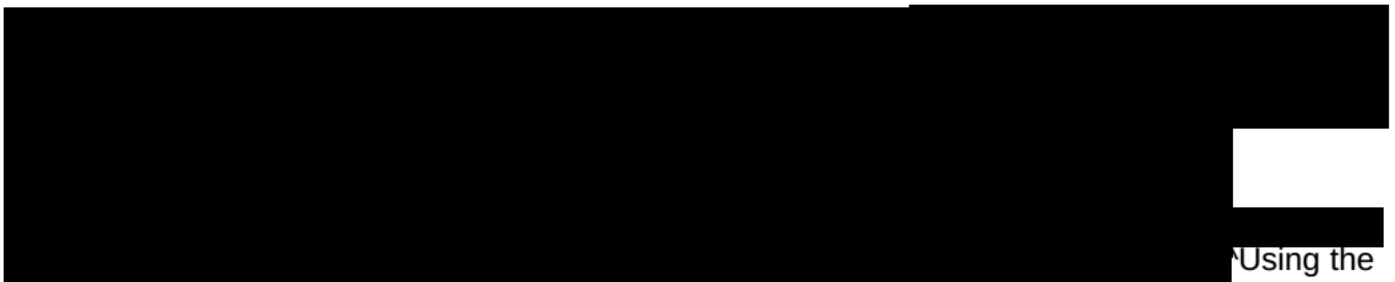
#### INTERVENTION, SUPERVISORY INTERVENTION, NOTIFYING SUPERIORS

A Department member who directly observes a use of force and identifies the force as excessive or otherwise in violation of this directive will, except in extraordinary circumstances, act to intervene on the subjects behalf. Such action will include, but is not limited to, verbally intervening to try to stop the violation. If the member is a supervisor, he or she will issue a direct order to stop the violation.

Any Department member who observes misconduct or becomes aware of information alleging misconduct, including an identified excessive use of force, a reportable use of force incident that was not reported, or a use of force that is otherwise in violation of this policy, will immediately notify his or her supervisor.

**Use of Force Options** -Use of force shall escalate or de-escalate based upon changes in the subject's actions and threat to the officer. Once the subject's resistance terminates, and there is a diminished threat to the officer, use of force must de-escalate.

Whenever possible and when such delay will not compromise the safety of the officer or another and will not result in the destruction of evidence, escape of a suspect, or commission of crime, an officer shall allow an individual time and opportunity to submit to verbal commands before force is used.



Using the following guidelines, officers must assess a subject's level of resistance:

Passive Resistance - physical actions which are not necessarily directed towards the officer, but are meant to prevent the officer from gaining control over the situation, such as:

1. Psychological Intimidation – verbal and nonverbal clues from a subject indicative of their state of mind
2. Body language - posture, stance, arms folded across the chest, clenched fists, fixed stare, glaring, use of profanity or disparaging remarks, etc.
3. Sitting in protest and becoming physically limp when contacted, physically gripping a fixed object and refusing to let go, etc.

Active Resistance – Physical actions intended to prevent an officer from gaining control over the subject, such as:

1. Pulling away from the officer's grip, twisting away, running away, etc.
2. Actions with the intent of causing harm to the officer

1slapping, punching, kicking, biting, head butting, pushing, spitting or throwing of bodily

fluid, etc.

3. Actions with the intent of causing serious bodily injury or death to the officer
  1. Attack involving substantial physical violence, usually involving a weapon
  2. Any attempt to disarm or incapacitate an officer



## Chapter 9 - Use of Force

### Section 901 - Use of Force Follow Up and Review

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#### 901. USE OF FORCE FOLLOW UP AND REVIEW

Following a use of force incident, the officer shall:

1. Render appropriate medical aid after any use of force:

1. Increased observation of the injured person
2. Applying standard first aid procedures
3. Flushing of the eyes when chemical agents were applied
4. Evaluation by paramedics
5. Transporting the injured person to a medical facility

2. Make a verbal report to a supervisor as soon as practicable.

3. Submit a detailed written report prior to the officer's end of shift

1. Off-duty officers shall submit the report within 8 hours

2. If officer-involved deadly force was utilized or a death resulted from an in-custody situation, officers may not be compelled to write an initial incident report in lieu of an investigative interview.

1. The officer involved should be allowed three full sleep cycles prior to being interviewed. This does not preclude the Public Safety Statement by the responding supervisor

A supervisor shall be immediately notified and, if appropriate, shall respond to the scene in the following situations:

1. When use of force results in death or serious bodily injury
2. When a subject complains that an officer has inflicted injury, a supervisor response is discretionary but recommended

When practicable, the subject shall be photographed, to include all visible or reported injuries. If the subject refuses to have his injuries photographed, it will be documented in the report.

Following the incident, a Use of Force Review shall be completed by a supervisor and will be forwarded to the Support Services Captain as soon as practicable. If additional investigation is required, it may be assigned to a lieutenant or higher. The Chief has the right to request the help of an outside agency where an actual or perceived conflict of interest exists.

The Support Services Captain has the primary responsibility for reviewing individual use of force reviews, as well as generating an annual use of force review. The review should identify trends which could indicate training needs, equipment problems or upgrade requirements, or policy and procedure changes. He will ensure that all use of force incidents were reviewed to ensure compliance with law, policy, and procedures.



## Chapter 9 - Use of Force

### Section 902 - Less Lethal Force

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#### 902. LESS LETHAL FORCE

Less-lethal force may be used in circumstances where the officer reasonably believes that a lesser degree of force is ineffective or impracticable. Only officers properly trained in the use of GFPD approved less-lethal weapons, tools, and techniques are permitted to use these options. The following less-lethal weapons are authorized for use:

**Oleoresin Capsicum (OC)** - OC allows police officers the opportunity to temporarily neutralize aggressive people or animals without the inherent risk of discharging a firearm.

**Baton** - A baton or expandable baton authorized by the GFPD may be used by an officer to subdue a violently resisting subject, in self-defense, or in defense of a third party.

**Taser (requires annual recertification)** - functions by delivering electrical impulses through fired probes (to causes motor skill dysfunction) or by drive stun (pain compliance). The Taser is on a similar level of force as OC or baton. The Taser is not meant to be an option used in lieu of deadly force. All sections of this procedure will apply to the use of the Taser in either probe or drive stun mode.

A record will be kept of all Tasers and serial numbers, and which officer or division they have been issued to. In the event that a Taser is returned for repairs or no longer remains the property of the GFPD, the use history of that particular Taser will be downloaded.

Probationary officers will be authorized to carry Tasers once they have successfully completed the necessary Taser training and certification from a certified Taser instructor. A mandatory recertification program will be completed annually. Records of completed Taser trainings are maintained in the training office.

