1. Definitions

**ACTIVELY RESISTANT INDIVIDUAL** An individual who uses physical strength and/or body movement to resist a police officer. Examples of active resistance include pulling, turning, or walking away from an officer.

**AGGRAVATED ASSAULTIVE INDIVIDUAL (Serious Bodily Harm/Death)** An individual who engages in conduct that is likely to produce death or serious bodily harm to a police officer or another person.

**ASSAULTIVE INDIVIDUAL (Bodily Harm)** An individual who attempts to injure a police officer or another person or engages in conduct that has the potential to injure a police officer or another person.

**CHOKEHOLD** The use of a lateral vascular neck restraint, carotid restraint or other action that involves the placement of any part of law enforcement officer’s body on or around a person’s neck in a manner that limits the person’s breathing or blood flow with the intent of or with result of causing bodily injury, unconsciousness or death.

**COMPLIANT INDIVIDUAL** An individual who is fully cooperative with a police officer.

**DE-ESCALATION TACTICS** Proactive actions and approaches used by an officer to stabilize a law enforcement situation so that more time, options and resources are available to gain a person’s voluntary compliance and to reduce or eliminate the need to use force including, but not limited to, verbal persuasion, warnings, slowing down the pace of the incident, waiting out a person, creating distance between the officer and a threat and requesting additional resources to resolve the incident, including, but not limited to, calling in medical or licensed health professionals, as defined in subsection (a) of section 51½ of chapter 111, to address a potential medical or mental health crisis.

**DEPLOYMENT / DISPLAY OF WEAPON** Any use or display of a firearm, or less lethal projectile launcher, from removing / un-holstering to the point of taking aim, and
including the removal of any long firearm or specialty munitions projectile launcher from a patrol vehicle safe / weapon rack.

**FORCE** Any physical effort used to control, compel, or repel.

**IMMINENT DEATH OR SERIOUS PHYSICAL INJURY** The facts and circumstances that create a reasonable belief that death or serious physical injury are about to occur.

**KINETIC ENERGY PROJECTILES (Specialty Impact Munitions)** Flexible or non-flexible projectiles, which are intended to incapacitate a subject with a minimal potential for causing death or serious bodily injury, when compared to conventional projectiles.

**LESS LETHAL FORCE** Less lethal force is that amount of force that will generally not result in serious physical injury or death. It is usually employed to control a resisting subject or as a defensive measure.

**LETHAL FORCE / DEADLY FORCE** Physical force that can reasonably be expected to cause death or serious physical injury.

**OBJECTIVELY REASONABLE** This term means that, in determining the necessity for an appropriate level of force, officers shall evaluate each situation in light of the known circumstances, including, but not limited to, the seriousness of the crime, the level of threat or resistance presented by the subject, and the danger to the officer, subject, and/or community. The reasonableness of a particular use of force must be judged from the perspective of a reasonable officer on scene, rather than with 20/20 vision of hindsight. Determining reasonableness of force must allow for the fact that police officers are forced to make split second judgements in circumstances that are tense, uncertain and rapidly evolving. The force used must be reasonable under the circumstances known to the officer at the time the force is used.

**OFFICER’S PERCEPTION** The awareness of the elements of the environment through physical sensation, interpreted in the light of experience.

**PASSIVELY RESISTANT INDIVIDUAL** An individual who is uncooperative but does not use physical strength or body movement to resist a police officer.

**POLICY** A statement of the values of the Police Department: the objectives and beliefs upon which the application of discretion is based.

**REASONABLE BELIEF** The facts or circumstances the officer, or the police collectively know, or should know, are such as to cause an ordinary and prudent person to act or think in a similar way under similar circumstances.

**RESISTANCE** Those actions made by the offender that use or threaten to use physical force or violence to prevent the lawful performance of an officer’s duties.

