BEL AIR POLICE DEPARTMENT



Policies and Procedures

Charles A. Moore Chief of Police CHAPTER: 3

TITLE: Use of Force

No. Pages: 14

Rules, Regulations, Policies, Special Orders and Procedures stated in written directives of the Bel Air Police Department are for agency use only and do not apply in any criminal or civil proceedings. They shall not be construed as creating a higher legal standard of care or safety in an evidentiary sense with respect to third party claims. Violations thereof will only form the basis for Agency administrative sanctions.

Purpose

This policy is intended to provide members of the Bel Air Police Department with guidance and direction regarding the use of lethal and less than lethal force.

Policy

The Bel Air Police Department recognizes and respects the value of each human life. Officers shall make every effort to preserve human life in all situations. Officers are empowered with the lawful authority to use force to protect the public welfare; however, a careful balancing of all human interests is required. Therefore, it is the policy of the Bel Air Police Department that an officer shall use only that force that is objectively reasonable, necessary, and proportional to respond to the threat or resistance, to resolve an incident effectively and safely. The officer shall immediately reduce the level of force as the threat or resistance diminishes.

This directive is for the explicit use of the Bel Air Police Department and does not apply in any civil or criminal proceeding. This agency's policy should not be construed as a creation of higher legal standard of safety or care in an evidentiary sense with respect to third party claims. Violations of this directive form the basis for agency administrative sanctions only. Violations of law will form the basis for civil and criminal sanctions in a recognized judicial setting.

References

(IACP · National Consensus Policy on Use of Force, January 2017) (Baltimore Police Dept. policy 1115, definitions) (Maryland State Police – Use of Force policy and reporting) (Seattle Police Dept. Manual)

3:101 - Definitions

Active Resistance - Active Resistance exists when a person moves to avoid detention or arrest but does not attack or attempt to attack the officer or another person. Attempts to leave the scene, fleeing, hiding from detection, physical resistance to being handcuffed, or pulling away from an officer's grasp are all examples of Active Resistance. Verbal statements, bracing, or tensing alone do not constitute Active Resistance. A person's reaction to pain caused by an officer or purely defensive reactions to force does not constitute Active Resistance.

Aggressive Resistance – Aggressive Resistance exists when a person is actively attacking, assaulting or attempting to attack or assault an officer or another person. There is a clear intent to harm the officer, themselves or others.

Passive Resistance - Passive Resistance is evident when a person fails to comply with an officer's commands without attempting to flee. Passive Resistance may include, but not be limited to, going limp, standing stationary and not moving based upon lawful direction, and/or verbally signaling an intention to avoid or prevent being taken into custody.

Choke Hold – A Chokehold or Neck Hold is any hold or contact with the neck that may inhibit breathing by compression of the airway in the neck, may inhibit blood flow by compression of the blood vessels in the neck, or that applies pressure to the front, side, or back of the neck. Chokeholds/Neck Holds are prohibited unless the use of Lethal Force is justified by the totality of circumstances.

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 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.

Lethal Force – Force which is intended to cause death or serious physical injury, or which creates a high degree of risk that a reasonable and prudent person would consider likely to cause death or serious physical injury. Lethal Force includes, but is not limited to:

- 1. The discharge of a firearm at a person;
- 2. Strikes with any hard object such as a baton, flashlight, radio, weapon stock/handle, or weapon of opportunity to the head, neck, sternum, spine, groin, or kidneys;
- 3. Intentionally striking a person's head against a hard, fixed object such as a roadway, concrete floor, wall, or iron bars;
- 4. Knee strikes or kicks to a person's head;
- 5. Any strikes to a person's throat;
- 6. "Knee drops" against a prone or supine person's head, neck, or torso;
- 7. Chokeholds/Neck Holds;

Less than Lethal Force – Any use of force other than that which would be considered lethal force.

Objectively Reasonable – The determination that the use of force and the level of force used, based upon the officer's evaluation of the situation in light of the totality of the circumstances known to the officer at the time, equates to the level of force a reasonably prudent officer would use in the same or similar situations.

Necessary - Necessary means that no reasonably effective alternative to the use of force appeared to exist and that the amount of force used was reasonable to effect the lawful purpose intended. Necessity is based on the totality of the circumstances known by the officer at the time of the use of force.

