 Lexington Police Department	Subject: Use of Force – Defensive Actions				Policy Number:	
	Accreditation Standards: Reference: 1.3.1; 1.3.2; 1.3.3; 1.3.4; 1.3.5, 1.3.6; 1.3.7; 1.3.8; 1.3.9; 1.3.10; 1.3.13; UOF-01;UOF-02;UOF-03; UOF-04;UOF-05;UOF-06; UOF-07; UOF-09; UOF-10; UOF-11; UOF-12				41B	
<input type="checkbox"/> New <input checked="" type="checkbox"/> Revised	Revision Dates:	1/24/19	5/31/20	6/18/20	9/20/21	Effective Date: 8/27/16
By Order of: Michael A. McLean, Chief of Police						

The Municipal Police Institute, Inc. (MPI) is a private, nonprofit charitable affiliate of the Massachusetts Chiefs of Police Association. MPI provides training and model policies and procedures for police agencies. This policy is an edited version of MPI Policy 1.01, “Use of Force.”

GENERAL CONSIDERATIONS AND GUIDELINES

The Lexington Police Department places the highest value on the life and safety of the public and our officers. A reverence and respect for the dignity of all persons and the sanctity of human life shall be reflected in all training, leadership, and procedures of the Lexington Police Department. The Department’s regulations, policies, and procedures are designed to ensure that this value guides officers in their use of force. All officers of the Lexington Police Department will use only the force necessary to accomplish lawful objectives [1.3.1].

Since officers will encounter a wide range of situations, they must be prepared to utilize a range of force options that are reasonable to maintain control, deescalate and avoid physical confrontation, overcome resistance to the officers’ lawful instructions, and to protect themselves and community members while minimizing the potential for injuries.

Due to the uncertainty and rapidly changing nature of these situations, no written policy can offer definitive answers to every situation in which the use of force might be appropriate. Rather, this policy’s guidelines and Municipal Police Training Committee guidelines will provide officers with a basis on which to utilize sound judgment in making reasonable and prudent decisions.

All new hires who are issued weapons will be issued a copy of the agency’s Use of Force–Defensive Actions policy, sign a receipt for the policy, and receive instruction on the policy. The policy issuance and instruction will occur during the new hire orientation at the Lexington Police Department upon completion of a Police Academy and will be documented in the accreditation file [1.3.12].

A. Definitions:

1. **Baton**: an expandable positive locking baton.
2. **Chokehold**: the use of a lateral vascular neck restraint, carotid restraint, or other action that involves the placement of any part of a law enforcement officer's body on or around a person's neck in a manner that limits the person's breathing or blood flow with the intent of or with the result of causing bodily injury, unconsciousness, or death. [UOF-01]
3. **Compliant Subject**: a subject who submits to the officer's authority and direction through either words or actions.
4. **Control Superiority Principle**: a recognized officer advantage, and a recognized subject disadvantage.
5. **Deadly Force**: physical force that can be reasonably be expected to cause death or serious physical injury. [UOF-02]
6. **De-escalation tactics**: proactive actions and approaches used by an officer to stabilize a law enforcement situation so that more time, options, and resources are available to gain a person's voluntary compliance and to reduce or eliminate the need to use force including, but not limited to, verbal persuasion, warnings, slowing the down the pace of an incident, waiting out a person, creating distance between the officer and a threat, and requesting additional resources to resolve the incident, including but not limited to, calling in medical or licensed mental health professionals. [UOF-03]
7. **Force**: is the amount of physical effort required by officer(s) to gain compliance from a person. This includes any use of force by an officer(s) occurring in an official law enforcement capacity whether on or off duty.
8. **Kinetic Energy Impact Projectiles**: flexible or non-flexible projectiles, which are intended to incapacitate a subject with a minimal potential for causing death or serious physical injury, when compared to conventional projectiles.
9. **Less-Lethal Philosophy**: is a concept of planning and force application that meets operational objectives, with less potential for causing death or serious physical injury. This includes but is not limited to the use of approved delivery systems and respective munitions (i.e. less lethal 'bean bag' deployment).
10. **Non-Lethal Force**: is the force that is neither likely nor intended to cause serious bodily injury or death. This includes but is not limited to

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the use of approved defensive physical tactics, O.C./pepper spray, and the authorized baton.