**RULE** The limits of discretion. A rule is absolute, and sets forth things or actions which must, or must not, be done. There is no justification for violating a rule.
SERIOUS BODILY INJURY  Serious bodily injury is bodily injury that results in: permanent disfigurement; protracted loss or impairment of a bodily function, limb or organ; or a substantial risk of death.

SUSCEPTIBLE POPULATION GROUPS  Susceptible population groups include those who reasonably appear to be, or are known to be, children, elderly, medically infirm, pregnant, or users of a cardiac pacemaker.

WEAPONLESS PHYSICAL FORCE  Various controlling techniques and strikes designed to cease the subject’s assault on the officer or others, regain control and assure compliance.

2. Use of Force Policy

It is the policy of the University of Massachusetts Police Department that officers use only the force that is reasonably necessary to accomplish lawful objectives such as to make a lawful arrest, to place a person into protective custody, to effectively bring an incident under control, or to protect the lives or safety of the officer and/or others.

This policy requires strict adherence by all sworn personnel.

When exigent or unforeseen circumstances cause officers to deviate from the provisions of this policy, officers are still expected to act with intelligence, sound judgement and in full conformity with both state and federal laws and constitutional provisions. Any such deviations from the provisions of this policy shall be examined on a case-by-case basis.

A. It is the duty of all sworn members to use or attempt to use de-escalation tactics in any potential use of force encounter, unless de-escalation is not feasible based on the totality of the circumstances. De-escalation tactics include, verbal persuasion, warnings, slowing down the pace of an incident, creating distance, requesting back-up officers and additional resources.

B. A sworn member of this Department is authorized to use force only after de-escalation tactics have been attempted and failed or are not feasible based on the totality of the circumstances, and such force is necessary to prevent harm to a person and the amount of force used is proportionate to the threat of harm. This may include situations in which there are no viable alternatives available and force is necessary.

C. The Department recognizes and respects the value and 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. Officers are confronted with situations where control must be exercised to affect arrests and to protect the public safety. Control may be achieved verbally through instruction, advice, warnings and persuasion, or by use of physical force when reasonable.

D. While the use of reasonable physical force may be necessary in situations which cannot be otherwise controlled, force may not be resorted to unless other reasonable alternatives have been exhausted or would clearly be ineffective under a particular set of circumstances. Therefore, it is the policy of the University of Massachusetts Police Department that police officers shall use only that force that is reasonably necessary to accomplish lawful objectives by effectively bringing an incident under control, while protecting the lives and safety of the officer and others. Verbal or physical abuse on the part of a department member is forbidden.
E. Each officer involved in any potential use of force situation shall only employ force options based off of their own perception of a subjects actions. At times, an officer may employ use of force tactics based off a subjects verbal statements. In such circumstances, force may be used only when the officer perceives that the subject poses a threat based off the statements and body language of the subject. Use of retaliatory force, including force used after a threat is diminished; force intended to punish an individual for fleeing or resisting arrest; and force used in response to criticism or disrespect levied toward an officers is also strictly forbidden.

3. Rule

The policy statement listed above is the basis of the following rule designed to guide officers in cases involving the use of force.

Officers will not be authorized to carry or utilize agency authorized lethal and/or less lethal weapons until they have:

- Reviewed the departments Use of Force Policies (UOF-01,02 and 03) via PowerDMS and electronically signed off on those reviews acknowledging receipt and understanding of such polices; 1.3.12

- Received instruction and attended a lecture regarding the Use of Force policy during initial Defensive Tactics Training, and legal updates; and 1.3.12 4.3.4

- Received training, demonstrated proficiency, and have been qualified by a certified UMPD Use of Force instructor in all lethal and less lethal weapons. Off duty carry training shall only cover the officers issued duty firearm. 1.3.10 / 4.3.2

All officers are required to attend In-Service training every year on the Use of Force policy. All officers must receive training, demonstrate proficiency and have been qualified by a certified UMPD Use of Force Instructor with all department approved lethal and less lethal weapons and weaponless control techniques. If an officer fails to meet the minimum training standard for any weapon or weaponless training, that officer will be given remedial training as discussed in TRN-05. 1.3.11 / 4.3.3

If a new type of weapon is authorized for use by members of the department, all officers shall receive instruction, demonstrate proficiency and be qualified by a certified Use of Force Instructor before being authorized to carry the weapon. Each employee will review all applicable policies via PowerDMS and electronically sign acknowledging receipt and understanding of the policy provided.