Proportional - To be proportional, the level of force applied must reflect the totality of circumstances surrounding the situation at hand, including the nature and immediacy of any threats posed to officers and others. Officers must rely on training, experience, and assessment of the situation to decide an appropriate level of force to be applied.

Totality of Circumstances – The totality of circumstances consists of all facts and circumstances surrounding any event. The facts and circumstances may include but are not limited to:

- 1. Whether an offense has occurred
- 2. The nature of the offense
- 3. The seriousness of the offense
- 4. The size and strength of the perpetrator
- 5. The number of perpetrators committing an offense or offences
- 6. The availability of weapons
- 7. Whether the perpetrator is exhibiting signs of hostility or aggression.
- 8. Whether a perpetrator suffers from a medical disability, physical impairment, or may be non-compliant due to a language barrier.
- 9. Whether the perpetrator is actively resisting
- 10. The level of officer exhaustion during confrontation
- 11. Other force options
- 12. Availability of non-force options

Use of Force: Any execution of a physical act to overcome resistance and/or defend oneself or another. Force may entail the use of body parts, issued agency lethal and/or less-lethal equipment, a weapon of opportunity or deployment of a K-9.

Weapon of Opportunity: Item at hand or in close proximity that can be used immediately without delay (e. g. flashlight, clipboard, etc.)

3:102 - Use of Force Model

An officer shall consider the totality of circumstances of each situation in order to make determinations regarding the use of Lethal and/or Less than Lethal force. The use of force model is not a strict progression and should be viewed as fluid, dynamic and interchangeable during each situation based on necessity, proportionality, and the totality of circumstances. When using Lethal or Less than Lethal

Force, an officer has a duty to continually assess whether the level of force being used, continues to be justified. A particular level of force may be justified in one instance and not the next.

A police officer shall cease the use of force as soon as the person on whom the force is used is under the police officer's control, or no longer poses an imminent threat of physical injury or death, or the police officer determines that force will no longer accomplish a legitimate law enforcement objective.

Level One (1): Seek Compliance—Minimal chance of injury exists at this level. Techniques include verbal commands, empty hand control positions; "come along" holds, pressure point control, takedowns and OC spray, pointing a firearm or CEW at a person, or displaying the arc with a CEW as a form of warning.

Level Two (2): Impede Action—The possibility of injury exists. Techniques include empty-hand strikes, throws (hand, arm, leg, and whole body); baton; conducted energy weapon (CEW), also commonly referred to as a Taser; use of OC spray; canine inflicted injuries that do not rise to a Level Three use of force and weapons of opportunity.

Level Three (3): Lethal Force – Force which is intended to cause death or serious physical injury, or which creates some specified degree of risk that a reasonable and prudent person would consider likely to cause death or serious physical injury.

3:103 - Reasonable Force

- 1. Only that force which is objectively reasonable, necessary and/or proportional shall be used to effectively bring an incident under control while protecting the lives and safety of the officer or others.
- 2. The reasonableness of force applications shall be based upon pertinent case law to include, but not limited to, *Graham v Conner*. The use of force must be appropriate and applicable to the situation.
- 3. Use of force training shall be delivered to officers using a combination of methodology and mediums that may include but are not limited to, force continuum models, written and demonstrative task testing, as well as Situational Based Training (SBT) scenarios.

3:104 - Less than Lethal Force-Permitted

- 1. Where lethal force is not necessary and objectively reasonable, officers shall only use that level of force necessary and proportional to bring an incident under control, if it is determined that de-escalation has not been successful or is not an option.
- 2. Officers are authorized to use agency approved less than lethal force techniques and approved equipment for resolutions of incidents as follows:
 - a. To protect themselves and / or others from physical harm.
 - b. To subdue a resisting individual.
 - c. To bring an unlawful situation safely and / or effectively under control.
 - d. To overcome resistance of an individual who is already in custody.

- 3. Officers are not justified in striking or arresting a person who merely objects to the proper performance of their duty.
- 4. An officer must always maintain control of his temper and never allow himself to be provoked by words, no matter how rude, to use force.

