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I. Purpose

The purpose of this order is to make a policy statement on the use of force, and to outline the use of force continuum which serves as the model for the Ann Arbor Police Department. Policy and procedures on deadly force are found in order <u>001-003</u>. Policy and procedures for less-lethal force are found in order 001-004.

II. Policy

Ann Arbor Police shall use only that amount of force reasonably necessary to accomplish lawful objectives and apply de-escalation techniques when possible. Officers are justified in using the amount of force that is reasonable to affect a lawful arrest. Officers need not retreat or desist from efforts to make a lawful arrest because of resistance or threatened resistance to an arrest. An officer is also justified in using reasonable force against another when and to the extent the officer believes that such force is necessary to defend the officer or another person.

Excessive or unauthorized use of force is never justified. Employees of the Ann Arbor Police Department that observe a department employee or employee from another agency using force that is clearly beyond that which is objectively reasonable under the circumstances, will when in a position to do so, safely intercede to prevent the use of such excessive force. Departmental employees will promptly report these observations to include but not limited to violations of department policy, local ordinance, state and federal law to a supervisor.

- A. All officers are to receive training in this order as well as the orders on deadly force and less-lethal force before assuming sworn status. Officers will have access to electronic copies of all these orders as well as revisions published. All officers shall receive training annually on this agency's policies related to use of force to include but not limited to related legal updates. The training shall be provided to reinforce the importance of de-escalation, and to enhance officer's discretion and judgement when using force in accordance with this policy.
- B. De-escalation refers to those actions used by a peace officer that are intended to minimize the likelihood of the need to use force during an incident. Depending on the circumstances, "de-escalation tactics" may include, but are not limited to: Using clear instructions and verbal persuasion; attempting to slow down or stabilize the situation so that more time, options, and resources are available to resolve the incident; creating physical distance by employing tactical repositioning to maintain the benefit of time, distance, and cover; when there are multiple officers, designating one officer to communicate in order to avoid competing commands; requesting and using available support and resources, such as a crisis intervention team, a designated crisis responder or other behavioral health professional, or back-up officers.
- C. The appropriate medical aid will be rendered as quickly as reasonable following

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any law enforcement action in which injuries have been sustained. The following procedures for activating emergency medical services will be followed in incidents of obvious severe injuries, medical distress, an individual is unconscious, or alleges injuries.

- 1. Examine the injury and render first aid, if necessary. Request the Ann Arbor Fire Department or Huron Valley Ambulance to the scene to evaluate the individual.
- 2. Cause the transportation of the individual to a hospital, if necessary.
- 3. Notify the on-duty Shift Supervisor as soon as practicable,
- 4. Submit a Response to Resistance Report prior to the end of the officer's tour of duty,
- 5. Prepare a detailed incident report and submit it prior to the end of the officer's tour of duty, if physically capable.
- 6. If the officer is not physically capable of completing the incident report, the on-duty Shift Supervisor shall author the report.
- III. Use of Force Continuum

Ann Arbor Police officers will receive training in Pressure Point Control Tactics Management Systems (PPCT), and use the PPCT/M.C.O.L.E.S. Use of Force Continuum in their decision-making process involving the use of force.

The purpose of PPCT subject control system is to <u>control</u> resistive behaviors with techniques that have <u>minimal</u> chance of injury.

- A. The PPCT/M.C.O.L.E.S. Force Continuum was designed to give officers a model in which to learn the various levels of subject resistance and the appropriate subject control response. This continuum is only a model, and the officer(s) subject control response should be based upon:
 - 1. Physical size, strength and weaponry of the person(s) compared to the officer(s).
 - 2. Nature of the encounter.
 - 3. Actions of the person(s).
 - 4. Exigent conditions (i.e., availability of back-up, number of persons involved).

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- B. For example, an officer may resort to the use of **pepper spray or the TASER** before using hard empty hand controls if the officer reasonably believes the use of hard empty hand controls would be ineffective. **The officer must clearly articulate their use of force justifications in their report.**
- C. Subject Actions:
 - 1. <u>Inactive Resistance</u>: Resistance that may include psychological intimidation and/or verbal resistance (e.g., blank stare, clenching of fist(s), tightening of jaw muscles, etc.).
 - 2. <u>Passive Resistance</u>: Any type of resistance whereby the subject does not attempt to defeat the officer's attempt to touch and control the subject, but still will not voluntarily comply with verbal and physical attempts of control (e.g., dead weight, does not react to verbal commands, etc.)
 - 3. <u>Active Resistance</u>: Any action by a subject that attempts to prevent an officer from gaining control of the subject (e.g., pulling/pushing away, blocking, etc.).
 - 4. <u>Active Aggression</u>: Physical actions/assaults against the officer or another person with less than deadly force (e.g., advancing, challenging, punching, kicking, grabbing, wrestling, etc.)
 - 5. <u>Deadly Force Assault</u>: Any force used against an officer or another person that may result in great bodily harm or the loss of human life.
- D. Officer Response:
 - 1. <u>Officer Presence/Verbal Direction</u>: Identification of authority (i.e., uniformed presence, or identification as a police officer). Verbal Direction (e.g., for arrest or to control a subject's movements.) Use of Restraint Devices (i.e., compliant handcuffing).
 - 2. <u>Compliance Controls</u>: Soft empty hand techniques (e.g., joint locks, pressure points, etc.). Compliance control devices (e.g., baton <u>when used</u> <u>as a compliance control device</u>).
 - 3. <u>Physical Controls</u>: Hard empty hand techniques (e.g., strikes, take downs).
 - 4. <u>Intermediate Controls</u>: Intermediate weapons (i.e., impact weapons, including pepper spray, **TASER** or KEIP weapons
 - 5. <u>Deadly Force</u>: Any force used by an officer that may result in serious

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injury or the loss of human life.