All Use of Force training shall be documented, and copies of training records shall be maintained by the Training Coordinator. The designated TAC Team training coordinator will maintain use of force training records for the TAC Team. 1.3.12 / 4.3.4

Officers may use lethal and less lethal weapons during the performance of their duties for self-protection and for the protection of the public, in the Use of Force Model. 1.2.2
Officers are issued, and shall carry, firearms and less lethal weapons, as determined by the Chief of Police. Only weapons and ammunition authorized by the department are to be carried and used in the performance of official duties, both on and off duty.  

**UOF-3** contains lists of authorized handguns, rifles, batons and Special Weapons and Munitions.

All Officers are issued handguns and Oleoresin Capsicum canisters. Officers are issued or may purchase batons.

All officers are trained and authorized to use the 40mm Rubber Baton Sponge Round.

Trained and authorized officers of the Tactical Arrest & Control Team may utilize special weapons, devices and Specialty Impact Munitions, including:

- 40mm rifle launchers
- Smoke munitions
- CS gas
- Mini Flashbang
- Sting Ball
- Pepperball

**4. Duty to Intervene**

All University of Massachusetts Police Department members should be aware of their personal responsibility during a use of force encounter. An officer present and observing another officer using physical force, including deadly force, beyond that which is necessary or objectively reasonable based on the totality of the circumstances, shall intervene to prevent the use of unreasonable force unless intervening would result in imminent harm to the officer or another identifiable individual.

An officer who observes another officer using physical force, including deadly force, beyond that which is necessary or objectively reasonable based on the totality of the circumstances shall report the incident to an appropriate supervisor as soon as reasonably possible but not later than the end of the officer’s shift. The officer shall prepare a detailed written statement describing the incident consistent with this Department’s policy. The officer’s written statement shall be included in the supervisor’s report.

Any harassment, intimidation, or retaliation against any officer who either intervened to prevent or stop an excessive force incident, or made a report regarding the witnessed excessive force incident, shall be a violation of this Department policy and shall, upon a sustained internal administrative investigation, be subjected to the imposition of departmental discipline up to and including termination.

**5. Encounters with Minors, Emotionally Disturbed, Mentally Ill and Physically Disabled Persons**
A. Encounters may arise between law enforcement and those individuals who are known or suspected of being minors, emotionally disturbed, mentally ill or physically disabled. Such encounters may require special police skills and abilities to effectively and legally respond to the given situation. Officers should never, however, compromise or jeopardize their safety or the safety of others when dealing with individuals displaying symptoms of emotional, mental and/or physical illness.

B. Should the officer determine that an individual may be a minor, emotionally disturbed, mentally ill and/or physically disabled and a potential threat to himself/herself, the officer, or others; or may otherwise require law enforcement intervention for humanitarian reasons, the following responses should be taken, bearing in mind officer safety is most important:

1. Request a backup officer.

2. Take steps to utilize de-escalation tactics. Where possible, eliminate emergency lights and sirens, disperse crowds, and assume a quiet non-threatening manner when approaching or conversing with the individual. Where violence or destructive acts are not occurring, avoid physical contact, and take time to assess the situation.

3. Move slowly and do not excite the person. Provide reassurance that the police are there to help and that he/she will be provided with appropriate care.

4. Communicate with the individual in an attempt to determine the root of the person’s actions. Relate your concern for his/her feelings and allow the person to express their feelings. Where possible, gather information on the subject from acquaintances or family sworn personnel and/or request professional assistance, if available and appropriate to assist in communicating with the person and/or de-escalating the situation.