3:105 - Lethal Force - Permitted

- 1. The degree of force used in a situation must be consistent with both the severity of the incident and the urgency of its disposition.
- 2. In Tennessee v. Garner the U.S. Supreme Court held that under the Fourth Amendment, police officers need to have probable cause to believe there is an imminent threat of death or great bodily harm to the officer or someone else to justify the use of deadly force. A deadly force assailant can be defined as one whose actions are likely to cause death or great bodily harm to the officer or someone else.
- 3. Officers may use deadly force only when the officer reasonable believes the action is in defense of any human life in imminent danger of death or serious bodily injury.

3:106 - Restrictions on the Use of Lethal Force

- 1. A police officer may not use force against a person unless under the totality of the circumstances, the force is necessary and proportional to:
 - a. prevent an imminent threat of physical injury to a person.
 - b. effectuate a legitimate law enforcement objective.
- 2. Lethal Force shall not be used to subdue persons whose conduct is a threat only to property.
- 3. Lethal Force shall not be used against persons whose conduct is a threat only to themselves.

3:107 – Discharging of Firearms

- 1. All firearms discharges must be reported and reviewed per current procedures regardless of location or duty status, with the following exceptions:
 - a. To humanely destroy a sick, injured or dangerous wild animal.
 - b. During training/qualification at the agency's or other approved range.
- 2. Officers shall, when feasible, identify themselves and state their intention to shoot before using a firearm.
- 3. Officers shall not discharge a firearm in the performance of their duties in the following circumstances:
 - a. To fire warning shots.
 - b. To call for assistance except in extreme emergency.
 - c. At or from a moving vehicle except:

- (1) as a measure of self-defense or defense of another when the suspect is using potentially deadly force other than a vehicle.
- (2) when a vehicle is being driven in a manner deliberately intended to kill or severely injure an officer, a police employee or citizen who is on foot.
- 4. An officer who discharges a firearm will:
 - a. Secure the scene to the best of his/her ability.
 - b. Render aid to the best of her/his ability and request EMS if anyone is injured.
 - c. Notify a supervisor immediately.

3:108 -CEW (Conducted Energy Weapon)

Definitions

Anti-Felony Identification Device: Confetti-like contents of each CEW cartridge, bearing the serial number of the cartridge deployed.

Cartridge: Shell containing 40 AFIDs and two probes that penetrate the target and deliver neuro muscular incapacitation (NMI).

Drive Stun: Pulling the trigger on the CEW with the cartridge removed or discharged, and placing the electrodes upon the skin/clothing of the person. Drive Stunning does not cause neuro-muscular incapacitation but causes severe pain (BP D).

Data download: Method of electronic recovery of information saved by the CEW upon deployment utilizing a PC and a USB.

Taser X-26: A conducted energy weapon (CEW) that produces an electrical energy charge which causes neuro muscular incapacitation, utilized to gain compliance of an aggressive and/or combative subject. Each CEW is equipped with a microchip unique to that device which records data relevant to each discharge.

Neuro muscular incapacitation (NMI): Temporary override of the central nervous system, causing uncontrollable contraction of the skeletal muscle tissue, and physically debilitating the target, regardless of the pain tolerance or mental state.

Probe: Metal barbed dart.

Universal precautions: Infection control guidelines designed to protect officers from exposure to diseases spread by blood and body fluids.

3:109 - Conducted Energy Weapon

- 1. The CEW shall be maintained consistent with the manufacturer's training and recommendations.
- 2. Only those officers trained as instructors and/or operators shall possess and maintain CEW equipment/batteries.
- 3. A CEW shall not be deployed if found to be defective or not functioning, consistent

with manufacturer's training guidelines.

3:110 - Deployment

- 1. Only those officers trained as instructors and/or operators shall be permitted to carry and utilize the CEW and shall do so consistent with training received.
- 2. Deployment of the CEW falls within Level two (Active/Aggressive Resistance) and Level three (under instances of deadly force) of the Bel Air Police Department's Use of Force Model. Officers may not deploy their CEW when the individual is only exhibiting passive resistance.
- 3. Officers may display the CEW as a show of force in an attempt to gain compliance of noncompliant subjects which would then fall within Level 1 of the Use of Force Model Passive Resistance.
- 4. The device shall be carried with a cartridge loaded with the safety on, in preparation for use in appropriate circumstances.
- 5. The CEW shall be carried in the agency issued holster on the support side of the body, opposite of their firearm.
- 6. Officers approved to use the CEW shall have a minimum of one spare cartridge. The spare cartridge shall be stored or carried in a manner consistent with training.