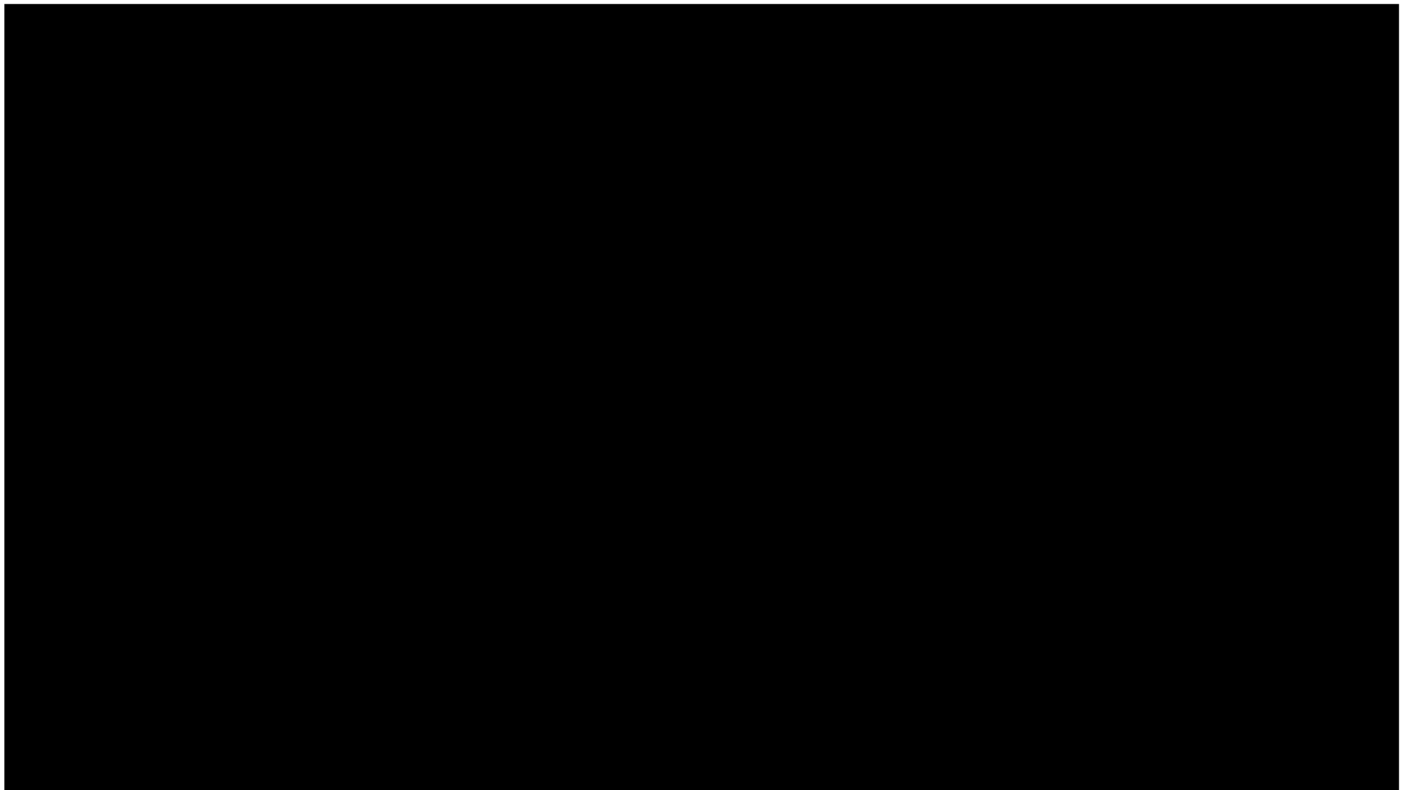
Authorized officers shall carry Tasers at all times in the field, if available, unless they are carrying another approved less lethal tool.

Use histories will be run on each Taser semiannually by a certified Taser instructor. Any apparent abuse of the Taser will be investigated further. The use history will be maintained for a period of five years from the date the Taser was taken out of service.

A Taser may be deployed on a vicious animal, which needs to be controlled for reason of public peace or safety (the animal is threatening or has threatened to attack a citizen, an officer, or other animal), preservation of property, continuing public nuisance, or other legitimate purpose.

Following deployment, officers will take reasonable measures to ensure the animal's welfare. The animal's owner is responsible for medical attention needed by the animal.

The Taser may be used on a person who is demonstrating an articulable threat to any person, including himself, with physical force, and hands-on engagement is unreasonable.



**Duties after Deployment** - Once the subject is restrained or has complied, the Taser should be turned off. Immediate action should be taken to care for the injured, to apprehend other suspects, and to protect the scene.

Officers shall remove probes using prescribed methods. Further medical treatment will provided to anyone who requests it. Officers should inspect the probes after removal to ensure that the entire probe and probe barb has been removed. In the event that a probe has broken off and is still embedded, the subject should be provided appropriate medical attention. Probes embedded in soft tissue areas, such as the face, neck, groin or breast (female), shall be removed only by medical personnel. Used probes will be treated as biohazard sharps, and should be placed down into the cartridge bores and secured.

Tased arrestees will not be transported face down. During booking, the arresting officer will notify the detention staff that the prisoner was Tased.

**Supervisory Responsibilities** - When possible, a field supervisor shall respond to the scene to assess the situation and assist in any investigation. The shift supervisor will be notified if any traumatic injury has occurred due to the use of force involving the Taser. The shift supervisor will then make appropriate notifications. The shift supervisor shall determine if additional investigation of the incident is needed.

**Specialty Impact Munitions (SIMs)** - are extended range impact weapons (bean-bag shotguns clearly marked for identification purposes) authorized and issued by the GFPD. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED] If SIMs are used, the subject will be examined by medical personnel and transported to a medical facility, if necessary.





## Chapter 9 - Use of Force

### Section 903 - Force Likely to Cause Death or Serious Bodily Injury

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#### 903. FORCE LIKELY TO CAUSE DEATH OR SERIOUS BODILY INJURY

When an officer uses deadly force, the totality of the circumstances, including the mindset of the officer at the time, shall be considered during review of the incident.

The GFPD understands that life and death situations take precedence over policy; there may be situations where an officer uses deadly force in violation of specific policy and procedure. Officers may use tools or equipment which were not intended for deadly force to defend themselves, if needed.

The decision to use deadly force rests solely with the individual officer, and shall be used only when the officer reasonably believes that a lesser degree of force is inadequate, to:

1. Protect any person in imminent danger of serious bodily injury or death
2. Effect the arrest of a person who is attempting to commit, committing, or escaping after the commission of a forcible felony and where such escape would place the community or another, to include other officers, at substantial risk of death or serious bodily injury if apprehension is delayed
  1. The officer must have witnessed the crime, or had sufficient information to know, to a virtual certainty, that the suspect fleeing has committed or attempted to commit the offense

The use of a choke hold, which is a physical maneuver or technique that restricts an individual's ability to breathe for the purpose of incapacitation, is prohibited unless deadly use of force is authorized

If a decision has been made to use deadly force, if feasible the officer shall warn the subject of his or her intent to use deadly force.



## Chapter 9 - Use of Force

### Section 904 - Use of Firearm

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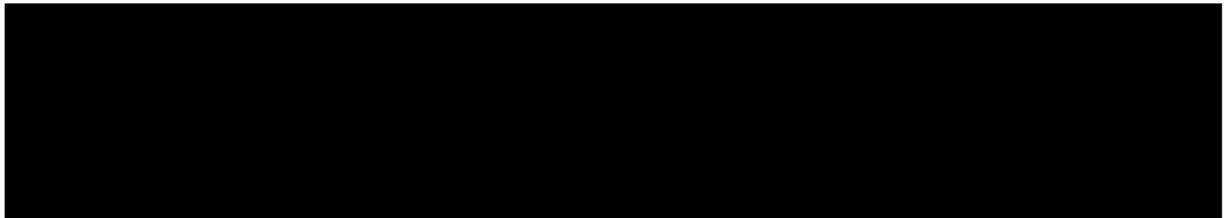
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#### 904. USE OF FIREARM

An officer will only discharge his firearm in the performance of his duties under the following circumstances:

1. When necessary to protect any person from death or serious bodily injury, including discharging a firearm at a moving vehicle or from a moving vehicle
2. To kill a dangerous animal, or one so badly injured that humanity requires it to prevent further suffering; supervisor approval should be obtained if possible
3. For weapons qualification, practice, or authorized training sessions





## Chapter 9 - Use of Force

### Section 905 - Reporting Use of Firearm

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#### 905. REPORTING USE OF FIREARM

If an officer discharges his weapon intentionally or accidentally during the performance of his duty (except during qualification), a supervisor will respond, and a Firearms Use Report will be completed and submitted through the chain of command to the Chief. If the member who discharged the firearm is incapacitated or is incapable of submitting this report, the on-duty supervisor shall submit a report, pending further investigation. When an officer destroys an injured animal, supervisor response is discretionary.

**Firearms Review Committee** - The Firearms Review Committee will convene to review each incident where an officer has discharged his weapon and consists of:

1. The patrol captain – chairperson of the committee
2. One patrol supervisor
3. One supervisor of the officer who discharged the firearm
4. The training sergeant or a firearms instructor
5. A GFPPA representative

The patrol captain will convene the committee within a reasonable time after receiving all investigative reports. If the review reveals a policy violation, a recommendation will be made to the Chief as to firearms policy modifications or additional training. The Chief has final authority in all disciplinary actions, policy modifications, or training decisions, and may or may not follow the recommendations.

Regarding incidents of dispatching injured animals or the use of less lethal munitions, if the written report appears to satisfy all safety and existing departmental policy, the patrol captain may opt to prepare a copy of all applicable reports and distribute them to a selected Firearms Review Committee for review. If the committee is satisfied with the incident as reported, no formal convening of the Firearms Review Committee will be required, and the Patrol Captain shall summarize the findings.

**Removal from Line-Duty Assignment** - An officer whose action or use of force results in the death or serious bodily injury to another may be removed from line-duty assignment by the Chief until a review of the incident is completed.

