

BLOOMINGTON POLICE DEPARTMENT

STANDARD OPERATING PROCEDURE

RESPONSE TO AGGRESSION

Reviewed by: Lt. James B. Clesson	Effective Date: June 15, 2004
Authorized by: Chief Jamal A. Simington	Revision Date: March 5, 2026

PURPOSE

The purpose of this policy is to provide sworn personnel with guidelines for the use of force.

POLICY

It is the policy of the Bloomington Police Department (BPD) to value and preserve human life. Officers shall use only the force that is objectively reasonable to effectively bring an incident under control, while protecting the safety of the officer and others. Officers shall use force only when no reasonably effective alternative appears to exist and shall use only the level of force which a reasonably prudent officer would use under the same or similar circumstances.

DEFINITIONS

Blue Team:	BPD's software for documenting use of force and show of force incidents.
Contagious Fire Phenomenon:	A situation in which one officer discharges their firearm, and other officers --- without independently confirming a threat -- also discharge their weapon in rapid succession, often in response to the initial gunfire rather than a verified threat.
Deadly Force:	The intentional use of a firearm or other instrument, that creates a substantial risk of causing death or great bodily harm.
De-Escalation:	Taking action or communicating during a potential force encounter in an attempt to stabilize the situation and reduce the immediacy of the threat so that more time, options, and resources can be called upon to resolve the situation without the use of force or with a reduction in the force necessary.
Great Bodily Harm:	Bodily injury which creates a substantial risk of death, or which causes serious permanent disfigurement, or which causes a permanent or protracted loss or impairment of the function of any bodily member or organ or any other serious bodily injury.
Hostile Intent:	A subject's actions, behaviors, or statements indicating an imminent threat of death or great bodily harm.
Non-Deadly Force:	An amount of force that under normal circumstances might cause bodily harm but would not be expected to result in great bodily harm or death.
Objective Reasonableness Standard:	The standard established by the U.S. Supreme Court in <i>Graham v. Connor</i> asserts that reasonableness must be judged by the "totality of the circumstances," from the perspective of a reasonable officer at the scene. Three elements of the standard are: <ol style="list-style-type: none">1. The severity of the alleged crime at issue;

2. Whether the suspect poses an immediate threat to the safety of officers and/or others; and
3. Whether the suspect is actively resisting or attempting to evade arrest by flight.

Passive Resistance: Any resistance where a subject does not attempt to defeat an officer's attempt to touch or control but will not voluntarily comply with verbal and physical attempts of control.

Present Ability: A subject has the means, opportunity, and immediate capability to carry out an act of deadly force or cause great bodily harm.

Reasonably Believes: An ordinary, prudent and reasonably intelligent police officer's belief that a certain fact situation exists, and such belief is reasonable under the circumstances known to the officer *at the time the officer acted*.

Reasonable Force: A physical act by a police officer in the performance of duty when it is used to accomplish a legitimate law enforcement goal and the level of force used is reasonable considering all the facts and circumstances known to the officer at the time of the incident.

Reportable Show of Force: For purposes of this document, show of force is the effort to control a situation or anticipated danger by deploying a force option (e.g., firearm, canine, Taser, less-lethal weapon, vehicle suppression techniques, OC Spray, Spit Shield, etc.) and pointing the force option at the person and/or threatening use of force against the person while the force option is deployed.

Reportable Use of Force: Any instance in which an officer uses force beyond mere handcuffing or similar restraints or physical restraints that do not cause injury or a complaint of injury to the subject (e.g., holding a subject's arms, or the escort position).

720 ILCS 5/7-1 – Use of Force in Defense of Person Allows a person (including peace officers) to use force against another when they reasonably believe it is necessary to defend themselves or another against imminent unlawful force.

Deadly force is justified only if it is reasonably believed necessary to prevent imminent death or great bodily harm, or to prevent the commission of a forcible felony.

720 ILCS 5/7-8 – Force by Peace Officers Governs peace officers' use of force in making an arrest or preventing an escape. Officers may use force reasonably believed necessary to effect the arrest or prevent escape.

Deadly force is permitted only when the officer reasonably believes it is necessary to prevent death or great bodily harm, or when the suspect has committed a forcible felony involving serious harm and is likely to cause such harm again if not apprehended.