Note: It is expressly understood that confrontation, capture, control and restraint situations are dynamic and fluid and that CEW discharges to sensitive areas can occur. These guidelines are intended to improve effectiveness of the device while reducing risk.

- 7. When the CEW has been used, the officer shall collect the air cartridge, wire leads, darts, and dispose of the items in an appropriate manner. Universal precautions shall be followed to protect the officer from the transfer of body fluid/material.
- 8. The CEW is to only be used in accordance with departmental training and the manufacturer's guidelines.

3:111 - Prohibitions on Deployment of CEW

- 1. The use would occur in a flammable or explosive environment (i.e. location where gasoline or other flammables are stored, a meth lab, alcohol-based OC spray is known to have previously been deployed, etc.)
- 2. The result from a fall could be unduly dangerous. (i.e. the subject may fall from a significant height and receive serious injury or in water where the subject may not be able to swim or support themselves.)
- 3. The intended target is an obviously pregnant female, elderly person, or young child unless other means of control have been unsuccessful or in lethal force situations.

4. On a person exhibiting passive resistance, as defined in the Passive Resistance definition of this policy (Level 1 of the Use of Force Model).

3:112 - CEW Documentation

- 1. The deploying officer shall notify the on-duty shift supervisor as soon as practical after the event.
- 2. Utilization of the CEW shall constitute a Use of Force; therefore, a Use of Force Report shall be completed consistent with this policy.
- 3. Photographs of the probe penetration site, as well as any secondary injuries incurred by the subject as a result of the deployment will be taken and submitted as evidence.
- 4. As soon as possible after the deployment of the CEW, the officer will make contact with the Training Division to have the CEW deployment information downloaded.
- 5. All accidental CEW discharges shall be documented utilizing the BAPD Incident Report.
- 6. All CEW discharges, including use against a domestic animal, must be reported and reviewed per current procedures, regardless of location or duty status, with the following exceptions:
 - a. To control or contain a wild animal
 - b. During training/qualification at the agency or other approved facility.

3:113 · Medical Attention after CEW Deployment

- 1. Each time the CEW is applied to a person, EMS shall be summoned to check the secured subject as soon as possible. If required, the subject shall be transported to a medical facility for treatment.
- 2. EMS will be advised how many times the Officer's CEW was discharged, including any discharges from additional officers, and if any unusual physical or psychological conditions have been observed or known to pre-exist.
- 3. Should the subject complain of injury following a CEW application he/she shall be transported to a medical facility for appropriate treatment, if deemed necessary by Emergency Medical Services.
- 4. Officers shall not remove probes impaled in sensitive areas (i.e. groin, eye, female breast, face or neck). In those cases, supervisors will ensure that the individual is transported to a medical facility for removal by appropriate medical personnel.
- 5. In cases where transport is necessary, probe wires may be cut at the base of the probe once the suspect is secured and prior to transport to a medical facility.
- 6. In the event a person struck by the CEW requires hospitalization, the Deputy Chief or

Chief of Police shall be notified.

7. In the event of serious or fatal injuries, the reporting procedures as set forth in section 3:121 within this policy shall be followed.

3:114 - Discharge of Oleoresin Capsicum (OC) Spray / Gel

- 1. OC Spray may be used consistent with Level 1 / 2 of the Use of Force Model.
- 2. The canister should be pointed at the facial area and discharged in wide, sweeping motions to assure contact with the face.
- 3. Persons under the influence of drugs or alcohol may not be affected by the disabling properties of the OC.
- 4. As soon as possible, after the subject becomes compliant or is subdued, an opportunity should be provided for washing and flushing the OC from the affected areas of their skin.
- 5. If other symptoms present themselves that necessitate medical attention, an ambulance shall be summoned. Emergency Medical Personnel can make the determination as to whether or not the subject is in need of further medical attention. They can also be of assistance with decontamination, if needed.

3:115 - Use of Baton / ASP / Weapon of Opportunity

- 1. The use of the straight baton (Espantoon), expandable baton / weapon of opportunity may be used consistent with Level Two of the Use of Force Model.
- 2. Officers shall only utilize batons that have been approved by the Department and only after successfully completing the requisite training in its proper use.
- 3. The use of a baton / weapon of opportunity as a blocking tool or to assist with a control hold will not be considered a baton strike.
- 4. Baton / weapon of opportunity strikes to vital areas (i.e. the head) are to be avoided unless lethal force would be allowed.
- 5. Photographs of any injuries or complaints of pain on the suspect after the use of force using a baton/weapon of opportunity shall be taken and documented in the report.

