HERMANTOWN POLICE DEPARTMENT GENERAL ORDER

SUBJECT:	NUMBER: 219.00
USE OF FORCE Response to Resistance or Aggression	EFFECTIVE DATE: 01/01/92
	AMENDED DATE: 05/18/93 09/26/05 04/01/14 09/16/15 05/29/2019 11/10/2020 01/06/2022
	PAGE 1 OF 17

I. PURPOSE

To provide police officers with guidelines on the use of Deadly and Non-Deadly force.

II. POLICY

This department recognizes and respects the value and special integrity of each human life. In vesting police officers with the lawful authority to use force to protect the public welfare a careful balancing of all human interests are required. Although officers seek to resolve encounters without force whenever possible, as guardians of public safety and welfare, there are times when officers are called upon to use force to keep others, or themselves safe. This policy guides officers to use the amount of force that is reasonably necessary to achieve a lawful objective and to effectively bring an incident under control. Officers are directed to de-escalate when they can, intervene when they should, and serve all individuals with respect and dignity.

All officers must review and receive yearly instruction on this order.

III. DEFINITIONS

- A. **Annual Training** Annual in-service training provided by the department to all department peace officers.
- B. **Approved Weapons** Tools meeting department specifications for which officers receive proficiency and safety training. Prior to the use of any approved weapon, the officer, when practical, will communicate to the resisting or aggressive person that the use of the weapon is imminent, and clearly and audibly announce the same to all personnel in the immediate area, unless circumstances prevent this from occurring.

- C. **Authorized Device** A device an officer has received permission from the agency to carry and use in the discharge of that officer's duties, and for which the officer has:
 - a. Obtained training in the technical, mechanical, and physical aspects of the device; and
 - b. Developed a knowledge and understanding of the law, rules, and regulations regarding the use of such a device.
- D. **Bodily Harm** Physical pain or injury.
- E. **Chemical Aerosol** A non-lethal agent that causes temporary inflammation of the skin, eyes and mucus membranes.
- F. Choke Hold A method by which a person applies sufficient pressure to a person to make breathing difficult or impossible, and includes but is not limited to any pressure to the neck, throat, or windpipe that may prevent or hinder breathing, or reduce intake of air. Choke hold also means applying pressure to a person's neck on either side of the windpipe, but not to the windpipe itself, to stop the flow of blood to the brain via the carotid arteries.
- G. **Deadly Force** Defined by Minnesota Statute 609.066 Subd. 1: Force which the actor uses with the purpose of causing or which the actor should reasonably know creates a substantial risk of causing death or great bodily harm. (The intentional discharge of a firearm in the direction of another person, or at a vehicle in which another person is believed to be, constitutes deadly force).
- H. De-escalation Officer response to stabilize an encounter so that more time, options, and resources are available for incident resolution, in order to reduce the immediacy of a threat, gain cooperation when feasible, and to lower the likelihood of the use of force.
- I. **Electronic Control Device (ECD/TASER)** The ECD is a Neuro-Muscular Incapacitation (NMI) device that stimulates the motor neurons to cause temporary motor skill dysfunction.
- J. **Force Transitions** The movement, including escalation and de-escalation, from the application of one type of response to resistance or aggression to another. Officers must consider the facts and circumstance known or believed at the time of their action to reasonably respond to an individual's resistance or aggression.

- K. Great Bodily Harm Defined by Minnesota Statute 609.02 Subd. 8: Bodily injury which creates a high probability of death, or which causes serious permanent disfigurement, or which causes a permanent or protracted loss or impairment of the function of any bodily member, organ or other serious bodily harm.
- L. **Hard Empty-Hand Tactic** Weaponless techniques that include strikes, knees, kicks, and takedowns; and which are considered intermediate force options that have a potential to cause injury or substantial pain.
- M. **Impact Weapon** An instrumentality used to apply physical force to another person.
- N. **Imminent Threat** Refers to an impending violent act or active resistance that an officer reasonably believes will occur, based on the totality of the circumstances.
- O. **Intermediate Force** A level of force that has the potential to cause injury or substantial pain, and is greater than low-level force.
- P. Levels of Control Levels of Control are broad categories of influence and/or force in identifiable, escalating stages of intensity. They are identified as low-level force, intermediate force, and deadly force.
- Q. **Low-Level Force** Is a level of force control that is neither likely nor intended to cause injury.
- R. **Other than Deadly Force** Force used by an officer that does not have the purpose of causing, nor create a substantial risk of causing, death or great bodily harm.
- S. **Reasonable Belief -** The facts or circumstances known or which should reasonably be known to an officer at the time of a decision, which would cause an ordinary and prudent officer to act or think in a similar way under like circumstances.
- T. **Response to Resistance or Aggression (RRA)** An officer's response to an individual's resistance to an officer's performance of duties, or aggression or threat of aggression against and officer or another person.

