



# TACOMA POLICE DEPARTMENT

## Use of Force

## Sub-Section 3.1

*Sets forth the Tacoma  
Police Department's  
Use of Force Policy*

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### P3.1 PURPOSE AND SCOPE

(R 11/2022)

The purpose of this policy is to establish the professional philosophy of the Tacoma Police Department and provide clarity to officers and the public relative to the proper use of force in the performance of service to the community and to promote safety for all. This policy does not require any officer to use force but identifies the permissible use of force.

The fundamental duty of law enforcement is to preserve and protect all human life. Officers shall respect and uphold the dignity of all persons and use their authority in a bias-free manner. The use of force consistent with this policy is essential to ensuring impartial policing, officer and public safety, and building trust between law enforcement and the communities they serve. While there are circumstances where individuals pose imminent or immediate safety risks and/or will not comply with the law or an officer's lawful authority unless compelled or controlled by officers through the use of force, officers must remain mindful that they derive their authority from the community and that unreasonable force degrades the legitimacy of that authority.

The Department will train officers to use force in compliance with this policy and Federal and State law, including the articulation of an officer's decision-making in applying or not applying force.

#### 3.1.1 DEFINITIONS *CALEA 4.1.2*

The following definitions are for terms used throughout the Use of Force Policy.

- **Authorized Emergency Vehicle** – any Department vehicle used in the performance of duties equipped with audible signals and visible lights.
- **Chokehold:** the intentional application of direct pressure to a person's trachea or windpipe for the purpose of restricting another person's airway. ([RCW 10.116.020](#)).
- **Compliant** – cooperative response to lawful commands
- **Compression Asphyxia:** an inadequate oxygen level in the blood and/or an excessive increase of carbon dioxide in the blood causing unconsciousness or death brought on by mechanically limiting expansion of the lungs through compressing of the chest and/or abdomen, interfering with breathing.
- **Cooperative Controls** – tactics employed with compliant subjects to gain cooperation and control, such as compliant handcuffing, escorts without resistance, and pat-downs.
- **Deadly Force:** the intentional application of force through the use of firearms or any other means reasonably likely to cause death or serious physical injury. ([RCW 9A.16.010](#)).
- **De-escalation:** actions used by an officer that are intended to minimize the likelihood of the need to use force during an incident. ([RCW 10.120.010](#)). De-escalation tactics are detailed below.
- **Directed Canine Deployment** – application of a police canine as a tool of defense or apprehension.
- **Electronic Reporting System** – used for documenting Reportable Use of Force.
- **Excessive Force:** force that exceeds the force permitted by law or policy.
- **Feasible:** reasonably capable of being done or carried out to achieve the arrest or lawful objective without increasing risk of harm to the officer or another person.
- **Flight:** an act or instance of running away in an effort to leave and intentionally evade law enforcement.
- **Force** – any physical or mechanical effort toward detention or control.
- **Health Care Professional:** shall include members of any county or municipal fire department, ambulance service or health care facility who have the authority to apply and/or administer first aid treatment.
- **Immediate threat of serious bodily injury or death:** based on the totality of the circumstances, it is objectively reasonable to believe that a person has the present and apparent ability, opportunity, and intent to immediately cause death or serious body injury to the peace officer or another person. ([RCW 10.120.020](#)).
- **Imminent** – ready to take place; impending. The term "imminent" in this context does not apply to Deadly Force applications.