**Administrative Leave** - An officer using deadly force or directly involved in an incident resulting in death of another may be placed on administrative leave with pay, pending the completion of the GFPD's review of the incident, and determination by the GFPD's designated psychologist that the officer is ready to return to duty.



## **Chapter 9 - Use of Force**

### **Section 906 - Use of Force Training - Arrest Control Combatives Survival or other Approved Training**

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#### **906. Use of Force Training – Arrest Control Combatives Survival or other approved training.**

1. All officers shall receive regular and reoccurring training on this agency's use of force policy and related legal updates
2. Training shall be provided on a regular and periodic basis designed to
  1. Provide techniques for the use of and reinforce the importance of de-escalation
  2. Simulate actual shooting situations and conditions; and
  3. Enhance officers' discretion and judgment in using less-lethal and deadly force in accordance with this policy.
3. All use of force training shall be documented



# Chapter 17 - Glossary

## Section 1700 - Glossary

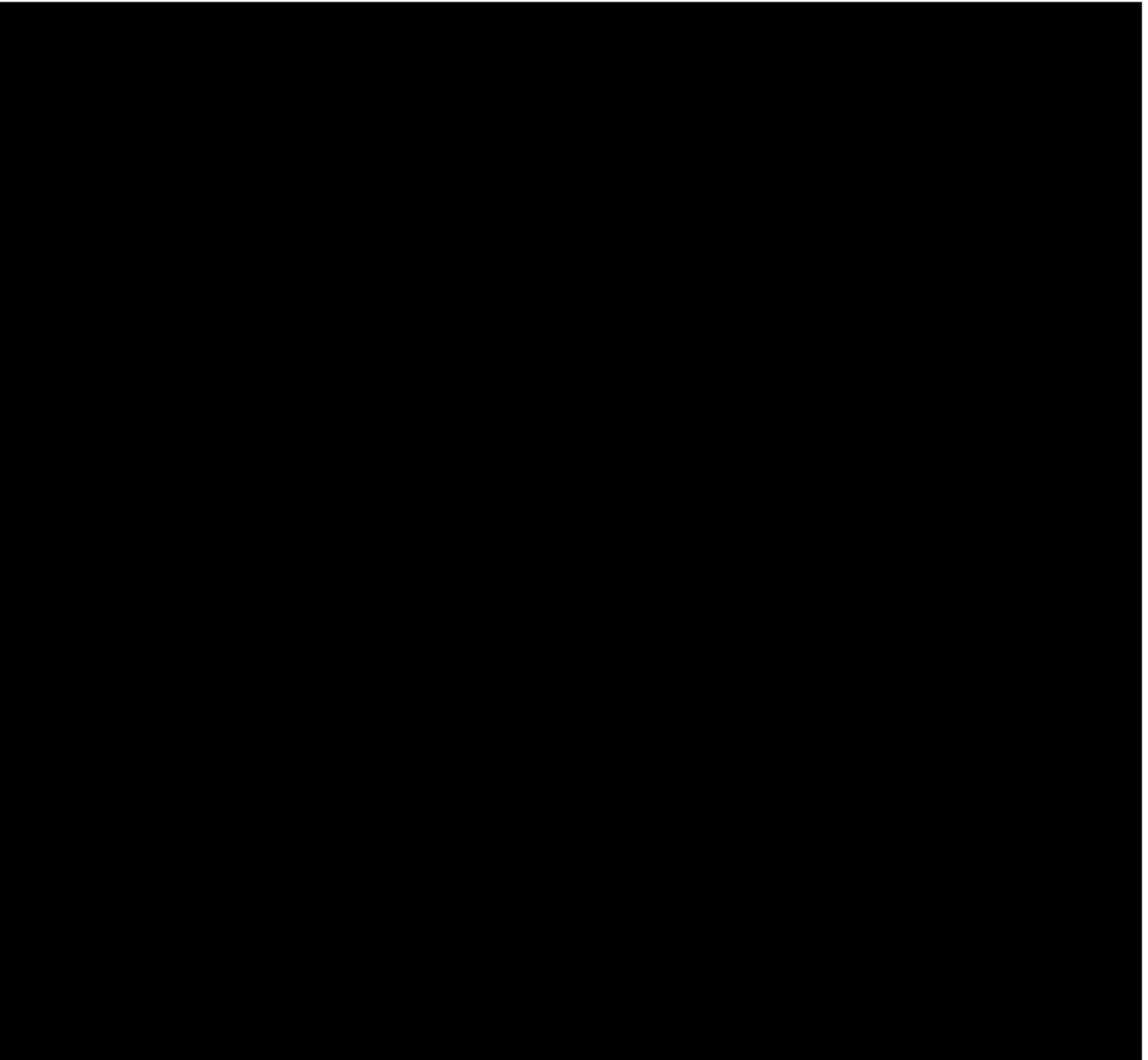
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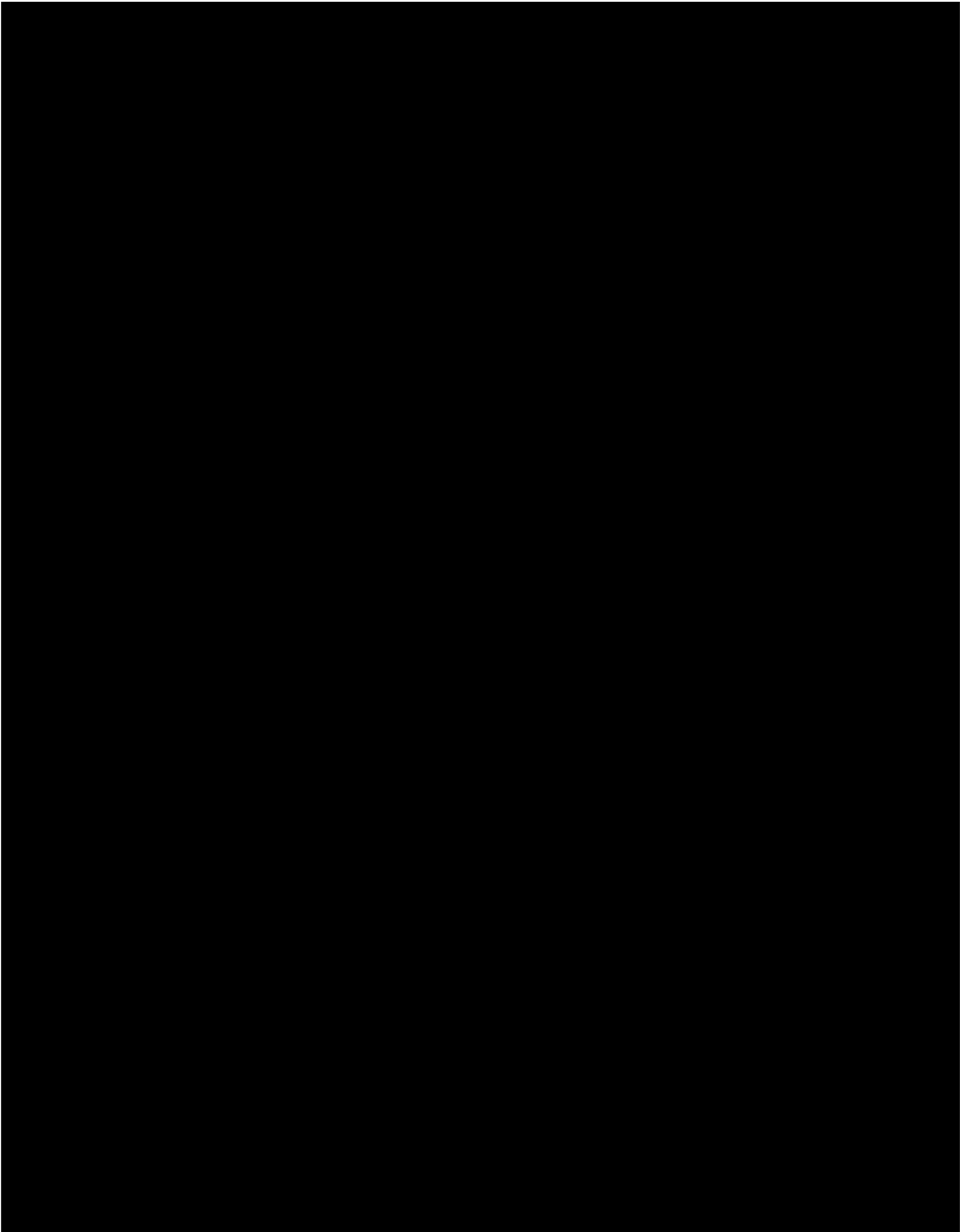
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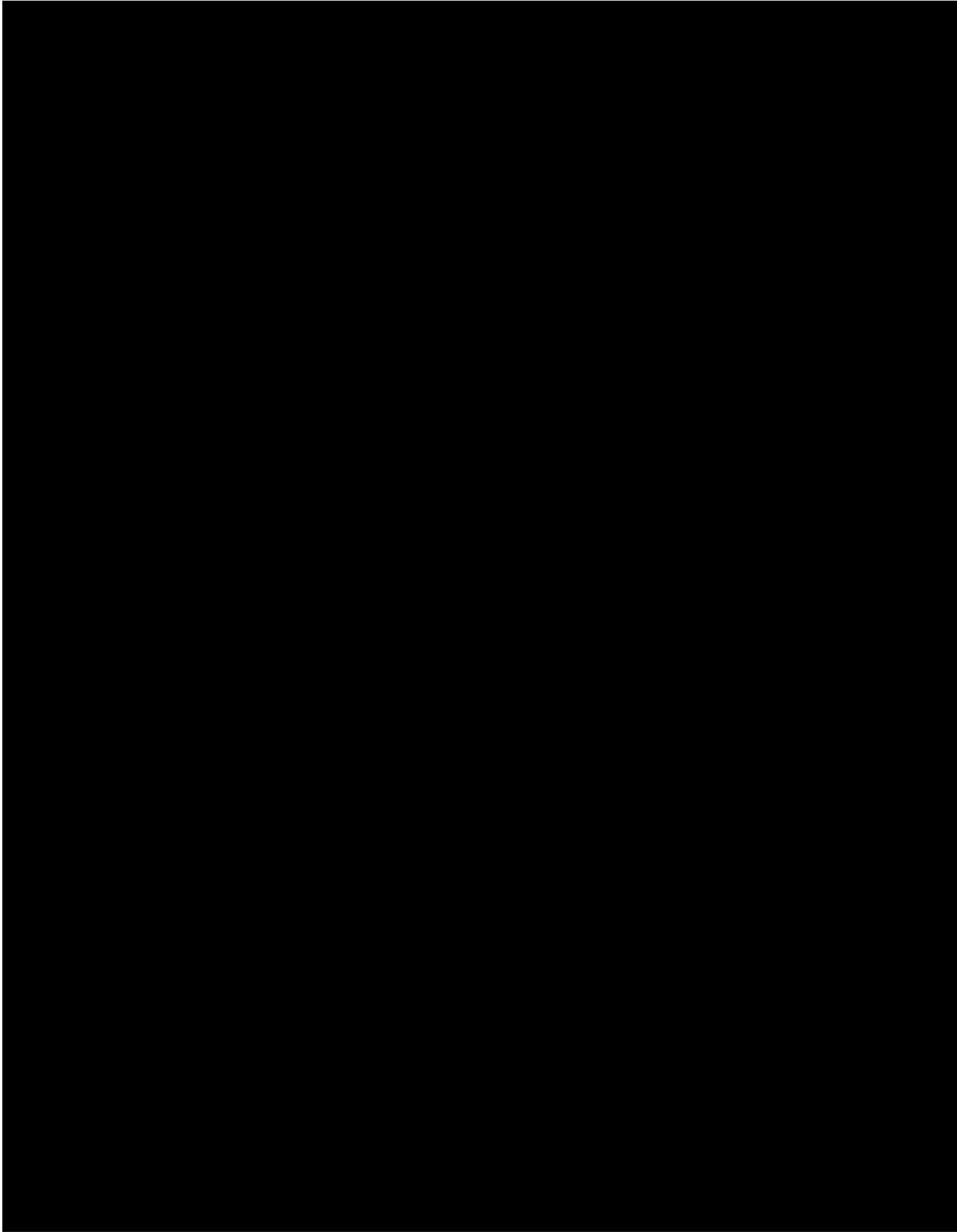
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### 1700 - GLOSSARY