Use of Force Policy G.O. 219.00 11/10/2020 Page 4 of 17

- U. **Soft Empty-Hand Tactic** Weaponless techniques that include escort holds, controlled handcuffing, and takedowns; and which are considered low-level force options that are neither likely nor intended to cause injury.
- V. Totality of the Circumstances A set of circumstances and articulable facts available to the officer at the time of the officer's response to resistance or aggression.

IV. USE OF FORCE TO DETAIN, ARREST, OR SEARCH

- A. Minnesota State Statute section 609.06 authorizes peace officers to use reasonable force for the following reasons:
 - 1. To protect themselves;
 - 2. To protect others;
 - 3. To make a lawful arrest;
 - 4. To execute a legal process
 - 5. To enforce an order of the court; or
 - 6. To execute any other duty imposed upon a public officer by law.
- B. Before using force, officers will, when possible, announce their presence, provide lawful orders, and give individuals an opportunity to respond whenever safe and reasonable under the circumstances.

V. DETERMINING OBJECTIVELY REASONABLE FORCE

The Fourth Amendment prohibits any use of force by peace officers in the line of duty that is not objectively reasonable under the totality of the known or reasonably-believed circumstances. The reasonableness of a particular use of force is judged from the perspective of a reasonable officer on the scene, rather than with 20/20 vision of hindsight, and must account for the fact that officers must make split-second judgments in circumstances that are tense, uncertain, and rapidly evolving.

Courts review an officer's use of force based on the objective facts of circumstances of an incident, rather than an officer's subjective or personal intent. The officer's perception will be considered, along with other factors to determine whether the force used was reasonable. These factors may include but are not limited to:

- 1. Severity of the crime(s) at issue;
- 2. Whether the person(s) poses an immediate threat to the safety fo the officer(s) or others;

Use of Force Policy G.O. 219.00 11/10/2020 Page 5 of 17

- 3. Whether the person(s) is actively resisting arrest or attempting to evade arrest by flight;
- 4. Relative age, size, strength, and physical capability of the officer compared to the person;
- 5. Influence of drugs/alcohol;
- 6. The mental capacity of the person;
- 7. Time available to an officer to make a decision;
- 8. Availability of officers/resources to de-escalate the situation;
- 9. Proximity or access of weapons to the person;
- 10. Environmental factors; and/or other exigent circumstances.

Under these General Orders' when officers are called upon to use force to respond to an individual's resistance or aggression, officers must assess each incident to determine, based on policy, applicable training and experience, how to resolve the situation in a manner that is reasonable, necessary, and performed with respect.

In any response, including responses to individuals in crisis, officers should be mindful of any known or reasonably believed barriers to cooperation such as perception barriers, mental or emotional capacity, and language barriers.

Use of physical force should be discontinued when resistance ceases or when the incident is under control.

Physical force shall not be used against individuals in restraints, except as objectively reasonable to prevent their escape or prevent imminent bodily injury to the individual, the officer, or another person. In these situations, only the amount of force necessary to control the situation shall be used.