- **Law Enforcement Agency:** includes any “general authority Washington law enforcement agency” and any “limited authority Washington law enforcement agency” as defined by [RCW 10.116.010](#).
- **Less Lethal Alternatives:** include, but are not limited to, verbal warnings, de-escalation tactics, conducted energy weapons, devices that deploy oleoresin capsicum, batons, and beanbag rounds. ([RCW 10.120.010](#)).
- **Low Ready, Ready, or Sul Position:** a firearm with the muzzle pointed in a safe direction or unholstered and out of the officer’s visual field. This is distinguished from pointing a firearm at a person.
- **Necessary:** under the totality of the circumstances, a reasonably effective alternative to the use of physical force or deadly force does not appear to exist, and the type and amount of physical force or deadly force used is a reasonable and proportional response to effect the legal purpose intended or to protect against the threat posed to the officer or others. ([RCW 10.120.010](#)).
- **Neck Restraint:** any vascular compression or similar restraint, hold, or other tactic in which pressure is applied to the neck for the purpose of constricting blood flow. ([RCW 10.116.020](#)).
- **Objectively Reasonable, Reasonable:** an objective standard under which the determination that the necessity for using force and the level of force used is based upon the officer's evaluation of the situation in light of the totality of the circumstances known to the officer at the time the force is used and upon what a reasonable officer would use under the same or similar situations.
- **Peace Officer:** includes any “general authority Washington peace officer,” “limited authority Washington peace officer,” and “specially commissioned Washington peace officer” as those terms are defined in [RCW 10.93.020](#). “Peace officer” does not include any corrections officer or other employee of a jail, correctional, or detention facility, but does include any community corrections officer. ([RCW 10.120.010](#)). Peace officers are referred to as officers in this policy.
- **Physical force:** any act reasonably likely to cause physical pain or injury or any other act exerted upon a person’s body to compel, control, constrain, or restrain the person’s movement. Physical force does not include pat-downs, incidental touching, verbal commands, or compliant handcuffing where there is no physical pain or injury. ([RCW 10.120.010](#)).
- **Proportional:** to be proportional, the level of force applied must reflect the totality of circumstances surrounding the situation at hand, including the nature and immediacy of any threats posed to officers and others. Officers must rely on training, experience, and critical decision making to decide an appropriate level of force to be applied. Reasonable and sound judgment will dictate the force option to be employed. Proportional force does not require officers to use the same type or amount of force as the subject. The more immediate the threat and the more likely that the threat will result in death or serious physical injury, the greater the level of force that may be proportional, objectively reasonable, and necessary to counter it.
- **Positional Asphyxia:** an inadequate oxygen level in the blood and/or an excessive increase of carbon dioxide in the blood causing unconsciousness or death brought on by a person being placed in a body position which compresses their airway and does not allow them to breathe freely.
- **Projectile Impact Weapon:** a less lethal weapon that fires projectiles such as 40mm sponge or foam rounds or similar projectile, blast balls or bean bags designed to temporarily incapacitate a person.
- **Serious Bodily Injury:** bodily injury which involves a substantial risk of death, serious permanent disfigurement, or protracted loss or impairment of the function of any part or organ of the body.
- **Tear Gas:** Chloroacetophenone (CN), O-chlorobenzylidene malonitrile (CS), and any similar chemical irritant dispersed in the air for the purpose of producing temporary physical discomfort or permanent injury. “Tear gas” does not include oleoresin capsicum (OC). ([RCW 10.116.030](#)).
- **Totality of the Circumstances:** all facts known to the officer leading up to, and at the time of, the use of force, and includes the actions of the person against whom the officer uses such force, and the actions of the officer. ([RCW 10.120.010](#)).
- **Wrongdoing:** conduct that is contrary to law or contrary to the policies of the witnessing officer’s agency, provided that the conduct is not de minimis or technical in nature. ([RCW 10.93.190](#)).

### **P3.1.2 STANDARDS AND CORE PRINCIPLES** *CALEA 4.1.1*

Officers may use reasonable and necessary force consistent with this policy and Federal and State law.

In determining whether force is reasonable and necessary, the nature and quality of the intrusion on an individual’s Fourth Amendment interest must be balanced against the legitimate governmental interests at stake during interactions that are often tense and rapidly evolving.

An officer’s use of force and compliance with this policy will be reviewed and analyzed based on the totality of the circumstances using an objectively reasonable police officer standard, based on the information known to the officer at the time force is used, considering the officer’s articulation of their decision-making, and without 20/20 hindsight or subjectivity.

All commissioned and limited commission Tacoma Police Employees are authorized to use force as defined by [RCW 9A.16.020](#) and [RCW 10.120.020](#).

**A. Critical Decision-Making & Acting to Preserve Safety**

During the course of interacting with the public, an officer may encounter all types of responses, from compliant interaction to life-threatening situations. Use of critical decision-making can assist officers in achieving the expectations outlined in this policy.

1. When safe and feasible, when making, or considering whether to make, contact with a member of the public, officers shall make reasonable attempts to:
  - a) Begin assessment and planning with available facts before arriving at the scene;
  - b) Request available resources, as needed, such as a crisis intervention team or other appropriate specialty unit or professionals;
  - c) Collect information when on scene;
  - d) Assess situations, threats, and risks;
  - e) Identify options for conflict resolution;
  - f) Determine a reasonable course of action; and
  - g) Review and re-assess the situation as it evolves.
2. Nothing in this policy precludes officers from taking quick action when faced with a life-threatening situation to preserve safety, such as an active shooter or a person who poses an immediate threat of serious physical injury or death.

**B. De-Escalation *CALEA 4.1.1***

If safe and feasible under the circumstances, officers shall use all de-escalation tactics that are available and appropriate under the circumstances before using physical force.

1. De-escalation tactics include, but are not limited to:
  - a) Creating physical distance by employing tactical repositioning to maintain the benefit of time, distance, and cover;
  - b) Placing barriers or using existing structures to provide a shield or other protection between officers and a person;
  - c) Attempting to slow down or stabilize the situation so that more time, options, and resources are available to resolve the incident;
  - d) Requesting and using available support and resources, such as a crisis intervention team, a designated crisis responder, other behavioral health providers, or back-up officers, including more experienced officers or supervisors;
  - e) Using clear instructions and verbal persuasion;
  - f) Employing verbal and non-verbal communication techniques to calm a person (such as, speaking slowly, regulating tone and body language, uncrossing one's arms, minimizing hand gestures, and reducing bright, flashing lights and sirens);
  - g) Attempting to communicate in non-verbal ways when verbal instructions would be inadequate (such as, when the person and officer speak different languages, or the person is unable to hear or understand instructions);
  - h) Communicating in a way that demonstrates respect for peoples' dignity (such as, clearly explaining the officer's actions and expectations; listening to the person's questions and concerns and responding respectfully; and being neutral and fair when making decisions);
  - i) When there are multiple officers, designating one officer to communicate in order to avoid competing or confusing commands;
  - j) Exhibiting patience while using all available and appropriate tactics and resources to provide as much time as needed to resolve the incident without using physical force; OR
  - k) Leaving the area when appropriate, if no existence of a crime or imminent threat or harm.
2. Officers are not required to exhaust each and every possible de-escalation tactic in a mechanical fashion before using physical force to ensure the safety of any person.
3. Using physical force or lower levels of physical force is not a de-escalation tactic

