

UC Davis Police Department

GENERAL ORDER: 111	USE OF FORCE
EFFECTIVE DATE: 3/2/04	APPLIES TO: SWORN
SUPERSEDES: 10/8/03	PAGE 1 OF 5

**PURPOSE:**

This policy recognizes that the use of force by law enforcement requires constant evaluation. Even at its lowest level the use of force is a serious responsibility. The purpose of this policy is to provide officers of this department with guidelines on the reasonable use of force. While there is no way to specify the exact amount or type of reasonable force to be applied in any situation, each officer is expected to use these guidelines to make such decisions in a professional, impartial, and safe manner.

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 human encounters and, when warranted, may use force in carrying out their duties.

Officers must have an understanding of, and true appreciation for, the limitations of their authority. This is especially true with respect to officers overcoming resistance while engaged in the performance of their duties.

This department recognizes and respects the value of human life and dignity without prejudice to anyone. It is also understood that vesting officers with the authority to use reasonable force and protect the public welfare requires a careful balancing of human interests.

It is the policy this Department that officers will 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 effectively bring an incident under control. "Reasonableness" of the force used must be judged from the perspective of a reasonable officer on the scene at the time of the incident. Any interpretation of "reasonableness" must allow for the fact that police officers are often forced to make split-second decisions - in circumstances that are tense, uncertain, and rapidly evolving - about the amount of force that is necessary in a particular situation.

**PROCEDURE:**

- I. Factors Used to Determine the Reasonableness of Force
  - A. When determining whether or not to apply any level of force and evaluating whether an officer has used reasonable force, a number of factors should be taken into consideration. These factors include, but are not limited to:
    - 1) The conduct of the individual being confronted (as reasonably perceived by the officer at the time).
    - 2) Officer/subject factors (age, size, relative strength, skill level, injury/exhaustion and number of officers vs. subjects).

Signed \_\_\_\_\_ 3/2/04  
Chief of Police (Date)

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EFFECTIVE DATE: 3/2/04	APPLIES TO: SWORN
SUPERSEDES: 10/8/03	PAGE 2 OF 5

- 3) Influence of drugs/alcohol (mental capacity).
  - 4) Proximity of Weapons.
  - 5) Availability of other options (What resources are reasonably available to the officer under the circumstances).
  - 6) Seriousness of the suspected offense or reason for contact with the individual.
  - 7) Training and experience of the officer.
  - 8) Potential for injury to citizens, officers and suspects.
  - 9) Risk of escape.
  - 10) Other exigent circumstance.
- B. It is recognized that officers are expected to make split-second decisions and that the amount of an officer's time available to evaluate and respond to changing circumstances may impact their decision.
- C. While various degrees of force exist, each officer is expected to use only that degree of force reasonable under the circumstances to successfully accomplish the legitimate law enforcement purpose in accordance with this policy.

II. Non-Lethal Force Applications

- A. Any application of force that is not reasonably anticipated to result in death will be considered non-lethal force. Each officer is provided with equipment, training, and skills to assist in the apprehension and control of suspects as well as protection of officers and the public. Non-lethal force applications may include, but are not limited to, Electronic Devices, Body and Leg Restraints, and other Less Lethal Control Devices.
- B. Given that no policy can realistically predict every possible situation an officer might encounter in the field, it is recognized that each officer must be entrusted with well-reasoned discretion in determining the appropriate use of force in each incident. While it is the ultimate objective of every law enforcement encounter to minimize injury to everyone involved, nothing in this policy requires an officer to actually sustain physical injury before applying reasonable force.

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Chief of Police

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EFFECTIVE DATE: 3/2/04	APPLIES TO: SWORN
SUPERSEDES: 10/8/03	PAGE 3 OF 5

- C. The University Of California, Davis Police Department authorizes the use of less lethal force applications by officers and supervisors.

III. Lethal Force Applications **CALEA 1.3.2**

- A. Lethal force is defined as any degree of force likely to produce great bodily injury or death, and does not necessarily involve the use of a firearm.
- B. Great bodily injury is defined as any bodily injury which is significant or substantial, not insignificant, trivial or moderate.
- C. Use of Lethal force is justified in the following circumstances:
  - 1) An officer may use lethal force to protect themselves or others from what they reasonably believe would be an immediate threat of death or great bodily injury.
  - 2) An officer may use lethal force to affect the arrest or prevent the escape of a suspected felon where the officer has probable cause to believe that the suspect poses an imminent threat of death or great bodily injury to the officer or others. Under such circumstances, a verbal warning should precede the use of lethal force, where feasible.
  - 3) With the approval of a supervisor, an officer may kill an animal that is so badly injured that human compassion requires its removal from further suffering and where other dispositions are impractical.

IV. Announcements for the Use of Force

- A. When it is reasonable to do so, at least one announcement indicating the application of lethal force and/or non-lethal force should be given.

V. Warning Shots **CALEA 1.3.3**

- A. Warning shots are prohibited.

VI. Moving Vehicles

- A. Shots fired at or from a moving vehicle are discouraged. This is not intended to restrict an officer's right to use lethal force directed at the operator of a vehicle when it is reasonably

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GENERAL ORDER: 111	USE OF FORCE
EFFECTIVE DATE: 3/2/04	APPLIES TO: SWORN
SUPERSEDES: 10/8/03	PAGE 4 OF 5

perceived that the vehicle is being used as a weapon against the officer or others.

VII. Authorized Weapons/Tools

- A. Only those devices approved by the Chief of Police may be used (refer to general order Authorized Weapons/Tools). Each officer and supervisor will have training and certification in the use of less lethal weapons before using or carrying them.

VIII. Reporting the Use of Force

**CALEA 1.3.6**

- A. Any use of physical force by a member of this Department will be documented promptly, completely, and accurately in an appropriate report depending on the nature of the incident. The use of particular weapons may require the completion of additional report forms as specified in departmental policy and/or law.
- B. A written report is submitted whenever an employee:
  - 1) Discharges a firearm, for other than training or recreational purposes;
  - 2) Takes an action that results in, or is alleged to have resulted in, injury or death of another person;
  - 3) Applies force through the use of Lethal or Less Lethal applications;
  - 4) Applies weaponless physical force upon another to the extent it is likely to cause or lead to unforeseen injury, claim of injury, or allegations of excessive force.

IX. Notification to Supervisors

- A. Supervisory notification will be made as soon as practical following the application of physical force, under any of the following circumstances:
  - 1) Where the application of force appears to have caused physical injury.
  - 2) The individual has expressed a complaint of pain.
  - 3) Any application of a less lethal control device.
  - 4) Where the individual has been rendered unconscious.

X. Medical Attention

**CALEA 1.3.5**

Signed \_\_\_\_\_ 3/2/04  
Chief of Police (Date)

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SUPERSEDES: 10/8/03	PAGE 5 OF 5

- A. Medical assistance will be obtained for any person(s) who has sustained visible injury, expressed a complaint of pain, has been rendered unconscious or whenever the officer believes that the person should receive medical care.

Signed  
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Chief of Police

3/2/04  
(Date)