



University of California, San Francisco Police Department General Orders

4.3.1 Use of Force (Revised: 1/25/21)

INTERIM POLICY

This policy provides guidelines on the reasonable use of force. While there is no way to specify the exact amount or type of reasonable force to be applied in any situation, every member of this department is expected to use these guidelines to make such decisions in a professional, impartial and reasonable manner.

The use of force by law enforcement personnel is a matter of critical concern, both to the public and to the law enforcement community. Officers are involved on a daily basis in numerous and varied interactions and, when warranted, may use objectively reasonable force in carrying out their duties.

Officers must have an understanding of, and true appreciation for, their authority and limitations of such authority. This is especially true with respect to dealing with non-compliant and/or resistive subjects while engaged in the performance of law enforcement duties.

Officers are expected to carry out their duties, including the use of force, in a manner that is fair and unbiased.

The Department recognizes and respects the value of all human life and dignity without prejudice to anyone. Vesting officers with the authority to use objectively reasonable force and to protect the public safety and welfare requires monitoring, evaluation and a careful balancing of all interests.

This policy also provides requirements for the approval, training and carrying of firearms and control devices/techniques.

The provisions contained in this Chapter are for the internal use of the University of California Police Departments and shall not be construed to create a higher standard or duty of care for civil or criminal liability against the University, its officials or members. Violations of any provision of any policy contained within this manual shall only form the basis for department administrative action, training or discipline.

- A. For purposes of this chapter, the following definitions shall apply:
 - 1. Active Resistance: The subject is intentionally and unlawfully opposing the lawful order of a peace officer in a physical manner; Examples may include bracing, tensed muscles, interlocked arms/legs, pushing, kicking, breaching police lines, pushing over police barricades, running away or other actions to evade or escape etc.



University of California, San Francisco Police Department General Orders

2. Assaultive Resistance: A form of Active Resistance where the subject uses aggressive or combative behavior to attempt, threaten, or commit a violent injury on an officer or other person.
3. Chemical Agents: Devices utilized by law enforcement agencies, which may include CS, CN, oleoresin capsicum (OC), and HC.
4. Compliant: A person contacted by an officer who acknowledges direction or lawful orders given and offers no non-verbal/verbal, passive/active, or assaultive resistance.
5. Conducted Energy Device (CED): A CED is a device designed to use electrical energy to induce pain in drive stun mode or to immobilize or incapacitate a person in probe mode thus enabling officers to gain control of a subject.
6. Control Devices: The application of devices intended to assist peace officers in gaining control of subjects who refuse to submit to lawful authority. This may include batons, Conducted Energy Device (CED), oleoresin capsicum (OC) spray, chemical agents, restraints, projectile devices, and kinetic energy devices (KE).
7. Control Strikes: Impact-oriented strikes with personal body weapons such as knees, elbows, hands or fists, and feet.
8. Deadly force: Any use of force that creates a substantial risk of causing death or serious bodily injury, including, but not limited to, the discharge of a firearm. Penal Code § 835a(e)(1).
9. De-escalation: De-escalation is the process of using strategies and techniques intended to decrease the intensity of the situation.
10. Extreme Agitation: Agitation so severe that the person can be dangerous to themselves or others.
11. Firearm: A device, designed to be used as a weapon, from which is expelled through a barrel, a projectile by the force of an explosion or other form of combustion. Penal Code § 16520(a).
12. Force: The application of physical force, chemical agents or weapons to another person. It is not a use of force when a subject allows themselves to be searched, escorted, handcuffed or restrained. The mere application of a control hold while handcuffing a compliant subject without application of pain is not considered use of force and does not need to be reported.
13. Kinetic Energy Projectile: See Projectile Devices.
14. Non-Verbal and Verbal Non-Compliance: The subject expresses intentions not to comply through verbal and/or non-verbal means. Statements by a subject ranging from pleading to physical threats may be encountered. This also includes physical gestures, stances, and observable mannerisms.
15. Non-Compliant: The subject refuses to comply with officer's lawful commands or cooperate with an officer's directions. Includes passive resistance where subject uses dead weight to prevent being taken into



