



Professional Reference Directory

Chapter: 7 Use of Force
Section: 7.0
Title: General Use of Force
Date: 3/15/16

Purpose: It is the purpose of this order to provide officers with guidance and direction in the use of force to detain, subdue, and control subjects when necessary. This Policy also serves as a review for officers on Use of Force as they were trained in the CT POST Academy or a POST approved Academy, and in supplemental training received during their years of service.

POLICY:

It is the policy of this agency that officers may use force reasonably necessary to detain, subdue or otherwise control violent or potentially violent individuals and as reasonably necessary to accomplish lawful objectives.

Force shall never be used as punishment, regardless of the alleged offense.

GENERAL:

Purpose and Scope:

- A. Purpose: To establish Department policy governing the use of force by sworn members of the West Hartford Police Department.
- B. This Policy is intended to provide guidance for proper deployment and use of force by a police officer in the field.

DISCUSSION:

- A. Police officers sometimes use force to ensure public safety or to effect an arrest, and as with all use of force, the use of lethal or less lethal options must be "objectively reasonable."
- B. Officers have legal authority to carry and use weapons while engaged in the pursuit of such officer's official duties.
- C. Physical force may be used when lawfully justified and in a reasonable manner that attempts to avoid unnecessary injury to officers and civilians. When practical de-escalation techniques should be employed at the earliest possible moment.
- D. Officers will use de-escalation techniques whenever practical and appropriate, before resorting to force and to reduce the need for force. De-escalation techniques may include verbal persuasion and warnings and tactical de-escalation techniques, such as slowing down the pace of an incident, waiting out subjects, creating distance (and thus the reactionary gap) between the officer and the threat, and requesting additional resources (e.g. specialized Crisis Intervention Officers (CIT) or negotiators).

DEFINITIONS:

- **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.

- **REASONABLE FORCE:** The level of force that is objectively reasonable to accomplish a lawful purpose.
- **PHYSICAL FORCE:** Any force that exceeds mere touching.
- **LESS LETHAL FORCE:** A use of force which is not likely to cause death or serious physical injury.
- **DEADLY PHYSICAL FORCE:** A use of force which is likely to cause death or serious physical injury. This includes firearms, and may include strikes and holds, batons, and striking projectiles, when such blows or holds are applied to the head and neck areas in order to incapacitate the offender.
- **ACTIVE RESISTANCE:** Any physical act, or failure to act, undertaken by a subject, against an officer, that could reasonably interfere with or defeat a lawful attempt by the officer to gain physical control of the subject.
- **PASSIVE RESISTANCE:** The mere failure or refusal to cooperate with the lawful directions of a police officer by one or more unarmed, non-violent persons, such as in the case of an act of civil disobedience or a non-violent handcuffed prisoner.
- **SERIOUS PHYSICAL INJURY:** Physical injury that creates the substantial risk of death or which causes serious disfigurement, serious impairment of health or serious loss or impairment of the function of any bodily organ.

USE OF FORCE:

- A. Whenever practical, prior to each use of force, a clear warning that force will be used should be made. Officers should take into consideration the capabilities and limitations of their choice of force application whenever employing it. In determining the need for additional use or escalation of force, officers should continually reassess the need for use of force and be aware that a subject may not be able to respond to commands during or immediately following force application.
- B. When using less-lethal types of force, officers should attempt to target available muscle areas (lower center of mass) on the front and back of the subject, avoiding the head whenever reasonably practical. The subject should be secured as soon as practical while disabled by force to minimize the use of force.
- C. A supervisor should respond to the scene when force greater than compliant handcuffing is applied.
- D. Following any use of force, a written report will be generated and filed. Any force used above compliant handcuffing requires the completion of the State Use of Force Form. Reports must be completed in their entirety and specifically describe the justification for the use of force, the events and communications leading up to the decision to use force, including but not limited to; any physical confrontation, the subject's behavior, the environment in which the incident took place, and any injuries sustained by anyone during the event. [See section on Documentation for filing of State P.O.S.T. Use of Force Report.]

- F. All written reports generated regarding the use of force must be promptly reviewed by a supervisor to determine that the use of force was appropriate. Should a determination be made by the supervisor that the use of force was questionable or inappropriate, the matter shall be immediately referred for further review per Department policy.
- G. All sworn personnel will have access to the Departmental Use of Force policy and receive training as to its content prior to obtaining authorization to carry departmental issued or authorized weapons. Issued or authorized weapons may only be used by sworn personnel who have satisfactorily completed a POST approved course or this agency's approved training for each weapon system.
- H. The West Hartford Police Department will conduct a periodic review of force use in order to evaluate policy compliance.
- I. The West Hartford Police Department issues officers several weapon systems to aid the officer when deciding to use force. Officers may choose from among the systems when the use force becomes necessary. Nothing in this policy should be interpreted to prevent any officer from making a choice of options in a particular order, or from moving between systems during the course of an incident.

