



Sheridan Police Department  
Policies and Procedures  
11.1  
Chapter 11 – Use of Force  
Section 1 – General Policy, Force Levels, and Training

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Signature:

An officer's decision to use force is one of the most important decisions he or she makes as a law enforcement officer. The decisions of when and how force is used are complicated and very often made in split seconds. The department has a responsibility to properly train and equip officers, and officers have the responsibility to maintain proficiency in using force and proper custody and control techniques.

### Definitions

- Force – Conduct on the part of a police officer that is designed to assist the officer in controlling a situation or the actions or behavior of a person or persons.
- Physical Force - Physical force involves physical contact with a person and forcibly controlling that individual until resistance is overcome, and the person is fully in law enforcement's control.
- Deadly Force – Any use of force that is reasonably likely to cause death or serious bodily injury.
- Less Lethal Force – Any use of force that is neither intended nor likely to cause death but which, nevertheless, may cause serious bodily injury or death. Examples of less lethal weapons are batons, electronic control devices and shotguns equipped with specialty impact munitions.
- Reasonable Force - An amount of force that would be used by other fair, sensible and well-trained officers when faced with the circumstances that the officer using the force is presented with.
- Necessary - No reasonably effective alternative to the use of force appeared to exist.
- Serious Injury An injury that creates a substantial risk of death, long-term loss or impairment of the function of any bodily member or organ, or serious permanent disfigurement.
- Immediate Danger An immediate danger is considered to exist if the suspect has demonstrated actions that would lead one to reasonably believe that the suspect will continue to pose a threat of death or serious bodily injury if not apprehended without delay.
- Choke Hold A physical maneuver or technique that restricts an individual's ability to breathe for the purpose of incapacitation.

#### 11.1.1 General Policy

- A. Police officers are authorized to use an amount of force that is objectively reasonable in light of facts and circumstances confronting them to accomplish lawful objectives.
- B. No employee will use unreasonable or excessive force toward any person. In no instance will employees use force in excess of that which is reasonable and necessary to:
  - 1. protect themselves or another from physical harm; or
  - 2. to restrain or subdue a resistant individual; or
  - 3. to bring an unlawful situation safely and effectively under control.
- C. When determining the necessity for force and the amount of force required, officers shall consider known circumstances, including, but not limited to:
  - 1. the level of threat or resistance presented by the subject based on:
    - a. actions of the person;
    - b. statements made by the person.
  - 2. physical size, strength and weaponry of the person as compared to the officer;
  - 3. the nature of the encounter or severity of the offense;
  - 4. prior knowledge of offender propensity for violence; and
  - 5. other conditions such as availability of backup and number of people involved.
- D. For purposes of this policy, officers are not presumed to be acting in an official capacity and, therefore, are not authorized to use force while:
  - 1. on sick leave – Officers under the influence of medication or suffering from a decision altering condition that may render reactions on their part inappropriate to the situation;
  - 2. on administrative leave – Defined as time off as a result of a sworn officer having employment with the department interrupted while still maintaining official standing with the department (extended education leave, military leave, leave as a result of a critical incident);
  - 3. under suspension – Suspension involves removal of responsibility and authority to act in an official capacity and may be with or without pay;
  - 4. exceptions: Nothing contained in department policy shall preclude an officer from acting as an ordinary citizen in emergency situations when not working in an official capacity for this agency.
- E. This policy is for department use only and does not apply in any criminal or civil proceeding. This policy should not be considered as establishment of a higher standard of conduct for employees in case of third party claims. Violations of this policy will only form the basis for departmental administrative sanctions. Violations of law will form the basis for civil and criminal sanctions in a recognized judicial setting.
- F. The use of all forms of choke holds are prohibited, except in situations where the use of deadly force is allowed by law.

### **11.1.2 Types of Force**

- A. Professional Presence/Verbal Commands
  - 1. In dealing with people, each employee must attempt to inspire respect and generate cooperation and approval of the public. Employees will be courteous in their relationships with the public.
  - 2. A professional manner combined with the symbols of police authority (badge, uniform) is often sufficient to inspire respect and generate the cooperation and approval of the public.

3. The manner in which an employee speaks can be an effective means of controlling a situation and may eliminate the need to use greater force.
- B. Physical Force/Empty Hands Techniques
  1. Physical force involves tactics/procedures to affect the control of a resisting subject.
  2. Physical force includes, but is not limited to:
    - a. force used to hold or restrain the person;
    - b. physical impact with a part of the body to overcome violent resistance or to protect the officer or others; and
    - c. joint manipulation, pain compliance and pressure point control tactics.
- C. Intermediate Force
  1. Intermediate force involves the use of less lethal weapons against a person and forcibly subduing that individual with the assistance of these weapons until resistance is overcome.
  2. Less lethal weapons include oleoresin capicum (O.C.) spray, chemical agents, conductive electrical weapon (Taser), shotguns equipped with impact munitions, and batons. Handcuffs are not considered a weapon but rather a restraining device.
  3. Officers will be trained in the use of the baton, Taser, oleoresin capicum, and shotguns equipped with specialty impact munitions. No less lethal weapon will be carried until the officer has received proper training or certification in use and application of the weapon being carried.
  4. Any other less lethal object that an employee uses to assist in subduing an individual will, for the purpose of this policy, be considered intermediate force. It is recognized that employees may be confronted with situations in which an authorized less lethal weapon is not available or practical and non-standard weapons may be used.
- D. Deadly Force
  1. Use of Deadly Force in Defense of Human Life:

Deadly force may be used by officers when they reasonably believe that the action is necessary in defense of human life, including the officer's own life, or in defense of any person in immediate danger of serious physical harm.
  2. The use of a firearm is expressly considered deadly force. Other force might also be considered deadly force if the officer reasonably anticipates and intends that the force applied will create a substantial likelihood of causing death or serious bodily injury.
  3. Use of Deadly Force to Apprehend a Fleeing Felon.
    - a. Deadly force may be used by officers when they reasonably believe that it is necessary to effect the capture or prevent the escape of the fleeing felon; and
    - b. The officer reasonably believes that the action is necessary in defense of human life, including the officer's own life, or in defense of any person in immediate danger of serious physical harm.

### **11.1.3 Policy Training**

- A. All sworn personnel shall be issued a copy of the policy on the use of force, and receive classroom instruction on its contents prior to being authorized to carry a firearm or less lethal weapon. The issuance and instruction shall be documented in the officer's FTO manual.
- B. Annually, all agency personnel authorized to carry weapons are required to receive training on the use of force policy.