

Use of Force

300.1 PURPOSE AND SCOPE

This policy provides guidelines on the reasonable use of force. While there is no way to specify the exact amount or type of reasonable force to be applied in any situation, every member of this department is expected to use these guidelines to make such decisions in a professional, impartial and reasonable manner.

300.1.1 DEFINITIONS

Definitions related to this policy include:

Deadly force - Force reasonably anticipated and intended to create a substantial likelihood of causing death or serious bodily injury.

Force - The application of physical techniques or tactics, chemical agents, or weapons to another person. It is not a use of force when a person allows him/herself to be searched, escorted, handcuffed or restrained.

Objectively Reasonable Force - That level of force which is reasonable when analyzed from the perspective of a reasonable officer faced with the same set of facts and circumstances as the officer who actually utilized the force. The objective reasonableness of a particular use of force is not analyzed in hindsight, but will take into account the fact that officers must make rapid decisions regarding the amount of force to use in tense, uncertain, and rapidly evolving situations.

Serious Bodily Injury - Bodily injury that creates or causes serious permanent disfigurement, protracted loss or impairment of the function of any bodily member or organ, or creates a substantial risk of death (Utah Code 76-7-601(11)).

300.2 POLICY

The use of force by law enforcement personnel is a matter of critical concern, both to the public and to the law enforcement community. Officers are involved on a daily basis in numerous and varied interactions and, when warranted, may use reasonable force in carrying out their duties.

Officers must have an understanding of, and true appreciation for, their authority and limitations. This is especially true with respect to overcoming resistance while engaged in the performance of law enforcement duties.

The Department recognizes and respects the value of all human life and dignity without prejudice to anyone. Vesting officers with the authority to use reasonable force and to protect the public welfare requires monitoring, evaluation and a careful balancing of all interests.

300.2.1 DUTY TO INTERCEDE

Any officer present and observing another officer using force that is clearly beyond that which is objectively reasonable under the circumstances shall, when in a position to do so, intercede to prevent the use of unreasonable force. An officer who observes another employee use force

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that exceeds the degree of force permitted by law should promptly report these observations to a supervisor.

300.3 USE OF FORCE

Officers shall use only that amount of force that reasonably appears necessary given the facts and circumstances perceived by the officer at the time of the event to accomplish a legitimate law enforcement purpose.

The reasonableness of force will be judged from the perspective of a reasonable officer faced with the same set of facts and circumstances. Any evaluation of reasonableness must allow for the fact that officers are often forced to make split-second decisions about the amount of force that reasonably appears necessary in a particular situation, with limited information and in circumstances that are tense, uncertain and rapidly evolving.

Given that no policy can realistically predict every possible situation an officer might encounter, officers are entrusted to use well-reasoned discretion in determining the appropriate use of force in each incident.

It is also recognized that circumstances may arise in which officers reasonably believe that it would be impractical or ineffective to use any of the tools, weapons or methods provided by the Department. Officers may find it more effective or reasonable to improvise their response to rapidly unfolding conditions that they are confronting. In such circumstances, the use of any improvised device or method must nonetheless be reasonable and utilized only to the degree that reasonably appears necessary to accomplish a legitimate law enforcement purpose.

While the ultimate objective of every law enforcement encounter is to avoid or minimize injury, nothing in this policy requires an officer to retreat or be exposed to possible physical injury before applying reasonable force.

300.3.1 USE OF FORCE TO EFFECT AN ARREST

An officer may use reasonable force to effect arrest, to prevent escape or to overcome resistance (Utah Code 77-7-7). An officer who makes or attempts to make an arrest need not retreat or desist from his/her efforts by reason of resistance or threatened resistance of the person being arrested; nor shall such officer be deemed the aggressor or lose his/her right to self-defense by the use of reasonable force to effect the arrest or to prevent escape or to overcome resistance.