11. **Objectively Reasonable**: in determining the necessity for force and the appropriate level of force, officers shall evaluate each situation in light of the known circumstances including, but not limited to; the seriousness of the crime, the level of threat or resistance presented by the subject, and the danger to the community.
12. **Pepper Spray**: liquid spray whose main component is derived from natural pepper extracts applied using a spray (stream type configuration).
13. **Perceived Circumstances**: reasonable officer's perspective of the severity of any crime, the existence of any and all safety threats to the officer or others, and the degree of compliance and/or non-compliance from the subject at the time of the encounter.
14. **Perceived Subject Action**: subject's actions as perceived by the reasonable officer that designate the subject at one or more of the Use of Force Model's compliant and/or non-compliant categories.
15. **Reasonable Belief**: [1.3.2] a conclusion made from the personal knowledge and reasonable inferences drawn from practical police experience (including reliable information from others), which causes a reasonably cautious police officer to believe that the information was more likely true than not true.
16. **Serious Bodily Injury**: [1.3.2] bodily injury that results in permanent disfigurement, protracted loss or impairment of a bodily function, limb or organ; or a substantial risk of death. [UOF-04]
17. **Super Sock Round**: a flexible projectile referred to as a "bean bag" round, fired from a 12 gauge shotgun specifically assigned to less-lethal use only.
18. **Use of Force Model**: force options that are divided into five (5) levels to guide the officer during a use of force situation.
19. **Weaponless Physical Force**: force that includes but is not limited to the MPTC Use of Force Model and Defensive Tactics areas of Contact Controls, Compliance Techniques, and Personal Weapon Techniques. Examples of weaponless force includes but is not limited to: escorts, wristlocks, arm-bars, head-butts, hand, elbow, feet, and knee strikes.

B. Progression of Force: [1.3.1]

1. The officer's response options within each of the five force levels identified in the Use of Force Model are not necessarily listed in the order of use and/or need. The officer should de-escalate, stabilize,

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or escalate his/her response based upon his/her risk assessment and the perceptions of the subject's degree of compliance or non-compliance.

- 2. The force tactics listed in each of the five force levels identified in the Use of Force Model are those tactics in which the officers are trained. The Lexington Police Department recognizes that there are other methods and tactics that can be used at each of the levels of authority. If a tactic is used that is not listed, it must be objectively reasonable as it relates to the officer's risk assessment and the subject's action.
- 3. **A law enforcement officer shall not use physical force upon a person unless** de-escalation tactics have been attempted and failed or are not feasible based on the totality of the circumstances and such force is necessary to: (i) effect the lawful arrest or detention of a person; (ii) prevent the escape from custody of a person; (iii) prevent imminent harm and the amount of force used is proportionate to the threat of imminent harm, provided, however, that a law enforcement officer may use necessary, proportionate and non-deadly force in accordance with the regulations promulgated jointly by the commission and the municipal police training committee pursuant to subsection (d) of section 15. **[UOF-12]**
- 4. **A law enforcement officer shall not use deadly force upon a person unless** de-escalation tactics have been attempted and failed or are not feasible based on the totality of the circumstances and such force is necessary to prevent imminent harm to a person and the amount of force used is proportionate to the threat of imminent harm. **[UOF-05]**

C. Use of Force Model:

LEVEL ONE: The Compliant Subject

Perceived Subjects Actions The officer perceives the subject's actions as cooperative and control is maintained via public acceptance, officer presence, verbalization skills, etc.
Perceived Circumstances are: STRATEGIC The officer must maintain a minimum level of awareness and preparedness to enhance the overall and ongoing status of officer safety anytime he/she is working.
The reasonable officer responses are COOPERATIVE CONTROLS. The cooperative controls would include, but not be limited to those force tactics listed below.
COOPERATIVE CONTROLS

Officer Presence:	Appearance
Communication Skills:	Dialogue

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	Verbal Commands
Approach Techniques:	Relative Positioning Contact/Cover officer tactics Control Superiority Principle
Frisk Techniques:	1 officer on 1 subject 2 officers on 1 subject
Searching Techniques:	1 officer on 1 subject 2 officers on 1 subject
Restraining Techniques:	Handcuffing 1 officer on 1 subject 2 officers on 1 subject
Transporting Techniques:	One officer unit

