

Use of Force

300.1 PURPOSE AND SCOPE

This policy requires that only the amount of force that reasonably appears necessary given the facts and circumstances perceived by the officer at the time may be used. 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 make such decisions in a professional, impartial and reasonable manner.

Officers have an affirmative, individual duty to ensure compliance with this policy and with all applicable municipal, state, and federal laws. Actions inconsistent with this policy may result in disciplinary action, up to and including termination. Officers whose actions are consistent with the law and provisions of this policy will be strongly supported in any subsequent review of their conduct regarding the use of force.

300.1.1 DEFINITIONS

Definitions related to this policy include:

Deadly force - Force reasonably anticipated to create a substantial likelihood 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, or 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, use of force continuum options, and tactical repositioning.

Feasible - Reasonably capable of being done or carried out under the circumstances to successfully achieve the arrest or lawful objective without increasing risk to the officer or another person.

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

Imminent - Ready to take place; is distinct from immediate or instantaneous.

Necessary – Given the totality of the circumstances, an objectively reasonable officer in the same situation could conclude that force was required and that the level of force used was proportionate to the situation.

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

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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.

Reasonable Belief - Having knowledge of facts which, although not amounting to direct knowledge, could cause a reasonable officer, knowing the same facts, to reasonably come to the same conclusion.

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 76-1-601(17)).

Totality of the circumstances - All facts and circumstances known to the officer at the time, taken as a whole, including the conduct of the officer and the subject leading up to the use of force.

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 TACTICS PRECEDING THE USE OF FORCE

Officers should not place themselves or others in jeopardy by unreasonable, unlawful, or excessive conduct.

300.2.2 DUTY TO INTERCEDE

Any member present and observing another law enforcement officer of this or another agency using force that is clearly beyond that which is objectively reasonable under the circumstances shall, when in a position to do so, take reasonable action to interrupt the flow of events and stop the use of force.

If any member has objective information leading them to believe that another officer is going to use force that is illegal, excessive, or inconsistent with this policy, they shall intercede if feasible.

Any member who observes another law enforcement officer of this or another agency use force which is objectively unreasonable under the circumstances shall report the incident to a supervisor as soon as feasible. When observing force used by a law enforcement officer, each member should take into account the totality of the circumstances and the possibility that other law enforcement officers may have additional information regarding the threat posed by the subject.

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If a supervisor observes such a violation, the supervisor must issue a direct order to stop the violation.

Retaliation, in any form, against another employee who intercedes in or reports a violation of the policy, or who cooperates with an investigation into a possible violation of this policy, will be subject to discipline.

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 objectively 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 DE-ESCALATION

When circumstances reasonably permit, officers must use strategies and techniques to decrease the intensity of a situation, improve decision-making, improve communication, reduce the level of force needed, and increase voluntary compliance.

De-escalation techniques and tactics may include, but are not limited to:

- (a) attempting verbal persuasion
- (b) establishing rapport
- (c) increasing distance and time
- (d) finding, using, maintaining available cover
- (e) performing a threat assessment

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- (f) denying access to barricaded and tactically superior positions
- (g) summoning additional resources
- (h) formulating a plan
- (i) providing accurate communications with responding personnel
- (j) tactical repositioning of resources or involved parties
- (k) providing warnings or advisements
- (l) utilizing available use of force continuum options

An officers actions, not the outcome, will serve as the basis for determining if de-escalation tactics or techniques were properly employed.

300.3.2 USE OF FORCE TO EFFECT AN ARREST

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

300.3.3 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 may 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.
- (c) Officer/subject factors (e.g., age, size, relative strength, skill level, injuries sustained, level of exhaustion or fatigue, the number of officers available vs. subjects).
- (d) The effects of suspected drug or alcohol use.
- (e) The individual's mental state or capacity.
- (f) The individual's ability to understand and comply with officer commands.
- (g) Proximity of weapons or dangerous improvised devices.
- (h) The degree to which the individual has been effectively restrained and their ability to resist despite being restrained.
- (i) The availability of other reasonable and feasible options and their possible effectiveness.
- (j) Seriousness of the suspected offense or reason for contact with the individual.
- (k) Training and experience of the officer.
- (l) Potential for injury to officers, suspects, and others.

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- (m) Whether the individual appears to be resisting, attempting to evade arrest by flight, or is attacking the officer.
- (n) The risk and reasonably foreseeable consequences of escape.
- (o) The apparent need for immediate control of the individual or a prompt resolution of the situation.
- (p) Whether the conduct of the individual being confronted no longer reasonably appears to pose an imminent threat to the officer or others.
- (q) Prior contacts with the individual or awareness of any propensity for violence.
- (r) 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; they 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 that they have 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 they have 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.