5. Do not threaten the individual with arrest or in any other manner as this will create additional fright, stress, and potential aggression.

6. Avoid topics that may agitate the person and guide the conversation toward topics that may help ease the individual.

7. Always attempt to be truthful. If the subject becomes aware of a deception, he/she may withdraw from the contact in distrust and may become hypersensitive or retaliate in anger.

8. Consider containing the situation, establishing distance, waiting for additional help, and/or the arrival of trained medical staff.

C. While the policies and guidelines regarding the use of force do not change due to a subject’s mental or physical status, officers should take this status into account
(where the status is known) in their approach of the subject in an effort to de-
escalate the situation.

D. Once a person is under control, officers should consider whether common restraint
tactics may be more dangerous to the individual due to the subject’s age, mental,
emotional or physical status, and consider available and appropriate reasonable
accommodations.

E. As with any use of force, officers should always provide an immediate medical
response to individuals who are exhibiting signs or complaining of injury or illness
following a use of force.

6. Reasonable Standard

The “Reasonable Standard” (as set forth in Graham v Connor, (1989)) requires careful
attention to the facts and circumstances of each particular case, including:

- Whether the subject presents a risk or potential risk to the safety of the officer or
  others;
- The severity of the crime; and
- Whether the subject is resisting arrest or attempting to evade arrest.

The standard allows for the fact that officers are often forced to make split second
decisions in circumstances that are tense, uncertain and rapidly evolving. The standard
requires that the officer's response is objectively reasonable in light of the facts and
circumstances confronting them. 1.3.1/4.1.1

These include but are not limited to:

- A reasonable officer’s perception; and
- A reasonable officer’s perception of the subject’s actions.

7. Use of Force Model 1.3.1/ 4.1.1  1.3.4 / 4.1.4  1.2.2

The objective of the use of force is to maintain and/or reestablish control over a situation.
The degree of force used is dependent upon the amount of resistance or threat to the
safety of the public or the police officer. Control is reached when a person complies with
the officer’s demands or the person is restrained or apprehended.

The officer must be prepared to utilize the force options that are reasonable for the lawful
objectives and must be aware of the possibility of force de-escalation when appropriate.
Responses need not be exercised in progression; 4.1.1
The **Totality Triangle** © depicts the three elements which must be considered in determining whether an application of force was objectively reasonable.

**Perceived Circumstances** - the officer’s perspective of the severity of any crime, the existence of an immediate safety threat to the officer or others, and the degree of compliance / non-compliance from the subject; culminating in its identification on the Use of Force Model.

**Perceived Subject Action (s)** - the subject action (s) as perceived by the reasonable officer that designate the subject at one or more of the Use of Force Model’s compliant / non-compliant categories.

**Reasonable Officer Response (s)** - the “balanced” response (s) appropriate for the reasonable officer’s selection from the Use of Force Model’s identified response categories, in order to maintain or gain subject compliance and control.
The Use of Force Model was developed in 1991 by Dr. Franklin Graves, Federal Law Enforcement Training Center and Professor Gregory J. Connor, University of Illinois Police Training Institute.™ 1998, G. Connor. All rights reserved.

Threat Perception Color Code - the tactically applied and color adapted correlation of the Threat Perception Categories on the Use of Force Model.

Control Superiority Principle © - the understanding and visualization method utilized to reinforce the inherent principle of officer force superiority over the subject’s degree of compliance / non-compliance.

Assessment / Selection Arrows - the mechanism utilized to indicate the dynamic nature of an officer’s decision-making process of Tactical Transition © during the enforcement encounter.

Threat Perception Categories

Strategic - the broad “mind set” of the officer, represented by the blue baseline on the Threat Perception Color Code ©. The contemporary officer must maintain this functional foundation, centered upon strategies designed to enhance the status of safety.

Tactical - the second level on the Use of Force Model, depicted by the color green. Here the officer perceives an increase in threat potential within the confrontational environment and tactical procedures are designated and deployed.