LEVEL TWO: The Resistant (passive) Subject

<p>Perceived Subjects Actions This is the preliminary level of subject non-compliance. The subject offers no physical or mechanical energy enhancement toward the resistant effort. The subject has not directed his or her physical strength and energy into establishing, achieving, and/or maintaining a posture of resistance.</p>
<p>Perceived Circumstances Are: TACTICAL The officer perceives an increase in the threat potential within the confrontational environment, which would initiate the process where specific tactics and procedures would now be deployed.</p>
<p>The reasonable officer responses are CONTACT CONTROLS. These include, but not be limited to those force tactics listed below.</p>
<p>CONTACT CONTROLS</p>

Officer Presence:	Appearance
Contact Controls:	Escort position Handcuffing control position

LEVEL THREE: The Resistant (active) Subject

<p>Perceived Subject Actions The subject's non-compliance has increased in scope and intensity and now includes energy enhanced physical or mechanical defiance. The individual has directed his or her physical strength and energy into establishing, achieving, and/or maintaining a posture of resistance.</p>
<p>Perceived Circumstances Are: VOLATILE The officer is now confronted with the presence and/or potential of an increase in the threat intensity, severity, etc. The officer recognizes this increase in the threat potential and must deploy techniques and tactics that would overcome and/or control this increased risk.</p>
<p>The reasonable officer responses are COMPLIANCE TECHNIQUES. These compliance techniques would include, but not be limited to those force tactics listed below.</p>
<p>COMPLIANCE TECHNIQUES</p>

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Compliance Techniques:	Front wristlock Rear wristlock Arm-bar Bent wristlock
Non-Chemical Agents:	Oleoresin Capsicum (O.C.) Spray

LEVEL FOUR: The Assaultive (bodily harm) Subject

Perceived Subjects Actions The officer's attempt to gain lawful compliance has concluded in a perceived or actual attack on the officer or another person(s). The officer makes the reasonable assessment that such actions by the subject would result in bodily harm to him/her or another.
Perceived Circumstances Are: HARMFUL The officer perceives an accelerated assessment of danger. The situation has reached a degree where the physical well-being of the officer or another person is in jeopardy if the subject is not stopped and controlled.
The reasonable officer responses are DEFENSIVE TACTICS.
DEFENSIVE TACTICS

Personal Weapons Techniques:	Head Hands Elbows Knees Feet
Impact Weapons Techniques:	Expandable Straight Baton Super Sock Munitions

LEVEL FIVE: The Assaultive (serious bodily harm, death) Subject

Perceived Subjects Actions The officer is now confronted by an assaultive act that reaches the ultimate degree of danger. The officer perceives that if these actions continue, that the officer or others would be subject to death or serious bodily harm.
Perceived Circumstances Are: LETHAL The officer perceives the highest degree of threat towards his/her or another's safety. The officer's reasonable assessment would be that if this situation were allowed to continue that he/she or another could be seriously injured or killed. A maximized system of defense must be initiated.
The reasonable officer responses are DEADLY FORCE. These deadly force tactics would include, but not be limited to those force tactics listed below.
DEADLY FORCE

Service Weapons:	Handgun Patrol Rifle
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D. Use of Non-Lethal Force:

1. Non-Lethal Force is the force that is neither likely nor intended to cause serious bodily injury or death. This includes but is not limited to the use of approved defensive physical tactics, O.C./pepper spray, and the authorized baton.
2. A police officer is justified in using non-lethal force upon another person when it is necessary to:
 - a. Preserve the peace, prevent the commission of crimes, or to prevent suicide or self-inflicted injury;
OR
 - b. Overcome resistance to arrests, to conduct search, seizures and investigative stops, or to prevent escapes from custody;
OR
 - c. Defend oneself, or another, from unlawful violence against one's person or property.
3. After the deployment of pepper spray, the following decontamination protocol **must** be followed.
 - a. Remove the subject from the contaminated area
 - b. Provide the subject access to fresh air
 - c. Keep the subject calm
 - d. Assure the subject that he/she is safe and that the condition is temporary
 - e. Watch for unusual reactions
 - f. Report observations (mental health or substance abuse concerns) to the immediate supervisor
 - g. Watch for cross-contamination
4. All personnel must adhere to the philosophy that the expandable straight baton and pepper spray are to be used in accordance with Department training and use of force policies.

E. Non-Lethal Weapons: [1.3.4]

Certain non-lethal agents, personal weapons techniques, and the expandable baton shall be the only non-lethal weapons issued and authorized for use by members of the Lexington Police Department. All officers will receive training consistent with the Massachusetts Municipal Police Training Committee (MPTC) standards. The Department currently subscribes to the course of instruction and use of the Monadnock® expandable baton (22" or 26"). The non-lethal agent authorized and issued by the Department shall be Saber Red non-flammable O.C./pepper spray.