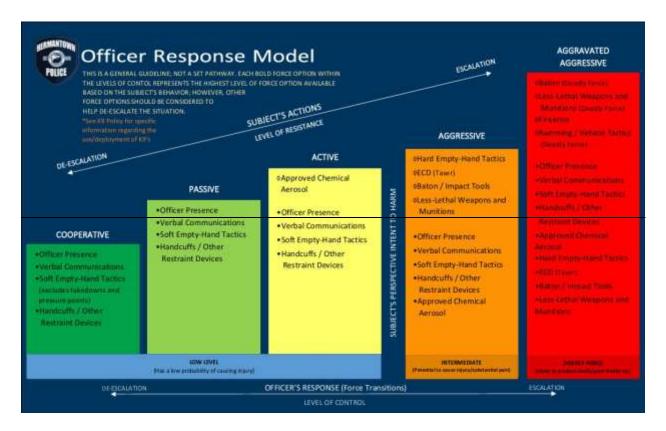
VI. FORCE OPTIONS

A. Response to Resistance or Aggression Model

This visualization provides a general guideline for officers to determine an appropriate response to a person's resistance or aggression; it is not a set pathway. Each situation will require a different level of response based on a subject's resistance or aggressive behavior. The subject's actions will dictate the level of force that is objectively reasonable under the circumstances. These encounters are dynamic and fluid and require an officer to continually assess a subject's actions to ensure that their response is objectively reasonable.

Use of Force Policy G.O. 219.00 11/10/2020 Page 6 of 17

Each bold face option within the options for an officer's response represents the highest level of force authorized under these General Orders based on the subject's conduct; however, other force options outlined in this policy, including lower force options if appropriate, should be considered to help de-escalate the situation. * See K9 policy for specific information regarding the use/deployment of K9s.



VII. LEVELS OF RESISTANCE OR AGGRESSION

- A. Cooperative A person contacted by an officer who acknowledges directions or lawful orders and offers no passive, active, aggressive, or aggravated aggressive resistance. A person who is cooperative and not resisting.
- B. **Passive Resistance** The person is not complying with an officer's commands and is uncooperative, but is taking only minimal physical action to prevent an officer from placing them in custody and rendering the situation safe. Examples include: standing stationary and not moving upon lawful direction, falling limply and refusing to use their own power to move (becoming "dead weight").

Use of Force Policy G.O. 219.00 11/10/2020 Page 7 of 17

C. Active Resistance – The person's verbal or physical actions are intended to prevent an officer from placing them in custody and rendering the situation safe, but are not directed at harming the officer. Examples may include the following with no additional factors: walking or running away, breaking the officer's grip. Verbal arguing alone does not constitute active resistance.

-----OFFICER'S PERCEPTION OF PERSON'S INTENT TO HARM------

- D. **Aggressive Resistance** The person displays by their behavior the (perceived) intent to harm the officer, themselves or another person and prevent an officer from placing them in custody and rendering the situation safe. The aggression may manifest itself through a person taking a fighting stance, punching, kicking, striking, attacks with weapons or other actions that present an imminent threat of physical harm to the officer or another.
- E. **Aggravated Aggressive Resistance** The person's actions are likely to result in death or serious bodily harm to the officer, themselves or another. These actions may include using or threatening to use a firearm, use of blunt or bladed weapon, or extreme physical force.

VIII. LEVELS OF CONTROL

When officers are called upon to respond to resistance or aggression, officers will assess each incident to determine based on policy, training, and experience, which response to a person's resistance or aggression is believed to be objectively reasonable for the situation.

A. **Low-Level Force** – Low-level force is a level of force or control that is neither likely nor intended to cause injury, such as restraining, controlling, or handcuffing any person for a lawful purpose.

This level of force includes:

- 1. Officer Presence,
- 2. Verbal Communication,
- 3. Soft empty hand tactics (escorts, takedowns with low potential of injury, pressure points)
- 4. Handcuffs/other department-approved restraint devices
- 5. Department approved chemical aerosol spray
- 6. Weapon pointing (ECD/TASER, less lethal, firearms)

Use of Force Policy G.O. 219.00 11/10/2020 Page 8 of 17

B. **Intermediate Force** – A level of force that has the potential to cause injury or substantial pain, and is greater than Low-Level Force.