C. **Reasonable Care**

A peace officer shall use reasonable care when determining whether to use physical force or deadly force and when using any physical force or deadly force against another person ([RCW 10.120.020](#)). To that end, a peace officer shall:

1. When possible, use all available and appropriate de-escalation tactics before using physical force.
2. When using physical force, use the least amount of physical force necessary to overcome resistance under the circumstances ([RCW 10.120.020](#)). This includes a consideration of the characteristics and conditions of a person for the purposes of determining whether to use force against that person and, if force is necessary, determining the appropriate and least amount of force possible to effect a lawful purpose. Such characteristics and conditions may include, for example, whether the person:
  - a) is visibly pregnant, or states that they are pregnant;
  - b) is known to be a minor, objectively appears to be a minor, or states that they are a minor;
  - c) is known to be a vulnerable adult, or objectively appears to be a vulnerable adult as defined in [RCW 74.34.020](#)
  - d) displays signs of mental, behavioral, or physical impairments or disabilities;
  - e) is experiencing perceptual or cognitive impairments typically related to the use of alcohol, narcotics, hallucinogens, or other drugs;
  - f) is suicidal;
  - g) has limited English proficiency; or
  - h) is in the presence of children.
3. Terminate the use of physical force as soon as the necessity for such force ends; and
4. When possible, use less lethal alternatives that are available and appropriate under the circumstances before using deadly force.
  - The Department will make less lethal alternatives issued to the officer reasonably available for his or her use ([RCW 10.120.020](#)).
5. Nothing in this section:
  - a) Limits or restricts a peace officer's authority or responsibility to perform lifesaving measures or perform community caretaking functions to ensure health and safety including, but not limited to, rendering medical assistance, performing welfare checks, or assisting other first responders and medical professionals;
  - b) Prevents a peace officer from responding to requests for assistance or service from first responders, medical professionals, behavioral health professionals, social service providers, designated crisis responders, shelter or housing providers, or any member of the public; or
  - c) Permits a peace officer to use physical force or deadly force in a manner or under such circumstances that would violate the United States Constitution or Washington State Constitution.

D. **Physical Force** *CALEA 1.2.2*

A peace officer may use physical force against a person to the extent necessary to:

1. Protect against a criminal offense when there is probable cause that the person has committed, is committing, or is about to commit the offense;
2. Effect an arrest;
3. Prevent an escape as defined under [RCW 9.76](#)
4. Take a person into custody, transport a person for evaluation or treatment, or provide other assistance under [RCW 10.77](#), [RCW 71.05](#) or [RCW 71.34](#)
5. Take a minor into protective custody when authorized or directed by statute;
6. Execute or enforce a court order authorizing or directing a peace officer to take a person into custody;
7. Execute a search warrant;
8. Execute or enforce an oral directive issued by a judicial officer in the courtroom or a written order where the court expressly authorizes a peace officer to use physical force to execute or enforce the directive or order;
9. Prevent a person from fleeing or stop a person who is actively fleeing a lawful temporary investigative detention, provided that the person has been given notice that he or she is being detained and is not free to leave;
10. Take a person into custody when authorized or directed by statute; or
11. Protect against an imminent threat of bodily injury to the peace officer, another person, or the person against whom force is being used.

E. **Deadly Force** *CALEA 1.2.2, 4.1.2*

A peace officer may use deadly force against another person only when necessary to protect against an immediate threat of serious physical injury or death to the officer or another person ([RCW 10.120.020](#)). For purposes of this subsection: “Immediate threat of serious physical injury or death” means that, based on the totality of the circumstances, it is objectively reasonable to believe that a person has the present and apparent ability, opportunity, and intent to immediately cause death or serious bodily injury to the peace officer or another person.

1. When safe and feasible, officers shall give a verbal warning that a firearm will be discharged.
2. When possible, use less lethal alternatives that are available and appropriate under the circumstances before using deadly force ([RCW 10.120.020](#)).
3. A peace officer may not use a chokehold or neck restraint on another person in the course of his or her duties as a peace officer ([RCW 10.116.020](#)).
4. Prior to the decision to use a firearm, officers should consider field of fire, backdrop, bystanders, potential for ricochet, and other risks of life.
5. Restricted and Prohibited uses:
  - a) Officers shall not use firearms as impact weapons except when deadly force is permitted
  - b) Discharging a firearm at or from a moving vehicle:
    - 1) Officers may not fire a weapon upon a moving vehicle unless necessary to protect against an imminent threat of serious physical harm resulting from the operator’s or a passenger’s use of a deadly weapon. A vehicle is not considered a deadly weapon unless the operator is using the vehicle as a deadly weapon and no other reasonable means to avoid potential serious harm are immediately available to the officer ([RCW 10.116.060](#)).
    - 2) When feasible, officers on foot shall attempt to move out of the path of a moving vehicle rather than discharge their weapon at the vehicle operator, unless a person is immediately threatening the officer or another person with deadly force other than the vehicle itself.
    - 3) Officers shall not shoot at any part of a vehicle in an attempt to disable the vehicle.
    - 4) Officers shall not discharge a firearm from a moving vehicle, unless a person is immediately threatening the officer or another person with deadly force.
  - c) Officers shall not fire “warning shots”.

