

Use of Force

The purpose of this policy is to establish guidelines and procedures governing the use of force. The intent of this order is to ensure that all officers understand the authorized force options available to them, the limitations of the authorized force options and an officer's responsibilities in the use of force.

It is the policy of the East Norriton Township Police Department to value and preserve human life. Officers shall use only the degree of force that is objectively reasonable to effectively bring an incident under control, while protecting the safety of the officer and others.

Officers shall use force only when no reasonably effective alternative appears to exist and shall use only the level of force which a reasonably prudent officer would use under the same or similar circumstances.

The decision to use force requires careful attention to the facts and circumstances of each situation, including the severity of the crime at issue, whether the suspect poses an immediate threat to the safety of the officer or others, and whether the suspect is actively resisting arrest or attempting to evade arrest by flight. The reasonableness of a particular use of force must be judged from the perspective of a reasonable officer on the scene, rather than with the 20/20 vision of hindsight. The focus should be on whether the officer's actions are "objectively reasonable" in light of the facts and circumstances confronting them. Facts unknown to the officer, no matter how compelling, cannot be considered in later determining whether the use of force was justified.

Reasonable and necessary force may be used to effect an arrest, to overcome unlawful resistance, to prevent an escape from custody, or to neutralize an unlawful assault upon the officer or another person. The use of physical force will end immediately when control is achieved and resistance is overcome. Emphasis shall always be upon obtaining control over the resistance situation rather than forcing submission.

Officers using force must be able to articulate the need and justification for the use of force and the reason(s) for why the authorized force option was selected. Full disclosure of the circumstances requiring the use of force, and the type and extent of force, shall be thoroughly documented in the department's mandatory "Use of Force" report, or other reports, as outlined in this general order.

DEFINITIONS:

Choke Hold – A physical maneuver that restricts an individual's ability to breathe for the purposes of incapacitation. This does not include vascular neck restraints.

Deadly Force - Force which, under the circumstances surrounding its use, is readily capable of causing death or serious bodily injury.

De-Escalation – Taking action or communicating verbally or non-verbally during a potential force encounter in an attempt to stabilize the situation and reduce the immediacy of the threat so that more time, options and resources can be called upon to resolve the situation without the use of force or with a reduction in the force necessary. De-escalation may include the use of such techniques as command presence, advisements, warnings, verbal persuasion and tactical repositioning.

Exigent Circumstances – Those circumstances that would cause a reasonable person to believe that a particular action is necessary to prevent physical harm to an individual; the destruction of relevant evidence, the escape of a suspect, or some other consequence improperly frustrating legitimate law enforcement efforts.

Forcible Felony -The crimes of murder, voluntary manslaughter, rape, robbery, kidnapping (except parental kidnapping not involving force), involuntary deviate sexual intercourse, arson endangering persons, aggravated assault causing serious bodily injury.

Less Lethal Force – Force other than that which is considered deadly force that involves physical effort to control, restrain or overcome the resistance of another.

Objectively Reasonable- The determination that the necessity for using force and the level of force used is based upon the officer's evaluation of the situation in light of the totality of the circumstances known to the officer at the time the force is used and upon what a reasonably prudent officer would use under the same or similar situations.

Reasonable Belief – The facts or circumstances the officer knows, or should know, that are such as to cause an ordinary and prudent person to act or think in a similar way under similar circumstances.

Serious Bodily Injury – Bodily injury which creates a substantial risk of death or serious permanent disfigurement, or a prolonged loss or impairment of the function of any bodily member or organ.