Volatile - the third level on the Use of Force Model utilizing the color yellow to indicate an activated level of alertness and threat potential. Here the officer is confronted with the presence or potential of critical dynamics, including threat intensity and severity within the enforcement encounter.

Harmful - at this level on the Use of Force Model the color orange denotes an accelerated perception of threat directed upon the officer or others. In this regard the officer must deploy initial defensive force in the effort toward eventual subject compliance and control.

Lethal - the highest level on the Use of Force Model correlates to the most intense color in the Threat Perception Color Code ©, red. Although this potentially lethal degree of threat is most infrequent, it remains most crucial for the continuation of officer safety and security.

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8. Chokeholds

A law enforcement officer shall not use a chokehold. A law enforcement officer shall not be trained to use a lateral vascular neck restraint, carotid restraint or other action that involves the placement of any part of a law enforcement officer’s body on or around a person’s neck in a manner that limits the person’s breathing or blood flow.

4.1.6/4.1.7
9. Warnings

Officers will always attempt to use the lowest level of force based off the subject’s perceived actions. However, other factors observed or perceived by the officer may create a need to escalate the level of force used in accordance with The MPTC Use of Force Continuum. The objective for any use of force employed is to allow the officer(s) to safely effectuate the lawful objective and will attempt to warn individuals prior to using any level of force, provided that they have the time and opportunity to do so. There may be, however, some very limited instances, where it is impossible for officers to provide a warning prior to using force, such as when doing so is necessary in order to preserve human life.

10. Assessment

A law enforcement officer shall not use physical force upon another person unless de-escalation tactics have been attempted and failed or are not feasible based on the totality of the circumstances and such force is necessary to: effect the lawful arrest or detention of a person; prevent the escape from custody of a person; or prevent imminent harm, and the amount of force used is proportionate and non-deadly force in accordance with the regulations promulgated jointly by the commission and the municipal police training committee pursuant to subsection of section 15.

Officers should assess each situation to determine which less lethal technique may bring the incident under control, using that amount of force, which is reasonable based on the subject’s actions. It is imperative that once control and/or compliance is achieved that the officer ceases any further application of force.

11. Less Lethal Force Policy

Officers are authorized to use less lethal force options and weapons in order to:

- Protect themselves or others from imminent harm and the amount of force used is proportionate to the threat of imminent harm;
- And proportionate in accordance with the regulations promulgated jointly by the commission and the Municipal Police Training Committee pursuant to G.L. c. 6E, s 15(d);
- Control a resisting subject(s);
- Effect an arrest;
- Bring an unlawful situation safely and effectively under control;
- Place a subject in protective custody;
- Prevent escape from custody;

12. Cooperative Controls

Verbal commands and gestures designed to:

- Effect compliance; and
• Express the meaning and/or seriousness of the officer’s intent;
• Allow the proper restraint applications (e.g. Handcuffs).

13. Contact Controls

“Hands on” techniques may be used to achieve compliance and/or control of a non-compliant subject(s). These techniques include:

• Physical manipulations such as escort positions, etc. designed primarily to guide or direct the non-compliant subject(s);
• Specialty munitions (Smoke grenades).

14. Compliance Techniques

Designed to counter subject’s enhanced degree of resistance, using techniques and authorized weapons or control devices, to include:

• Distraction techniques;
• Take down techniques;
• O.C. use;
• Straight baton or side handle baton controlling techniques (as trained);
• Specialty munitions (Pepperball – use at this level limited to saturate the air in order to compel compliance).

15. Defensive Tactics

Techniques, which may include the use of authorized weapons or control devices, designed to cease the subject’s non-lethal assault on the officer or others, regain control and assure compliance. These techniques include:

• Weaponless strikes:
• Hand strikes;
• Elbow strikes;
• Knee strikes;
• Kicks.