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Rapid Response Team (RRT) members as assigned to the Northeast Municipal Law Enforcement Council (NEMLEC) are issued an additional 36" Monadnock Expandable baton. [1.3.9]

1. The carrying of unauthorized intermediate weapons is prohibited. In extraordinary cases of self-defense where no other weapon is available, officers using anything other than authorized weapons must thoroughly document the circumstances.

F. Less-Lethal Force: [1.3.4]

The Department recognizes that armed and/or violent subjects cause handling and control problems that require special training and equipment. Thus, the Department has adopted the use of less-lethal force i.e. Super Sock™⁴ round, also known as an "extended range less lethal projectile". Fired through a 12-gauge shotgun, the less lethal application meets operational objectives, with **less potential** for causing death or serious physical injury than the use of deadly force. The extended range less lethal projectile is approved for use when:

Important considerations when deploying Less-Lethal Force: Deadly force is justified and available for backup but lesser force may subdue the aggressor and/or deadly force is justified but its use could cause collateral effects, such as injury to bystanders

1. The potential for causing death or serious physical injury with such projectiles is real. This potential is greatly reduced when impacts to the head, neck, heart and spine are avoided. Additionally, medical treatment should be provided when a person is struck with a less-lethal projectile.
2. The less-lethal projectiles will be delivered to suspect target areas based on the circumstances, the established safety priorities and the level of force authorized. The less lethal target known as (MAMPTC-LLT) is the recognized model for determining contact areas for kinetic energy impact weapons, based on potential energy. The target has green, yellow and red impact areas.
3. Dedicated system – The issued Remington 870, 12-gauge shotgun will be dedicated to less lethal projectiles and will be marked with an orange stock. Prior to use, officers shall ensure that only the authorized and department approved less lethal round be used, by physically and visually inspecting each round prior to loading so as to ensure the total absence of other ammunition. For deployment, kinetic energy impact projectiles are the only authorized ammunition

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for these dedicated shotguns. The Department will not deploy undedicated shotguns or shotgun ammunition so as to avoid confusion between lethal and less than lethal systems. [1.3.9]

4. When deploying less lethal munitions, the following procedures should be adhered to
 - a. Only qualified Department personnel shall use the less lethal projectiles.
 - b. Whenever, less lethal projectiles are utilized, a backup officer will be in the immediate vicinity as a cover officer, in case deadly force is immediately needed.
 - c. The optimal ranges of less lethal munitions are between 15 to 45 feet. Less lethal munitions should not be used at a distance of less than 15 feet from the target. The maximum effective range is 60 feet.
 - d. When practical, other officers should be advised of the deployment prior to the discharge of the shotgun -- the officer firing the less lethal munition shall announce in a loud voice, "**Bean Bag**" immediately prior to discharging the weapon.
 - e. During the deployment of the less lethal munitions, the officer in charge of the incident should constantly evaluate the option selected against changing circumstances.
 - f. A shotgun loaded with less lethal munitions shall be treated with the same care and caution as shotguns loaded with lethal munitions.
5. Subjects who are struck by a less-lethal round **SHALL** be transported to a medical facility for examination.
6. An investigation will be conducted into any situation involving the firing of a less-lethal round at a suspect.
7. Training in the use of extended range kinetic energy impact projectiles will consist of the approved Department program modeled after the Boston Police / National Tactical Association training course, and annual qualification guidelines.

H. Deadly Force:

The guidelines for the use of deadly force have been developed with serious consideration for the safety of both the public and police officers. Officers sometimes must make split second decisions in life and death situations. The policy and rules set forth by the Lexington Police Department are based on the Municipal Police Training Committee's Use of Force Model. Police officers may use deadly force in accordance with the MPTC Use of Force Model, where an officer reasonably possesses a lethal threat perception and the perceived

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subject's actions could cause serious bodily harm or death to the officer or others.

1. To avoid the unnecessary display of a firearm, an officer must be able to articulate that there is:
 - a. Reasonable cause to believe that a felony situation exists;
OR
 - b. A potential risk of serious bodily injury or death to the officer or other persons.

