



8.050 – Use of Force Definitions

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The following definitions apply throughout Title 8 – Use of Force:

40mm Less Lethal Launcher: launchers that fire less lethal ammunition designed to stun, temporarily incapacitate, or cause temporary discomfort to a subject without penetrating a subject's skin.

Appropriate: a decision made from the point of view of a reasonable officer at the scene, based on the sworn employee's training and experience, and with the information known at the time.

Approved Weapon/Tool: used to apply force that is both specified and authorized by the department.

Approved Use of a Weapon/Tool: use of an approved weapon/tool by a sworn employee who has been properly trained in the use of that weapon/tool.

Basic First Aid: the simple immediate assistance or treatment given to someone with a minor injury such as a small cut or abrasion. Basic first aid consists of a one-time, short-term treatment and can be performed by someone with little to no medical training.

Blast Balls: ball-shaped, rubber coated, less-lethal devices designed for crowd management purposes. Blast balls may contain oleoresin capsicum (OC).

Blocking: when a sworn employee uses a police vehicle to block the path of travel of a stationary vehicle, where there is no contact between the police vehicle, and the stationary vehicle.

Canine Apprehension: where a suspect surrenders or is otherwise brought into custody as the result of canine deployment. This may be because the canine was used as trained or because the suspect surrendered after becoming aware that the canine might be used.

Canine Bite: physical contact, initiated by the canine; between the canine's teeth, and a person or animal. This contact does not need to result in broken or punctured skin to be a bite.

Canine Bite Ratio: the number of canine apprehensions accomplished by means of a canine bite divided by the total number of canine apprehensions (both with and without a bite).

Canine Deployment: taking a canine out of the car in anticipation of commanding it to perform a law enforcement function for which it has been trained.

Canine Handler or Canine Officer: a sworn member of the department who is responsible for the routine care, control, and utilization of a police canine within a law enforcement assignment.

Canine Search: use of a canine to search for a subject or evidence. There are three types of canine searches:

- **Contained Search:** a search for a subject in a contained area, i.e., building, or fenced lot, where a subject is reasonably expected to be hiding. Done on and off lead.
- **Evidence Search:** a search for items of evidentiary value when permissible by law and policy. Done on and off lead.
- **Tracking Search:** a canine handler deploys a canine to locate a subject who has fled a crime scene. Done on and off lead.

Canine Team: a specific canine handler and a specific canine controlled by that sworn employee in their capacity as a handler. The canine handler and canine are formally assigned by the employing agency to work together in the performance of law enforcement duties. The canine handler and the canine will be considered a team, and it will be the team that is certified; if one member of the team changes, a new team exists, and the new team will need to be certified.

Canine Use of Force: canine bite or injury caused by physical contact between a canine and a subject that occurs during a canine search or during a direct apprehension. Does not include an unintentional canine bite.

2-Chlorobenzylidene malononitrile (CS Gas): a chemical irritant dispersed in the air for the purpose of producing temporary physical discomfort or permanent injury. CS gas does not include OC (<u>RCW 10.116.030</u>).

Chokehold: the intentional application of direct pressure to a person's trachea or windpipe for the purpose of restricting another person's airway (see also "Neck Restraint").

Confirmation Track: a track to establish an evidentiary link between a crime scene or place where a subject was last seen and where a possible subject is being detained by sworn employees. A canine use of force is not anticipated as the subject in question is under control of officers and will not be physically contacted by the police dog. Confirmation tracks may be used only for one of the crimes listed in <u>8.300-POL-2(6)</u>.

Containment: the establishment of a visual perimeter intended to curtail a subject's escape from a defined search area or structure. Containment requires at least two sworn employees positioned at diagonally opposite corners of the search area but is far more effective with at least four sworn employees.

De Minimis Force: actions that are meant to separate, guide, and/or control without the use of control techniques that are intended to or reasonably likely to cause pain or injury. Some examples include, but are not limited to, using hands or equipment to stop, push back, separate or escort, and the use of compliance holds without the use of sufficient force to cause pain.