University of California, San Francisco Police Department General Orders

- custody. Examples include subjects who remain in a sitting, standing, limp or prone position without holding on to fixed objects or other persons in an attempt to delay or resist arrest.
16. Officer: For the purpose of this order, “Officer” shall refer to sworn personnel authorized to carry a weapon.
 17. Pain Compliance: Stimulation of nerves or the manipulation of joints to elicit a sense of unease or distress in a subject causing that subject to comply with lawful directives.
 18. Physical Injury: impairment of physical condition or substantial pain.
 19. Professional Presence: The displays of visual images of authority as well as a professional demeanor and manner are typically present at every encounter between officers and subjects. This includes symbols of police authority including the badge, uniform, and/or marked police vehicle.
 20. Projectile Devices: Devices designed to expel or propel impact projectiles or chemical agents by any action, mechanism, or process (e.g., FN 303, 12 gauge specialty impact device, Pepperball, and 40 mm).
 21. Reasonable Belief: what a prudent and rational person in the same set of circumstances would believe.
 22. Restraints: Restraints include handcuffs, belly chains, shackles, hobbles, flex cuffs, WRAP, or other devices designed to restrain the movement of a person.
 23. Serious Bodily Injury: A serious impairment of physical condition, including, but not limited to, the following: loss of consciousness; concussion; bone fracture; protracted loss or impairment of function of any bodily member or organ; a wound requiring extensive suturing; and serious disfigurement (Penal Code § 243(f)).
 24. Serious Physical Injury: physical injury that creates a substantial risk of serious and protracted disfigurement, protracted impairment of health or protracted loss or impairment of any bodily organ or death.
 25. Totality of Circumstances: All facts known to the officer at the time, including the conduct of the officer and the subject leading up to the use of force (Penal Code § 835a).
 26. Verbal and Non-Verbal Communications: Verbal and non-verbal communications are often a critical component of any potential use of force situation. This type of control includes any verbal and non-verbal requests, directions, or commands from an officer to a subject. Verbal and non-verbal interaction is typically present at every level of resistance, but it is not necessary for an officer to exhaust verbal and non-verbal dialogue or commands before using physical force when necessary.



University of California, San Francisco Police Department General Orders

B. General Policy

Officers shall use only that amount of force that is objectively reasonable under the totality of the circumstances known to the officer at the time the force is used. Force may appear necessary at the time the force is used given the facts and circumstances perceived by the officer at the time of the event to accomplish a legitimate law enforcement purpose.

The reasonableness of force will be judged from the perspective of an objectively reasonable officer in the same situation, based on the totality of circumstances known to or perceived by the officer at the time. Any evaluation of reasonableness must allow for the fact that officers are often forced to make split-second decisions about the amount of force that reasonably appears necessary in a particular situation, with limited information and in circumstances that are tense, uncertain and rapidly evolving.

Given that no policy can realistically predict every possible situation an officer might encounter, officers are entrusted to use well-reasoned discretion in determining the appropriate use of force in each incident.

It is also recognized that circumstances may arise in which officers reasonably believe that it would be impractical or ineffective to use any of the tools, weapons or methods provided by the Department. Officers may find it more effective or reasonable to improvise their response to rapidly unfolding conditions that they are confronting. In such circumstances, the use of any improvised device or method must nonetheless be reasonable and utilized only to the degree that reasonably appears necessary to accomplish a legitimate law enforcement purpose under the totality of the circumstances.

While the ultimate objective of every law enforcement encounter is to avoid or minimize injury, nothing in this policy requires an officer to find the least intrusive or optimal response or to retreat or be exposed to possible physical injury before applying reasonable force.

