



Use of Force

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The use of non-lethal force has always been one of the gray areas in our environment. We as Officers have always been directed to “use only sufficient force necessary to effect the mission at hand”.

Statements like this often leave officers questioning what is “sufficient or reasonable” force in any given situation.

A circular emblem with a sword and a laurel wreath. The sword is positioned vertically, with its hilt at the top and its blade pointing downwards. The laurel wreath is circular and surrounds the sword. The entire emblem is rendered in a dark, textured style.

What is FORCE?

What is “Force”?

Power, violence, compulsion, or constraint exerted upon or against a person or thing.

Strength directed to an end.

How Much Force Is Acceptable?

Law enforcement officers use force upon people for numerous reasons. An officer may use force to detain, to arrest, for self-defense, for defense of others, for defense of property, to prevent the person from injuring himself, to prevent the person from destroying evidence, to quell a riot, etc. But the basic purpose for an officer's use of force is to gain control of a person and to stop any threatening action by that person.

How Can Force Be “Acceptable” and “Justified”

- It must be within the boundaries of United States Constitutional and Statutory law.
- It must be within the boundaries of the applicable state constitutional and statutory law.
- It must be within the acceptable limits of the applicable department policies, procedures, and training.

What can constitute “Excessive Force”?

Hudson v. McMillian, 503 U.S. 1 (1992)

is a United States Supreme Court decision where the Court on a 7-2 vote held that the use of excessive physical force against a prisoner may constitute cruel and unusual punishment even though the inmate does not suffer serious injury.

Hudson v. McMillian cont.

In the case, petitioner Hudson, a Louisiana prison inmate, testified that he suffered minor bruises, facial swelling, loosened teeth, and a cracked dental plate as a result from a beating by prison guards, McMillian and Woods, while he was handcuffed and shackled following an argument with McMillian. A supervisor on duty, alleged watched the beating. Inmate Hudson's injuries were deemed "minor" and required no medical attention.

How is Force Judged

- n What was the mission?
- n Was there a legitimate threat?
- n Was the amount of force needed and was there an effort to temper the force?
 - n Was there injury ?
- n Were the injuries proportionate to the amount of force needed?

How is Force Judged



A “No” answer to any of the previous questions may indicate an excessive use of force.

Totality Of The Circumstance

- An officer's use of force will be judged upon the "totality of the circumstance: as known by the officer at the time the force is used.
- It is impossible to list all of the factors that an officer may face during an incident, it is important to document as many variables and factors that influenced an officer's decision to use a specific level of force.
- Circumstantial considerations which affect an officer's use of force include, but are not limited to:
 - a. Type of crime committed or attempted;
 - b. Relative size/stature;
 - c. Subject(s) access to weapons;
 - d. Injury to, or exhaustion of the officer;
 - e. Subject under the influence of alcohol or drugs;
 - f. Environment conditions;
 - g. Subject's exceptional abilities/skills (i.e. martial arts);

Totality Of The Circumstance continued

- i. Immediacy of danger;
 - j. Distance from subject;
 - k. Special knowledge of subject (i.e. history of violence);
 - l. Exigent conditions: number of officers, number of subjects involved; and availability of backup;
 - m. Reaction time: the officer must consider that action is faster than reaction; thus the officer must pay attention to the above factors when preparing for a course of action;
 - n. Reactionary gap: officers should be cognizant of, and use the reactionary gap during all police contacts. The reactionary gap is defined as the safety zone between the officer and subject which affords the officer more time to react to aggression. Reactionary principles designed to enhance an officer's safety include;
 - During contact with an unarmed subject, officers should maintain a minimum distance of 6 to 8 feet.
 - The reactionary gap may vary depending upon the type of weapon a subject may possess (i.e. 21 feet for edged weapon or striking weapons);
 - The officer generally has two "Reactionary Options" available; penetrate the reactionary gap to attempt control, or disengage to create distance.