This level of force includes:

- 1. Hard empty-hand tactics (strikes, kicks, takedowns that may cause potential injury)
- 2. Baton/impact tools (jabs, strikes)
- 3. ECD (TASER)
- 4. Less-lethal weapons and munitions
- C. **Deadly Force** Deadly force is that degree of force that is likely to produce death or great bodily harm. Deadly force can also result from a force option being improperly applied. In order for the use of deadly force to be justified, at least one of the parameters must be known or reasonably believed.

Examples of deadly force include but are not limited to:

- 1. Baton (deadly force areas)
- 2. Non-Deadly weapons and munitions (deadly force areas)
- 3. Vehicle ramming/tactics
- 4. Firearms

Parameters for Use of Deadly Force (MN State Statute 609.066)

Under Minnesota state statute, the use of deadly force by a peace officer in the line of duty is justified only if an objectively reasonable officer would believe, based on the totality of the circumstances known to the officer at the time and without the benefit of hindsight, that such force is necessary:

- 1. To protect themselves or another from death or great bodily harm, provided that the threat;
 - i. Can be articulated with specificity;
 - ii. is reasonably likely to occur absent action by the law enforcement officer; and
 - iii. must be addressed through the use of deadly force without unreasonable delay; or
- 2. To effect the arrest or capture, or prevent the escape, of a person whom the officer knows or has reasonable grounds to believe has committed or attempted to commit a felony and the officer reasonably believes that the person will cause death or great bodily harm to another person under the threat criteria in clause (1), items (i) to (iii), unless immediately apprehended.
 - b. A peace officer shall not use deadly force against a person based on the danger the person poses to self if an objectively reasonable officer would

Use of Force Policy G.O. 219.00 11/10/2020 Page 9 of 17

believe, based on the totality of the circumstances known to the officer at the time and without the benefit of hindsight, that the person does not pose a threat of death or great bodily harm to the peace officer of to another under the threat criteria in paragraph (a), clause (1), items (i) to (iii).

3. Where feasible, the officer shall identify themselves as a law enforcement officer and warn of his or her intent to use deadly force.

Officers are prohibited from discharging firearms in the following situations;

- 1. As a warning.
- 2. At a moving vehicle unless the use of deadly force is authorized.

In addition to when justified under this Use of Force Policy, officers may discharge a firearm under the following situations;

- 1. To kill an animal in self-defense or when the animal is badly injured and humanity requires its relief from further suffering.
- 2. For training or competition.

NOTE: Except for maintenance or during training, police shall not draw or exhibit any firearm unless circumstances create a reasonable belief that it may be necessary to use the firearm in conformance with this policy.

IX. PROCEDURE

- A. When an officer discharges a firearm either intentionally or unintentionally, he or she shall:
 - 1. Determine if any person is injured and render first aid if appropriate.
 - 2. Request necessary emergency medical aid.
 - 3. Notify the Chief.
 - 4. Whenever a peace officer discharges a firearm in the course of duty, other than for training purposes or the killing of an animal that is sick, injured or dangerous, notification shall be filed within 30 days of the incident by the officer's department head with the Commissioner of Public Safety.
- B. In the case of injury or death to another, or if property damage resulted, the officer shall:

Use of Force Policy G.O. 219.00 11/10/2020 Page 10 of 17

- 1. Remain at the scene, unless he or she is injured, until the arrival of the supervisor. However, if the circumstances are such that the continued presence of the officer may cause a more hazardous situation to develop, the officer may move to another more appropriate location.
- 2. The officer will protect the firearm used and submit the firearm to the Chief or his designee.
- 3. The on-scene supervisor shall contact the MN Bureau of Criminal Apprehension as soon as practicable following a line of duty shooting resulting in injury or death to another in order to conduct the appropriate investigation.
- 4. The officer shall not discuss the incident with anyone except the appropriate supervisor, the assigned investigator, the assigned city or county attorney, clergy, psychologist or psychiatrist and the officer's privately retained attorney.
- 5. The officer shall be available at reasonable times for administrative interviews and statements regarding the incident.
- C. If an officer discharges a firearm either intentionally or unintentionally and no injury, death, or property damage results, the officer shall:
 - 1. Notify the Chief as soon as practical.
 - 2. Submit a detailed report of the incident to the Chief as soon as practicable.
- D. If the use of a firearm results in serious injury or death to another, the officer will be placed on leave of absence with pay by the Chief.
 - 1. Assignment to leave of absence with pay should not be interpreted to imply or indicate that the officer has acted improperly.
 - 2. No pay or benefits will be lost on leave of absence with pay.
 - 3. Counseling will be made available for the officer
- E. Upon receiving a report that a member of the Department has discharged a firearm the Chief shall make an investigation appropriate to the circumstances surrounding the discharge and determine if a breach of regulations or injury to any person appears to be involved. An officer violating any rules or procedures in this section can be subjected to disciplinary action and/or dismissal.