PROCEDURE

GENERAL GUIDELINES

- Use of force shall not be used as punishment or retaliation.
- Use of force should be discontinued when resistance ceases or when the incident is under control.
- Physical force shall not be used against individuals in restraints, except as objectively reasonable to prevent their escape or prevent imminent bodily injury to the individual, the officer, or another person. In these situations, only the minimal amount of force necessary to control the situation shall be used.
- An officer shall not brandish, display, or threaten use of a force, unless they can reasonably conclude its use may become justified.
- Information known to an officer at the time of an incident, including a person's prior conduct, statements, and history of assaultive behavior, may be considered in their decision to use force.
- Once the scene is safe and as soon as practical, an officer shall provide appropriate medical care consistent with their training to any individual who has visible injuries, complains of being injured, or requests medical attention. This may include providing first aid, requesting emergency medical services, and/or arranging for transportation to an emergency medical facility.
- If force is used and an injury requiring emergency medical treatment (beyond first-aid), or hospital admittance occurs to the suspect, officer, or any other person, the officer's direct supervisor shall be notified as soon as practically possible. The investigation should follow the procedures listed in [SOP 6.44 Response to Aggression Reporting and Investigations](#).
- If an officer has a reportable use of force or a reportable show of force incident, they must complete documentation and notifications according to [SOP 6.44 Response to Aggression Reporting and Investigations](#).

DUTY TO INTERVENE

- All sworn members of the Department must recognize and act upon the duty to intervene to prevent or stop any member from conducting any act that is morally wrong, or that violates law or policy (e.g., excessive force, theft, fraud, inappropriate language, sexual misconduct, harassment, falsifying documents, inappropriate behavior, etc.).
- Intervention may be verbally or physically, to prevent or alter a result or course of events.
- Failure to intervene may subject a sworn member to disciplinary action, civil liability and/or criminal prosecution.
- 720 ILCS 5/7-16

DUTY TO RENDER AID

- Officers have an affirmative duty to provide or summon medical assistance for any person injured during an encounter, as soon as it is safe and practical to do so, consistent with training and Department procedures.
- Reference ILCS 720 5/7-15

DE-ESCALATION

- All sworn members of the Department should use de-escalation techniques to prevent or reduce the need for force when it is safe and feasible to do so based on the totality of the circumstances.
- Circumstances may prohibit an officer from utilizing de-escalation techniques. These may include, based on the totality of the circumstances, destruction of evidence, escape of the suspect or commission of a crime, safety of the officer, subject, or bystanders.
- Examples of de-escalation include, but are not limited to:
 - Providing a warning or exercising persuasion and advice prior to use of force.

- Determining whether the officer may be able to stabilize the situation using time, distance, or position to isolate and contain a subject.
- If possible, based on the circumstances, allow the person to submit to verbal commands prior to using force.
- Requesting additional personnel to respond to make use of specialized units or equipment including crisis-intervention-team trained officers.
- Using controlled physical techniques or less-lethal tools to gain compliance when necessary to stabilize the situation.

USE OF CHOKE HOLDS

- Officers will NOT use chokeholds or restrain them above the shoulders with risk of asphyxiation, the Lateral Vascular Neck Restraint (LVNR), or other neck restraints in the performance of their duties, unless lethal force is justified.
 - a. This does not include any holding involving contact with the neck that is not intended to reduce the intake of air.
- [720 ILCS 5/7-5.5](#) further prohibits the use of a chokehold, or any lesser contact with the throat or neck area of another, in order to prevent the destruction of evidence by ingestion.

LESS LETHAL FORCE

Oleoresin Capsicum (OC) Spray

- Officers will follow the training and guidelines established in [SOP 6.43 Oleoresin Capsicum](#).

Taser or Electronic Control Device (ECD)

- Officers will follow the training and guidelines established in [SOP 6.45 ECD](#).

Impact Weapons (Straight baton, Expandable baton, and Improvised Impact Instruments)

- Uniformed officers shall be required to have a BPD approved impact weapon (expandable baton) available to them while on duty.
- For purposes of this policy, an improvised impact weapon is any weapon, like a flashlight or another like weapon that an officer may use during a force encounter.
- The use of authorized batons is generally permitted against a person when the officer reasonably believes that lesser force option would be ineffective or would subject the officer or others to bodily harm.
- The preferred target area for a baton is the forearms (below the elbow and above the wrists) and thighs (below the groin but above the knees). Officers shall avoid targeting head, neck, spine, groin, and throat area unless deadly force is appropriate.

Less Lethal Launchers

- Officers will follow the training and guidelines according to [SOP 6.42 Less Lethal Launchers](#).