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- 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 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

When reasonable, the officer shall, prior to the use of deadly force, make efforts to identify themselves as a peace officer, unless the officer has objectively reasonable grounds to believe the person is aware of those facts.

Use of deadly force is justified in the following circumstances:

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- (a) An officer is justified in using deadly force when the officer reasonably believes that the use of deadly force is necessary to prevent death or serious bodily injury to the officer or another person.
- (b) An officer may use deadly force when necessary to stop a fleeing subject when the officer has probable cause to believe that the individual 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 individual is not immediately apprehended.

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.

300.5.4 NO DEADLY FORCE IN CASES OF SELF-HARM ONLY

Under no circumstances may an officer use deadly force to prevent an individual from self-harm where the individual does not pose an imminent threat of serious bodily injury or death to the officer or others.

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.

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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 their 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 their 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 they have swallowed a substance. If they refuse 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 that is Physical Control (Soft and/or Hard Techniques) or above on the Use of Force Options list is considered a reportable use of force. This does not include when a person allows themselves to be searched, escorted, handcuffed or restrained. See [Salt Lake City Police Department Procedure Manual: 320.2 REPORTABLE USES OF FORCE](#)

Any use of force defined as reportable by a member of this department shall be documented promptly, completely, and accurately in the appropriate report, depending on the nature of the incident. The officer should articulate the factors perceived and why they believed the use of force was reasonable under the circumstances.

To collect data for purposes of training, resource allocation, analysis, and related purposes, the Department may require the completion of additional report forms, as specified in department policy, procedure, or law.

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). See [Salt Lake City Police Department Procedure Manual: 320.3 REPORT REQUIREMENTS](#)

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

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entry is completed by themselves 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 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 for all reportable uses of force.

To complete a Use of Force BlueTeam entry, officers shall follow proper procedure. See [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 any reportable use of force.

300.9 MEDICAL CONSIDERATION

Once it is reasonably safe to do so, medical assistance shall be obtained for any person who exhibits signs of physical distress, has sustained visible injury, expresses a complaint of injury or continuing pain, or was rendered unconscious. Any individual exhibiting signs of physical distress after an encounter should be continuously monitored until they can be medically assessed. Absent exigent circumstances or direction from a medical service provider, individuals should not be placed on their stomachs for an extended period, as this could impair their ability to breathe.

Based upon the officer's initial assessment of the nature and extent of the individual's injuries, medical assistance may consist of examination by an emergency medical services provider or medical personnel at a hospital or medical personnel at 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).

Individuals 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.

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300.10 SUPERVISOR RESPONSIBILITY

When notified of a reportable use of force, the supervisor shall conduct a supervisory evaluation to determine whether the force used appears reasonable and necessary and was within the guidelines of this policy. Supervisors shall:

- (a) immediately respond to the scene unless a response is impractical, poses a danger, or where officers' continued presence creates an unnecessary risk of harm
- (b) obtain the basic facts from the involved officer(s). Absent an allegation of misconduct or excessive force, this will be considered a routine contact in the normal course of duties
- (c) ensure that any injured parties are examined and treated by medical providers
- (d) ensure that photographs have been taken of any areas involving visible injury or complaint of pain, as well as overall photographs of uninjured areas once any initial medical assessment has been completed or first aid has been rendered
- (e) review the involved officers general offense or supplemental report. Reports that do not meet the reporting requirements shall not be approved by a supervisor. See [Salt Lake City Police Department Procedure Manual: 320.3 REPORT REQUIREMENTS](#)
- (f) ensure that supervisor's reason for not responding to the scene is included in the incident report, if applicable

The responding supervisor conducting the evaluation will be forwarded the BlueTeam Use of Force Report by the officer who completes the BlueTeam Use of Force Report. If a supervisor was unable to respond to the scene, the reporting officer will forward the BlueTeam Use of Force Report to the on-duty area sergeant.

All reportable uses of force will receive an administrative review from the responding sergeant as well as a command review by the responsible watch commander. All reports will be added to the completed BlueTeam Use of Force Report and forwarded to the Internal Affairs Unit and appropriate division commander.

The Internal Affairs Unit will review all completed BlueTeam Use of Force Reports for completeness and for compliance with policy. Absent a formal complaint being generated, the approved transfer of the Use of Force Report from BlueTeam into IA Pro will serve as documentation that the use of force has been reviewed by the required supervisors and the use of force is within policy and that no further administrative action is required.

300.11 TRAINING

In order to ensure that the SLCPD continues to be the most professional, well trained, progressive police department in the State of Utah and beyond, officers will receive training proportionate to the desired outcomes. It is the intention of the SLCPD to provide the necessary resources to drive industry leading training initiatives, and go above and beyond the basic requirements set forth by Utah POST.

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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.
- (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

Revised: October 5, 2020

300.14

Attachments

Use of Force Model.pdf