2. A police officer is authorized to use a firearm in the following circumstances and in accordance with MPTC/Department training:
 - a. Self-defense.
 - b. To affect an arrest **only when the officer reasonably believes that the action is necessary in defense of human life, including the officer's own life, or in defense of another person in danger of imminent death or serious bodily injury.** [1.3.2]
 - c. To kill a dangerous animal or an animal so badly injured that humanity requires that it be removed from further suffering. Whenever possible, the permission of the animal owner should be obtained. In addition, great care should be taken to protect the public from a ricocheting bullet. The presence of children should also be avoided whenever an animal needs to be destroyed.
 - d. For authorized target practice or competition, with weapons issued or authorized by the Department.

3. In addition to the procedural guidelines outlined in this policy, the following rules and regulations shall guide officers in all cases involving the use of force and firearms.
 - a. Officers **may** discharge their firearms **only** when doing so will not unreasonably endanger innocent persons.
 - b. Officers **shall not** discharge their firearms to threaten or subdue persons whose actions are destructive to property or injurious only to them **unless** such actions are an imminent threat of death or serious bodily injury to the officer or others.
 - c. Officers **shall** give voice commands prior to discharging a firearm if time and/or circumstances allow.
 - d. Officers **shall not** fire warning shots. [1.3.3]
 - e. Officers **shall not** use a chokehold. [UOF-06]
 - f. Officers **shall not discharge any firearm into or at a fleeing motor vehicle unless**, based on the totality of the circumstances, such discharge is necessary to prevent imminent harm to a person and the discharge is

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proportionate to the threat of imminent harm to a person.
[UOF-07]

- g. Officers who find themselves weaponless and/or prevented from having access to an issued weapon **and** confronted with deadly force may defend themselves and/or others by whatever means necessary to survive the encounter.
- h. No officer shall be authorized to carry a firearm until he/she has qualified at the police range **and** has received instruction on the "**Use of Force**" and "**Firearms**" policies. Each officer will be required to sign a receipt indicating that they have received and understood these two policies.

I. Medical Attention [1.3.5]

- a. After any defensive action is taken (non-lethal, less-lethal, or deadly), the officer shall immediately evaluate the need for medical attention or treatment for that person upon whom the force was used and arrange for such treatment when:
 - i. The person has a visible injury; or
 - ii. In the case of use of pepper spray, immediately after spraying a suspect, officers shall be alert to any indications that the individual needs medical care. This includes, but is not necessarily limited to, breathing difficulties, gagging, profuse sweating and loss of consciousness; or
 - iii. The person complains of injury or discomfort and requests medical attention.
- b. Any person requesting or in need of immediate medical attention shall be transported (in accordance with the Department policy) to the appropriate hospital or medical facility. All medical treatment received shall be noted in the officer's report.
- c. **Injuries.** If any visible injury results from the use of force, or if an individual complains of any injury, appropriate measures shall be taken to have the person examined by EMS personnel and/or transported to a medical treatment facility.

J. Defensive Action and Use of a Firearm Reporting: [1.3.6]

- 1. An officer shall immediately notify and fully inform the Commanding Officer, followed by a written report, whenever he/she:
 - a. Discharges a firearm for any reason except for training or competition on an approved range. [1.3.6(a)]
 - b. Takes **any** action that results in, or may result in claims of, injury or death of another person. [1.3.6(b)]

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- c. Takes a defensive action to overcome a subject's resistance to a lawful police purpose. This typically will not include verbal commands, mere touching, escorting, and handcuffing of compliant individuals. [1.3.6(d)]
- d. Draws and points a firearm. [1.3.6(c)]

K. Duty to Intervene/Report:

- 1. Officers/Employees have a duty to prevent and stop illegal and inappropriate use of force that violates any applicable law and/or Department policy. Any officer/employee who observes an officer preparing to use or using physical force, including deadly force, beyond that which is necessary or objectionably reasonable based on the totality of the circumstances, must intervene to prevent the use of unreasonable force unless intervening would result in the imminent harm to the officer or another identifiable individual. Supervisors observing such a violation must issue a direct order immediately to stop the action. [UOF-09]
- 2. Officers/Employees who observe an officer using physical force, including deadly force beyond that which is necessary or objectionably reasonable based on the totality of the circumstances shall report the incident to a supervisor as soon as possible, but no later than the end of that shift. The officer shall prepare a detailed written report describing the incident consistent with uniform protocols. The officer's written statement shall be included in the supervisor's report. [UOF-10]
- 3. No one is permitted to retaliate, in any form, against an officer/employee who intercedes or reports a violation of this policy, or who cooperates with an investigation into a possible violation of this policy. [UOF-11]

L. Written Reports:

- 1. Written reports need to be accurate and complete. Information pertinent to an incident may not be immediately available and officers may need time to collect their thoughts and organize their notes. Officers are encouraged to review any available audio or videotapes, and consult with other officers and supervisors immediately involved in the incident. Reporting should begin on the duty shift and, if necessary, the officer(s) should return on extra duty to complete the report without unnecessary delay or interruption. An officer who is unable to submit a report due to injury shall file the report as soon as he/she is physically able. Off-duty officers should be given direction by the Commanding Officer whether or not to report for extra duty to complete the report, or appear on a regular duty shift.