• Straight baton or side handle baton strikes
  • As a restraining or come-along tool in instances where verbalization and physical strength have failed or would be obviously futile;
  • As a defensive weapon to ward off blows;
  • As a defensive weapon to deliver disabling blows to non-vital areas of the body as a means to halt or deter a subject. An officer is justified in using this type of force to: overcome a violent resistance of an arrestee, overcome an assault on an officer or third party, or to deter persons engaged in riotous or violent conduct.

• O.C. or Oleoresin Capsicum may be used when physical force is necessary to:
• Protect the officer or another person from an assault;
• Subdue a person who actively resist arrest; or
• Control persons engaged in riotous or violent conduct.

Note: When O.C. is used, it should be aimed at a subject’s face. Officers shall only utilize up to three (3), one second burst from a minimum distance of 3 feet away. Officers shall evaluate the effectiveness of the O.C. and utilize additional sprays only if the subject’s perceived level of resistance continues. First aid shall be administered as soon as practical. Subjects shall be transported to the hospital if complaints of unexpected effects are made or they indicate that they have a pre-existing medical condition that may be aggravated by the application of O.C.

All officers are trained and authorized to use the 40mm Sponge Rounds. Any officer may use them to deliver kinetic energy to a subject classified as assaultive / bodily harm OR serious bodily harm. Officers can deliver rounds to the same target areas as they would with a baton strike, but from a safer distance.

Trained, qualified and authorized officers of the Tactical Arrest & Control Team may utilize Specialty Munitions.

Pepperball rounds may be used two ways;

• To stop a subject who is classified as an actively resistant subject. Officers can create a cloud of OC powder surrounding a person to gain the same effect as a direct spray from an officer’s personal aerosol unit, but from a distance; OR

• To stop a subject who is classified as assaultive/bodily harm or serious bodily harm. Officers can deliver rounds directly to the subject’s body. This delivers a low level of kinetic energy with a cloud of OC powder.

• Stingballs may be used to deliver kinetic energy to a subject classified as assaultive/bodily harm OR serious bodily harm. Stingballs are to be directed in front of the subject, allowing them to bounce up and into the lower legs. They can be delivered in two ways:
  • 40mm cartridge
  • Jet Lite Grenade

Because the grenade is not subject-specific, officers need to use care with deploying a stingball grenade, taking into account the level of violence of the crowd and bystanders. In a civil disorder situation officers will need authorization from the Chief or designee, (except in a purely defensive situation).
16. Force Escalation

Escalating the level of force may be necessary given resistance levels and circumstances. Factors in this decision include, but are not limited to:

- The nature of the offense;
- Subject vs. officer - relative age, size, physical condition, skill level;
- The amount of resistance, both physical and verbal, displayed by the subject against whom force is used;
- Drug and alcohol use by the subject;
- Weapons - type, proximity;
- Exigent circumstances;
- Number of potential assailants vs. number of police on the scene;
- Feasibility or availability of alternative action;
- Reasonable officer’s perceptions.

17. Mass Demonstrations and Crowd Control

A. When a police department has advanced knowledge of a planned mass demonstration, it shall attempt in good faith to communicate with organizers of the event to discuss logistical plans, strategies to avoid conflict and potential communication need between police and event participants. The department shall make plans to avoid and de-escalate potential conflicts and designate an officer in charge of de-escalation planning and communication about the plans within the department. ADM-29.

B. If force is required to control, bring an end to destructive and violent behavior or safely disperse a crowd, The Tactical Arrest and Control Team will be deployed in accordance with PAT-23.

C. A law enforcement officer shall not discharge or order the discharge of tear gas or any other chemical weapon, discharge or order the discharge of rubber pellets from a propulsion device or release or order the release of a dog to control or influence a person’s behavior unless:

1. de-escalation tactics have been attempted and failed or are not feasible based on the totality of the circumstances; and

2. the measures used are necessary to prevent imminent harm and the foreseeable harm inflicted by the tear gas or other chemical weapon, rubber pellets or dog is proportionate to the threat of imminent harm.

