Summary of 2017 Use of Force Policies and Central Differences With Prior Policies

Main Use of Force Policy (G03-02)

1. Describes central goals and values that underlie use of force policy
   - Places sanctity of human life at center of policy
   - Emphasizes overall goal of seeking voluntary compliance

2. Describes standard for assessing uses of force in plain English, minimizes legalese and case citations
   - Standard is based on reasonable officer on the scene, not 20/20 hindsight
   - Emphasizes the difficulty of split-second officer decision-making
   - Highlights officer safety concerns: no requirement that officers take actions that create danger to themselves
   - Previous policy contained same standard but less clearly described

3. Provides more detailed guidance on use of force
   - Objectively reasonable
   - Necessary
   - Proportional

4. Contains specific prohibitions on uses of force
   - Bars use of excessive force, discriminatory force, force as punishment or retaliation, and force in response to exercise of 1st Amendment rights
   - Prior policy did not contain these specific prohibitions

5. Provides more detailed guidance on deadly force
   - Limits use of deadly force on fleeing felons – requires existence of imminent threat, which exists when:
     o Subject’s actions are immediately likely to cause death or great bodily harm;
     o Subject has means or instruments to cause death or great bodily harm;
     o Subject has opportunity and ability to cause death or great bodily harm.
   - Deadly force may only be used as last resort
   - Defines uses of force that constitute deadly force
   - Includes intentional head strikes with impact weapon, and chokeholds
6. Contains specific prohibitions on using firearms, with limited identified exceptions:
   - Warning shots
   - Shots at people threatening suicide
   - Solely to protect property
   - Firing into crowds
   - Firing into buildings
   - Firing at moving vehicles
   - Prior deadly force policy contained generally same prohibitions

7. Requires use of de-escalation to prevent or minimize uses of force
   - Specific de-escalation techniques:
     - time as tactic
     - distance
     - positioning
     - warnings
     - additional personnel
     - specialized units
   - Prior use of force policy did not refer to de-escalation, although CPD 2016 Force Options policy incorporated concept of force mitigation

8. Providing medical aid to injured persons
   - Immediately request medical aid for injured person
   - May provide medical care consistent with training
   - More specific guidance on appropriate action than in prior policy

9. Violations of use of force policy must be reported
   - Verbal intervention
   - Report to supervisor
   - If supervisor, must issue direct order to stop violation
   - Bars retaliation for reporting improper use of force, or for cooperating with investigation
   - More specific guidance on reporting requirements than in previous policy
Force Options (G03-02-01)

1. Incorporates the same central goals and values of the main use of force policy
   - Sanctity of human life
   - De-escalation
   - Objectively reasonable, necessary, and proportional

2. Explains force mitigation principles
   - Continual communication with subject
   - Tactical positioning
   - Time as a tactic

3. Condenses and refines definition of assailant
   - Subjects threatening only themselves no longer considered assailants
   - Only two (rather than three) types of assailants:
     - Subject’s actions aggressively offensive and may cause physical injury
     - Subject’s actions likely to cause death or serious physical injury to someone else

4. Revises and clearly describes force options authorized for different types of subjects
   - Cooperative subject (no physical force necessary)
   - Passive resisters (holding and compliance techniques, control instruments, chemical agents with limitations)
   - Active resisters (stunning, OC spray, canines, Tasers)
   - Aggressively offensive assailants (direct mechanical techniques, impact weapons, impact munitions)
   - Assailants likely to cause death or serious physical injury (deadly force)

5. Requires post-force monitoring and positioning
   - No kneeling or sitting on a subject’s chest
   - Position subject to allow free breathing
   - Monitor subject until transported

6. Main changes from 2002 policy
   - Eliminates use of force model as part of policy, but new version will be used in training
   - Assailants now include only subjects threatening imminent use of force against others, not against themselves
• Broadens, strengthens, and renames the affirmation life principle as the “Sanctity of Human Life” to emphasize that the sanctity of all human life for all persons is the Department’s highest priority

Taser Use (G03-02-04)

1. Incorporates the same central goals and values of the main use of force policy
   • Sanctity of human life
   • De-escalation
   • Objectively reasonable, necessary, and proportional

2. Revises and clearly describes situations in which Taser use is authorized
   • Active resisters
   • Assailants

3. Gives straightforward guidelines on authorized applications
   • Three five-second energy cycles
   • Each application must be separately justified

4. Clearly describes prohibitions on Taser use
   • Explosion hazards
   • Removing barbs
   • Multiple Tasers on one subject
   • Drive stuns
   • Persons vulnerable to injury from Tasers

5. Condenses post-discharge responsibilities for deploying officer and supervisors
   • Deploying officer:
     o Avoid placing stress on the subject
     o Notify supervisors and emergency services
     o Request appropriate medical aid
     o Complete TRR and other appropriate reports
   • Focuses on supervisory responsibilities specific to Taser use incidents for:
     o Responding supervisor
     o Investigating supervisor
     o Street Deputy
OC Spray and Chemical Agent Use (G03-02-05)

1. Incorporates the same central goals and values of the main use of force policy
   - Sanctity of human life
   - De-escalation
   - Objectively reasonable, necessary, and proportional

2. Clearly describes prohibitions on chemical agent use
   - Persons vulnerable to injury from chemical agents
   - In enclosed areas

3. Provides guidelines on mitigating effect of spray discharge
   - Relocate individuals to uncontaminated area
   - Provide opportunity to flush with water
   - Advise subject to refrain from rubbing affected area

4. Condenses post-discharge responsibilities for deploying officer and supervisors
   - Deploying officer:
     - Notify emergency services and supervisors
     - Request medical aid
     - Complete TRR and other appropriate reports
   - Focuses on supervisory responsibilities specific to chemical agent use incidents for:
     - Responding supervisor
     - Investigating supervisor
     - District Commander

Canine Use (G03-02-06)

1. Incorporates the same central goals and values of the main use of force policy
   - Sanctity of human life
   - De-escalation
   - Objectively reasonable, necessary, and proportional

2. Revises and clearly describes for which types of subject canine use is authorized
   - Active resisters when:
     - Subject alleged to have committed a felony or violent misdemeanor
- Subject reasonably believed to be armed
- Search for felony subject conducted in areas or buildings that contain hidden locations

- Assailants

3. Describes prohibitions on canine use
   - Crowd control situations, unless authorized
   - Subjects at greater risk of serious injury or death from canines

4. Provides additional safety and reporting guidelines
   - Canines must be kept in range of the handler
   - TRR required
   - Supervisor must be notified before deploying
   - Warning must be provided
   - Guidelines for handler when canine finds a subject