3:116 · Use of Weapons of Opportunity

1. Shall be deployed consistent with the Use of Force Model as defined in this policy.

3:117 - Duty to Intercede

1. All officers have a duty to intervene to prevent or stop the use of excessive force by another law enforcement officer and will immediately report the incident to their supervisor.

3:118 - Medical

- 1. In cases where force is employed, once the scene is safe and as soon as practical, an officer will provide appropriate medical care consistent with his/her training to any person who has visible injuries, complains of being injured, exhibits abnormal behavior or requests medical attention. This may include providing first aid, requesting emergency medical services, and/or arranging for transportation to an emergency medical facility.
- 2. If the individual refuses medical treatment, the refusal shall be documented in the incident report.

3:119 - Reporting Use of Force

- 1. Every officer involved in the use of force must report the incident to his/her supervisor immediately after the situation is controlled. A Use of Force Report is to be submitted whenever:
 - a. The level of force used during an arrest or while a suspect is in custody, is greater than what is required during routine handcuffing techniques.
 - b. An officer utilizes force using lethal or intermediate weapons or physical strikes during the performance of their duties.
 - c. Takes any action that results in (or is alleged to have resulted in) serious injury or death to another person.
 - d. Discharges a firearm for other than training or recreational purposes or to dispatch a sick, injured or dangerous wild animal.
 - e. Whenever a citizen is injured, or alleges they have been injured, the supervisor will ensure photographs are taken. Officers will document in the Use of Force Incident that pictures were taken.
 - f. An officer points their firearm or CEW at a person, regardless if any other physical force was used, the firearm or CEW was discharged, or the person was arrested.
 - g. A Use of Force report will be completed anytime a person sustains injury while in custody of the Bel Air Police Department, even if no force was used (ie., an arrestee falling while handcuffed and sustaining injury).

Note: The Use of Force Report is in addition to any other reports related to the original incident. Each officer that used force will complete and submit a Use of Force Report.

3:120 - Supervisory Guidelines (At Scene)

- 1. If a supervisor is involved in a Use of Force incident, that supervisor shall be precluded from involvement in the initial review process. The initial review process should be completed by another supervisor when immediately available.
- 2. Supervisors managing Use of Force incidents shall:
 - a. Ensure that EMS has been notified, if needed.
 - b. Implement the appropriate notification procedures.
 - c. Respond to the scene and ensure it is secure, evidence is preserved, and witnesses are identified for interviews by the Criminal Investigation Division.
 - d. Make a preliminary inquiry of the involved member(s) to ascertain what occurred.
 - e. Ensure that the incident is properly reported and photographs taken.

3:121 - Procedures for Use of Lethal Force

- 1. Whenever an officer uses force resulting in a life-threatening injury or death, the Deputy Chief of Police or Chief shall be notified immediately.
- 2. The Criminal Investigation Division of the Bel Air Police Department shall be notified and shall coordinate requests for assistance at the scene from the Office of the Attorney General's Independent Investigations Division.
 - a. Addendum "A" included with this policy stipulates the protocols to be followed for police involved fatalities.
- 3. Every officer involved in use of lethal force shall refrain from discussing the incident with anyone other than his/her supervisor, the investigators assigned to conduct the criminal and administrative investigations of the incident, or their selected counsel, until authorized to do so by the Deputy Chief or Chief of Police.
- 4. Every officer shall surrender any firearm involved in use of lethal force to the appropriate supervisor in a secured area after removal from the scene. The firearm will be removed when the scene is deemed safe. The firearm will not be brought into the presence of the suspect, a witness, or the media.
 - a. A supervisor shall document the condition of the firearm, including a complete description of its make, model, caliber, serial number and the number of rounds of ammunition in the weapon, in the officer's possession and in each individual magazine
- 5. The Chief or Deputy Chief shall encourage every officer involved in a lethal force incident to contact his or her family before extensive media coverage begins.
- 6. Every officer involved in lethal force incident shall be afforded his/her rights provided by law. Particular attention must be paid to ensure that involved personnel are allowed legal representation, should it be desired.
- 7. Every Officer involved in a lethal force incident will be offered the services of the Critical Incident Response Team and will be escorted or transported home.