X. USE OF OTHER THAN DEADLY FORCE

Use of Force Policy G.O. 219.00 11/10/2020 Page 11 of 17

- A. When de-escalation techniques are not effective or appropriate, officers may consider the use of other than deadly force to control a non-compliant or actively resistant individual.
- B. Police officers are authorized to use Department approved other than deadly force techniques, authorized devices, and issued equipment under the following circumstances:
 - 1. effecting a lawful arrest; or
 - 2. the execution of legal process; or
 - 3. enforcing an order of the court; or
 - 4. executing any other duty imposed upon the public officer by law; or
 - 5. defense of self or another.
- C. Before using non-deadly munitions or deploying an ECD (TASER), police officers shall, when tactically feasible, identify themselves and state their intended action to the suspect and assisting law enforcement officers.

XI. USE OF CERTAIN TYPES OF FORCE

- A. Except in cases where deadly force is authorized as articulated in MN STAT. 609.066 to protect the peace officer or another from death or great bodily harm, officers are prohibited from using:
 - a. Chokeholds.
 - b. Tying all of a person's limbs together behind a person's back to render the person immobile, or;
 - c. Securing a person in any way that results in transporting the person face down in a vehicle.
- B. Less than lethal measures must be considered by the officer prior to applying these measures.

XII. MEDICAL ATTENTION

Medical assessment required if injury or complaint of injury

Whenever an officer uses force on a person that results in a visible injury or a complaint of injury, responding officers must assess the need for emergency medical services. If deemed necessary, officers shall call for medic response for the individual as soon as it is safe to do so.

Mandatory medical response

Use of Force Policy G.O. 219.00 11/10/2020 Page 12 of 17

Emergency medical responders shall be called when officers use any of the following responses to resistance or aggression, regardless of whether there is a visible injury or a complaint of injury:

- 1. Baton/Impact Tools All Strikes
- 2. Approved Chemical Aerosol If the individual shows signs/symptoms of an adverse reaction
- 3. ECD (TASER) Probe impact to a person's head, neck or groin area
- 4. Canine Any suspected injury resulting from physical contact between a canine and a person
- 5. Any suspected injury caused by a department vehicle
- 6. Firearms

The preferred method of transportation for medical evaluation or treatment is by emergency medical services. However, this policy does not prohibit an officer from transporting an individual if it increases the likelihood of survival based on the nature of the injury, estimated time for medical personnel to respond, and proximity of the medical facility.

Duty to render aid

When an officer uses force on a person that results in a known or reasonably believed serious or life-threatening injury, officers who are in a position to do so safely must immediately begin rendering comfort and aid to the extent of their ability to the injured person while waiting for medics to arrive.

XIII. DUTY TO INTERVENE

- A. Officers, regardless of tenure or rank, have a duty to intervene to prevent the use of excessive force in violation of section 609.066 Subd. 2. Any officer present and observing another officer using force that is clearly unreasonable under the circumstances must, when in a position to do so safely either physically or verbally, intervene to prevent the use of excessive force.
- B. An officer who observes another officer use force that exceeds the degree of force permitted by law has the duty to report the incident in writing within 24 hours to the chief law enforcement officer of the agency that employs the reporting officer. Supervisors must respond and document the incident.