**P3.1.3 IDENTIFICATION, WARNING & OPPORTUNITY TO COMPLY PRIOR TO THE USE OF PHYSICAL FORCE** *CALEA 1.2.2, 4.1.2*

When safe and feasible, prior to the use of physical force, officers shall make reasonable attempts to:

1. Identify themselves as law enforcement officers;
2. Attempt to determine whether the person has a special need, mental condition, physical limitation, developmental disability, language barrier, or other factor that may impact their ability to understand and comply with officer commands;
3. Provide clear instructions and warnings;
4. Warn a person that physical force will be used unless their resistance ceases; and
5. Give the person a reasonable opportunity to comply with the warning that physical force may be used.

**P3.1.4 DUTY TO INTERVENE AND DUTY TO REPORT WRONGDOING** *CALEA 1.2.10*

Excessive force in this context means force that exceeds the force permitted by law or policy of the witnessing officer's agency. Officers have a duty to intervene to prevent or stop excessive force or wrongdoing by another officer when it is safe and reasonable to do so as follow:

1. Any identifiable on-duty officer who witnesses another officer engaging or attempting to engage in the use of excessive force against another person shall intervene when in a position to do so to end the use of excessive force or attempted use of excessive force, or to prevent the further use of excessive force.
2. Any identifiable on-duty officer who witnesses any wrongdoing committed by another officer, or has a good faith reasonable belief that another peace officer committed wrongdoing, shall promptly report those observations and actions to their immediate supervisor and record those observations and actions in an official report.
3. The immediate supervisor shall notify the chain of command and initiate an Electronic Reporting System entry.



### **P3.1.5 DUTY TO PROVIDE OR FACILITATE FIRST AID** *CALEA 4.1.5*

1. All law enforcement personnel must provide or facilitate first aid such that it is rendered at the earliest safe opportunity to injured persons at a scene controlled by law enforcement ([RCW 36.28A.445](#)). In addition:
  - a) Officers encountering persons experiencing medical emergencies will request a healthcare professional.
  - b) Injured persons and restrained persons shall be monitored while in law enforcement custody. Officers will attempt to reassure and encourage the person to remain calm.
  - c) Consistent with training, officers shall take the following actions to reduce the risk of positional asphyxiation and compression asphyxiation:
    - 1) As soon as safe and feasible after handcuffing or otherwise restraining a person taken to the ground, roll the person to the side and move them to an upright position that does not impede the mechanism of normal breathing, except if they are unconscious. This requirement is especially important when the person is handcuffed in the prone position.
      - Exception: If the person is conscious and expresses a desire to be placed in a different position, the officers shall place them in that position unless doing so poses a substantial risk of safety to the individual, officers, or others.
    - 2) Do not put prolonged pressure on the chest, neck or back, including by sitting, kneeling, or standing.
    - 3) Continuously monitor the person's condition while being restrained, as death can occur suddenly and develop beyond the point of viable resuscitation within seconds. Monitoring includes, but is not limited to, assessing the adequacy of the individual's breathing, color, and any impairment as verbalized by the individual.
    - 4) Whenever possible during team restraint when manpower limitations allow, the ranking officer shall designate a "Safety Officer." The Safety Officer shall monitor the health and welfare of the person until:
      - Responsibility is transferred to a healthcare professional; OR
      - The person is placed in a seated position in a transport vehicle and verbalizes to the Safety Officer that they feel okay, and the person appears to the Safety Officer to be well and speaking normally.
    - 5) If the Safety Officer becomes aware of an issue with the person's breathing, color, or any impairment, they shall inform the ranking officer.
    - 6) Do not transport a restrained person in the prone position.
2. Officers must provide or facilitate first aid specific to particular force tools.
  - a) Oleoresin Capsicum (OC) spray: At the earliest safe and feasible opportunity at a scene controlled by law enforcement, an officer shall take action to address the effects of the OC by flushing the person's eyes out with clean water and ventilating with fresh air, if possible.
    - 1) Juvenile(s) who have been sprayed will be provided medical attention by a healthcare professional prior to field release or arrival at the detention facility.
    - 2) Monitor the person and look for positive signs of recovery: eyes opening, controlled breathing, calming of the person, etc.
    - 3) If officers do not observe signs of recovery and believe they have a medical emergency, or they are provided with additional medical information such as heart or respiratory problems, officers will request a healthcare professional respond to the scene.
  - b) Electronic Control Tool (ECT): At the earliest safe and feasible opportunity at a scene controlled by law enforcement, officers shall remove ECT probes, unless probes are in a sensitive area, such as the head, breast, or groin.
    - 1) Monitor the person and look for positive signs of recovery: eyes opening, controlled breathing, calming of the person, etc.
    - 2) Persons that are subjected to ECT will receive medical treatment.
      - Certified ECT users will call for a healthcare professional to respond to the scene to provide a medical evaluation and/or treatment.
      - Certified ECT users should treat ECT probes as a biohazard and wear protective gloves while removing probes.
      - Probes in sensitive areas shall be removed by a healthcare professional.
      - Adults and juveniles who have been exposed to an ECT will be seen by a healthcare professional and transported to a medical facility for further treatment, if necessary, prior to transport to a detention facility.