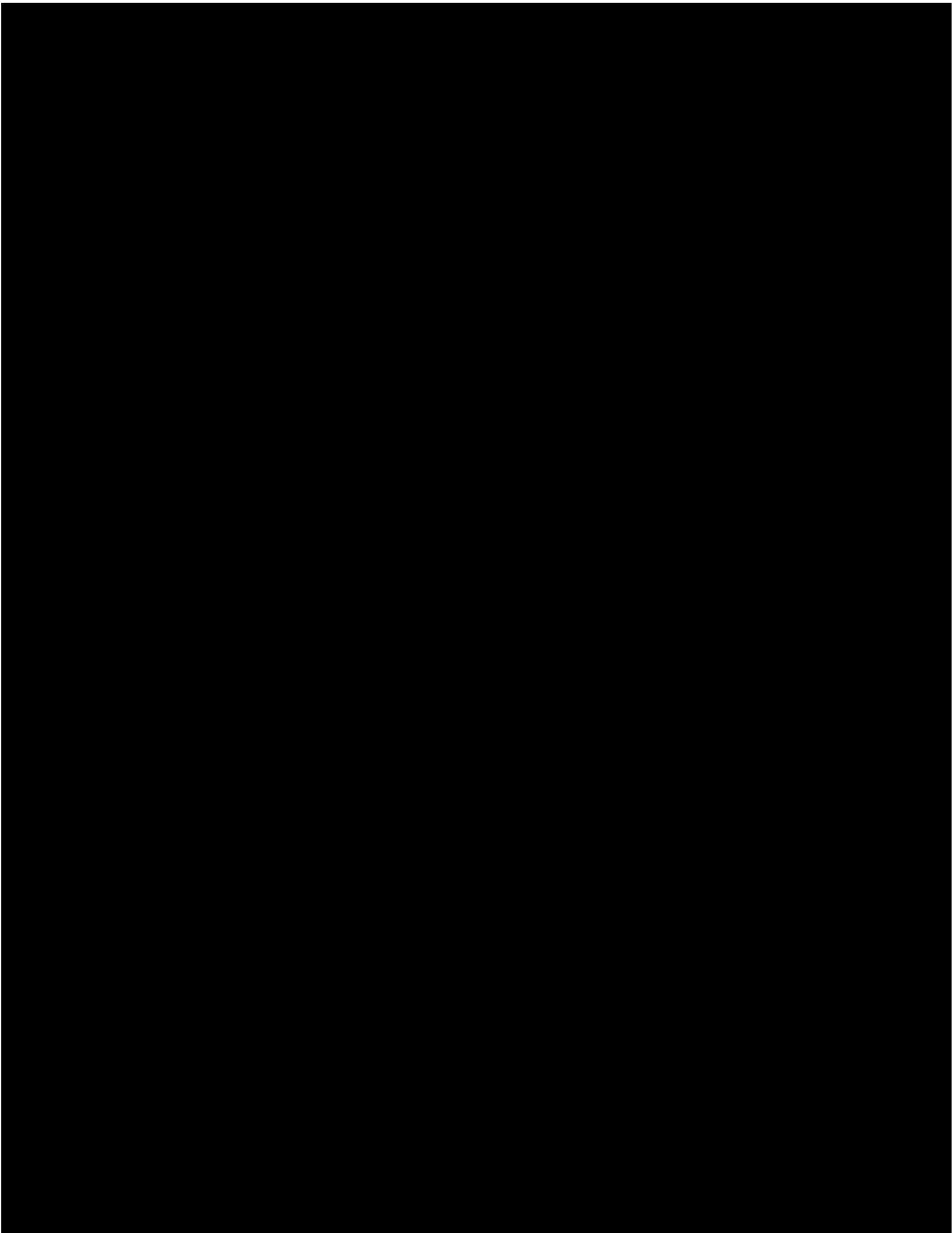




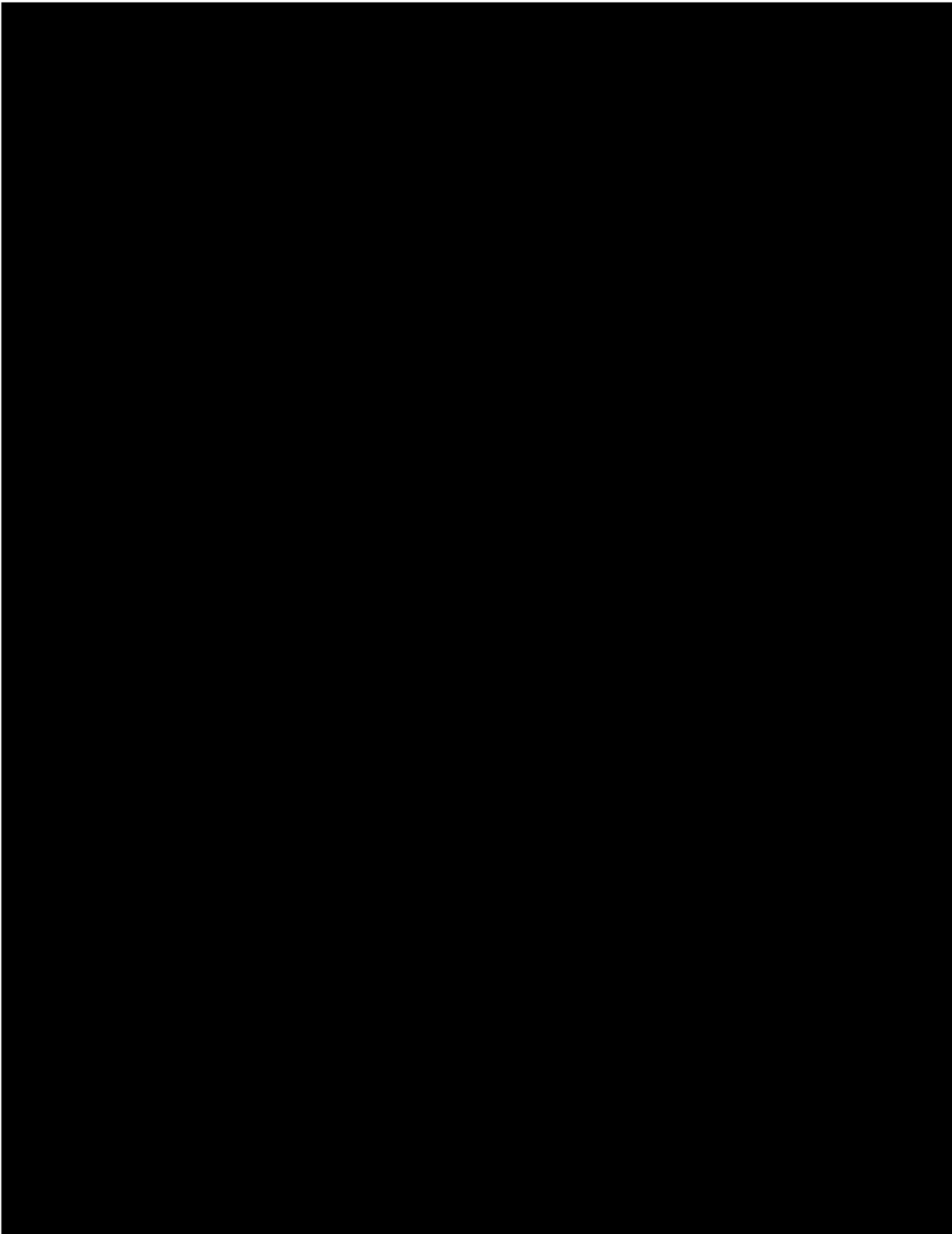


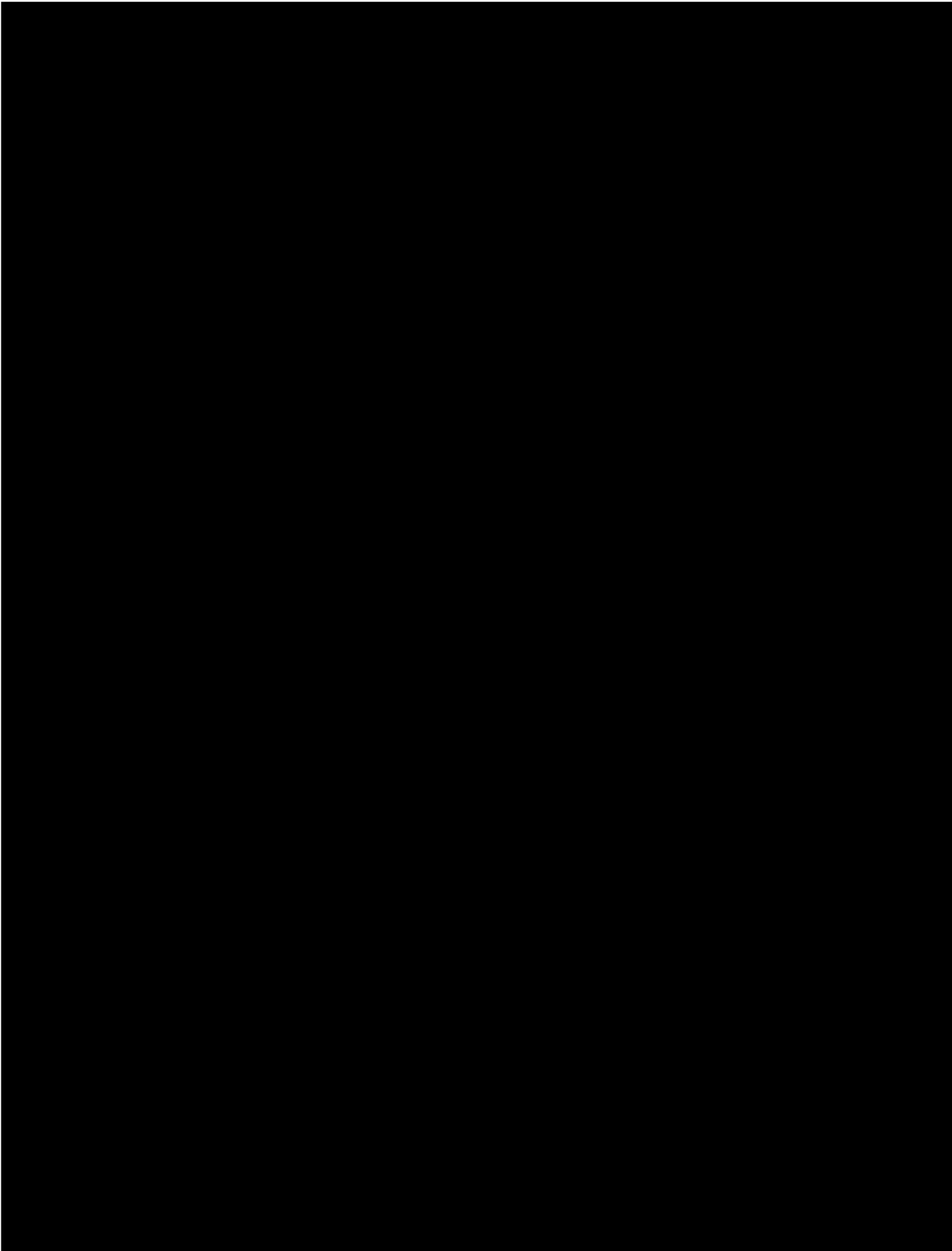






