

Use of Force

300.1 PURPOSE AND SCOPE

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.

300.1.1 DEFINITIONS

Definitions related to this policy include:

Deadly force - Force reasonably anticipated and intended to create a substantial likelihood of causing death or very serious injury.

Force - The application of physical techniques or tactics, chemical agents or weapons to another person. It is not a use of force when a person allows him/herself to be searched, escorted, handcuffed or restrained.

Imminent - Ready to take place; impending. Note that imminent does not mean immediate or instantaneous.

300.2 POLICY

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 reasonable force in carrying out their duties.

Officers must have an understanding of, and true appreciation for, their authority and limitations. This is especially true with respect to overcoming resistance while engaged in the performance of law enforcement duties.

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

300.2.1 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 must protect the public and other employees regardless of tenure or rank and must safely intervene by verbal or physical means if force is excessive. An officer who observes another employee use force that exceeds the degree of force permitted by law should promptly report these observations to a supervisor.

300.3 USE OF FORCE

Officers shall use only that amount of force that reasonably appears necessary given the facts and circumstances perceived by the officer at the time of the event to accomplish a legitimate law enforcement purpose.

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The reasonableness of force will be judged from the perspective of a reasonable officer on the scene at the time of the incident. 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 this 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.

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

300.3.1 USE OF FORCE TO EFFECT AN ARREST

A law enforcement officer may use reasonable force to arrest a person or execute a warrant (Iowa Code § 804.8).

300.3.2 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:

- (a) Immediacy and severity of the threat to officers or others.
- (b) The conduct of the individual being confronted, as reasonably perceived by the officer at the time.
- (c) Officer/subject factors (e.g., age, size, relative strength, skill level, injuries sustained, level of exhaustion or fatigue, the number of officers available vs. subjects).
- (d) The effects of drugs or alcohol.
- (e) Individual's mental state or capacity.
- (f) Proximity of weapons or dangerous improvised devices.
- (g) The degree to which the individual has been effectively restrained and his/her ability to resist despite being restrained.
- (h) The availability of other options and their possible effectiveness.

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- (i) Seriousness of the suspected offense or reason for contact with the individual.
- (j) Training and experience of the officer.
- (k) Potential for injury to officers, suspects and others.
- (l) Whether the individual appears to be resisting, attempting to evade arrest by flight or is attacking the officer.
- (m) The risk and reasonably foreseeable consequences of escape.
- (n) The apparent need for immediate control of the individual or a prompt resolution of the situation.
- (o) Whether the conduct of the individual being confronted no longer reasonably appears to pose an imminent threat to the officer or others.
- (p) Prior contacts with the individual or awareness of any propensity for violence.
- (q) Any other exigent circumstances.

300.3.3 PAIN COMPLIANCE TECHNIQUES

Pain compliance techniques may be effective in controlling a physically or actively resisting individual. Officers may only apply those pain compliance techniques for which they have successfully completed department-approved training. Officers utilizing any pain compliance technique should consider:

- (a) The degree to which the application of the technique may be controlled given the level of resistance.
- (b) Whether the individual can comply with the direction or orders of the officer.
- (c) Whether the individual has been given sufficient opportunity to comply.

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

300.3.4 USE OF FORCE TO SEIZE EVIDENCE

In general, officers may use reasonable force to lawfully seize evidence and to prevent the destruction of evidence. However, officers are discouraged from using 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. Officers are encouraged to use techniques and methods taught by the North Liberty Police Department for this specific purpose.

300.4 DEADLY FORCE APPLICATIONS

Use of deadly force is justified in the following circumstances involving imminent threat or imminent risk:

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- (a) An officer may use deadly force to protect him/herself or others from what he/she reasonably believes would be an imminent threat of death or serious bodily injury.
- (b) An officer may use deadly force to stop a fleeing subject when the officer has probable cause to believe that the individual has committed, or intends to commit, a felony involving the infliction or threatened infliction of serious bodily injury or death, and the officer reasonably believes that there is an imminent risk of serious bodily injury or death to any other person if the individual is not immediately apprehended. Under such circumstances, a verbal warning should precede the use of deadly force, where feasible.

