WEST NORRITON TOWNSHIP POLICE DEPARTMENT

Subject: Use of Force		Policy # 1.3.1
Accreditation 1.3.1		
Effective Date: February 8, 2008	Revised Date: December 30, 2015	
By Authority Of: Chief A. Dale Mabry	Signature: ADMabry	

1.3.1 USE OF FORCE

A. PURPOSE:

The purpose of this regulation is to establish guidelines and procedures governing the use of force and weapons by all officers of the West Norriton Township Police Department. The purpose of this directive is to state department policy regarding West Norriton Township Police officer's use of deadly force and less lethal force. To establish policies/guidelines under which the use of force to include deadly force by police officers is permissible.

B. POLICY:

It is the policy of the West Norriton Township Police Department to limit the use of force to those situations of absolute necessity. All officers will use only the amount of force they deem reasonable and necessary on any particular occasion. It is a priority of the West Norriton Township Police Department to actively protect life, and secondarily protection of property. This order is to establish policy and procedures for the use of physical (less lethal and deadly) force as well as for the carrying and use of weapons including firearms or other possible deadly weapons carried and used by officers of the West Norriton Township Police Department. This order is for departmental use only and does not apply in any criminal or civil proceeding. Violations of this order will only form the basis for Departmental administrative actions. Violations of State and Federal laws might form the basis for civil or criminal sanctions in a recognized judicial setting. The policies and procedures outlined in the general order shall followed by the officers of the West Norriton Township Police Department when they are on duty and when they are functioning as a police officer assigned to another specialized unit, such as the Montgomery County Drug Task Force or CMSWAT.

C. USE OF FORCE

1. Peace Officers (law enforcement officers) as defined in Chapter 5 of the Pennsylvania Crimes Code (18 Pa. C.S.A. ss501) will only use the reasonable amount of force necessary to effect a lawful objective in conformance to the provisions of the Pennsylvania Crimes Code, other Pennsylvania statutory provisions and applicable Pennsylvania and Federal Court decisions. This includes: using force to protect themselves or others affecting a lawful arrest in which case the minimal amount of force

will be used, or detaining an individual in custody. Excessive and indiscriminate use of force is prohibited and will be disciplined accordingly. The use of excessive force by a police officer is the ultimate in discourtesy and misconduct. Brutality is the use of force where it is not required. The justifiable use of force where it is authorized under the law in making an arrest, in preventing the escape of a criminal or in protecting the life of the officer or another person is not brutality.

2. An officer may only use as much force as he/she believes is necessary to:

   a. detain an offender, make the physical arrest, and keep the detention
   b. overcome resistance
   c. prevent escapes or recapture after an escapee
   d. protect the officer and/or others

3. When an officer must use force in one of the situations listed above he/she shall use such force as is necessary while following the "Use of Force Continuum". The "Use of Force Continuum" is a logical progression through stages of force that are available to an officer while performing his/her duties. Which level of force an officer uses is determined by the amount of resistance and the threat to the officer. The levels of force are:

   Level 1 – This category consists of fundamental procedures supportive of the initiation and continuation of compliance and cooperation.
   Response – Verbal Commands – This level relies on the professional officers' wide variety of communication skills, capitalizing upon the general population's acceptance of authority.

   Level 2 – This level includes options centered around the gaining of control via procedures that are primarily psychologically manipulative with minimal contact for control
   Response – Contact Controls – In this first stage of non-compliance, the officer must deploy tactical talents to assert control and gain cooperation.

   Level 3 – Due to the introduction of a physical component to the subject's non-compliance, the officer now must call upon the tactics of encounter and possibly the deployment of supportive force.

   Response – Compliance Techniques – The officer must deploy sufficient force to overcome the subject's moving or non-moving resistance, remaining vigilant for signs of more aggressive behavior from the subject.

   Level 4 – Due to the combative nature of the confrontation, the officer must now deploy tactical procedures centering upon active, force-enhanced countermeasures.

Response – Defensive Tactics – Confronted with the subject's assaultive acts, the officer is justified in taking appropriate steps to immediately cease the assaultive action and gain and maintain control of the subject once compliance is achieved.

Level 5 – At this level, the tactical options are directed toward officer survival and self-preservation.

Response – Deadly Force – Facing an assaultive situation that reaches the ultimate degree of danger, the officer must deploy absolute and immediate tactics to stop the lethal threat and secure conclusive compliance and control

D. The use of force will cease to be applied when the suspect is restrained or otherwise controlled.

E. This General Order applies to the use of less lethal force and deadly force. The use of deadly force is described specifically in section IV.

F. Less lethal force will only be used in appropriately identified areas and then only in an amount necessary to effect a lawful arrest.

G. Less lethal force will cease to be applied when the suspect's assaultive behavior ceases or is restrained.

H. The type and amount of non-lethal force used by an officer will be determined by the actions of the suspect. The use of neck restraint control techniques is prohibited.

I. The provisions of this policy do not distinguish between adults and juveniles and, regardless of age, the only consideration of the officer, before using force, should be the capacity of the subject to inflict death or serious bodily injury.