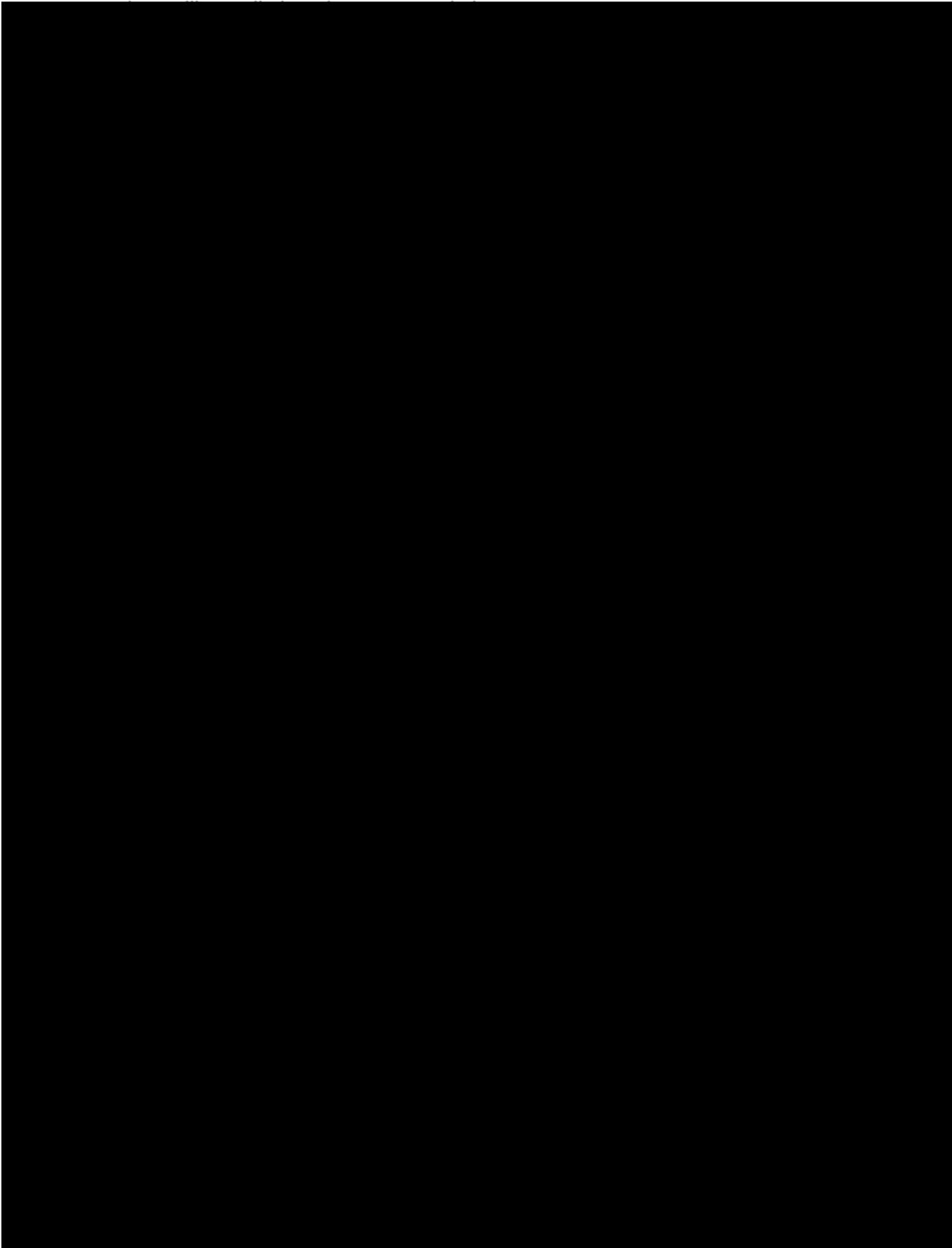




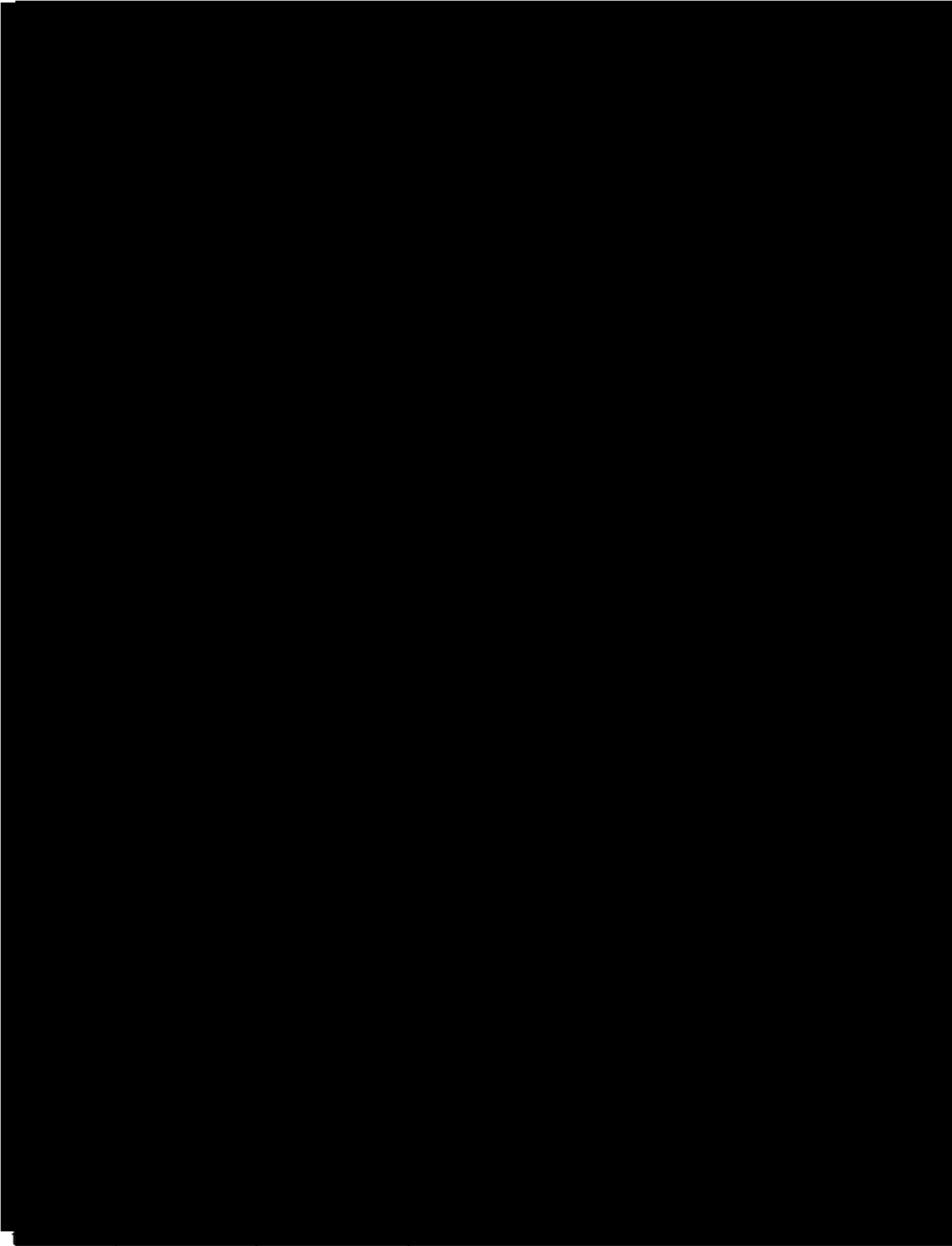


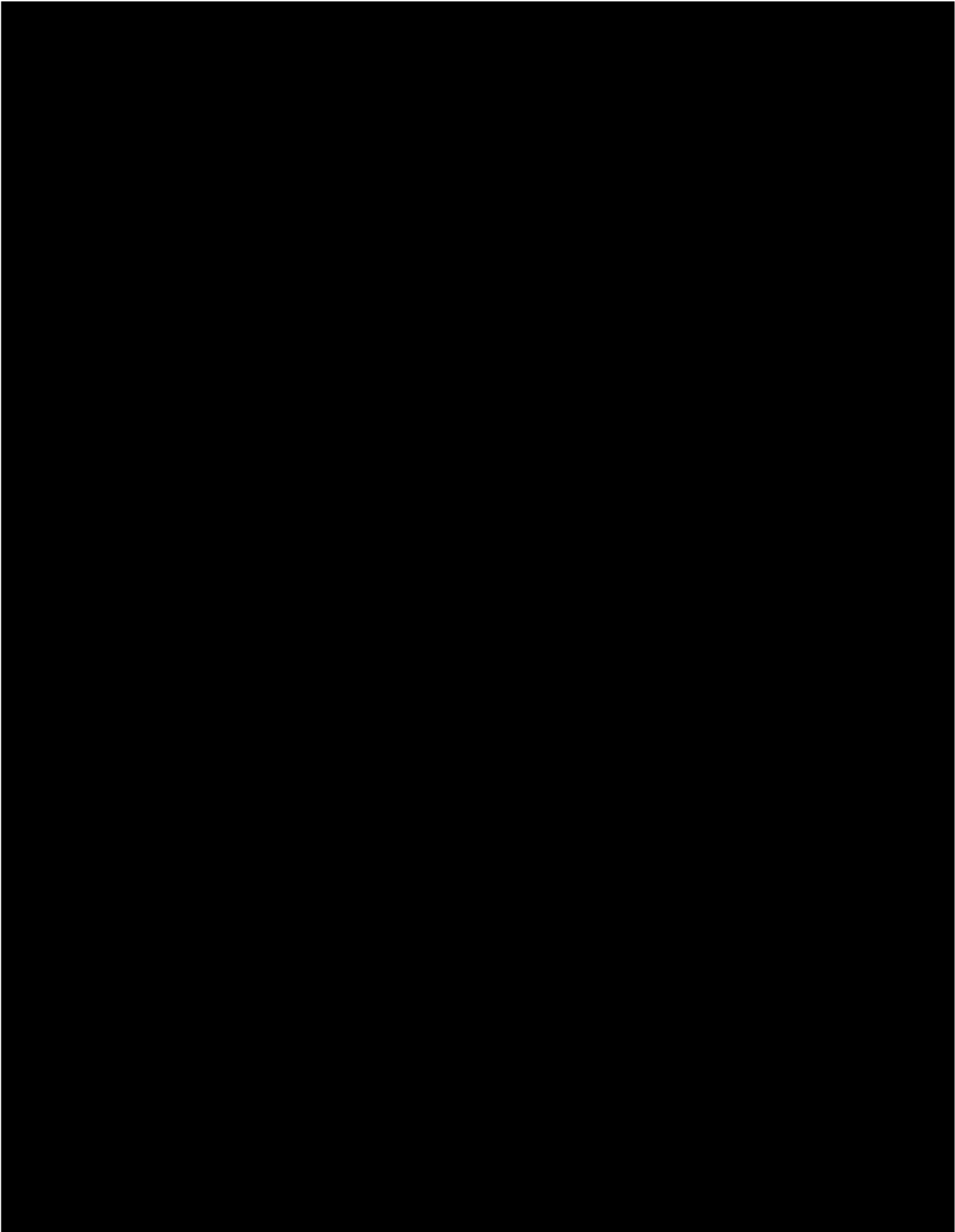


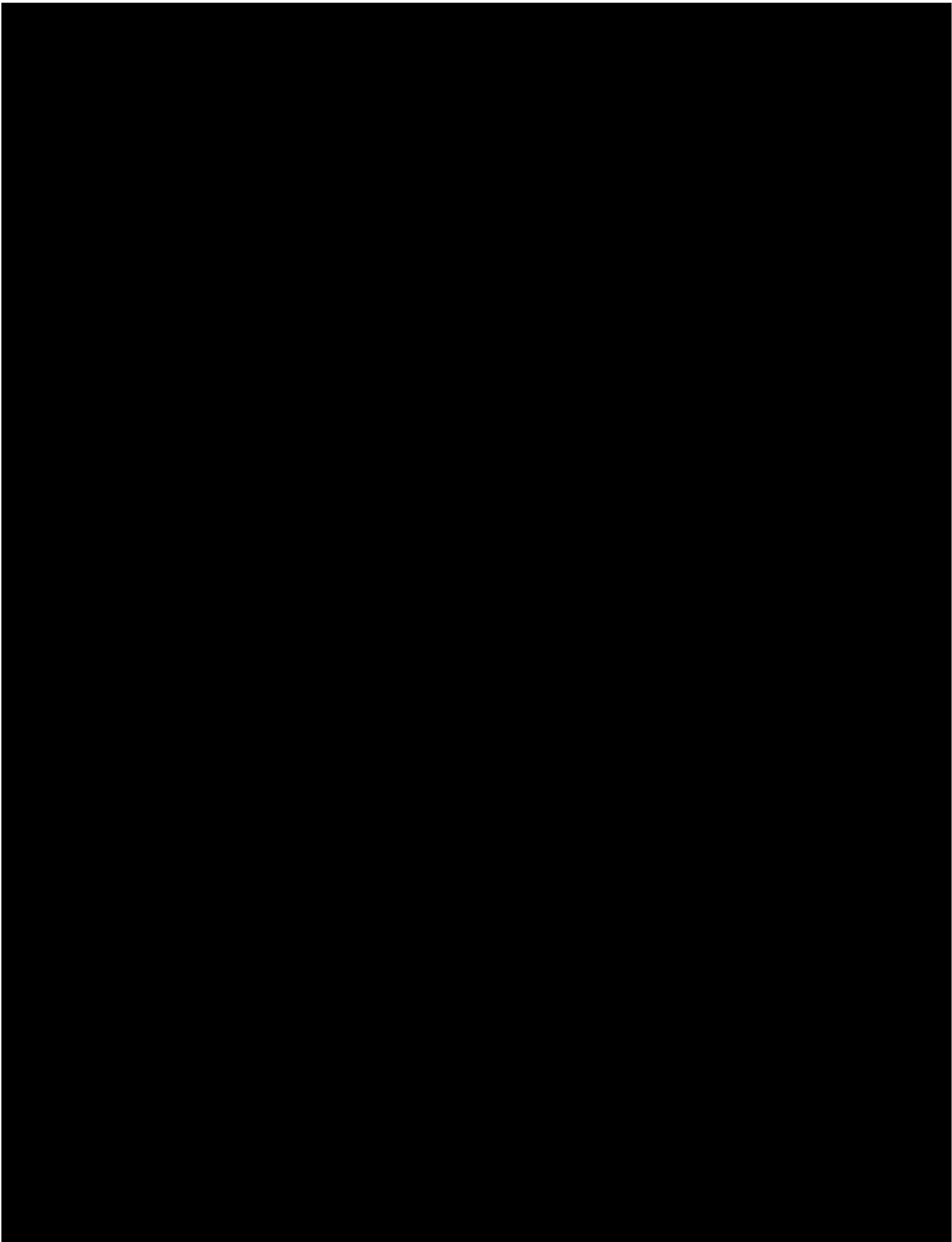


