

ROSEVILLE POLICE DEPARTMENT

October 2, 2017

Use of Force policy

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This Department recognizes and respects the value and special integrity of each human life. In vesting police officers with the lawful authority to use force to protect themselves and the public, a careful balancing of all human interests is required. Therefore, it is the policy of this department that police officers shall use only that force that is reasonably necessary to effectively bring an incident under control, while protecting the lives and safety of the officer or another person.

GENERAL RULES GOVERNING THE USE OF FORCE

A. Officers shall limit their use of force to the least amount of force reasonably necessary to accomplish their intended objective, to overcome the resistance encountered, and to protect the safety of others. In determining the amount of force reasonably necessary, the following facts shall be considered relevant:

1. An officer is not required to attempt to use types and degrees of force, which reasonably appear to be inadequate to accomplish the officer's intended objective.
2. An officer is not required to become involved in protracted struggles or protracted hand-to-hand combat which can frequently result in an increased risk of injury to the person being arrested or captured, to the officer, or may otherwise be detrimental to public safety. As such, an officer may use a type and degree of force which appears reasonably necessary to bring a person under control quickly.
3. Officers will not intentionally use airway choke holds to subdue or control individuals. Additionally, under no circumstances may any officer continue to use force (except mere physical restraint) against an individual who has ceased to resist.
4. When an individual offers only passive resistance to arrest, an officer shall physically remove and transport such individual with as much regard to the individual's safety and welfare as is reasonable and practical.

B. In determining the degree of force which is reasonable under the circumstances, officers shall consider the following:

1. The severity of the crime or threat.
2. Whether the suspect poses an immediate threat to the safety of the officers or others.
3. Whether the suspect is actively resisting arrest or attempting to evade arrest by flight.

Service



Integrity



Respect



Innovation

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4. Whether the criminal violation or a history of assault of the suspect or location presents a situation in which quick control or compliance is needed.
5. Other relevant information the officer reasonably believes to be true at the time.

C. Only approved weapons shall be carried and used by officers, unless unforeseen circumstances exist that require the immediate use of a non-approved weapon to counter an imminent threat to the safety of the officer or the public.

Defensive Weapon Used and subsequent medical assessment by:

Item	Officer/Sergeant Check	Paramedic	Hospital
Contact Weapon		✓	
Chemical Agents		✓	
Conducted Electrical Weapon (CEW) /Taser CEW- Face or Genital Area		✓	✓
K9 Bite		✓	
Less Lethal – Specialty Impact			✓
Firearm Discharge Injuries			✓

RPD Use of Force Review in action- Any use of force requires a report to be completed along with documentation of the particular use(s) of force. The report is sent to the supervisor for review. The supervisor is to read the report and view all available video data. If the supervisor feels the force used is within policy, he or she will indicate that in a “Response to Resistance” tab in the report. If the force is deemed to be a potential policy violation, the supervisor will initiate coaching or an internal investigation. Each quarter a summary of all uses of force for every member of the Department is reviewed at a Leadership Meeting.



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USE OF FORCE CONTINUUM

<u>Actor's Behavior</u>	<u>Officers Response</u>
<p><u>Compliant</u> Accepts officer's authority, complies with requests, submits to arrest.</p>	<p><u>Tactics</u> Verbal skills</p>
<p><u>Passive Resistant</u> Fails to comply, uses no force of energy, indifferent to arrest or control.</p>	<p><u>Tactics</u> Carry Skills and Devices Pressure Point Control Tactics--Manipulations</p>
<p><u>Active Resistant</u> Non-assaultive resistance, but the actor flees or employs force to make arrest more difficult, indifference to control has increased.</p>	<p><u>Tactics</u> PPCT—Stuns Aerosol Chemical Weapon Conductive Energy Weapon/Taser K9 Stop Sticks</p>
<p><u>Assaultive (Bodily Harm)</u> Officer's attempt to gain lawful compliance has been met with a threatened assault, active hostile resistance culminating in an attack on the officer or another or the subject has threatened or initiated self-inflicted injury, or suicide. The situation indicates speed and compliance is quickly needed to minimize the risk of harm to persons present.</p>	<p><u>Tactics</u> Kicks and Strikes Contact Weapon CEW/Taser K9 Stop Sticks Less Lethal</p>
<p><u>Assaultive (Great Bodily Harm)</u> Based on the subject's acts, the officer draws a reasonable conclusion that they, or another person, is subject to death or great bodily harm as a result of the actor's assault.</p>	<p><u>Tactics</u> Firearms K9 Stop Sticks Other Lethal Methods</p>
Contributing Factors	
<p><u>Actor</u> Size and Condition Expressed Intentions—Suicide Threats Proximity to Weapons History and Urgency of Control Multiple Assailants—Uncontrolled People</p>	<p><u>Officer</u> Size and Condition Weapons Available Defensive Tactics Ability Available Assistance Fatigue</p>



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Under the Fourth Amendment, police may use only such force as is objectively reasonable under the circumstances. Graham v. Connor, 490 U.S. 386, 397 (1989); Determining whether force used in making an arrest is excessive or reasonable "requires careful attention to the facts and circumstances of each particular case, including the severity of the crime at issue, whether the suspect poses an immediate threat to the safety of the officers or others, and whether he/she is actively resisting arrest or attempting to evade arrest by flight."

Totality of Circumstances- Considered by the Courts

- "Reasonable officer"
- On the scene
- At the moment force is used
- Without 20/20 hindsight

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