300.3.2 FACTORS USED TO DETERMINE THE REASONABLENESS OF FORCE

When determining whether to apply force and evaluating whether an officer has used reasonable force, a number of factors should be taken into consideration, as time and circumstances permit. These factors include, but are not limited to:

- (a) Immediacy and severity of the threat to officers or others.
- (b) The conduct of the individual being confronted, as reasonably perceived by the officer at the time.

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- (c) Officer/subject factors (age, size, relative strength, skill level, injuries sustained, level of exhaustion or fatigue, the number of officers available vs. subjects).
- (d) The effects of drugs or alcohol.
- (e) Subject's mental state or capacity.
- (f) Proximity of weapons or dangerous improvised devices.
- (g) The degree to which the subject has been effectively restrained and his/her ability to resist despite being restrained.
- (h) The availability of other options and their possible effectiveness.
- (i) Seriousness of the suspected offense or reason for contact with the individual.
- (j) Training and experience of the officer.
- (k) Potential for injury to officers, suspects and others.
- (l) Whether the person appears to be resisting, attempting to evade arrest by flight or is attacking the officer.
- (m) The risk and reasonably foreseeable consequences of escape.
- (n) The apparent need for immediate control of the subject or a prompt resolution of the situation.
- (o) Whether the conduct of the individual being confronted no longer reasonably appears to pose an imminent threat to the officer or others.
- (p) Prior contacts with the subject or awareness of any propensity for violence.
- (q) Any other exigent circumstances.

300.4 RESISTANCE AND CONTROL

Force situations are dynamic and require an officer to continually assess the subject's actions to ensure a proper response. Officers will transition to differing degrees or types of force as appropriate.

LEVELS OF RESISTANCE:

- A. **Cooperative** - The subject responds appropriately to the officer's presence and instructions as well as to the way the officer has taken control of the situation.
- B. **Passive Resistance** - The subject, with little or no overt physical actions, refuses to obey the officer's instructions. This behavior can be exercised by verbal objection as well as by intentional physical inertia.
- C. **Active Resistance** - The subject physically resists or physically displays their refusal to comply with the officer's order(s) without being assaultive. For example, the subject may abruptly step aside to avoid/escape the officer; he or she may overtly walk toward the officer, or on the contrary away from them. To run away is another example of active resistance.
- D. **Assaultive** - The subject attempts or threatens, by an act or gesture, to use force, or uses force against someone else, or leads the officer on reasonable grounds to believe

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that he or she has the ability to carry out their intentions. For example, the subject may kick or punch, or display threatening body language showing the intention to do so.

- E. **Serious Bodily Injury or Death** - The subject's behavior leads an officer to believe on reasonable grounds that he or she has the intention to, or is at imminent risk of, causing serious bodily injury or death to the officer or another person. For example, the subject may commit an assault with a weapon such as a knife, a bat, or a firearm, or may act in a manner likely to cause serious injuries to an officer or another person.

USE OF FORCE OPTIONS:

- A. **Officer's Presence** - As much as it is not representative of a use of force option, the mere presence of an officer can have effect on, or influence over, the subject and the situation at hand. Visible signs of authority such as an officer in uniform or a marked police vehicle can have an influence on a subject, or cause them to modify their behavior.
- B. **Communication** - An officer can use both verbal and non-verbal communication to take control of a situation.
- C. **Physical Control:**
 - 1. **Soft Techniques** - Used to contain subject behaviors and are less likely to cause injury. These include immobilization techniques, escort techniques, articulation control, and pressure points.
 - 2. **Hard Techniques** - Used with the intention of preventing the continuation of a behavior, to allow the application of a control technique, and they present a higher risk of injury. These can include bare hand techniques such as punches, kicks, or grounding.
- D. **Intermediate Weapons** - This use of force option entails the use of all weapons available to an officer that are not designed, nor of a nature, to cause serious bodily injury or death to the subject. This category specifically includes impact weapons, aerosols, and conductive energy devices.
- E. **Lethal Weapons** - This use of force option includes the use of all weapons and techniques designed, or of a nature, to inflict serious bodily injury or death.