C. Use of Force to Seize Evidence

Officers may use reasonable force to lawfully seize evidence and to prevent the destruction of evidence. However, officers should not use force solely to prevent a person from swallowing evidence or contraband. In the instance when force is used, officers should not intentionally use any technique that restricts blood flow to the head, restricts respiration or which creates a reasonable likelihood that blood flow to the head or respiration would be restricted.



University of California, San Francisco Police Department General Orders

D. Duty to Intercede

Any officer present and observing another officer using force that is clearly beyond that which is objectively reasonable under the circumstances shall, when in a position to do so, intercede to prevent the use of unreasonable force. An officer who observes another employee use force that exceeds the degree of force permitted by law shall promptly report these observations to a supervisor as soon as feasible.

E. De-escalation

When reasonable and practicable, officers should consider attempts to de-escalate situations in their interactions with subjects, through the use advisements, warnings, verbal persuasion, and other tactics and alternatives to higher levels of force.

In addition, when reasonable, officers should evaluate the totality of circumstances presented at the time in each situation and, when feasible, consider and utilize reasonably available alternative tactics and techniques that may persuade an individual to voluntarily comply or may mitigate the need to use a higher level of force to resolve the situation before applying force [Government Code § 7286 (b)(1)]. Such alternatives may include, but are not limited to:

1. Attempts to de-escalate a situation
2. If reasonably available, the use of crisis intervention techniques by properly trained personnel.

F. Verbal and Visual Warnings

A verbal or visual warning of the intended use of force should precede its application, unless it would otherwise endanger the safety of officers or when it is not practicable due to the circumstances. The purpose of the warning is to:

1. Provide the individual with a reasonable opportunity to voluntarily comply with an officer's direction.
2. Provide other officers and individuals with a warning that a control device or weapon may be deployed.

The fact that a verbal or other warning was given or the reasons it was not given shall be documented by the officer deploying the control device, method or weapon in the related report.

G. Use of Force to Effect an Arrest

Any peace officer who has reasonable cause to believe that the person to be arrested has committed a public offense may use objectively reasonable force to effect an arrest, to prevent escape or to overcome resistance. A peace officer who makes or attempts to make an arrest need not retreat or desist from their efforts by reason of



University of California, San Francisco Police Department General Orders

the resistance or threatened resistance of the person being arrested, nor shall an officer be deemed the aggressor or lose the right to self-defense by the use of objectively reasonable force to effect the arrest, prevent escape or to overcome resistance [Penal Code § 835a(d)].

“Retreat” does not mean tactical repositioning or other de-escalation techniques. [Penal Code § 835a(d)].

H. Factors Used to Determine the Reasonableness of Force

When determining whether to apply force and evaluating whether an officer has used reasonable force, a number of factors should be taken into consideration, as time and circumstances permit. These factors include, but are not limited to:

1. Immediacy and severity of the threat to officers or others
2. The conduct of the individual being confronted, as reasonably perceived by the officer at the time including whether the individual was actively resisting
3. The time available to the officer to make a decision
4. The conduct of the involved officer leading up to the use of force (Penal Code § 835a)
5. Seriousness of the suspected offense or reason for contact with the individual
6. Whether the person appears to be resisting, attempting to evade arrest by flight or is attacking the officer
7. Proximity to weapons or dangerous improvised devices
8. Officer/subject factors including:
 - a. Age, size, relative strength
 - b. Skill level
 - c. Injuries sustained or level of exhaustion or fatigue
 - d. The number of officers available vs. subject
 - e. Prior contacts with the subject or awareness of any propensity for violence
 - f. Effects of drugs or alcohol
 - g. Environmental factors such as footing, lighting, sound and crowd conditions
9. The degree to which the subject has been effectively restrained and the subject’s ability to resist despite being restrained
10. Whether the conduct of the subject no longer reasonably appears to pose an imminent threat to the officer or others
11. The availability of other options and their possible effectiveness
12. Training and experience of the officer
13. Potential for injury to officers, suspects and others
14. The risk and reasonably foreseeable consequences of escape