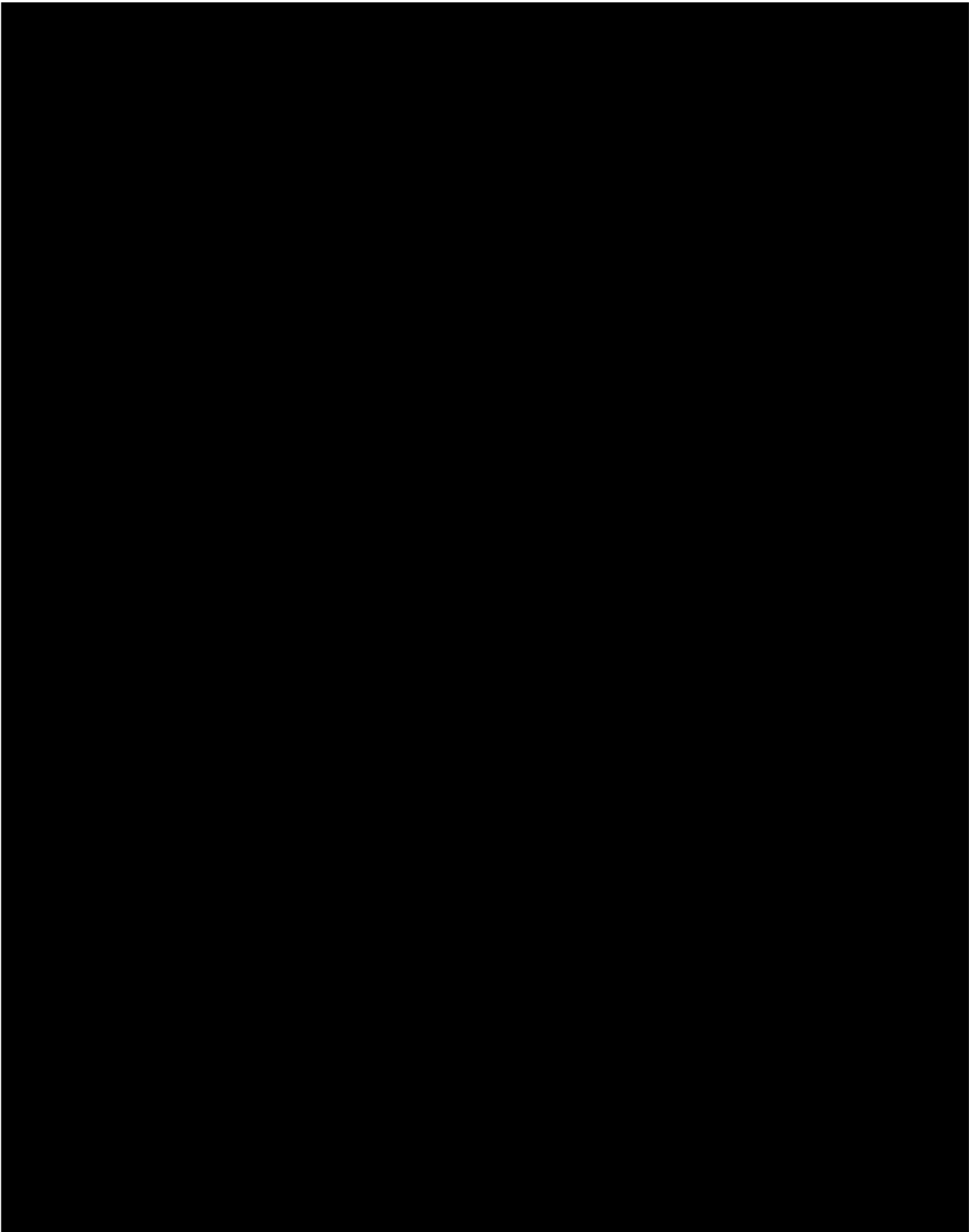






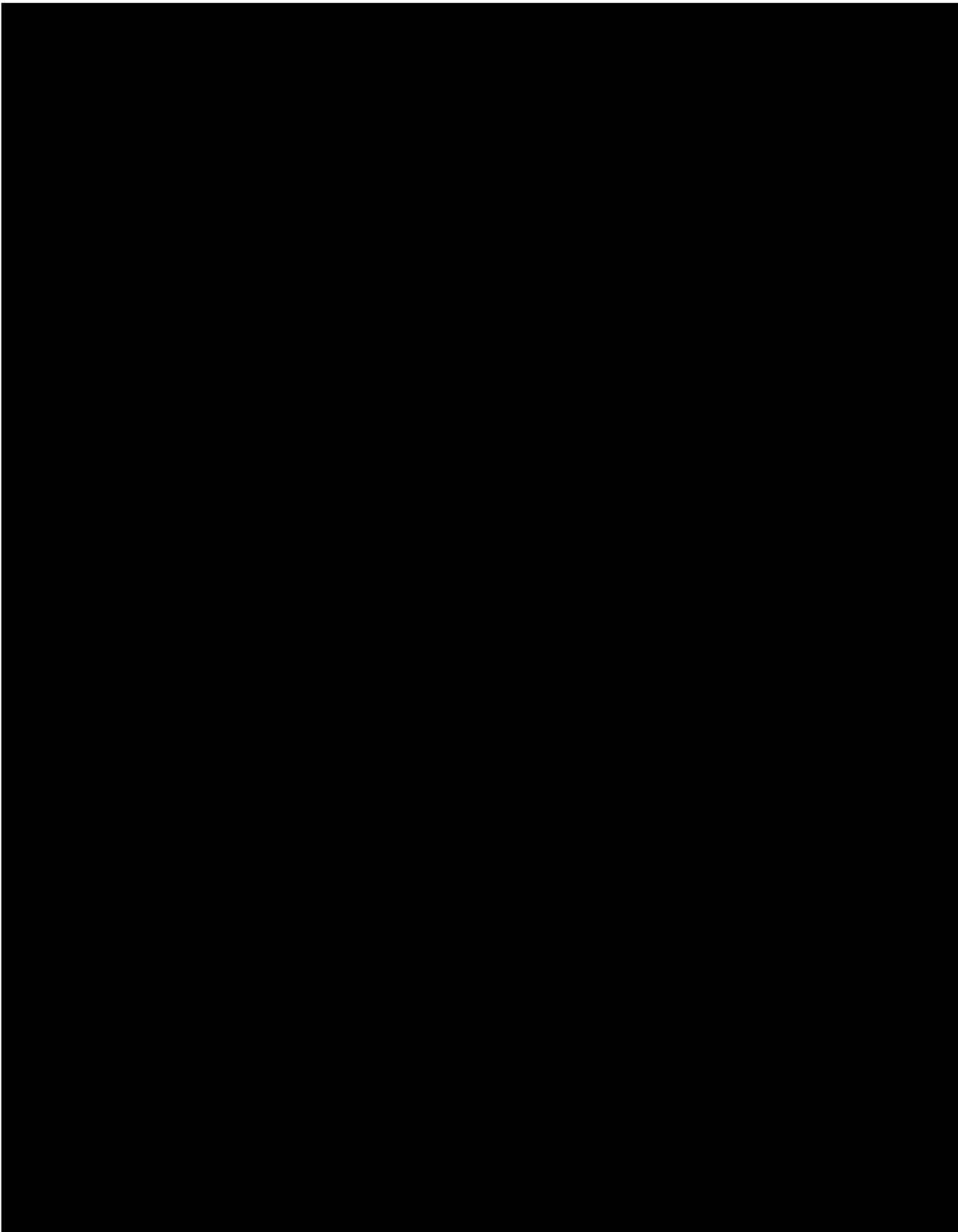


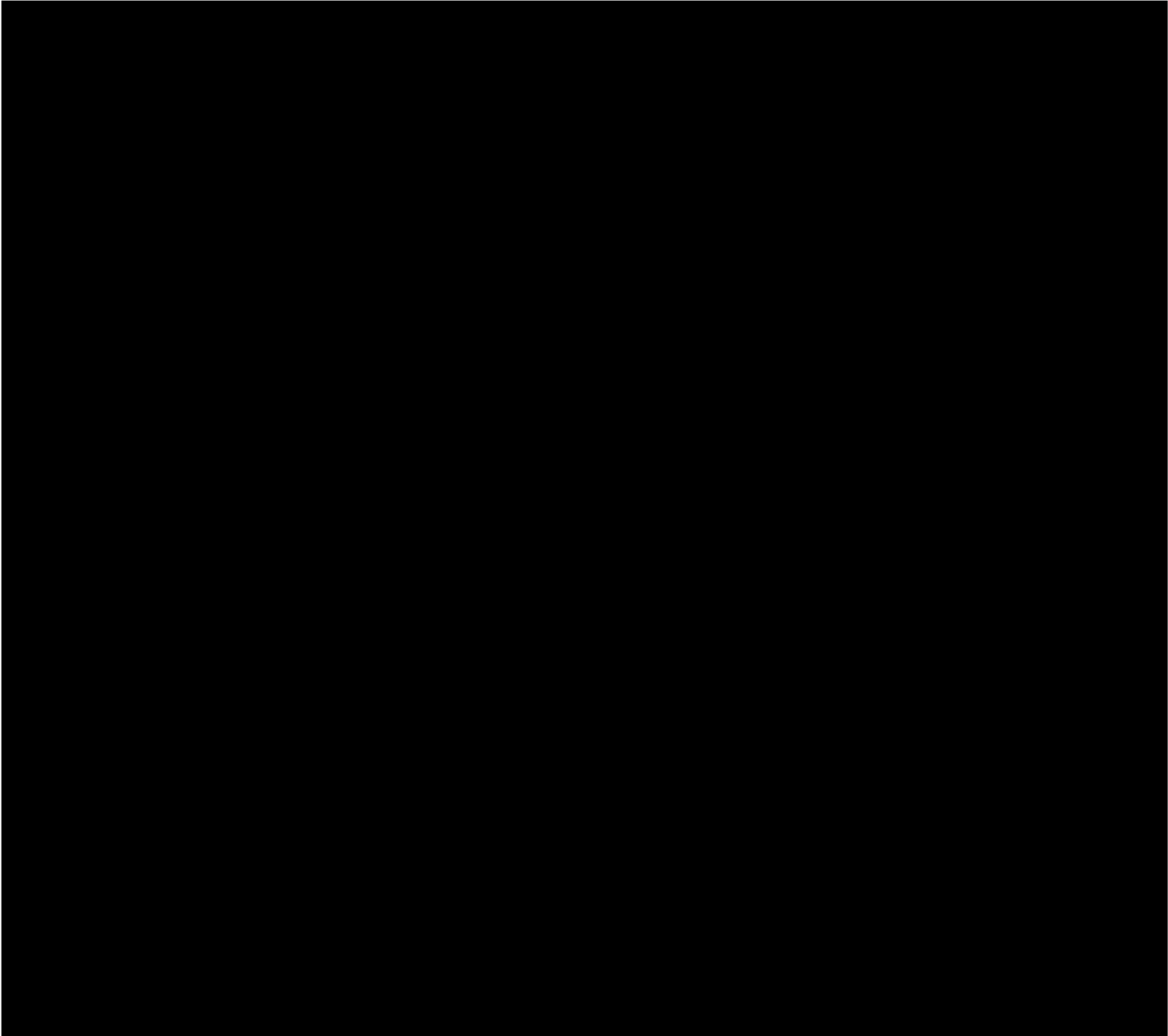












**USE OF FORCE:** As relating to law enforcement, the use of control or protective tactics which may range from "mere presence" of an officer to physical force likely to cause death or serious bodily injury. The use of force must be reasonable and necessary to affect an arrest or to protect the officer or another from bodily harm.