- Adults and juveniles who have been exposed to an ECT will be transported to a detention facility where personnel will be advised the prisoner being booked has been subjected to an ECT deployment. This information will also be noted in the booking sheet by the transporting officer.
- c) Projectile Impact Weapons (PIW)/40MM Less Lethal Launcher System: At the earliest safe and feasible opportunity at the scene controlled by law enforcement, officers shall place the person in a sitting position or roll the person onto their side and have the person evaluated by a healthcare professional who will determine if the person requires transport to a medical facility.
- d) Monitor the person and look for positive signs of recovery: eyes opening, controlled breathing, calming of the person, etc.
- e) If officers do not observe signs of recovery and believe they have a medical emergency, or they are provided with additional medical information such as heart or respiratory problems, officers will request a health care professional respond to the scene.
- f) If the person does not need additional evaluation or treatment, they will be transported to a detention facility where personnel will be advised the prisoner being booked has been subjected to a PIW. This information will also be noted in the booking sheet by the transporting officer.
- g) Juveniles upon whom a PIW is used will be provided medical attention by a healthcare professional prior to field release or arrival at the detention facility.

### **P3.1.6 TYPES OF FORCE**

Officers are not required to exhaust one type of force before moving to greater force. Officers may use force tools or options, not listed below unless otherwise prohibited by this policy.

#### **A. Lower-Level Physical Force:**

This type of force is not intended to and has a low probability of causing injury but may cause momentary discomfort or pain. Lower-level force options include, but are not limited to:

1. Techniques to direct movement against resistance (e.g., push back, lift, carry);
2. Control holds against resistance (e.g., wrist locks, finger locks, joint manipulation);
3. Open hand techniques;
4. Takedowns;
5. Use of a transport hood/face covering device; OR
6. Use of a leg restraint.

This type of force excludes cooperative controls, compliant handcuffing, or pat downs.

#### **B. Intermediate Physical Force:**

This type of physical force poses a foreseeable risk of significant injury or harm but is neither likely nor intended to cause death. Intermediate force options include, but are not limited to:

1. Pointing a firearm at a person
2. Oleoresin Capsicum (OC) spray;
3. Electronic Control Tool (ECT);
4. Projectile Impact Weapons (PIW);
5. Canine bite or injury caused by physical contact between a canine and a person;
6. Impact weapon strikes (except impact weapon strikes to the head, neck, throat, or spine);or
7. Punches, kicks, or other strikes with an officer's body.

Officers shall only use striking techniques directed at a person's head as a means of self-defense, or in the defense of others. Striking at a person's head using fists, elbows, knees, and feet, shall not be used as a means of pain compliance.

#### **C. Deadly Force:**

Deadly force options include but are not limited to:

1. Impact weapon strikes to the head, neck, throat, or spine;
2. Striking a person's head onto a hard, fixed object;
3. Discharge of a firearm loaded with lethal ammunition at a person; OR
4. Intentionally striking with a vehicle a person who is not inside a vehicle.

A Peace Officer may not use a chokehold or neck restraint on another person in the course of his or her duties as a peace officer ([RCW 10.116.020](#)).

### **P3.1.7 FORCE TOOLS AND STANDARDS OF USE** *CALEA 1.2.2, 4.1.2, 4.1.4, 4.3.1(c), 4.3.2, 4.3.4*

The agency will make less lethal alternatives reasonably available for officers' use. Except in exigent circumstances, officers shall only use force tools for which they have successfully completed agency approved training. Types of force tools consist of the following:

#### **A. Oleoresin Capsicum (OC) Spray** *CALEA 4.1.5*

1. OC is an inflammatory agent that causes an intense burning sensation of the eyes, nose, mouth, and skin, which may result in closing, tearing and swelling of the eyes, as well as choking, gagging, and gasping for breath.
2. After the initial application of OC spray, each subsequent application must also be justified.
3. OC spray is not appropriate in an enclosed, highly populated space where there is a likelihood of impacting uninvolved persons, except where OC spray is the only available and appropriate force option. Officers deploying OC will attempt to avoid or minimize incidental exposure to non-involved persons.

#### **B. Impact Weapons** *CALEA 4.1.4*

Agency issued and authorized impact weapons such as ASPs and batons. Officers shall not intentionally strike vital areas, including the head, neck, face, throat, spine, groin, or kidney unless deadly force is authorized.

1. Officers shall not use an impact weapon to intimidate a person when an impact weapon warning is not justified by the threat presented.
2. Officers shall re-assess the effectiveness of impact weapon strikes as soon as safe and feasible, and if not effective, move to another appropriate target or to another tactical or physical force option.

