

**CITY OF GRAND BLANC POLICE DEPARTMENT  
STANDARD OPERATING PROCEDURE**

SUBJECT: <b>USE OF FORCE</b>			S.O.P.#: <b>1-1</b>
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ISSUED BY: <b>Chief Brian J. Lipe</b>		MACP STANDARDS: <b>3.3.1, 3.3.2</b>	

**I. PURPOSE**

The purpose of this policy is to provide sworn personnel with guidelines on the use of deadly and non-deadly force.

**II. DEFINITIONS**

- A. **Deadly Force:** Any force used by an officer that is likely to cause death or serious physical injury.
- B. **Non-deadly Force:** Any force used by an officer other than that which is considered deadly force.
- C. **Physical Force:** Any type of officer response to a subject's action where the officer uses compliance, physical or intermediate controls, or deadly force.
- D. **Reasonable Force:** the force a police officer of similar training, experience and ability would find prudent when faced with the same set of circumstances.
- E. **Reasonable Belief:** The facts or circumstances the officer knows, or should know, are such as to cause an ordinary and prudent person to act or think in a similar way under similar circumstances.
- F. **Serious Physical Injury:** A bodily injury that creates a substantial risk of death; causes serious, permanent disfigurement; or results in long term loss or impairment of the functioning of any bodily member or organ.
- G. **Choke Hold:** A physical maneuver that restricts an individual's ability to breathe for the purpose of incapacitation.
- H. **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, 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 positioning.

**III. POLICY**

This department recognizes and respects the value and special integrity of each human life. In vesting police officers with the lawful authority to use force to protect the public welfare, a careful balancing of all human interests is required. Therefore, it is the policy of this department that officers shall use only that force which is reasonable and necessary to effectively bring an incident under control, while protecting the lives of the officer or others.

#### **IV. PROCEDURES**

##### **A. Department Use of Force Standards**

###### **1. Reasonable Force**

- a. It is the policy of the Grand Blanc Police Department to employ only reasonable force to overcome resistance, defend oneself or another, accomplish lawful objectives, affect a lawful arrest, and/or prevent a person from harming themselves.
- b. Accepted reasonableness standards established by legal precedence shall be used to evaluate officer's actions with regards to force applications.

##### **B. Excessive Force**

1. This department recognizes that the use of excessive force is unreasonable and unnecessary as it serves to erode the public confidence and support that is essential to the effective delivery of police services.
2. Failure to provide medical assistance when requested or when the need would be obvious to any reasonable officer will be construed as willful negligence and considered excessive use of force.
3. The use of unnecessary force shall result in certain and severe disciplinary action and may result in criminal prosecution or civil action.

##### **C. Duty to Intervene**

1. Officers have an obligation to protect all persons from unnecessary physical harm and illegal activity.
2. Officers shall intervene, when a reasonable opportunity exists, to prevent the use of excessive, improper or unnecessary force to include force no longer required under the reasonableness standard.
3. Rank, assignment or position shall have no bearing or influence on an officer's obligation to intervene.
4. Officers shall immediately report all instances of excessive, improper, or illegal force to his/her immediate supervisor or the next highest-ranking officer not involved in the incident.

##### **D. De-escalation**

1. An officer shall use de-escalation techniques and other alternatives to higher levels of force consistent with his or her training whenever possible and appropriate before resorting to force and to reduce the need for force.
2. Whenever possible and when such delay will not compromise the safety of the officer or another and will not result in the destruction of evidence, escape of a suspect, or commission of a crime, an officer shall allow an individual time and opportunity to submit to verbal commands before force is used.