- IV. Response to Resistance Report (Attachment A)
 - A. Officers will fill out a Response to Resistance Report when the officer utilizes any of the following responses:
 - 1. Vehicle pursuit
 - 2. Compliance Controls
 - 3. Physical Controls
 - 4. Intermediate Controls
 - 5. Displaying or Deploying a Taser
 - 6. Displaying a firearm (<u>P&P 001-003</u> section IV B Drawing and Displaying Firearms)
 - 7. Deadly force
 - B. Officers will immediately verbally inform a supervisor when any of the above levels of force are used in response to resistance. The date, time and supervisor notified will be recorded on the Response to Resistance Report. The Response to Resistance Report will be completed by the end of the officer's shift.
 - C. When the TASER is utilized in the dart mode, a supervisor will download the TASER after the incident and the printout will be attached to the Response to Resistance Report.
- V. Annual Analysis of Reported Use of Force
 - A. At the end of each calendar year, the Professional Standards Section will conduct an annual analysis of all reported use of force incidents. This analysis will identify any patterns or trends and any possible training needs to ensure compliance with department policy as it relates to officers involved in use of force incidents. The report will be generated by the Professional Standards Section to be reviewed and approved by the Chief of Police.
 - B. The Use of Force Analysis will include:
 - 1. The date and time of incidents

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- 2. Types of encounters resulting in use of force
- 3. Trends or patterns related to race, age and gender of subjects involved
- 4. Trends or patterns resulting in injury to any person including employees
- 5. Impact of findings on policies, practices, equipment and training

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VI. ATTACHMENT A

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			O RESISTAN		RM			14
Incident#	Time and Date Occurr	ed	Reporting Off	icer			Badge#	Video □ Car □ BW0
Incident Type	Incident Addres	S						
Witness Officers								
		Person (offering Resist	ance		a		
Name	1	erson c	R/S	DOB	24	Heigh	+	Weight
T WHILE			105	DOD		incign		weight
DEMEANOR	□ Possible Drug Use □ Defiant o	Aggressiv	ve 🗆 Mentally III 🗆	Depressed	🗆 Suicidal 🗆 La	nguage I	Barrier 🗆 Oth	er (describe)
VERBAL RESISTANCE DY	elling 🗆 Profanity 🗆 Defiance/No	on Complia	nce 🗆 Inciting Cro	wd □ Other	(describe)			
PHYSICAL RESISTANCE	Defensive Stance □ Punch □ Kie Pull Away □ Clenched Fist/Tens						t) 🗆 Flee	
WEAPON(S) = Reported = Susj	pected = Observed Type: = H	ueann ⊏l	Knife/Edged Weapo	n 🗆 Blunt (Object 🗆 Other (describe)	
			esponse to Res		-			
COMPLIANCE CONTROLS					essure Point 🗆 🤇	Other (de	scribe)	
	traint Chair - (list assisting office		p = Push = Pull = '	Fackle □ K	nee Strike 🗆 Gra	b/Restra	in ⊐ Other (d	escribe)
Tim INTERMEDIATE WEAPONS	ne In Time Out	anice Bato	n 🗆 Kinetic Energy	Impact n ()ther (describe)			
TASER DISPLAY/DEPLOYME	NT TASER INFOMA Taser Serial	TION						
□ Display Only □ Are Display Only	aser Senai		20		E	3	6.5	22
Deployment	Air Cartridge				~	-	- Pe	
Dart Probe Contact	#		TASE	2	(.	.)	fri	U.L.
Drive Stun	Charge Reading		APPLICAT	TION	18	1.6	12-1	un .
D Missed	Distance at Deplo	amont	AREA	S	11	(1)	Place	172
TASER INFO DOWNLOADED	Tes Distance at Depic	ft	M.L.UD	100000	End	11.	2425 -	-1 1
	Trigger Pulls	197	Mark all P	ounts		1 / "	A	ALLA .
Supervisor	#		- Contac	+) /	16	121	A
	Darts Penetrating	Skin		*	()	()	(-)	(-)
Date/Time) (11	M	11
					2	13	79.6	18
DEADLY FORCE D Firearm Di	splayed 🗆 Firearm Discharged 🛛	Other (de	scribe)					
HIGH RISK TRAFFIC STOP -	Yes Reason Initiated	2,003	29					
VEHICLE PURSUIT D Traffic	Stan Initiated - Life Thurstonias	Falance -	Other (decembe)					
Reason Pursuit Terminated Of				ect 🗆 Juve	nile Driver 🗆 O	ther (des	cribe)	
1	Not Injury Visible Prior/	Unrelated T	Description Of Inju	ries/Treat	nent - Person O	ffering R	esistance	-
	ured Claimed Injury I	njury N	fedical Treatment (escribe)
		•						
		D 1	Transported for Furt	ier Treatme	nt DAAPD D H	IVA D	other (describ	2)
njured Officer CR#		1	ransported to Hosp	ital 🗆 U of	M D St Joes D M	fotts =	Other (describ	e)
Officer Assaulted CR#					ed and Released			
	1		Disposition					
PERSON OFFERING RESISTA	NCE 🗆 Released at Scene 🗆 An	rested and T	Transported 🗆 Tran	sported for l	Medical/Psychol	logical T	reatment 🗆 O	ther (describe)
SUPERVISOR VERBALLY IN	FORMED I Yes Supervisor				Date/Time			
Supervisor	Supervisor ,			Articulated (es □ No		ewed	Force Justif	
Lieutenant			Facts	Articulated		ewed	Force Justif	ied Date
Deputy Chief					Video Revi	ewed	Force Justif	ied Date
C-1061 lds 05/18					□ Yes □ No Óriginal – Rec		□ Yes □ N Pink - PSS (a	attach complete rep