XIIV. RESPONDING TO PERSONS IN CRISIS

Use of Force Policy G.O. 219.00 11/10/2020 Page 13 of 17

A. There are many reasons a person may be unresponsive, uncooperative, or resisting arrest. A person may be uncooperative due to a medical condition, mental, physical, or hearing impairment, language barrier, or emotional crisis, and have no criminal intent. This may not make the individual any less dangerous but it may require a change in tactics that will be more effective while maintaining officer safety, if these circumstances are known to the officer.

All seizures, including seizures for the purpose of taking individuals into custody for treatment, must be reasonable under the Fourth Amendment. Reasonableness is determined on a case-by-case basis. When there is no suspicion of criminal activity, any use of force must be based on the belief that the action is reasonable to protect the subject or others from the threat of imminent physical harm. *Frederick v. Motsinger*, 873 F.3d 641, 647 (8th Cir. 2017).

In determining the reasonableness of a response to an individual in crisis, officers may consider the following:

- 1. Whether the individual poses an imminent threat of harm to themselves or others,
- 2. Whether some degree of force is reasonably necessary to address that threat, and
- 3. Whether the force option used is reasonable under the circumstances.
- B. Crisis Intervention Team (CIT): Department members should request that an HPD CIT trained officer, if readily available, respond to calls where there is information suggesting that the suspect is mentally ill.

XV. DE-ESCALATION

- A. Officers shall use de-escalation techniques and other alternatives to higher levels of force consistent with their training whenever possible and appropriate before using force to respond to resistance or aggression and to reduce the need for force, when safe to do so. At times an officer must exercise control of a violent or resisting person to make an arrest, or to protect the officer, other officers, or members of the community from the risk of imminent harm. Not every potential violent confrontation can be de-escalated, but officers may have the ability to impact the direction and the outcome of many situations they handle based on their decision-making and the tactics they choose to employ.
- B. Whenever possible and when such delay will not compromise the safety of another or the officer and will not result in the destruction of evidence, escape of a

Use of Force Policy G.O. 219.00 11/10/2020 Page 14 of 17

- suspect, or commission of a crime, an officer shall allow an individual time and opportunity to submit to verbal commands before force is used.
- C. When reasonable under the totality of the circumstances, officers should gather information about the incident, assess the risks, assemble resources, attempt to slow momentum, and communicate and coordinate a response. Officers should use advisements, warnings, verbal de-escalation, and other tactics and alternatives to higher levels of forces when reasonable. Officers should recognize that they may withdraw to a position that is tactically more secure or allows them greater distance in order to consider or deploy a greater variety of force options. Officers should perform their work in a manner that avoids unduly jeopardizing their own safety or the safety of others through poor tactical decisions.

XVI. TRAINING AND QUALIFICATIONS

- A. The State of Minnesota has, by statute, limited the use of force by police officers. Officers should be familiar with the following:
 - 1. MN statute 609.06-Authorized use of force,
 - 2. MN statute 609.065-Justifiable taking of life,
 - 3. MN statute 629.32-Minimum restraint allowed for arrest,
 - 4. MN statute 629.33-When force may be used to make arrest and,
 - 5. MN statute 609.066-Authorized use of Deadly Force By Police Officers

D. TRAINING REQUIREMENTS

A. Officers will receive initial and continued training and instruction (and, where necessary, must qualify for certification and recertification) regarding the appropriate use of any response to resistance or aggression authorized by this department.

The department will train officers on approved responses to resistance or aggression yearly. Academy instruction and in-service training will include, but not be limited to, a review of department policies and laws regarding responses to resistance or aggression and any changes to applicable laws, regulations, policies, practices, procedures, or techniques. Officers will also receive training on de-escalation principles and skills, their duty to intervene, the sanctity of life, and prompt rendering of first aid. Annual training will be scheduled according to department requirements. Officers are only authorized to use currently trained or authorized techniques and tools as designated by the training unit.

Use of Force Policy G.O. 219.00 11/10/2020 Page 15 of 17

> With minimal exception in exigent circumstances, only departmentapproved tools and techniques may be used. The training unit is responsible to maintain documentation of department authorized tools and techniques. Uniformed officers will only carry department-authorized tools and equipment as required by these General Orders.