(For more guidance on what constitutes de minimis force see <u>8.400 – Use of Force</u> <u>Reporting and Investigation</u>)

Deadly Force: the application of force using firearms or any other means reasonably likely to cause death, or great bodily harm. When reasonably likely to cause death or great bodily harm, deadly force includes shooting a firearm at a person; a hard strike to a person's head, neck, or throat with an impact weapon; or striking a person's head into a hard, fixed object such as concrete objects or surfaces, or solid metal structures such as bars or guardrails).

(Additional guidance on reporting force may be found in <u>8.400 – Use of Force</u> <u>Reporting and Investigation</u>)

De-Escalation: taking action to stabilize the situation and reduce the immediacy of the threat so that more time, options, and resources are available to resolve the situation. The goal of de-escalation is to gain the voluntary compliance of subjects, when feasible, and thereby reduce or eliminate the necessity to use physical force (see <u>8.100 – De-Escalation</u> for further guidance).

Force, even when reasonable, necessary, and proportional, is not a de-escalation tactic.

De-Escalation Tactics/Techniques: actions used by sworn employees that are intended to minimize the likelihood of the need to use force during an incident and increase the likelihood of gaining voluntary compliance from a subject (see <u>8.100 – De-Escalation</u> for examples of de-escalation tactics and techniques).

Direct Apprehension: when a handler commands their dog to bite and hold an individual. Directed apprehensions may be performed on or off-lead as circumstances warrant, pursuant to 8.300-POL-2 of this policy.

Feasible: reasonably capable of being done or carried out to achieve an arrest or lawful objective without increasing risk of harm to the sworn employee or another person.

FIT (Force Investigation Team): the department personnel tasked with conducting Type III use-of-force investigations, to include investigations of officer-involved shootings.

Force: see "Physical Force."

Great Bodily Harm (<u>RCW 9A.04.110</u>): synonymous with Serious Physical Injury. Bodily injury which creates a probability of death, causes significant serious permanent disfigurement, or causes a significant permanent loss or impairment of the function of any bodily part or organ.

Handcuff Discomfort: discomfort or minor transient pain caused by the wearing of handcuffs when they have been properly applied.

Handcuffing Pain: pain caused by the application of handcuffs to a subject.

Head Control: a trained technique utilized to control the movement of a subject's head or neck that does not involve a neck or carotid restraint or obstruction of the airway.

Hobble Restraint: a strap designed to restrain an assaultive subject's feet. A hobble restraint is a restraint device and not considered a less lethal tool.

Imminent Threat of Bodily Injury: for purposes of using less than lethal force, an imminent threat does not mean an immediate threat; it means a threat that is ready to take place, near at hand, hanging threateningly over one's head or menacingly nearby (see also <u>RCW 71.05.020</u> where imminent "means the state or condition of being likely to occur at any moment or near at hand, rather than distant or remote").

Immediate Threat of Serious Bodily Injury or Death: based on the totality of the circumstances, it is objectively reasonable to believe that a person has the present and apparent ability, opportunity, and intent to immediately cause death or serious bodily injury to the peace officer or another person (<u>RCW 10.120.020</u>).

Impact Weapon: any object, whether a tool or fixed object (such as a hard surface), that is used to interrupt or incapacitate a subject and may cause serious physical injury.

Improvised Weapon: any object, other than those approved and trained by the department, used in a force application.

Involved Officer: a sworn employee of any rank or assignment who uses reportable force as defined by department policy.

Least Amount of Force: an amount of force that is reasonable, necessary, and proportional to effect the lawful purpose intended. This is an objective standard of a reasonable officer at the scene.

Less-Lethal Alternatives: including but not limited to, verbal warnings, de-escalation tactics, conducted energy weapons, devices that deploy OC, batons, and beanbag rounds.

Less-Lethal Tools: devices designed and intended to apply force not intended nor likely to cause the death of the subject or great bodily harm – examples include Taser, impact weapons, OC spray, and blast balls (for the intended purpose of Less-Lethal Tools, see <u>8.300 – Use of Force Tools</u>).

Medical Aid: medical interventions and life-saving techniques such as, but not limited to, a sternum rub, a brachial pinch, or removing Taser probes. Such efforts are not considered force.