- 8. Every officer involved in a lethal force incident will be placed on "Limited Duty Status" and will not take any police action, except while acting in self-defense, or to defend another person from death or serious injury. This restriction applies at all times, to include secondary employment.
 - a. The officer may retain and carry his or her badge and BAPD issued firearm, however, he or she may not wear a BAPD uniform or drive a marked police vehicle until authorized to return to full active duty.
- 9. Every officer involved in a lethal force incident shall be scheduled for an appointment with a qualified behavioral health specialist within 24 hours of the incident, or by the next business day, whichever occurs first. Upon the conclusion of the evaluation, the specialist will make a recommendation concerning the officer's fitness for duty to the Chief of Police.
- 10. Prior to returning to full-active duty, every officer involved in a lethal force incident shall be scheduled for an after-action training session, designed to build confidence and reinforce officer survival skills.

3:122 - Review Procedures

- 1. All incidents involving the use of force shall be subject to an administrative review.
- 2. Use of Force Reports shall be completed and submitted within twenty-four (24) hours of the incident.
- 3. Subsequent supervisory review and approval should be completed within seventy-two (72) hours of receipt.

3:123 - Out of Jurisdiction Reporting

- 1. Officers involved in Use of Force outside of Bel Air Town limits shall:
 - a. Immediately notify the local law enforcement agency and the Bel Air Police Department
 - b. Brief the responding agency's on scene supervisor and the responding BAPD supervisor of the circumstances surrounding the incident to include the location, suspects, evidence, and witnesses.

3:124 - Administrative Review

- 1. The Deputy Chief of Police shall complete an Initial Administrative Review on all submitted Use of Force Reports. The initial review should be completed as expeditiously as possible after the incident and should include the conditions under which such force was used. At minimum, the following information should be reviewed:
 - a. The nature of the incident.
 - b. Whether or not the subject was armed.
 - c. The effectiveness of the equipment used.

- d. Any injury to an officer before, during, and after using force.
- 2. Additionally, the Deputy Chief will ensure that the Use of Force report includes:
 - a. The injured or deceased person's full name, DOB, gender, race, and age.
 - b. The type of injury.
 - c. How the injury was incurred, and appropriate medical aid rendered.
 - d. The officer's name and ID number.
 - e. A list of all identified witnesses.
 - f. If an injured person required medical transport.
 - g. If any injured persons received medical treatment.
 - h. The names of any attending or treating physician.
 - i. The type of all treatments received.
- 3. All Use of Force Incident Reports shall be reviewed by the following persons to determine if the Use of Force was consistent with departmental training and policy, prior to the Deputy Chief's final review and assessment.
 - a. The Agency Senior Defensive Tactics Instructor.
 - b. The Agency Senior Firearms / Use of Force Instructor
 - c. The Detective Sergeant / IA Coordinator.

Note: If one or more of the above listed officers is involved in the use of force incident, an officer of equal rank and/or training certification (e.g. Defensive Tactics) shall review the Use of Force Incident Report.

- 4. The Deputy Chief of Police shall conduct an examination of all required reports and submissions and shall file a written report with the Chief of Police within seventy two (72) hours of his/her final review and assessment. In that written report of the Use of Force Incident, the Deputy Chief shall determine whether or not the use of force under consideration was in accordance with departmental training and written policy and was objectively reasonable, necessary and proportional in light of the facts and circumstances confronting the officers at the scene of the incident, and involved in the use of lethal force.
 - a. If the Deputy Chief determines that the officer did not conform to departmental training and written policy then the Deputy Chief of Police shall proceed with disciplinary action under the agency's Discipline Policy.
- 5. If the Deputy Chief determines that the amount of force used was excessive, then the Deputy Chief of Police will proceed as follows:
 - a. Review the Use of Force Incident with the State's Attorney for recommendations and consideration for criminal charges.
 - b. Proceed with disciplinary action under the Discipline Policy.
- 6. The Chief of Police will retain final disposition authority on all use of force incidents.

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4th Revision: September 30, 2021

Approved

Chief Charles A. Moore

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