PPCT Resistance/Control Continuum



Psychological Intimidation

Resistance that may include psychological intimidation and/or verbal resistance; (i.e. Nonverbal cues indicating subject's attitude, appearance, and physical readiness, blank stare, clenching of fist(s), tightening of jaw muscles, etc.)

PPCT Resistance/Control Continuum



Officer Presence

Officer Presence is the identification of police officer's authority, by the uniformed presence or the verbal identification of being a police officer. In either case, an officer's identification of their authority brings with it the assumption the subject must obey a lawful order.

PPCT Resistance/Control Continuum



Verbal Noncompliance

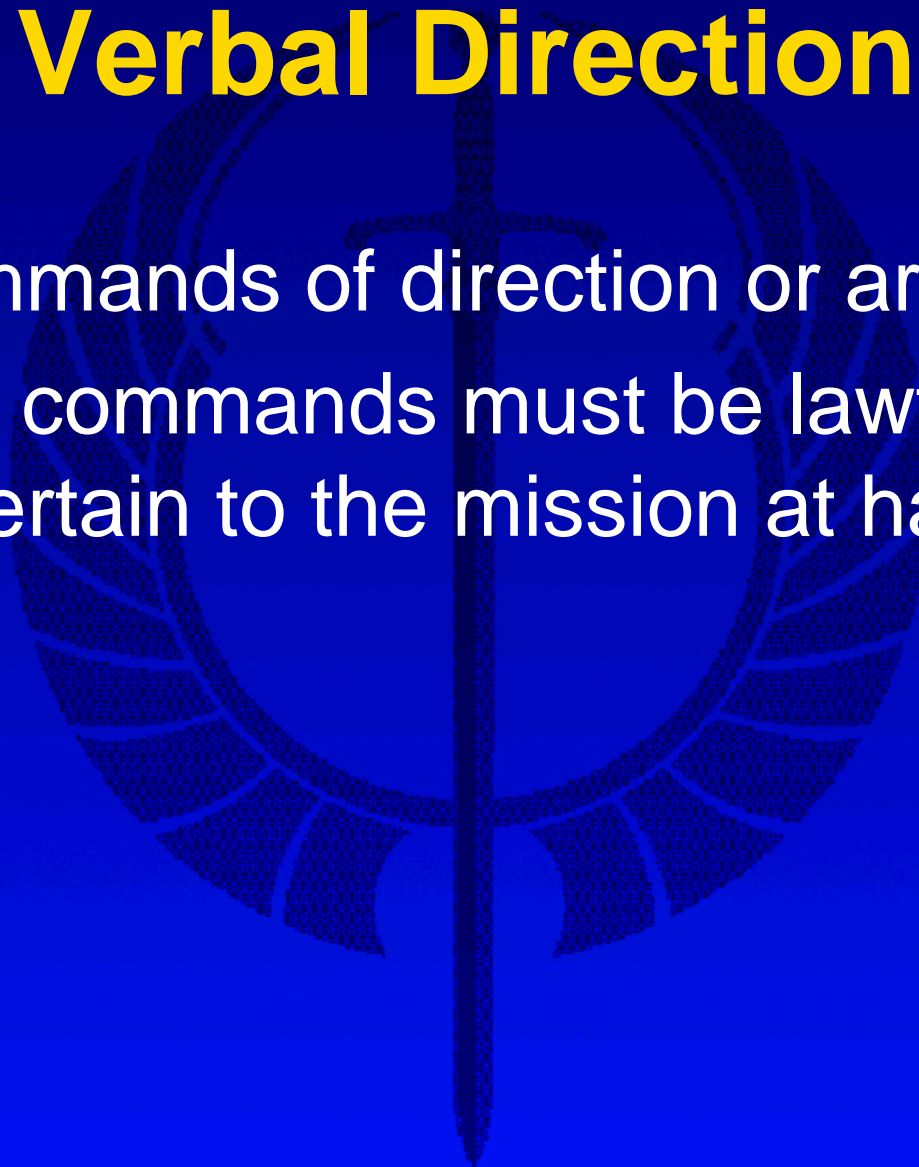
Verbal Noncompliance is any verbal response indicating subject unwillingness to obey commands of detainment, arrest or to stop unlawful or dangerous behavior. Verbal Noncompliance may come in the form of a quiet statement such as “No, I will not put my hands behind my back”, to threatening verbal statement directed at the officer.

