

RECOMMENDATION 102215-4

Prohibit the use of deadly force except in very limited, extraordinary circumstances

FULL TEXT:

PROHIBIT THE USE OF DEADLY FORCE EXCEPT IN VERY LIMITED, EXTRAORDINARY CIRCUMSTANCES.

Deadly force should be prohibited except in very limited, extraordinary circumstances.

Deadly force is the application of physical force that under the totality of the facts and circumstances is readily capable or reasonably likely to cause death or serious physical injury. Examples include but are not limited to the following:

- a. Shooting a firearm at a person;
- b. Neck holds, choke holds, and carotid holds;
- c. Intentional strikes to the head, neck, throat, spine, groin, and kidney with any impact weapon, such as a baton or the officers feet, knees, fists, and elbows;
- d. Pushing or striking a person's head into a hard, fixed object (examples include but are not limited to concrete objects or surfaces, or solid metal structures such as bars or guardrails);
- e. Shooting a person in the head, neck, throat, spine, groin, and kidney with a beanbag shotgun; and
- f. Ramming a vehicle.

Deadly force may only be used in circumstances where the threat of death or serious physical injury to an officer or others is immediate. A danger is immediate only when an objectively reasonable officer would believe that:

- a. The suspect has the means or instrumentalities to do so, and
- b. The suspect has the opportunity and ability to use the means or instrumentalities to cause death or serious physical injury.

A verbal warning that deadly force will be used should be given to the suspect, if time, safety and the facts and circumstances permit.

Deadly force may be used to prevent the escape of a fleeing suspect only when an objectively reasonable officer would believe that it is necessary and that there is probable cause that:

- a. The suspect has committed or is in the process of committing a felony involving the infliction or threatened infliction of death or serious physical injury;

- b. The escape of the suspect would pose an immediate danger of death or serious physical injury to another person unless the suspect is apprehended without delay;
and
- c. The officer has given a verbal warning to the suspect, if time, safety and the facts and circumstances permit.

Amendment to 102215-4: Include a definition of neck hold.