



GENERAL ORDER

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3615.01 PURPOSE

This General Order provides types and levels of the use of force by an officer, including the Federal constitutional standards for the use of deadly force.

3615.02 POLICY

The type and level of force used must be reasonable, depending on the dynamics of the situation. This force may take the form of verbal commands, persuasion, warnings, directives, bodily contact, use of baton or other non-lethal weapon, or the use of deadly force. Once a level of force is no longer required, it must be decreased or discontinued. An officer is expected to employ only the minimum level of force necessary to control a situation. The reasonable use of force refers to that level of force used by an officer to control a situation based upon the officer's perception of danger. An officer shall escalate, de-escalate, or maintain that level of force necessary to control the situation.

3615.03 USE OF FORCE

The use of force has been construed by the courts to include a wide range of physical compliance techniques.

A. Verbal Commands

An officer shall attempt to inspire respect and to solicit cooperation from the public. The manner in which an officer speaks to a person can be an effective means of exerting force to control a situation. Verbal commands may take the form of instructions, commands, warnings, or persuasion. By using reasonable forms of verbal commands, including volume and tone control, an officer may avoid having to escalate to a higher level of force.

B. Physical Force

When an officer is required to use physical force, he/she may encounter resistance. There are three types of resistance an officer may encounter:

1. Passive - an individual may display low levels of non-compliance. An officer faced with an uncooperative individual may find that verbal commands and other alternatives are ineffective. An officer may be required to use sufficient force to make an arrest without unnecessarily escalating the situation (e.g., carrying passive demonstrators to an arrest bus).
2. Active resistance - an individual's resistance has increased from indifference to control or has escalated to a point where the individual exhibits physical defiance. The object at this level of force is to gain compliance and control, while minimizing the risk of injury to the officer, the violator, and the public. An officer should use appropriate physical tactics to overcome the resistance, and remain vigilant for additional aggressive behavior.
3. Bodily harm - an individual's resistance level has increased from active physical resistance to confrontational behavior so as to inflict bodily harm. This level usually involves the individual attempting to assault the officer or another person. In such a situation, it is reasonable for an officer to take immediate control of the situation, use appropriate physical action to immediately stop the aggression, thwart the aggression, or regain and/or maintain control of the individual, which may include the use of Force-issued defensive equipment as provided in General Order 3605 "Defensive Equipment."

C. Deadly Force

1. Permissible uses - an officer may use deadly force only when necessary, that is when the officer has a reasonable belief, in light of the facts and circumstances confronting the officer, that the subject of such force poses an imminent danger of death or serious bodily harm to the officer or to another person. Before using a firearm, an officer shall, **WHEN FEASIBLE AND NECESSARY**, identify himself/herself as a police officer.
2. Fleeing felons - the use of deadly force to prevent the escape of a fleeing felon is only justified if the officer has probable cause to believe that:

- a. The individual has committed a felony involving the infliction or threatened infliction of serious physical injury or death and
- b. The escape of the individual would pose an imminent threat of serious physical harm.

-- examples of imminent threats include, but are not limited to:

- (1) an individual possesses a weapon, or is attempting to gain access to a weapon, under circumstances indicating an intention to use it against another officer or others
- (2) an individual is armed and running to gain the tactical advantage of cover, not merely seeking cover in an attempt to elude arrest
- (3) an unarmed individual with the capability of inflicting death or serious physical injury, or otherwise incapacitating officers/others, without a deadly weapon who is demonstrating an intention to do so
- (4) an individual is attempting to escape from the vicinity of a violent confrontation in which he/she inflicted or attempted the infliction of death or serious physical injury

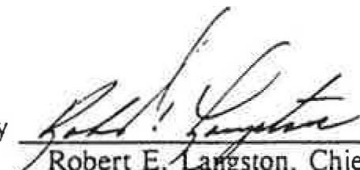
3. Vehicles - most conventional police handguns are usually ineffective in readily disabling or stopping a motor vehicle. In all situations, the safety of the immediate public should not be unreasonably jeopardized by the officer's action.

- a. Officers shall not fire at a moving vehicle nor fire from a moving vehicle except when the officer has a reasonable belief that the subject poses an imminent danger of death or serious physical injury to the officer or to another person and
- b. The public safety benefits of using such force outweigh the risks to the safety of the officer or another person.

-- examples of instances when it **may** be appropriate to fire from a vehicle include, but are not limited to:

- (1) firing at the operator of a vehicle when a vehicle is being operated in a manner deliberately intended to injure the officer or another
 - (2) firing at an occupant of a moving vehicle when the occupant is threatening deadly force by means other than the vehicle
4. The use of impact weapons can also result in death or serious injury. An officer is not permitted to use an impact weapon without authorized training and the use of the weapon must be consistent with this section.
5. As a last resort, a Force vehicle may be used as a means of deadly force consistent with this section.

Approved by


Robert E. Langston, Chief of Police