#### **C. Projectile Impact Weapons/40MM Less-Lethal Launcher System** *CALEA 4.1.4*

1. A Projectile Impact Weapon (PIW) fires less-lethal ammunition and is designed to stun, temporarily incapacitate, or cause temporary discomfort to a person without penetrating the person's body.
2. Officers must be trained to use a PIW before deploying one during the course of law enforcement operations.
3. When safe and feasible, an officer about to discharge a PIW should advise other officers at the scene prior to the discharge.
4. An officer should target the buttocks, thigh, calf, and large muscle groups.
5. Officers deploying a PIW shall assess the effectiveness of the PIW after each shot. If subsequent PIW rounds are needed, officers should consider aiming at a different targeted area.
6. Restricted uses: The PIW should not be used in the following circumstances unless the use of deadly force is justified:
  - a) Intentionally aiming a PIW at the head, neck, chest, or groin unless deadly force is authorized.
  - b) At ranges that are inconsistent with PIW agency training.
  - c) At a person who is situated on an elevated surface (e.g., a ledge, scaffold, near a precipice, etc.) unless reasonable efforts have been made to prevent or minimize a fall related injury (e.g., deploying a safety net).

#### **D. Electronic Control Tools (ECT)** *CALEA 4.1.4, 4.3.2, 4.2.1(c)*

An electronic control tool (ECT) is a portable device that fires darts/electrodes that transmit an electrical charge or current intended to temporarily immobilize a person.

1. Issuance and carrying an ECT:
  - a) An approved ECT may only be used by officers who have been certified in its use and are recertified on a yearly basis.
  - b) Officers issued an ECT are expected to carry them as a less lethal option.
  - c) When consistent with training, officers carrying an ECT will perform a function check on the weapon and check remaining battery life prior to every shift. Officers should report any malfunction to a supervisor or other appropriate personnel.
  - d) Each time an ECT is deployed, the involved officer will dock the ECT battery in the designated ECT docking station to begin the data upload prior to the end of their tour of duty.



2. Standards of use:

- a) Officers shall carry an ECT on the support side of the body, and in all but extreme circumstances, shall draw, exhibit and use the device with the support (non-pistol firing) hand.
- b) Officers should not hold an ECT and firearm simultaneously unless exigent circumstances exist.
- c) Officers should target areas that do not include the head, neck, chest, or genitals.
- d) Officers should not intentionally deploy multiple ECTs at the same person, unless the first deployed weapon clearly fails.
- e) Officers should be aware that the primary use of an ECT is not as a pain compliance tool. Drive-stun mode should only be used when necessary to complete the incapacitation circuit where only one probe has attached to the person, where both probes attached in close proximity, or when no other less lethal options are available and appropriate.
- f) Officers should be aware that multiple applications of the ECT increase the risk of serious bodily injury or death.
- g) An ECT shall be used for one standard discharge cycle of five seconds or less, after which the officer shall re-assess the situation. An officer shall use only the minimum number of cycles necessary to control the person.
- h) Officers will assume that if they have used an ECT three times against a person and the person continues to aggress, the ECT may not be effective against that person and the officer shall consider other options.
- i) Officers must be able to clearly articulate and document the justification for each individual application of the ECT.

3. Restricted Uses

An ECT should not be used in the following circumstances:

- a) On a person who is fleeing the scene, absent other factors.
- b) On a person who is handcuffed or otherwise restrained unless deadly force is authorized.
- c) On a person who is situated on an elevated surface (e.g., a ledge, scaffold, near a precipice, etc.) unless reasonable efforts have been made to prevent or minimize a fall related injury (e.g., deploying a safety net).
- d) On an operator in physical control of a vehicle in motion, including automobiles, trucks, motorcycles, ATVs, bicycles, and scooters unless deadly force is authorized.
- e) In any environment where an officer knows or has reason to believe that a potentially flammable, volatile, or explosive material is present that might be ignited by an open spark, including but not limited to OC spray with a volatile propellant, gasoline, natural gas, or propane.

**E. Firearms** *CALEA 4.1.2, 4.1.3, 4.3.1*

1. A firearm is a weapon with lethal ammunition carried by an officer that meets the firearm specifications of the agency or that has been authorized as a specialty firearm by the leadership of the law enforcement agency.
2. Officers are only permitted to discharge a firearm at a person in situations where deadly force is authorized. Each discharge of the firearm must be justified.
3. Drawing or Pointing a firearm:
  - a) Officers should only point a firearm at a person when deadly force may be authorized.
  - b) An officer may draw or point their firearm when the officer reasonably believes it may be necessary for their own safety or for the safety of others.
  - c) When it is determined that the use of deadly force is not necessary, officers should, as soon as safe and feasible, lower, holster, sling, or secure their firearm.
4. Pointing a firearm at a person is a reportable use of force and its justification and circumstances shall be documented.
5. When safe and feasible, officers shall give a verbal warning that a firearm will be discharged.
6. Prior to the decision to use a firearm, officers should consider field of fire, backdrop, bystanders, potential for ricochet, and other risks of life.
7. Restricted and Prohibited uses:
  - a) Officers shall not use firearms as impact weapons except when deadly force is permitted
  - b) Discharging a firearm at or from a moving vehicle

- 1) Officers may not fire a weapon upon a moving vehicle unless necessary to protect against an imminent threat of serious physical harm resulting from the operator's or a passenger's use of a deadly weapon. A vehicle is not considered a deadly weapon unless the operator is using the vehicle as a deadly weapon and no other reasonable means to avoid potential serious harm are immediately available to the officer ([RCW 10.116.060](#)).
  - 2) When feasible, officers on foot shall attempt to move out of the path of a moving vehicle rather than discharge their weapon at the vehicle operator, unless a person is immediately threatening the officer or another person with deadly force other than the vehicle itself.
  - 3) Officers shall not shoot at any part of a vehicle in an attempt to disable the vehicle.
  - 4) Officers shall not discharge a firearm from a moving vehicle, unless a person is immediately threatening the officer or another person with deadly force.
- c) Officers shall not fire "warning shots."