Imminent does not mean immediate or instantaneous. An imminent danger may exist even if the suspect is not at that very moment pointing a weapon at someone. For example, an imminent danger may exist if an officer reasonably believes that the individual has a weapon or is attempting to access one and intends to use it against the officer or another person. An imminent danger may also exist if the individual is capable of causing serious bodily injury or death without a weapon, and the officer believes the individual intends to do so.

300.4.1 SHOOTING AT OR FROM MOVING VEHICLES

Shots fired at or from a moving vehicle are rarely effective. Officers should move out of the path of an approaching vehicle instead of discharging their firearm at the vehicle or any of its occupants. An officer should only discharge a firearm at a moving vehicle or its occupants when the officer reasonably believes there are no other reasonable means available to avert the threat of the vehicle, or if deadly force other than the vehicle is directed at the officer or others.

Officers should not shoot at any part of a vehicle in an attempt to disable the vehicle.

300.5 REPORTING THE USE OF FORCE

Any use of force by a member of this department shall be documented promptly, completely and accurately in an appropriate report, depending on the nature of the incident. The officer should articulate the factors perceived and why he/she believed the use of force was reasonable under the circumstances. To collect data for purposes of training, resource allocation, analysis and related purposes, the Department requires the completion of additional Use of Force form, as specified in department policy.

[See attachment: Use of Force Report I.pdf](#)

300.5.1 NOTIFICATIONS TO SUPERVISORS

Supervisory notification shall be made as soon as practicable following the application of force in any of the following circumstances:

- (a) The application caused a visible injury.
- (b) The application would lead a reasonable officer to conclude that the individual may have experienced more than momentary discomfort.
- (c) The individual subjected to the force complained of injury or continuing pain.

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- (d) The individual indicates intent to pursue litigation.
- (e) Any application of the TASER (TM) or control device.
- (f) Any application of a restraint device other than handcuffs, shackles or belly chains.
- (g) The individual subjected to the force was rendered unconscious.
- (h) An individual was struck or kicked.
- (i) An individual alleges any of the above has occurred.
- (j) The media is calling for a review or comment on an officer's response to resistance or expecting the incident will be on social media websites.

300.6 MEDICAL CONSIDERATIONS

Prior to booking or release, medical assistance shall be obtained for any person who exhibits signs of physical distress, has sustained visible injury, expresses a complaint of injury or continuing pain, or was rendered unconscious. Any individual exhibiting signs of physical distress after an encounter should be continuously monitored until he/she can be medically assessed.

Based upon the officer's initial assessment of the nature and extent of the individual's injuries, medical assistance may consist of examination by an emergency medical services provider or medical personnel at a hospital or jail. If any such 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.

The on-scene supervisor or, if the on-scene supervisor is not available, the primary handling officer shall ensure that any person providing medical care or receiving custody of a person following any use of force 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 be potential safety or medical risks to the subject (e.g., prolonged struggle, extreme agitation, impaired respiration).

Individuals 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 require a protracted physical encounter with multiple officers to be brought under control, may be at an increased risk of sudden death. Calls involving these persons should 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 (see the Medical Aid and Response Policy).

300.7 SUPERVISOR RESPONSIBILITIES

When a supervisor is able to respond to an incident in which there has been a reported application of force, the supervisor is expected to:

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- (a) Obtain the basic facts from the involved officers. Absent an allegation of misconduct or excessive force, this will be considered a routine contact in the normal course of duties.
- (b) Ensure that any injured parties are examined and treated.
- (c) When possible, separately obtain a recorded interview with the individual upon whom force was applied. If this interview is conducted without the individual having voluntarily waived his/her *Miranda* rights, the following shall apply:
 - 1. The content of the interview should not be summarized or included in any related criminal charges.
 - 2. The fact that a recorded interview was conducted should be documented in a property or other report.
 - 3. The recording of the interview should be distinctly marked for retention until all potential for civil litigation has expired.
- (d) Once any initial medical assessment has been completed or first aid has been rendered, ensure that photographs have been taken of any areas involving visible injury or complaint of pain, as well as overall photographs of uninjured areas.
 - 1. These photographs should be retained until all potential for civil litigation has expired.
- (e) Identify any witnesses not already included in related reports.
- (f) Review and approve all related reports.
- (g) Review all recordings or other collected evidence.
- (h) Determine if there is any indication that the individual may pursue civil litigation.
 - 1. If there is an indication of potential civil litigation, the supervisor should complete and route a notification of a potential claim through the appropriate channels.
- (i) Evaluate the circumstances surrounding the incident and initiate an administrative investigation if there is a question of policy noncompliance or if for any reason further investigation may be appropriate.