Minor Joint Dislocation: the dislocation of a minor joint caused by using force. Minor joint dislocation includes, but is not limited to, the dislocation of a finger or toe.

Necessary: under the totality of the circumstances, a reasonably affective alternative to the use of physical force or deadly force does not appear to exist, and the type and amount of physical force or deadly force used is a reasonable and proportional response to effect the legal purpose intended or to protect against the threat posed to the sworn employee or others.

Neck Restraint: refers to any vascular neck restraint or similar restraint, hold, or other tactic in which pressure is applied to the neck for the purpose of constricting blood flow (see also "Chokehold).

Neuromuscular Incapacitation: occurs when electrical pulses temporarily interfere with the command and control systems of the body, leading to the loss of muscle control (see also "Taser").

Non-Tactical Use of Canine: the use of a canine to find evidence and/or articles or to conduct a confirmation track (see manual section <u>16.300 – Canines Interim Policy</u> for further guidance).

Objectively Reasonable: the reasonableness of a particular use of force is based on the totality of circumstances known by the sworn employee at the time of the use of force and weighs the actions of the sworn employee against the rights of the subject, considering the circumstances surrounding the event. It must be judged from the perspective of a reasonable officer on the scene, rather than with the 20/20 vision of hindsight.

Off Lead: deployment of a canine with no leash attached or when a leash is attached, and the handler does not have positive control of the leash.

Oleoresin Capsicum (OC) Spray: an inflammatory agent that causes an intense burning sensation of the skin, eyes, and mucous membranes where exposure may result in the closing, tearing, and swelling of the eyes, as well as choking, gagging, or gasping for breath. OC spray does not include CS Gas.

On Lead: deployment of a canine with a leash attached to the collar or harness and the handler has positive control of the leash.

Pattern Interrupt: a de-escalation technique utilized to intentionally disrupt or alter an individual's behavioral state or habit sequences. The intent is to create a momentary break in an unresourceful pattern of behavior, resulting in a more focused and productive engagement by the subject. Pattern Interrupt is based in Neuro-linguistic Programming and can be a successful tool in altering an individual's mental, emotional, or behavioral state.

Pepperball Launcher: launchers that fire pepper irritant powder projectiles that break on impact, providing distance between a sworn employee and a subject.

Physical or Bodily Injury (also "Injury"): physical pain or injury, illness, or an impairment of physical condition greater than transitory pain but less than great or substantial bodily harm (<u>SMC 12A.02.150</u>, <u>RCW 9A.04.110</u>).

Physical Force: any act reasonably likely to cause physical pain or injury or any other act exerted upon a person's body to compel, control, constrain, or restrain the person's movement. "Physical force" does not include pat-downs, incidental touching, verbal commands, or complaint of handcuffing where there is no physical pain or injury.

PIT (Pursuit Intervention Technique): a controlled and trained forced rotational stop of a non-compliant suspect vehicle used to reduce the risks in bringing a pursuit to a conclusion. A PIT is always a use of force.

Possible: when safe, feasible, and without compromising law enforcement priorities.

Public Safety Statement (PSS): a compelled statement in which a supervisor (typically a sergeant or acting sergeant) orders an involved sworn employee to answer standardized questions directly related to an involved sworn employee's use of force. The Seattle Police Department utilizes two different public safety statements, which are the Public Safety Statement Officer Involved Shooting Card and the Use of Force Public Safety Statement Card.

Proportional: the level of force applied must reflect the totality of circumstances surrounding the situation at hand, including the nature and immediacy of any threats posed to sworn employees and others. Sworn employees must rely on training, experience, and their assessment of the situation to decide an appropriate level of force to be applied. Reasonable and sound judgment will dictate the force option to be employed.

Proportional force does not require sworn employees to use the same type or amount of force as the subject. The more immediate the threat and the more likely that the threat will result in death or serious physical injury, the greater the level of force that may be proportional, objectively reasonable, and necessary to counter it.

Ramming: the intentional use of a vehicle to strike another vehicle with significant impact for the purpose of interrupting or incapacitating that vehicle. Ramming is always a use of force.