Officers have the ability to impact the direction and the outcome of many situations they handle. In their interaction with subjects, officers should use advisement, warnings, and verbal persuasion when practicable and reasonable. However, a person need not strike or attempt to strike an officer to be considered a physical threat as long as an officer has an objectively reasonable belief that the person is physically threatening and has the present ability to harm the officer or another. The department relies on the officer's judgment and discretion to employ objectively reasonable force under each unique circumstance.

300.4.1 USE OF FORCE MODEL

The attachment below is the Use of Force Model utilized by the Department. The Level of Resistance being displayed by an offender determines the Use of Force Options authorized for use by an officer. The fact that there is more than one Use of Force Option available for a given

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Level of Resistance does not imply that each available option must be followed in a tiered order. While each option that is available should be considered, when practicable, a subject's actions and the situation's circumstances may dictate an officer's immediate use of the highest option authorized for a given Level of Resistance.

[See attachment: Use of Force Model.pdf](#)

300.5 DEADLY FORCE APPLICATIONS

Use of deadly force is justified in the following circumstances:

- (a) An officer may use deadly force to protect him/herself or others from what he/she reasonably believes would be an imminent threat of death or serious bodily injury.
- (b) An officer may use deadly force to stop a fleeing subject when the officer has probable cause to believe that the person has committed, or intends to commit, a felony involving the infliction or threatened infliction of serious bodily injury or death, and the officer has probable cause to believe that there is an imminent risk of serious bodily injury or death to any other person if the subject is not immediately apprehended. Imminent does not mean immediate or instantaneous. An imminent danger may exist even if the suspect is not at that very moment pointing a weapon at someone. For example, an imminent danger may exist if an officer reasonably believes any of the following:
 - 1. The person has a weapon or is attempting to access one and it is reasonable to believe the person intends to use it against the officer or another.
 - 2. The person is capable of causing serious bodily injury or death without a weapon and it is reasonable to believe the person intends to do so.

A verbal warning should precede the use of deadly force, where feasible.

300.5.1 SHOOTING AT A MOVING VEHICLE

Discharging a firearm at a moving vehicle is generally prohibited. An officer should only discharge a firearm at a moving vehicle or its occupants when:

- (a) The officer reasonably believes there are no other reasonable means available to avert the threat of the vehicle, and the vehicle is being used in a manner to immediately threaten the officer or another person with death or serious bodily injury; or
- (b) A person in the vehicle is threatening the officer or another person with deadly force by means other than the vehicle.

300.5.2 SHOOTING FROM A MOVING VEHICLE

Officers shall not discharge a firearm from a moving vehicle unless a person is immediately threatening the officer or another person with deadly force.

300.5.3 WARNING SHOTS

Warning shots are prohibited.

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300.6 PHYSICAL CONTROL TECHNIQUES

Physical control techniques may be effective in controlling a passively, physically, or actively resisting individual. Officers may only apply those physical control techniques for which they have successfully completed department-approved training. Officers utilizing any physical control technique should consider:

- (a) The degree to which the application of the technique may be controlled given the level of resistance.
- (b) Whether the person can comply with the direction or orders of the officer.
- (c) Whether the person has been given sufficient opportunity to comply.

The application of any physical control technique shall be discontinued once the officer determines that compliance has been achieved.

300.7 USE OF FORCE TO SEIZE EVIDENCE

When faced with a subject ingesting possible drugs or other physical evidence, officer(s) will not use physical force to remove the contraband. If a subject is suspected of placing anything in his/her mouth, the officer(s) should request the subject voluntarily remove the article and:

- (a) In cases when the subject is under arrest for other violations and refuses to eject the materials from his/her mouth, or has swallowed the material, medical personnel will be requested to evaluate the subject. The subject should be transported to the hospital for evaluation by a doctor prior to jail booking.
- (b) In cases when a subject is not under arrest, medical personnel will be requested to evaluate the subject. Every effort should be made to convince the subject to seek medical treatment if he/she has swallowed a substance. If he/she refuses medical treatment and there is no indication of physical distress, the subject should be released and a report written documenting the incident and the medical refusal.