**P3.1.8 SELECT RESTRAINT DEVICES AND STANDARDS OF USE** *CALEA 4.1.6, 4.1.7, 70.2.1, 70.1.6(b)*

Because restraint devices are designed to compel, control, constrain, or restrain a person's movement, use of these devices is physical force and all considerations governing uses of physical force detailed in this policy apply to their use.

Except in exigent circumstances, officers shall only use restraint devices for which they have successfully completed agency-approved training.

**A. Transport Hood**

1. A transport hood is a woven mesh device which can be placed over a person's head and face with the intent of preventing or reducing the transmission of infectious disease through saliva, mucous, and blood.
2. Standard of Use:
  - a) An officer may apply a transport hood when lawfully restraining or attempting to restrain an individual who is spitting or biting.
  - b) Officers applying a transport hood device must ensure the transport hood is fastened properly according to the manufacturer's instructions to allow for adequate ventilation so that the restrained person can breathe normally.
  - c) Only officers who have successfully completed agency-approved training on application of a transport hood are authorized to use one.
  - d) Officers shall only use agency-issued transport hood devices.
3. Restricted Uses:
  - a) Persons who have been sprayed with OC spray should be decontaminated so their breathing is not distressed prior to application of a transport hood.
  - b) For individuals in mental health crisis, application of a transport hood may provoke an elevated level of distress. Officers should provide verbal reassurance and dynamically assess the situation to remove the transport hood as soon as appropriate.
4. Prohibited Uses. Officers shall not apply a transport hood device in the following situations because of higher risks:
  - a) Where the restrained person is bleeding profusely from the area around the mouth or nose.
  - b) On an individual who is actively vomiting. If a person vomits while wearing a transport hood, the transport hood should be promptly removed and discarded.
  - c) On an individual who states that they have a medical condition that affects their breathing, or who demonstrates symptoms of labored or distressed breathing.
5. In the event of a medical emergency, the transport hood device should be removed immediately.
6. Prior to application of a transport hood, an officer shall warn the individual and provide a reasonable time for the person to comply with the officer's commands. If applied, the officer shall remove the transport hood as soon as the threat of spitting or biting has ended, or the officer observes that the transport hood is no longer necessary.
7. After application of a transport hood and when safe to do so, officers shall move the individual into a seated or side recovery position and shall monitor the individual until the transport hood is removed. Officers shall assist when escorting the individual due to the potential for impaired or distorted vision.
8. Application of a transport hood must be documented.
9. Transport hood devices shall be discarded after each use.

**B. Leg Restraint**

1. A leg restraint is a strap designed to restrain a person's feet in order to control an assaultive person.

2. Officers shall only use agency-issued leg restraints.
3. Prohibited Use: Officers shall not connect a leg restraint to handcuffs or other types of restraints (i.e., “hog tie” an individual).
4. Once a leg restraint is applied, officers shall not place the person face down.
5. Officers shall monitor individuals who have been placed in a leg restraint and take immediate action, if necessary, to protect the person’s health and safety.
6. Officers shall discontinue use of a leg restraint once the necessity for its use ceases.
7. Application of a leg restraint must be documented.

**P3.1.9 USE OF FORCE REPORTING POLICY** *CALEA 4.2.1(a), 4.2.1(b), 4.2.1(c), 4.2.1(d), 4.2.2*

The Tacoma Police Department considers the application of necessary force a professional responsibility and is accountable for all aspects of training, practice, supervision, and review regarding the use of force. The reporting procedure set forth herein shall be to account for applications of reportable use of force and provide a review process for training. This training reporting addresses the tools, tactics and timing of force application and provides a statistical basis for policy review.

The Supervisory review of force applications shall be the determining factor in evaluating appropriateness and necessity. The investigating Supervisor shall make a preliminary determination as to whether force was applied within Department guidelines. The quantitative reporting of force applications on the Electronic Reporting System for training purposes shall not be used in the investigative process where disciplinary sanctions may result.

All applications of force shall meet the standard of reasonableness as determined by the circumstances the Officer encounters.

**A. Use of Force Reporting Instructions**

The following processes regarding use of force shall provide guidance in reporting.

1. Cooperative controls shall be described in the narrative section of the Incident Report when written.
2. Lower-Level Physical Force shall be described in the narrative section of the Incident Report and entered into the Electronic Reporting System, regardless of whether an injury occurs. Officer(s) who use this type of physical force shall contact a Supervisor, and the Supervisor shall make an additional entry into the Electronic Reporting System as a Use of Force.
3. Intermediate Physical Force shall be described in the narrative section of the Incident Report and entered into the Electronic Reporting System. Officer(s) who use this type of physical force shall contact a Supervisor and the Supervisor shall make an additional entry into the Electronic Reporting System as a Use of Force.
4. Deadly force shall be investigated and reported by the appropriate investigatory agency (e.g., PCFIT) consistent with P3.4. Officer(s) who use deadly force shall contact a Supervisor. Internal Affairs will complete the Electronic Reporting System Use of Force entry when the deadly force was used against a person or an animal.