Reasonable Care: the exercise of ordinary care. It is the doing of, or refraining from, some act that a reasonable officer would do/would refrain from doing under the same or similar circumstances. It is a statutorily mandated requirement that peace officers act with reasonable care when carrying out their duties and, specifically, in assessing the decision to use force and in their use of force, including de-escalation tactics and alternatives to deadly force. When possible, sworn employees will exhaust available and appropriate de-escalation tactics prior to using physical force.

Reportable Force: all uses of force other than de minimis are reportable. Reportable force includes the pointing of a firearm at a subject where the muzzle of a firearm is pointed at any part of a subject's body, Type I, Type II, Type III, and force used in Crowd Management as described in <u>14.090 – Crowd Management, Intervention, and Control Interim Policy</u>.

Roadblock: the intentional positioning of a police vehicle to obstruct the flow of traffic. A roadblock used on a fleeing or eluding vehicle is considered a use of force – the classification of force depends on the totality of the circumstances.

Serious Joint Dislocation: the dislocation of a major joint caused by using force. Serious joint dislocation includes, but is not limited to, the dislocation of a shoulder, elbow, wrist, hip, knee, or ankle.

Spit Sock: a woven mesh device that may be placed over a subject's head and face with the intent to prevent or reduce the transmission of infectious diseases through saliva, mucous, or blood. A spit sock is a restraint device and not considered a less lethal tool.

Stationary Tire Deflation Device: a small, tire deflation device designed to be placed under the tire of a stationary vehicle to avoid flight.

Stop Sticks: a device containing hollow spikes, which penetrate tires, thereby slowing a fleeing vehicle by deflating the tire(s). Use of stop sticks is always a use of force.

Substantial Bodily Harm: (<u>RCW 9A.04.110</u>) bodily injury which involves temporary but substantial disfigurement, temporary but substantial loss or impairment of the function of any bodily part or organ, or fractures of any bodily part.

Surrender: statements or actions made by the subject before, during, or after the arrest evidencing compliance.

Taser: a less lethal tool designed to stimulate a portion of the nervous system with sufficient pulsed electrical energy to bring about uncontrolled muscle contractions which override an individual's voluntary motor function.

Totality of the Circumstances: all facts known to the sworn employee leading up to and at the time of the use of force and includes the actions of the person against whom the sworn employee uses such force, and the actions of the sworn employee.

Type I Force: force that causes pain or injury not requiring anything greater than basic first aid. Some examples include the use of a hobble restraint resulting in pain or minor injury, application of a spit sock, deployment of a blast ball away from people (bang-out), or pointing a firearm at a person.

- Simply displaying a weapon is not reportable force, nor is holding a firearm without aiming at a person, as with the sul and low ready positions, where the muzzle of the firearm is not pointed at any part of a person's body.

(For further guidance, see <u>8.300 – Use of Force Tools</u> and <u>8.400 – Use of Force Reporting</u> and <u>Investigation</u>)

Type II Force: force that causes or is reasonably expected to cause physical injury requiring medical treatment greater than basic first aid. Some examples include use of any less-lethal tool directed at a person and stop stick deployment with tire deflation.

(For further guidance, see <u>8.400 – Use of Force Reporting and Investigation</u>)

Type III Force: force that causes or is reasonably expected to cause, great bodily harm, substantial bodily harm, loss of consciousness, or death. Some examples include discharging a firearm at a person or the use of an impact weapon that strikes to the head, neck, face, spine, groin, or kidneys.

(For further guidance, see <u>8.400 – Use of Force Reporting and Investigation</u>)

Unintentional Canine Bite or Injury: canine bite or injury caused by physical contact with a canine that occurs when the handler has given no command to search or apprehend, or when the handler gives the command to search or apprehend a subject, but the canine engages the wrong person (see <u>16.300 – Canines Interim Policy</u>).

Use of Force: see "Physical Force."

Vehicle Pinning: a trained tactic when an sworn employee uses a police vehicle, or vehicles, to keep a stationary vehicle in a specified position and from leaving the scene, where there is constant forward pressure (not ramming) applied by the police vehicle(s) to the stationary vehicle, and there are no gaps between the vehicles.

Witness Officer: a sworn employee of any rank or assignment who witnesses a sworn employee's use of force, but who does not use reportable force themself.