University of California, San Francisco Police Department General Orders

15. The apparent need for immediate control of the subject or a prompt resolution of the situation
16. Individuals who are known to be pregnant
17. Elderly individuals or obvious juveniles
18. Individuals who have been recently sprayed with a flammable chemical agent or who are otherwise in close proximity to any known combustible vapor or flammable material, including alcohol-based oleoresin capsicum (OC) spray
19. Individuals whose position or activity may result in collateral injury (e.g., falls from height, operating vehicles)
20. Individuals with physical, mental health, developmental, or intellectual disabilities who may be limited in their abilities to understand and comply with officer commands
21. Other exigent circumstances.

I. Pain Compliance Techniques

Pain compliance techniques may be very effective in controlling a non-compliant or actively resisting individual. Officers may only apply those pain compliance techniques for which the officer has received departmentally approved training and only when the use of such a technique appears objectively reasonable to further a legitimate law enforcement purpose.

The application of any pain compliance technique shall be discontinued once the officer determines that compliance has been achieved.

J. Intermediate Force Application

Intermediate force options are neither likely nor intended to cause death but have a significant risk of bodily injury or harm. In situations where a subject is actively resisting and poses a threat to the safety of officers or the public, an officer may use intermediate force where such force would be objectively reasonable under the totality of the circumstances. Intermediate force is typically appropriate to compel compliance by a subject displaying assaultive resistance. This force option includes devices intended to assist peace officers in gaining control of subjects who refuse to submit to lawful authority. This may include, for example: batons, electronic control devices (ECD), oleoresin capsicum (OC) spray, chemical agents, restraints, and kinetic energy projectiles (KE).

K. An officer may only use the level of force that they reasonably believe is proportional to the seriousness of the suspected offense or a reasonably perceived level of actual or threatened resistance (SB 230; Government Code § 7286).



University of California, San Francisco Police Department General Orders

- L. Medical Attention. Prior to booking or release, medical attention shall be obtained for any person to whom force has been applied who:
1. Exhibits signs of physical distress
 2. Has sustained visible injury
 3. Expresses a complaint of injury or continuing pain
 4. Was rendered unconscious or
 5. Exhibits extreme agitation.

In such situations, officers shall ensure that the person is monitored until medical attention is obtained.

- M. Medical Emergencies
Persons who exhibit extreme agitation, violent irrational behavior accompanied by profuse sweating, extraordinary strength beyond their physical characteristics and imperviousness to pain (sometimes called “excited delirium”) or who experience a protracted physical encounter with multiple officers to be brought under control, may necessitate special medical consideration.
1. Calls involving these persons may be considered medical emergencies. Officers who reasonably suspect a medical emergency should request medical assistance as soon as practicable and have medical personnel stage away if appropriate.
- N. Providers of Medical Attention
Based upon the officer's initial assessment of the nature and extent of the subject's injuries, medical attention may consist of examination by fire personnel, EMTs, paramedics, hospital staff or medical staff at the jail.
- O. Refusal of Medical Attention
If any individual refuses medical attention, such a refusal shall be fully documented in related reports and, whenever practicable, should be witnessed by another officer and/or medical personnel. If a recording is made of the contact or an interview with the individual, any refusal should be included in the recording if possible.
- P. Notification
When an officer reasonably believes that there is a medical risk to a person following any use of force, the on-scene supervisor or, if unavailable, the primary handling officer shall ensure that any person providing medical care or receiving custody of such a person is informed that the person was subjected to force. This notification shall include a description of the force used and any other circumstances the officer reasonably believes would potentially be safety or medical risks to the subject (e.g., prolonged struggle, extreme agitation, impaired respiration).



University of California, San Francisco Police Department General Orders

- Q. Complaints Regarding Use of Force
Procedures for the filing, investigation and reporting of citizen complaints regarding use of force incidents are contained in General Order 3.42.1, "Complaints and Internal Affairs Function."