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2. The report shall explain in detail the circumstances surrounding the event. It is important to use descriptive language. Terms such as “intoxicated”, “belligerent”, “resisted” and “detained” are far less effective than specifically citing the signs of intoxication; actual words, quotes and mannerisms; or a step-by-step explanation of the resistance or how someone was detained. It is possible, given the emotional and physical exertion of defensive actions that, officers may not remember everything that took place. It is important to include only that information that can be accurately and truthfully attested to.
3. The report shall be reviewed immediately by the Commanding Officer to insure that the report is complete. The Commanding Officer will then submit the report, related documentation and, if requested, a report of findings to the Chief of Police. If necessary, the Commanding Officer will explain any delays in the reporting process. The report of findings shall include the relevant facts and circumstances surrounding the incident and a conclusion as to whether the use of force was consistent with Department policy. If the Commanding Officer is involved in the use of force, the report will be submitted to the Captain of Operations or designee of higher authority, not involved in the incident. [1.3.7]
4. A narrative report is not required when a firearm is discharged to put down a sick or injured animal. The CFS code 443 “ANIMAL CONTROL – FIREARM USED” will be used to document in the log the complete circumstances of the animal being put down. The number of rounds fired and what was done to dispose of the animal should be included. Unusual circumstances should be documented with a full report.
5. DEFENSIVE ACTION DATA REPORTS (DADR) will be used to collect statistical data on the demographics and types of incidents where force was shown/used for supervisory review and training.
 - a. Each officer who is directly involved in a defensive action will complete a DADR. Witness officers are not required to complete a DADR.
 - b. One DADR will be submitted for each person upon whom force was shown/applied. When multiple individuals are involved in an incident, each person is unique and the defensive actions identified in the DADR should be specific to that person.
 - c. DADR data is based on the best information known to the officer. When checking off conditions, pick the best answer that fits the incident. Descriptive data should be brief.
 - d. The DADR is not a substitute for a full incident report and should be given priority after the incident report has been

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submitted. Each completed DADR will be reviewed by a Commanding Officer.

- M. Defensive Actions Resulting in Death or Serious Bodily Injury: [1.3.8]
1. If a defensive action results in death or serious bodily injury, the Commanding Officer shall:
 - a. Immediately assign the officer(s) to temporary administrative duties pending the review of the event.
 - b. Take control of the firearm or weapon used until the proper reports have been filed and a preliminary investigation has been completed.
 - i. The Patrol Supervisor or Commanding Officer responsible for taking control of an officer's weapon should do so in a discrete manner and outside of the public view.
 - ii. Whenever possible, the officer's firearm should be replaced by another firearm.
 - c. Contact the Chief of Police, Captain of Operations & Administration and Detective Commander. The Middlesex County District Attorney's Office, State Police Unit shall be immediately notified whenever the defensive action results in the death of any person. As necessary, other agencies with jurisdiction to investigate (depending on the circumstances of each event) will also be contacted.
 2. The Chief of Police shall remove any involved officer(s) from their line of duty assignment and place them on administrative duty or administrative leave pending the completion of an investigation of the incident.
 3. Any officer(s) involved in an incident resulting in the death or serious bodily injury of another shall be ordered to attend psychological debriefing(s) and/or critical incident debriefing(s).
- N. Defensive Action Review:
1. The Chief of Police, his designee, or an appointed Review Board, shall investigate every instance where an officer's defensive action resulted in the actual or alleged death or serious bodily injury of another person. The Review Board may include individuals selected by the appointing authority (Town Manager) and/or individuals with expertise within the Department selected by the Chief of Police.
 2. When appointed, the Review Board shall review and, if necessary, investigate the incident in order to determine if the defensive action

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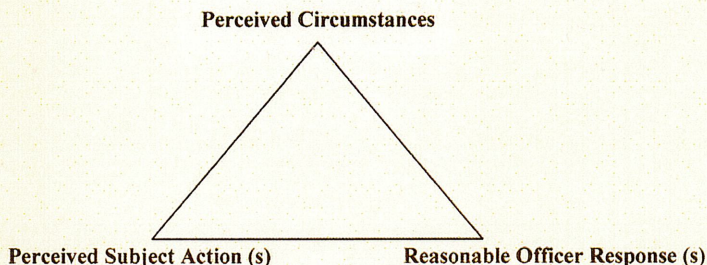
was in compliance with Department policy. The report of findings will be submitted to the Chief of Police and/or Town Manager for appropriate action.