> All officers, regardless of rank, will participate fully in training and put forth effort. If an officer has an injury or disability that would prevent them from training, they will be required to provide documentation of the injury or disability prior to any training.

It is the responsibility of any officer who misses the required training due to injury or disability, or leave, including sick, medical, or other leave of absence, to make arrangements with training staff to receive the training missed. Failure to do so may result in discipline. Supervisors will ensure that officers under their supervision complete the minimum training required by the department and these General Orders.

- B. Recording Keeping Requirements
 - a. The chief law enforcement officer shall maintain records of the agency's compliance with use of force training requirements.

XVII. NON-DEADLY WEAPONS

- A. A Police Officer is not permitted to use a less-lethal weapon unless qualified in its proficient use, as documented by successful completion of training specific to the weapon type.
- B. The following less-lethal weapons are authorized:
 - 1. Chemical Aerosol
 - 2. TASER (electronic control devices)
 - 3. Baton
 - 4. Police canines
 - 5. 40mm Non-Deadly Impact Munitions (NDIM)

XVIII. DEADLY WEAPONS

A. Authorized weapons systems are those issued by the department with which the police officer has qualified and received Departmental training on proper and safe usage, and are registered and comply with Departmental specifications.

Use of Force Policy G.O. 219.00 11/10/2020 Page 16 of 17

- B. <u>Probationary officers</u> are prohibited from carrying firearms off-duty until certified for "solo patrol" unless authorized by the Chief of Police.
- C. Officers on duty shall carry as their primary weapon the weapon issued by the Department. While on and off duty, officers shall carry only firearms and ammunition authorized by the Department.
- D. The Department shall schedule and provide at a minimum, annual live fire training and qualification sessions for duty, off duty and specialized firearms. Qualifications will require a minimum of 80% to achieve a passing score. Officers failing to qualify will immediately be provided with remedial training. Officers failing to qualify upon receiving remedial training shall be relieved of their police powers and reassigned to a non-enforcement duty until they successfully qualify. The Hermantown Police Department shall provide training and continuing instruction described in 626.8452 Subd. 2 pre-service and Subd.3 annual training to every peace officer currently employed by this agency. This instruction will be provided at least twice a year and will be mandatory for each officer to attend.
- E. <u>Non-uniformed</u> officers will carry a weapon authorized by the Chief of Police.

XIX. REPORTS

Any use of force greater than handcuffing by a member of this department shall be documented promptly, completely and accurately in the narrative of an Incident Report. A Use of Force/Weapons Report must also be completed and forwarded to the Patrol Commander by the end of the officer's shift, unless the officer is incapacitated or the use of force results in the death or great bodily harm of another. The use of force requiring reporting is as follows:

- 1. When a firearm is pointed at a person or discharged outside of the firing range except to dispatch an injured animal.
- 2. When a use of force results in, or is alleged to have resulted, death or injury.
- 3. When chemical aerosol is pointed at a person or used.
- 4. When a conducted energy weapon (Taser) is pointed at a person or discharged.
- 5. When a take down is used.
- 6. When hard empty hand control is used (punches, kicks and strikes).
- 7. When a baton is displayed for use or used to strike at a person.
- 8. When K9 is deployed as a use of force tool.

Use of Force Policy G.O. 219.00 11/10/2020 Page 17 of 17

The officer should articulate the factors perceived and why he/she believed the use of force was reasonable under the circumstances. The purpose of the Use of Force/Weapons Report is to collect data for training, resource allocation, analysis and other related purposes.

XX. COMMENTS

Rescinds: N/A

Standards Reference: G.O. 122.00

Statute/Ordinance Reference: MN statute 609.06-Authorized use of force,

MN statute 609.065-Justifiable taking of life,

MN statute 609.066-Authorized use of Deadly

Force by Police Officers,

MN statute 626.8452-Deadly force and firearms

use; policies and instruction required,

MN statute 626.8475-Duty to intercede and report, MN statute 629.32-Minimum restraint allowed for

arrest,

MN statute 629.33-When force may be used to

make arrest.

General Order Reference: N/A

BY AUTHORITY OF:

JAMES M. CRACE Chief of Police