In the event that a supervisor is unable to respond to the scene of an incident involving the reported application of force, the supervisor is still expected to complete as many of the above items as circumstances permit.

300.7.1 SHIFT SUPERVISOR RESPONSIBILITY

The Shift Supervisor shall review each use of force by any personnel within his/her command to ensure compliance with this policy and to address any training issues.

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300.8 TRAINING

Officers will receive periodic training on this policy and demonstrate their knowledge and understanding.

Officers will receive additional training about Use of Force during:

- (a) Driver training
- (b) Taser Training
- (c) Blue Courage Training
- (d) Scenario based and decision making training
- (e) Defensive Tactics and control devices training
- (f) Firearms and training
- (g) Annual MATS update
- (h) Monthly online seminars
- (i) Crisis Intervention Training (CIT)

300.9 USE OF FORCE ANALYSIS

At least annually, the Patrol Lieutenant should prepare an analysis report on use of force incidents. The report should be submitted to the Chief of Police. The report should not contain the names of officers, suspects or case numbers, and should include:

- (a) The identification of any trends in the use of force by members.
- (b) Training needs recommendations.
- (c) Equipment needs recommendations.
- (d) Policy revision recommendations.

Attachments

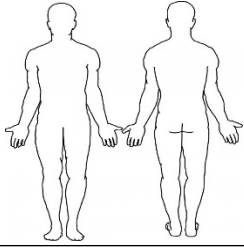
Use of Force Report I.pdf



North Liberty Police Department Use of Force Report

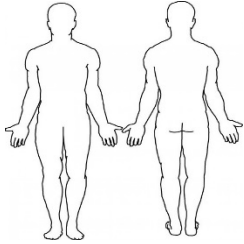
Date / /	Time:	Location:	Case Number:		
Subjects Name		DOB / /	Height	Weight	Phone Number
Reason The Use of Force Was Necessary (check all that apply)					
<input type="checkbox"/> To Effect An Arrest		<input type="checkbox"/> To Defend Self		<input type="checkbox"/> Prevent Escape	
<input type="checkbox"/> Protective Custody		<input type="checkbox"/> To Dispatch Animal		<input type="checkbox"/> To Defend Another Officer/Person	
<input type="checkbox"/> Other _____					
List Most Serious Offense(s) At Time Force Was Used					
Was the Subject Injured? <input type="checkbox"/> Yes <input type="checkbox"/> No		Was Reporting Officer Injured? <input type="checkbox"/> Yes <input type="checkbox"/> No Describe Injuries:		Medical Treatment Provided To/By	Photos Taken By
Subjects That Resisted		Officers Present	Supervisor Notified/Time/By Whom		
At the Time of the Arrest, the Subject Was:					
<input type="checkbox"/> Suspected to be Under the Influence of Alcohol or Drugs		<input type="checkbox"/> Under the Influence of Alcohol or Drugs		<input type="checkbox"/> Mentally Impaired/Emotionally Disturbed	
<input type="checkbox"/> Other:					
Officer's Perception of Individual's Actions (Use Narrative to Describe Perceived Threat(s) Posted By Individual):					
<input type="checkbox"/> Passive Resistance-Dead weight or non-compliance to Officer's lawful verbal direction, but offering no actively resistive movement					
<input type="checkbox"/> Active or Escape Resistance-Actions such as pushing, pulling, evasive arm movement, flailing, flight, muscle tension, etc. to avoid control. (Does not include attempts to harm the officer)					
<input type="checkbox"/> Assaultive-Agitated, combative state, physically assaultive actions and/or behavior that poses threat of injury to another (e.g., punching, kicking, clenching of fists, etc)					
<input type="checkbox"/> Life Threatening/Serious Bodily Injury-Actions that may result in death or serious bodily injury					
<input type="checkbox"/> Presence <input type="checkbox"/> Full Uniform <input type="checkbox"/> Partial Uniform <input type="checkbox"/> Plain Clothes Note: Officers not in full uniform, describe means of visual police identification (e.g., raid vest or jacket, displayed badge/ID, etc)					
<input type="checkbox"/> Verbal Commands (Describe Details in Narrative Report)					
<input type="checkbox"/> Compliance Techniques (Describe Details in Narrative Report) (Force used to gain control-restraint, come-alongs, takedowns-use of hands, arms, feet, legs)					
<input type="checkbox"/> Chemical Spray/Chemical Agent (Describe Details in Narrative Report) Number of Bursts: _____ Duration of Bursts: _____ Distance From Subject: _____ Impact Location: _____ Time Between Application/decontamination: _____					
<input type="checkbox"/> Impact Weapon/Temporary Incapacitation (Describe Details in Narrative Report)					
<input type="checkbox"/> Electronic Control Device (Describe Details in Narrative Report) <input type="checkbox"/> Laser Only <input type="checkbox"/> Spark Check <input type="checkbox"/> Drive Stun <input type="checkbox"/> Probe Deployment Impact Location _____ Number of Cycles _____ Taser Unit # _____ Serial # _____ Cartridge Serial # _____ Distance From Subject _____					
<input type="checkbox"/> Point A Firearm (Describe the Details in the Narrative)					
<input type="checkbox"/> Deadly Force-Firearm or other (Describe the Details in the Narrative)					
<input type="checkbox"/> Other: _____ <input type="checkbox"/> Foot Pursuit <input type="checkbox"/> Vehicle Pursuit <input type="checkbox"/> Stop Sticks <input type="checkbox"/> Shield <input type="checkbox"/> MRAP Used <input type="checkbox"/> TAC					
Restraint Method Used <input type="checkbox"/> Hand or Flex Cuffs <input type="checkbox"/> Leg Restraints <input type="checkbox"/> Body Guard <input type="checkbox"/> Spit Shield <input type="checkbox"/> None <input type="checkbox"/> Other:					
Officer Reporting:			Shift Supervisor(s):		
Other Witness(es)/Person(s) Present At Scene:			Shift Officers:		
Audio-Visual Evidence <input type="checkbox"/> Yes <input type="checkbox"/> No (If no explain)			Supervisor(s) Who Responded to Scene:		

