GENERAL ORDER			
NUMBER	POLICY NAME	RIPAC STANDARD	PAGES
400.03	Use of Force	2.9, 2.10, 2.11, 2.13, 2.14, 2.15, 2.23	5

SUBJECT AREA	REFERENCE	DISTRIBUTION
Law Enforcement Operations		All

I. PURPOSE

The purpose of this policy is to provide police officers with guidelines on the use of force.

II. POLICY

It is the policy of the Pawtucket Police Department to recognize and respect the value and special integrity of each human life. In vesting police officers with the lawful authority to use force to protect the public welfare, a careful balancing of all human interests is required.

Therefore, officers shall use the force that is objectively reasonable to effectively bring an incident under control, while protecting the safety of the officers and others.

III. DEFINITIONS

Administrative Review: A documented review of an incident or occurrence prepared by or for the Chief of Police or his/her designee. The review should indicate whether policy, training, equipment, or disciplinary issues should be addressed.

Analysis: A systematic, structured process for dissecting an event into its basic parts to identify any patterns or trends. Analysis should reveal patterns or trends that could be predictive or could indicate program effectiveness, training needs, equipment upgrade needs and/ or policy modification needs.

Appropriate Medical Aid: Appropriate medical aid may include increased observation to detect obvious changes in condition, flushing chemical agents from the eyes, applying first aid, evaluation by rescue personnel, or for more serious or life-threatening incidents, immediate aid by medical professionals.

Choke Hold: A physical maneuver applied to the neck that restricts an individual's ability to breathe.

De-Escalation: Taking action and/or communicating verbally or non-verbally 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/or resources can be called upon to resolve the situation without the use of force or with a reduction of the force necessary. De-escalation may include the use of such techniques as command presence, advisements, warnings, verbal persuasion, and/or tactical repositioning.

Imminent Threat: Such an appearance of an impending threat as would cause a reasonable police officer to immediately act to stop the threat.

Less Lethal Force: Any use of force other than that which is considered lethal or deadly force.

The level of force used by an officer is directly related to the facts and circumstances encountered by that officer. Force options currently available to officers include, but are not limited to:

Command Presence - An officer's appearance may be enough to dissuade a person from engaging in resistive behavior.

Verbal Commands - Dialogue used by an officer can serve to diffuse potentially violent situations.

Physical Skills - Physical techniques used by an officer to control potentially violent situations.

Chemical Spray - Used in compliance with a General Order 410.05 *Pepper Spray.*

Impact Tools - Striking tools used in compliance with a General Order 410.02 *Expandable Baton*.

Conducted Energy Weapon (CEW) used in compliance with General Order 410.07 *Taser*.

K9 used in compliance with General Order 500.02 *K-9 Police Dogs*

Lethal Force: Any use of force that is likely to cause death or serious bodily injury. Lethal force is also referred to as deadly force.

Objectively Reasonable: 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 reasonably prudent officer would use under the same or similar situations.

Reasonable Belief: Those facts and circumstances that would lead a normally prudent police officer to believe that his/her actions are necessary.

Serious Bodily Injury: Physical injury that (1) creates a substantial risk of death; (2) causes protracted loss or impairment of the function of any bodily part, member, or organ; or (3) causes serious permanent disfigurement.

Warning Shot: Discharge of a firearm for the purpose of compelling compliance from an individual but not intended to cause physical injury.

Vascular Neck Restraint: A technique that can restrict the flow of blood to the brain.

IV. PROCEDURES

A. GENERAL REQUIREMENTS

1. De-Escalation

a) When safe and appropriate under the totality of the circumstances:

(1) officers will assess the situation to determine if de-escalation is appropriate in order to reduce the potential need for force; and

(2) officers shall use de-escalation techniques and other alternatives to higher levels of force consistent with his or her training.

b) Whenever possible, and when such delay will not compromise the safety of the officer or another and will not result in the destruction of evidence, escape of a suspect, or commission of a crime, an officer shall allow an individual time and opportunity to submit to verbal commands before force is used.

2. Duty to Intervene – All officers present and observing another officer using force that is clearly beyond that which is objectively reasonable under the circumstances, shall intercede to prevent or stop the use of such force when in a position to do so safely. Officers shall report these observations to a non-involved supervisor without unnecessary delay.