E. Parameters for use of deadly force:

1. The decision to use deadly force must be justified within the framework of this policy and the laws of the State of Michigan and this nation.
2. Officers may use deadly force in the defense of the officer or another person who is imminent danger of death or serious physical injury.
3. Officers are authorized to use deadly force to prevent the escape of a person provided that **all** of following exist:
  - a. The officer has probable cause to believe the person has committed a felony crime involving the use or threatened use of deadly force against another person.
  - b. All other reasonable means of apprehension have been exhausted or do not exist.
  - c. There is a substantial risk that the subject to be apprehended may cause death or serious physical injury to another person if apprehension is delayed.
  - d. The risks associated with allowing the subject to escape are more serious than the risks involved in the use of lethal force.
4. When a violent felon initiates an act likely to cause serious physical injury there should be no hesitancy in using such force as is necessary to stop the action and bring the person under control.
5. Officers shall adhere to the following restrictions when using their firearm:
  - a. Officers shall identify themselves and state their intent to shoot, where feasible, before discharging a firearm.
  - b. Officers shall not discharge warning shots.
  - c. Officers shall not discharge a firearm from a moving vehicle.
  - d. Officers shall not discharge a firearm at a moving vehicle unless it is absolutely necessary to do so to protect the life of the officer or others.
  - e. Officers shall not discharge a firearm when it appears likely that an innocent person will be injured.
  - f. Officers may also discharge a firearm under the following circumstances:
    - During training or competitive sporting events.
    - To destroy an animal that represents a threat to public safety, or as a humanitarian measure where the animal is seriously ill/injured.

6. Use of other weapons and/or techniques:

In those situations where immediate and drastic measures must be taken in order to prevent death or serious injury, officers may use weapons and/or techniques not covered by policy; however, the officer's actions must comply with the "reasonable" and "necessary" use of force standards.

Examples may include motor vehicles, objects used as impact weapons, munitions or any other technique or object available.

- F. Parameters for use of non-deadly force:
1. Officers should assess the incident in order to determine the level of control that would be appropriate.
  2. If physical force is necessary, the officer must decide which technique(s) or authorized weapon(s) will best de-escalate the incident and bring it under control in a safe manner.
  3. Officers are authorized to use Department approved control techniques and weapons, to include restraints, for resolution of incidents, as follows:
    - a. To stop potentially dangerous and unlawful behavior.
    - b. To protect the officer or another from injury or death.
    - c. To protect subjects from injuring themselves.
    - d. And in the process of effecting a lawful arrest when the subject offers resistance.
    - e. Choke holds or other types of airway obstruction methods (such as kneeling on the neck) are prohibited unless deadly force is authorized.
- G. Intermediate Control Weapons
1. The department issued weapons such as the X26 Electronic Control Weapon, expandable baton, bean bag shotgun, or 37mm launcher are authorized intermediate control weapons and will be used in accordance with training and policy.
- H. Medical Attention
1. When any force is used on a subject, medical attention will be given if:
    - a. The subject requests medical attention.
    - b. The subject complains of injury or continued pain.
    - c. Any officer observes or suspects injury to the subject.
    - d. The subject does not substantially recover from the effects of an Aerosol Subject Restraint (ASR) or Taser X26 exposure within the reasonable and expected period of time.
    - e. If the probes of the Electronic Control Weapon penetrated a sensitive tissue area such as the face, groin or breast, medical personnel will be contacted to remove the probes.
  2. Officers that provide a subject with medical attention shall document this, along with the nature of the injury or complaint of injury, in the incident report and the Law Enforcement Officer-Subject Control Report Form (GBPD 1-1).
- I. Reporting the use of force:
1. Follow SOP 1-1.4 (Reporting Use of Force)
- J. Departmental response:
1. Deadly force incident:
    - a. Where an officer's use of force causes death or serious physical injury, procedures in SOP 1-3 Critical Incident Management will be followed.

b. The Department shall conduct a meaningful use of force review (SOP 1-2) and request the Michigan State Police to conduct a criminal investigation.

2. Meaningful Use of Force Review

a. The department will follow SOP #1-2 (Meaningful Use of Force Review).

**V. AUTHORIZED WEAPONS**

A. Officers are only authorized to carry and use Department issued or approved weapons with which they have demonstrated proficiency as established by the Department and after having received a copy of and instruction in this policy. For further information see Policy #01-07 Weapons.

**VI. OTHER RESPONSIBILITIES/REQUIREMENTS**

- A. Aerosol Subject Restraint Guidelines – SOP #1-1.1
- B. Electronic Control Weapons – SOP #1-1.2
- C. Impact Weapons and Munitions – SOP #1-1.3
- D. Reporting Use of Force – SOP #1-1.4
- E. Meaningful Use of Force Review – SOP #1-2
- F. Weapons – SOP #1-7
- G. Law Enforcement Officer-Subject Control Report Form GBPD 1-1 - Attachment A

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