Death Occured <input type="checkbox"/> Yes <input type="checkbox"/> No If no, was subject(s) injured? <input type="checkbox"/> Yes <input type="checkbox"/> No (Complete Diagram below)	Officer(s) Taking Photos	Total Photos	Recordings <input type="checkbox"/> In Car <input type="checkbox"/> BWC
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Describe the Extent of Subject's Injuries and Place on the diagram: **Subject #1 Name:** _____

Was Officer(s) Injured? Yes No (complete diagram below)



Describe the Extent of Officer's Injuries and Place on the Diagram: **Officer #1 Name:** _____

Witness(es) or Person(s) With Knowledge	Address	Phone
1		
2		
3		
4		

Officer's Narrative: Did officer prepare a detailed incident report describing the facts and circumstances leading to use of force? Yes No
 If no, explain:

Supervisory/Command Review

Reporting Supervisor (Name and Badge #)	Date and Time of Supervisor Response	Location
Officer Who Used Force (Name and Badge #)	Was Subject(s) Injured? <input type="checkbox"/> Yes <input type="checkbox"/> No	Was Officer(s) Injured? <input type="checkbox"/> Yes <input type="checkbox"/> No

Supervisor's Narrative (Document steps taken to review and evaluate officer's use of force)

A/V Evidence Available <input type="checkbox"/> Yes <input type="checkbox"/> No Reviewed By Supervisor/Date _____	A/V Evidence Available <input type="checkbox"/> Yes <input type="checkbox"/> No Reviewed By Officer/Date _____	A/V Evidence Available <input type="checkbox"/> Yes <input type="checkbox"/> No Reviewed By LT/Date _____
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Lieutenant Review Narrative (Confirm proper and complete investigation was conducted)

Officer Review (Print/Sign) Date _____	Supervisory Review (Print/Sign) Date _____	Lieutenants Review (Print/Sign) Date _____
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Supervisory/Command: Review and Critique Use of Force with Involved Officer(s)
Note Findings Above and Forward Completed Packet to Chief of Police

Use of force requires an ON-SCENE review, including a narrative report from the responding supervisor. This is REQUIRED for incidents involving Chemical Spray, ECD probe deployment or drive stun; any incident resulting in injury or complaint of injury; or any other time deemed appropriate by a supervisor.