PPCT Resistance/Control Continuum



Verbal Direction

Commands of direction or arrest.
These commands must be lawful and
pertain to the mission at hand.



PPCT Resistance/Control Continuum



Passive Resistance

Physical actions that do not prevent officer's attempt of control.

Example: The subject who is doing nothing after being given verbal direction but when approached goes willingly.

PPCT Resistance/Control Continuum



Soft Empty Hand Techniques



Techniques that have minimal probability of injury.

Example: Joint locks; Controlled Force
Defensive Tactics

PPCT Resistance/Control Continuum



Defensive Resistance

Physical actions which attempt to prevent officer's control, but never attempt to harm officer.

Example: Pull away when trying to put handcuffs on the subject.

PPCT Resistance/Control Continuum



Hard Empty Hand Techniques



Techniques that have high probability of injury.

Example: Knee Strikes; Brachial Stuns;
Palm Heel Strikes, etc.

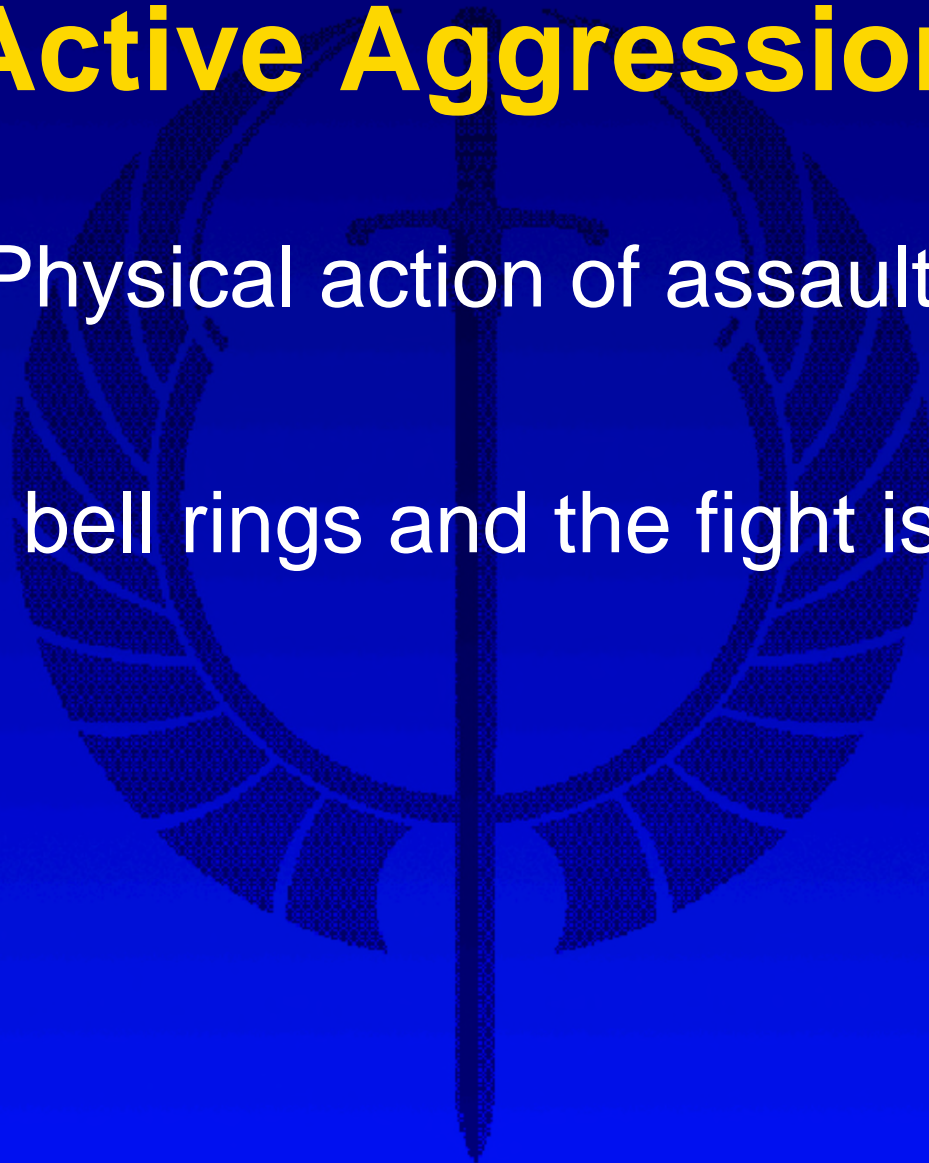
PPCT Resistance/Control Continuum



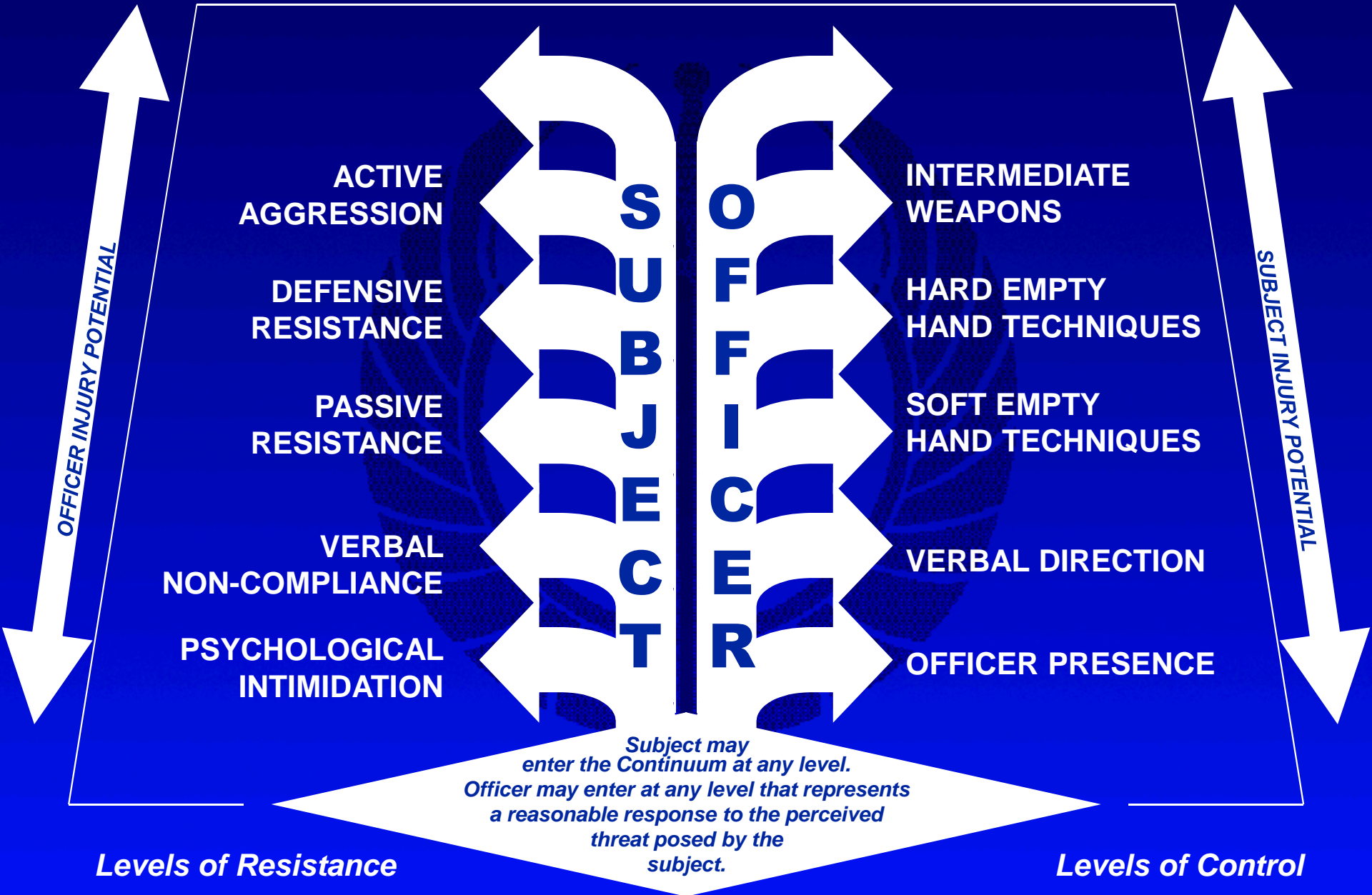
Active Aggression

Physical action of assault.

The bell rings and the fight is on.



PPCT Resistance/Control Continuum



**ACTIVE
AGGRESSION**

**DEFENSIVE
RESISTANCE**

**PASSIVE
RESISTANCE**

**VERBAL
NON-COMPLIANCE**

**PSYCHOLOGICAL
INTIMIDATION**

**S
U
B
J
E
C
T**

**O
F
F
I
C
E
R**

**INTERMEDIATE
WEAPONS**