3. The report of findings should include the relevant facts and circumstances surrounding the incident and a conclusion as to whether the defensive action was consistent with Department policy. The report of findings shall be submitted to the Chief of Police within five days of the incident. The Chief may waive the five-day time limit in unusual circumstances.
 4. Annually, the Defensive Action Data Reports will be tabulated and reviewed by the Captain of Administration or a designee. Training staff to improve annual training programs will use this information. [\[1.3.13\]](#)
- O. Sworn Officers-other situations resulting in death or serious injury: [\[1.3.8\]](#)
1. If in the course of an officer's regular duty (not involving a use of force incident), an officer's actions result in a death or serious injury (e.g. a motor vehicle crash), said officer shall be immediately removed from their line of duty assignment pending an administrative review.
- P. Civilian Employees: [\[1.3.8\]](#)
1. An employee who uses force, or any other action, in an official capacity that results in death or serious injury shall be immediately removed from their line duty assignment, pending administrative review.
 2. Any defensive action taken by a civilian employee of the Police Department shall require the submittal of a DADR form and a written report as outlined in this policy. Civilian employees are bound by all requirements outline in this policy.

"Super-Sock" bean bag is a trademark of Combined Tactical Systems, Jamestown, PA

Certain language in this policy is verbatim as required from the following:
[Session Law - Acts of 2020 Chapter 253 \(malegislature.gov\)](#)

**MPTC USE OF FORCE
REFERENCE GUIDE**



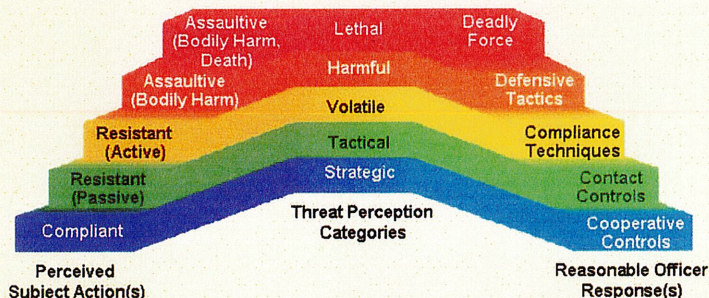
The **Totality Triangle** © depicts the three elements which must be considered in determining whether an application of force was objectively reasonable.

Perceived Circumstances - the officer's perspective of the severity of any crime, the existence of an immediate safety threat to the officer or others, and the degree of compliance / non-compliance from the subject; culminating in its identification on the Use of Force Model.

Perceived Subject Action (s) - the subject action (s) as perceived by the reasonable officer that designate the subject at one or more of the Use of Force Model's compliant / non-compliant categories.

Reasonable Officer Response (s) - the "balanced" response (s) appropriate for the reasonable officer's selection from the Use of Force Model's identified response categories, in order to maintain or gain subject compliance and control.