➤ *NOTE: Due to the significant impact on personnel and resources, investigations of deadly force applications shall be addressed specifically in [P3.4, Deadly Force Investigations](#).*

5. An officer shall articulate their decision-making and justification for each use/application of a force tool that is Lower-Level Physical Force through Deadly Force. Regardless of the force option used, each independent use must be articulated by the officer as each is considered a separate use of force.
6. Officers who employ a reportable use of force shall specify those actions within the narrative section of the report. Additionally, if the officer wishes to (and if warranted) make specific training recommendations regarding tool effectiveness and training proficiency, the Officer should collaborate with the Supervisor so the aforementioned can be included in the comments section of the Electronic Reporting System entry. *(Refer to the Electronic Reporting System Flow Chart – Non-Complaints)*
7. In situations where multiple officers apply the same techniques, tactics and/or tools that constitute a reportable use of force, Supervisors shall complete one entry into the Electronic Reporting System for each person (addressing all appropriate sections) regardless of how many officers are involved.
  - Supervisors shall conduct a review regarding applications of force and shall complete the entry in the Electronic Reporting System. Training deficiencies and/or concerns should be identified in the comments section. *(Refer to [Electronic Reporting System/ UOF/Pursuit/MVC Process](#))*

**P3.1.10 NOTIFICATION TO NATIVE AMERICAN AFFAIRS**

- A. When the use of force by an officer results in the death of a person who is an enrolled member of a federally

recognized Native American tribe, notification shall be made to the Governor’s Office of Native American Affairs within a reasonable period of time, but not more than 24 hours after the department has good reason to believe the person was an enrolled member.

- B. Notice shall include sufficient information for the Governor’s Office of Native American Affairs to attempt to identify the deceased person and tribal affiliation ([RCW 10.114.021](#)).

### **P3.1.11 NOTIFICATION TO CRIMINAL JUSTICE TRAINING COMMISSION (CJTC)**

Notification shall be made to CJTC within 15 days of learning of the occurrence of any death or serious injury caused by the use of force by an officer. ([RCW 43.101.135](#))

### **P3.1.12 NOTIFICATION TO OFFICE OF INDEPENDENT INVESTIGATIONS**

- A. For incidents that result in death, serious bodily harm or great bodily harm, the Chief of Police (or designee) shall immediately contact the appropriate Force Investigation Team and the Office of Independent Investigations pursuant to procedures established by the director ([RCW 43.102.120](#)).
- B. If the Office of Independent Investigation is unavailable, the appropriate Force Investigation Team will be notified to investigate.

### **P3.1.13 ADMINISTRATIVE SERVICES BUREAU *CALEA 4.2.4(e)***

- A. The Administrative Services Bureau is responsible for collating the information obtained from the electronic Use of Force reporting system.
- B. If no training issue is identified, the information shall be collected, and the data retained according to Washington State records retention laws.
- C. If a training issue is identified either by the Officer, the reviewing Supervisor or training personnel, the Training Section shall, within 60 days, construct a corrective training plan for specific skill improvement and implement, with the affected Officer, as soon as is reasonably practical.
- D. The Department shall provide data on physical and deadly force incidents required by the statewide Use of Force data collection program. ([RCW 10.118.030](#)).

### **P3.1.14 TRAINING *CALEA 4.3.3(a), 33.1.5(a), 33.1.5(b), 4.3.3(a), 4.3.3(b), 4.3.3(c), 4.3.4***

- A. The Department will train officers to use force in compliance with this Policy and Federal and State law, including the articulation of an officer’s decision-making and justification in applying or not applying force.
- B. Prior to the effective date of this policy and, for new hires, the Department will provide training on this policy which shall be a combination of classroom and scenario-based training.
- C. All officers and supervisors shall receive training consistent with this policy at least annually. Training should:
  - 1) Be a combination of classroom and scenario-based learning;
  - 2) Include De-Escalation, Crisis Intervention, Implicit and Explicit Bias, Fair and Impartial Policing, and Cultural Competency; and
  - 3) When relevant and feasible, include community partners.
- D. This policy should be incorporated into defensive tactics curricula.
- E. Training Section staff shall be responsible for making corrective recommendations to training modules and for improving individual officer’s proficiencies.

#### **Reference Guide:**

USE OF FORCE PURPOSE, SCOPE, AND POLICY	P3.1
USE OF FORCE GENERAL DEFINITIONS	P3.1.1
USE OF FORCE CORE PRINCIPLES	P3.1.2
CRITICAL DECISION-MAKING	P3.1.2.A
IDENTIFICATION, WARNING & OPPORTUNITY TO COMPLY	P3.1.3
DUTY TO INTERVENE AND DUTY TO REPORT WRONGDOING	P3.1.4
DUTY TO DE-ESCALATE	P3.1.2B
DUTY TO USE REASONALBE CARE	P3.1.2C
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NECESSARY AND FOR A LAWFUL PURPOSE	P3.1.2.C.2
TYPES OF FORCE	P3.1.6
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DEADLY FORCE REVIEW BOARD	P3.5
ELECTRONIC REPORTING SYSTEM FLOW CHARTS	P3.1.9.A