**HARD EMPTY
HAND TECHNIQUES**

**SOFT EMPTY
HAND TECHNIQUES**

VERBAL DIRECTION

OFFICER PRESENCE

*Subject may
enter the Continuum at any level.
Officer may enter at any level that represents
a reasonable response to the perceived
threat posed by the
subject.*

Levels of Resistance

Levels of Control

Intermediate Weapons

Intermediate Weapon control is the application of any weapon to control resistance of an assault.

Examples include any form of chemical agent (Freeze + P), impact weapons, emergency/improvised impact weapons (flashlight, radio, broom stick, etc.)

Intermediate weapons are justified when lower forms of empty hand control have failed, or when the officer believes that his/her skill in empty hand control will be insufficient. They should always be used with the intent to temporarily disable a subject and never with the intent to cause permanent injury.

Intermediate Weapon Use Justification

- To control “Active Aggression” or an “Assault” on an officer or another.
- To control Defensive Resistance when previous forms of empty hand control techniques have failed or when the officer/subject variables would clearly demonstrate that using empty hand control techniques would be dangerous to the officer and potentially escalate subject resistance.
- The use of an intermediate weapon is discouraged against Passive Resistance.
- Any time an intermediate weapon is used, the subject should receive medical attention as soon as possible – even if the subject refuses medical attention.
- When using an impact to control a subject the officer should try to target authorized strike area.

PPCT Resistance/Control Continuum



Deadly Force Assaults

Force used against an officer and/or another person that may result in great bodily harm or the loss of human life. It is important to note that a subject's use of Deadly Force does not have to require the use of a weapon against the officer. Deadly Force is any force which the officer believes could result in serious injury or death.

PPCT Resistance/Control Continuum



Deadly Force

Any force used by an officer that may result in great bodily harm or the loss of human life. Officers must have working knowledge of department policy regarding the use of force, especially in the use of deadly force.

5 keys of documenting force:

- n Officer arrival (Time, # of available officers)
- n Approach (What did you observe and your initial verbal commands)
- n Subjects actions (What did the subject do, responses, physical actions and body language)
- n Your actions (Type of control methods, duration of resistance, type of de-escalation methods used and info pertaining to restraint methods used)
- n Transport procedures (Subjects demeanor, actions and addition the location transported to)



Use of Force
Any questions?