Additionally, [720 ILCS 5/7-5.5](#) states that *"officers shall not discharge kinetic impact projectiles and all other non-lethal or less-lethal projectiles in a manner that targets the head, neck, groin, anterior pelvis, or back; shall not discharge firearms or kinetic impact projectiles indiscriminately into a crowd."*

Officer's shall not *"use chemical agents or irritants for crowd control, including pepper spray and tear gas, prior to issuing an order to disperse in a sufficient manner to allow for the order to be heard and repeated if necessary, followed by sufficient time and space to allow compliance with the order unless providing such time and space would unduly place an officer or another person at risk of death or great bodily harm."*

Canine

- The use of a Canine will adhere to [SOP 1.11 Canine \(K-9\) Unit Policy and Procedure](#).

DEADLY FORCE

- The use of deadly force is permissible only as provided in [720 ILCS 5/7-5](#) provides in part that an officer "*is justified in using force likely to cause death or great bodily harm ONLY when he reasonably believes that such force is necessary to prevent death or great bodily harm to himself or such other person, or when he reasonably believes BOTH that:*
 - *Such force is necessary to prevent the arrest from being defeated by resistance or escape;*
 - *AND*
 - *The person to be arrested has committed or attempted a forcible felony which involves the infliction or threatened infliction of great bodily harm or is attempting to escape by use of a deadly weapon, or otherwise indicates that he will endanger human life or inflict great bodily harm unless arrested without delay.*"
- When feasible, the officer shall identify themselves as law enforcement and issue a verbal challenge.
- Officers shall be familiar with the constitutional limits on the use of force to prevent escape, as established in *Tennessee v. Garner*, 471 U.S. 1 (1985). Deadly force may not be used against a fleeing suspect unless the officer has probable cause to believe the suspect poses an imminent threat of death or serious bodily harm to the officer or others.
- Officers shall independently determine that an imminent threat of death or great bodily harm exists before discharging their firearm. An imminent threat is established when a subject demonstrates hostile intent and present ability.
- An officer's independent determination may be based on:
 - The officer's own observations;
 - Reliable information communicated by other officers or command personnel; and/or
 - Collectively developed intelligence establishing hostile intent and present ability.
- Officers shall not discharge their firearm solely in response to another officer's use of force without personally perceiving a lawful basis to do so.

Guidelines for Use of Deadly Force

- Warning shots are prohibited.
- Generally, firing into buildings or through doors, windows or other openings is forbidden when the person lawfully fired at is not clearly visible.
- Firing at or in the direction of a vehicle or person is prohibited when the likelihood of serious injury to an innocent person outweighs the police purpose served.
- BPD policy prohibits officers from discharging their weapons from moving vehicles.

SWAT

Chemical Munitions: Use of chemical munitions will be limited to SWAT members under the direction of the SWAT Commander and/or their designee. Use of these munitions will be in accordance with the requirements of this policy that only lawful and necessary force be used. A Blue Team entry will follow the use of a chemical munition.

Distraction Devices

Use of distraction devices will be limited to SWAT members under the direction of the SWAT Commander and/or his designee. Use of these munitions will be in accordance with the requirements of this policy that only reasonable lawful force be used. The use of Distraction Devices shall be documented in a Blue Team entry as well as a SWAT after-action report.

- Only SWAT personnel certified as Distraction Device Instructors shall arm and render safe all Distraction Devices used by SWAT (excluding cartridge-based Flash Bangs ex: Royal Arms).

- Only certified SWAT personnel trained in the use of Distraction Devices shall be allowed to deploy such devices.
- A fire extinguisher shall be readily available for use of any pre-planned Distraction Device deployment.

POLICY DISTRIBUTION AND TRAINING

- This policy should be reviewed as needed. Any questions or concerns regarding its content or interpretation should be directed to the employee's immediate supervisor for clarification. A copy of the *Response to Aggression* policy, along with all subsequent amendments or revisions, will be distributed electronically to all sworn personnel.
- Prior to being authorized to carry a firearm and/or any less-lethal weapon, employees shall receive training and be issued all applicable policies, procedures, and orders governing their use.
- The department shall conduct training of the appropriate use of deadly and non-deadly force by officers pursuant to the terms of this policy for all sworn personnel, at least annually, as part of the firearms training and qualification program.
- Certified Distraction Device instructors shall conduct training to SWAT personnel in the appropriate use of Distraction Devices pursuant to the terms of this policy at least annually, as part of the training and qualification program.

FOR DEPARTMENTAL USE ONLY

This policy is for departmental use only and does not apply in any criminal or civil proceedings. The department policy should not be construed as the creation of a higher legal standard of safety or care in an evidentiary sense with respect to third party claims. Violations of this policy will only form the basis for departmental administrative sanctions.