This policy in no way prevents officers from using life-saving techniques in cases where the subject is choking and unable to breathe.

300.8 REPORTING THE USE OF FORCE

Any use of force by a member of this department shall be documented promptly, completely, and accurately in an initial or supplemental report. The officer should articulate the factors perceived and why he/she believed the use of force was reasonable under the circumstances. An initial or supplemental report is also required whenever a member takes an action that results in, or is alleged to have resulted in, injury (minor discomfort resulting from the application and general wearing of handcuffs does not, in and of itself, enact this requirement).

Whenever force is used, a Use of Force BlueTeam entry shall be promptly and accurately completed. One Use of Force BlueTeam entry will be completed for each subject against whom force was used. The initial officer has primary responsibility to verify that a Use of Force BlueTeam entry is completed by himself/herself or an assisting officer. Multiple officers involved in an incident shall not all complete a Use of Force BlueTeam entry thereby creating multiple Use of Force

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reports for a single subject. Any officer who used force against a subject, but is not responsible for the BlueTeam entry, shall document their actions in a narrative text.

The completion of a BlueTeam entry will be required in the following instances:

Any use of force that is Physical Control (Soft and/or Hard Techniques) or above on the Use of Force Options list. This does not include when a person allows him/herself to be searched, escorted, handcuffed or restrained. This does include, but is not limited to:

- (a) All take-downs, pressure points, and joint locks.
- (b) Any use of oleoresin capsicum (OC) spray.
- (c) Any use of Specialty Impact Munitions (SIM's).
- (d) Personal weapons, such as hands and feet.
- (e) Any use of the baton or any other type of instrument that is used as an impact weapon.
- (f) Any use of a Conducted Energy Device (CED), including the use of a warning arc.
- (g) The deployment of a police canine that results in a subject being bitten.
- (h) When a member draws a firearm and acquires a target (i.e., person).

NOTE: Resisting handcuffing occurs when a person actively resists being placed in handcuffs, and the member must forcibly move the person's wrists or arms, or forcibly maneuver the person's body so that the handcuffs can be applied.

NOTE: The initial report and BlueTeam entry for officer-involved shootings and deaths will be completed by a case detective, not the involved officer.

To complete a Use of Force BlueTeam entry, officers shall follow proper procedure. [Salt Lake City Police Department Procedure Manual: 320.2 Use of Force BlueTeam Entries](#)

300.8.2 NOTIFICATION TO SUPERVISORS

Supervisory notification shall be made as soon as practicable following the application of force in any of the following circumstances:

- (a) The application caused a visible injury.
- (b) The individual subjected to the force complained of injury or continuing pain.
- (c) The individual indicates intent to pursue litigation.
- (d) Any application of OC spray.
- (e) Any application of a baton.
- (f) Any application of a TASER® device or control device.
- (g) Any application of a restraint device other than handcuffs.
- (h) The individual subjected to the force was rendered unconscious.
- (i) An individual alleges any of the above has occurred.

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300.9 MEDICAL CONSIDERATION

Prior to booking or release, medical assistance shall be obtained for any person who exhibits signs of physical distress, who has sustained visible injury, expresses a complaint of injury or continuing pain, or who was rendered unconscious. Any individual exhibiting signs of physical distress after an encounter should be continuously monitored until he/she can be medically assessed.

Based upon the officer's initial assessment of the nature and extent of the subject's injuries, medical assistance may consist of examination by fire personnel, paramedics, hospital staff or medical staff at the jail. If any such individual refuses medical attention, such a refusal shall be fully documented in related reports and, whenever practicable, should be witnessed by another officer and/or medical personnel. If a recording is made of the contact or an interview with the individual, any refusal should be included in the recording, if possible.

The on-scene supervisor or, if the on-scene supervisor is not available, the primary handling officer shall ensure that any person providing medical care or receiving custody of a person following any use of force is informed that the person was subjected to force. This notification shall include a description of the force used and any other circumstances the officer reasonably believes would be potential safety or medical risks to the subject (e.g., prolonged struggle, extreme agitation, impaired respiration).