The authorized systems are:

- Hands on holds or combat techniques
- Handcuffs, belly bands, leg shackles, zip ties, and nylon restraint bands
- Oleoresin Capsicum sprays (OC Spray)
- Batons or striking devices
- Conducted Electrical Weapons (CEWs),
- Pistols
- Shotguns
- Rifles,
- Other specialized weapons systems used by special service units such as ESU
- Weapons of opportunity
 - A weapon of opportunity may include any object available to an officer. Weapons of opportunity should not be used unless necessary to protect the officer or others and the officer cannot avail themselves of an authorized weapon.
 - Flashlights similarly should not be used as weapons unless necessary to protect the officer or other and the officer cannot avail themselves of an authorized weapon.

POST USE PROCEDURES / MEDICAL ATTENTION:

If force is needed, officers should bring the subject under control and secure the subject in a manner that is as safe and expeditious given the conditions or situation.

When a subject is injured through any use of force, the officer shall offer the injured party medical assistance when such medical assistance is reasonably necessary. In the case of obvious physical injury or when otherwise prudent, the officer shall request medical dispatch.

The officer must also be cognizant of any medical regulations or guidelines regarding the use of CEW's asserted by any medical authority having jurisdiction over the agency if the CEW is used.

If force was applied to sensitive areas such as the groin, eye, female breasts, and face or neck, officers shall evaluate the subject or have medical personnel respond to the scene to evaluate the subject. If the officer or medical personnel feel a doctor should further evaluate the subject, then the subject will be transported to the hospital for an evaluation. The officers who applied force should be aware of Bio-Hazards and inspect their person and equipment and clean or replace items as necessary.

The following persons shall be evaluated and assessed by a paramedic as to the need for transport to a hospital for examination following exposure to a use of force by West Hartford officers, or by officers from other agencies when their use of force occurs in our jurisdiction and a West Hartford officer is present. Any person who:

1. Loses consciousness, exhibits irregular breathing, or is known to be under the influence of drugs or medications;
2. Is hit in a sensitive area (e.g., face, head, female breasts, male groin);
3. Does not appear to recover properly after force was applied;
4. When using a Conducted Electrical Weapon (CEW) has been energized more than three times or has been subjected to a continuous energy cycle of 15 seconds or more;
5. Has had more than one CEW effectively used against him or her in any given incident;
6. Has had more than one type of force or weapon system used effectively against him or her in any given incident;
7. Has exhibited signs of extreme uncontrolled agitation or hyperactivity prior to or during force application;
8. Is in a potentially susceptible population category, including children, the elderly, persons of small stature irrespective of age, or those who the officer has reason to believe are pregnant, equipped with a pacemaker, or in obvious ill health;
9. Exhibits bizarre or violent behavior, including self-mutilation;
10. Is naked in a public place or exhibits signs of overheating;
11. Evidences slurring or slowness of speech that appears to be caused by a medical nature.
12. Subject claims to have been injured or in medical distress.

SUBJECTS HELD IN CUSTODY

Following the use of the force, any subjects not released for Court will be monitored while in custody. Any medical complaints will be evaluated and appropriate medical aid provided, including transportation to a medical facility if necessary, consistent with PRD section 8.5, medical attention for prisoners.

DOCUMENTATION:

The officer(s) using force will document the usage in an incident report and accompanying additional reporting forms as appropriate. The report should include witness information and, if possible, statements. Back-up officers on scene will complete a supplemental report.

Additionally, officers who actually use force that rises above **compliant handcuffing** shall complete a State of Connecticut – Police Officer Standards and Training Council Use of Force Report.

When multiple applications of force are required, or multiple types of force are required, each application type and deployment cycle should be documented regarding the continuing circumstances that necessitated the additional force application or deployment cycle.

If the application of force creates breaks in the skin or there is other visible injury, photographs will be taken. Officers should also consider photographs even if there is no apparent injury.

Any data collected by use of force devices, or by body or dash mounted cameras will be downloaded from the devices or cameras and a copy of the download report or a notation will be added to the incident report by the officer(s) detailing that the evidence was downloaded.

Copies of all reports involving the use of force along with the State Use of Force Report will be forwarded to the Patrol Captain and the Assistant Chief's office for review.

Additional PRD Guidance can be found in:

- PRD 7.1 Protocol & Procedure for Investigation of the Use of Deadly Force.
- PRD 7.2 Use of Deadly Force
- PRD 7.3 Humanitarian Dispatch of Injured Animals
- PRD 7.4 Firearms Discharge Review Board.
- PRD 7.5 Shotgun
- PRD 7.6 Police Rifles
- PRD 7.7 Less Lethal Force
- PRD 7.8 Conducted Electrical Weapon