**MPTC
Use of Force Model**



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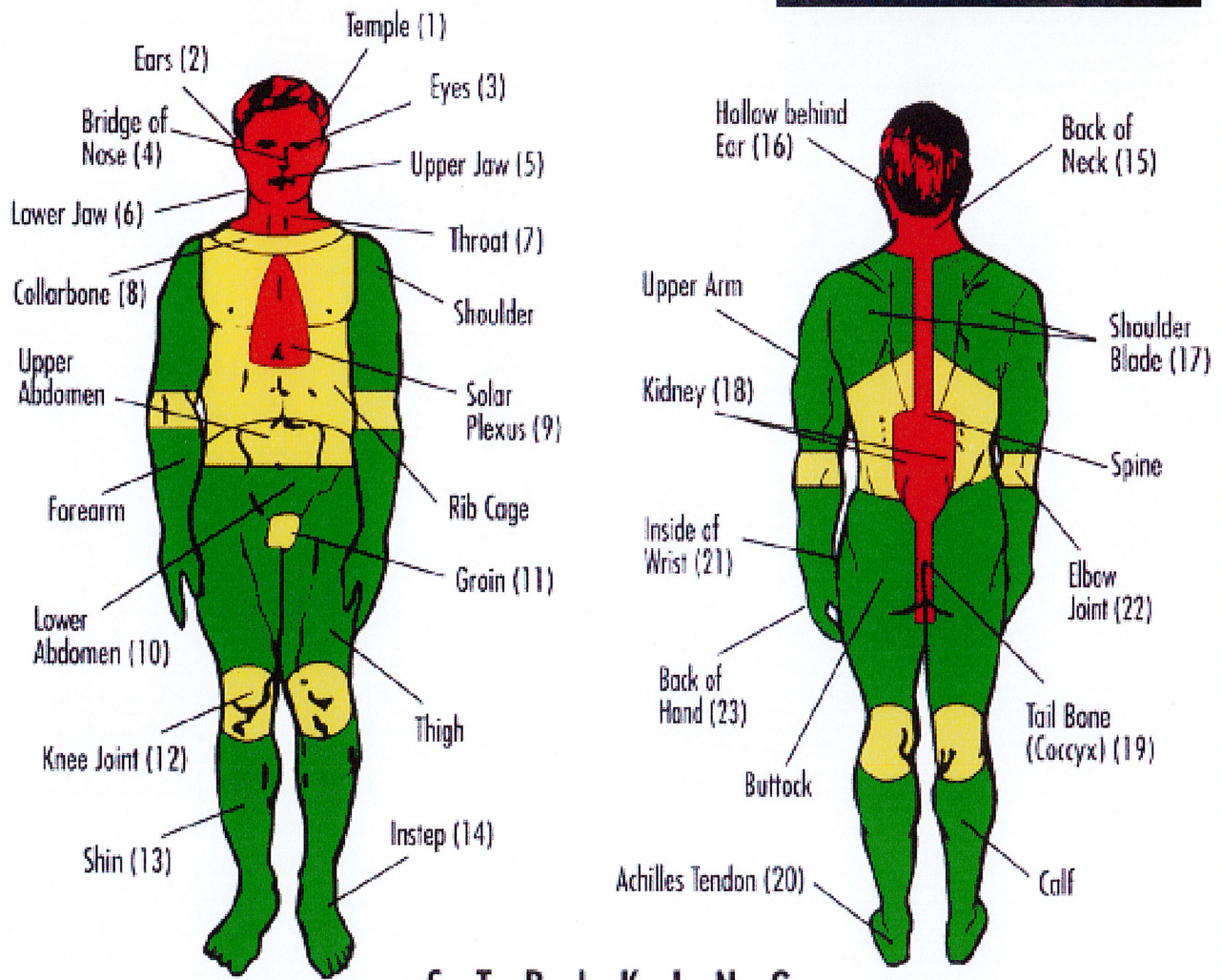
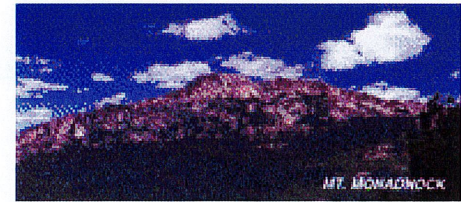
Threat Perception Color Code - the tactically applied and color adapted correlation of the Threat Perception Categories on the Use of Force Model.

Control Superiority Principle © - the understanding and visualization method utilized to reinforce the inherent principle of officer force superiority over the subject's degree of compliance / non-compliance.

Assessment / Selection Arrows - the mechanism utilized to indicate the dynamic nature of an officer's decision-making process of Tactical Transition © during the enforcement encounter.

MONADNOCK BATON CHART

Escalation Of Trauma By Vital And Vulnerable Striking Areas



S T R I K I N G

GREEN TARGET AREAS	YELLOW TARGET AREAS	RED TARGET AREAS
<p>REASONING: Minimal level of resultant trauma. Injury tends to be temporary rather than long-lasting, however exceptions can occur.</p> <p>Except for the HEAD, NECK, and SPINE, the whole body is a Green Target Area for the application of baton blocking and restraint skills.</p>	<p>REASONING: Moderate to serious level of resultant trauma. Injury tends to be more long-lasting, but may also be temporary.</p>	<p>REASONING: Highest level of resultant trauma. Injury tends to range from serious to long-lasting rather than temporary and may include unconsciousness, serious bodily injury, shock or death.</p>

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