Persons who exhibit extreme agitation, violent irrational behavior accompanied by profuse sweating, extraordinary strength beyond their physical characteristics and imperviousness to pain (sometimes called "excited delirium"), or who require a protracted physical encounter with multiple officers to be brought under control, may be at an increased risk of sudden death. Calls involving these persons should be considered medical emergencies. Officers who reasonably suspect a medical emergency should request medical assistance as soon as practicable and have medical personnel stage away if appropriate.

300.10 SUPERVISOR RESPONSIBILITY

When a supervisor is able to respond to an incident in which there has been a reported application of force, the supervisor is expected to:

- (a) Obtain the basic facts from the involved officers.
- (b) Ensure that any injured parties are examined and treated.
- (c) Once any initial medical assessment has been completed or first aid has been rendered, ensure that photographs have been taken of any areas involving visible injury or complaint of pain, as well as overall photographs of uninjured areas.
- (d) If an arrest review is conducted, the supervisor conducting the arrest check will be forwarded the BlueTeam Use of Force Report by the officer(s) who used force. If no arrest review was conducted, the officer(s) who used force will forward the BlueTeam Use of Force Report to a supervisor who responded to the scene. If a supervisor was unable to respond to the scene, the officer(s) who used force will forward the BlueTeam Use of Force Report to the on-duty area Sergeant. In any case, the supervisor receiving the BlueTeam Use of Force Report shall:

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1. Review the report for completeness and accuracy and either return it to the officer for corrections, or if approved, forward the report to the Internal Affairs Unit Lieutenant for release into the database.
 2. While a review of body-camera footage is always authorized, supervisors are required to review body-camera footage for use of force incidents where the subject has an obvious injury or the subject complains of injury related to the use of force incident. This review can be conducted via watching the footage on the involved officer's department-issued phone, the supervisor pairing their department-issued phone to the involved officer's body-camera, or the applicable URL if the involved officer included it in their BlueTeam Use of Force Report. The following guidelines to body-camera footage review will be followed:
 - (a) Only the amount of footage necessary to ascertain how the injury occurred is required to be reviewed.
 - (b) The review shall be noted in the portion of the BlueTeam Use of Force Report available for supervisor comments.
 - (c) The supervisor will take appropriate action in accordance with the Complaints Against Personnel and Disciplinary Action Policy, if needed.
 3. Complete the review of submitted Use of Force Reports before the end of shift.
- (e) The Internal Affairs Unit will review all Use of Force Reports that have been transferred from BlueTeam into IA Pro and will document the final disposition on all Use of Force Reports in IA Pro.

300.11 TRAINING

Officers will receive annual training on this policy, which will be documented by the Training Unit.

Agency personnel authorized to carry lethal and less lethal weapons will receive this policy and related instruction before authorization to carry a weapon. Policy receipt and curriculum delivery shall be documented.

Officers will receive training on physical control techniques on a biennial basis, at a minimum. This training shall be monitored by a certified tactics instructor and documented by the Training Unit.

300.12 USE OF FORCE ANALYSIS

Annually, the Administration Bureau Commander, or their designee, will prepare an analysis report on use of force incidents. The report will be submitted to the Chief of Police. The report should not contain the names of officers, suspects or case numbers, and should include:

- (a) The identification of any trends in the use of force by members (i.e., date and time of incidents; types of encounters resulting in the use of force; trends or patterns related to race, age, and gender of subjects involved; and trends or patterns resulting in injury to any person including employees).
- (b) Training needs recommendations.

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- (c) Equipment needs recommendations.
- (d) Policy revision recommendations.

300.13 REVISIONS

Enacted: March 5, 2018

Revised: January 19, 2018

Revised: January 22, 2018

Revised: January 25, 2018

Revised: May 21, 2018

Revised: August 2, 2018

Revised: November 6, 2019

Attachments

Use of Force Model.pdf