3. Appropriate medical aid consistent with police officer training will be provided as soon as is practical in all lethal force and less lethal force option usage resulting in injury, or allegation of injury, to include injuries incurred during apprehension and /or custody.

4. Use of physical force shall be discontinued when resistance ceases or when the incident is under control.

5. 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.

6. A department authorized and certified weapons instructor or armorer shall perform and document an inspection of all weapons:

a) Prior to issuance to an individual officer or made available for shared department use; and

b) At the time of qualification or recertification of said weapon.

7. All agency personnel authorized to carry lethal and less lethal weapons shall receive all use of force policies and related instruction before such authorization, to include new and/or upgraded weapons. Policy receipt and curriculum delivery must be documented.

a) At least annually, all agency personnel authorized to carry weapons shall receive documented in-service training on the agency's use of force policies, to include all definitional terms contained therein.

B. *PARAMETERS FOR USE OF LETHAL FORCE*

1. A police officer is authorized to use lethal force in order to:

a) Protect him/herself, another officer, or other person(s) when the officer has an objectively reasonable belief that an imminent threat of death or serious bodily injury exists to himself/herself, another officer or other person(s).

b) To prevent the escape of a fleeing subject when the officer has probable cause to believe that the person has committed, or intends to commit, a felony involving serious bodily injury or death, and the officer reasonably believes that there is an imminent risk of serious bodily injury or death to the officer or another if the subject is not immediately apprehended.

2. Where feasible, police officers will identify themselves as a police officer and state their intent to use lethal force.

3. Lethal Force Restrictions: Lethal force should not be used against persons whose actions are clearly a threat only to themselves or property.

4. Police officers will adhere to the following restrictions:

a) Police officers will not draw or exhibit their firearm unless circumstances create reasonable cause to believe that it may be necessary to use the firearm in conformance with this policy.

b) Warning shots are prohibited.

5. Firearms shall not be discharged **from** a moving vehicle except in exigent circumstances. In these situations, an officer must have an articulable reason for this use of deadly force.

6. Firearms shall not be discharged **at** a moving vehicle unless:

a) a person in the vehicle is threatening the officer or another person with deadly force by means other than the vehicle; or

b) the vehicle is operated in a manner deliberately intended to strike an officer or another person, and all other reasonable means of defense have been exhausted (or are not present or practical), which includes moving out of the path of the vehicle.

7. In both Sections 5 and 6 above, the officer's focus will be to stop that person presenting the imminent threat, and not to disable the vehicle of which the suspect is an occupant. (This provision will not preclude tactical responses in a tactical operation.)

8. A police officer may discharge a firearm to euthanize an animal that represents a threat to public safety, or as a humanitarian measure where the animal is seriously injured.

9. Choke holds and vascular neck restraints are prohibited unless lethal force is authorized.

C. PARAMETERS FOR USE OF LESS LETHAL FORCE

1. Police officers are authorized to use department-approved less lethal force options to accomplish lawful objectives, as follows:

a) To protect themselves or another from physical harm.

b) To restrain or subdue a resistant individual.

c) To bring an unlawful situation safely and effectively under control.

d) To maintain control of a person or situation.

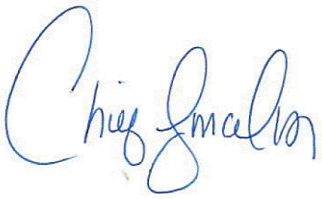
2. It is not the intent of this policy to direct officers to try each of the force options before moving to another. Officers may employ that force option which they believe is objectively reasonable to accomplish lawful objectives.

3. It is understood that when requesting mutual aid assistance, the available force options of the responding agency may differ from those of the requesting agency. Officers shall be subject to the policies and procedures of their employing agencies at all times.

4. Authorized less lethal options are those with which the police officer has received department approved training on proper and safe usage.

5. Nothing contained in this section limits an officer's ability to use those means objectively reasonable for self-defense or to accomplish lawful objective, including but not limited to items of opportunity.

Per Order Of:



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Chief of Police