D. If a law enforcement officer utilizes or orders the use of tear gas or any other chemical weapon, rubber pellets or a dog against a crowd, the law enforcement officer’s appointing agency shall file a report with the Massachusetts Peace Officer Standards and Training Commission (POST) detailing all measures that were taken in advance of the event to reduce the probability of disorder and all de-escalation tactics and other measures that were taken at the time of the event to
de-escalate tensions and avoid the necessity of using the tear gas or other chemical weapon, rubber pellets or dog.

E. The Commission shall review the report and may make any additional investigation. After such review and investigation, the commission shall, if applicable, make a finding as to whether the pre-event and contemporaneous de-escalation tactics were adequate and whether the use of or order to use such tear gas or other chemical weapon, rubber pellets or dog was justified. (Effective July 1, 2021)

18. Lethal Force Policy

An officer may use deadly force only when the officer reasonably believes that the action is in defense of human life, including the officer’s own life, or in defense of any person in imminent danger of serious physical injury. Officers are authorized to use lethal force in order to:

• Protect the officer or others from the immediate threat of death or serious physical injury; or

• Effect an arrest when:
  • The arrest is for a felony; and
  • The officer reasonably believes that:
    ▪ The force employed creates no substantial risk of injury to innocent bystanders; and
    ▪ The crime for which the arrest is made involved the use of, the attempted use of, or threatened use of lethal force; and
    ▪ There is probable cause to believe that the suspect poses a significant threat of death or serious physical injury to others should escape occur.

• Where practical, and if time and circumstances permit, officers shall verbally identify themselves as police officers and give some warning before using deadly force.

• A law enforcement officer shall not use deadly force upon a person unless de-escalation tactics have been attempted and failed or are not feasible based on the totality of the circumstances and such force is necessary to prevent imminent harm to a person and the amount of force used is proportionate to the threat of imminent harm.

• To render harmless an animal which presents a clear and immediate danger of death or serious injury to a human, or an animal which is seriously injured and suffering.

Rules

The above policy is the basis of the following rules designed to guide officers in all cases involving the use of lethal force:
Rule 1: Police officers may use lethal force only when the officer reasonably believes that the action is in defense of human life, including the officer's own life, or in defense of any person in imminent danger of death or serious physical injury.

Rule 2: Police officers shall not use lethal force against a fleeing felon except to protect himself or herself or another person from imminent death or serious physical injury.

Rule 3: Police officers shall not use lethal force to subdue persons whose actions are destructive to property or injurious only to themselves, unless such actions are an imminent threat of death or serious physical injury to the officer or other persons.

19. Deployment of Firearm and/or Weapons

When the officer reasonably believes that there is a potential threat of death or serious physical injury (e.g. in situations such as searching a building pursuant to a burglar alarm or approaching a business establishment on a report of a robbery in progress, etc.) the firearm may be withdrawn from holster and placed at the ready position, defined as:

- Trigger finger is along-side the frame except when ready to engage;
- It is drawn "down range" in a safe direction below the line of sight, so as not to impede the officer's vision;
- Patrol rifles, shotguns, and specialty munitions projectile launchers shall be drawn and carried in the same manner.

20. Use of Firearm

Firearm use is to be governed by the following rules:

Allowed - May be discharged:
- In the lawful performance of duties;
- On or off-duty training, competition, or target practice at a firearms range;
- Rendering harmless an animal that poses a threat to public safety, or is seriously injured and suffering.

Not Allowed - Shall not be discharged:
- As a warning shot; 1.3.3 / 4.1.3
- As a signaling device
- At or into a moving vehicle – unless based on totality of the circumstances, there is imminent threat of death or serious physical injury to the officer or other persons without taking evasive action and the discharge is proportionate to the threat of imminent harm to a person, death or serious physical injury.
- Officers shall not discharge a firearm from inside any moving vehicle.

21. Medical Aid and Injuries 1.3.5 / 4.1.5

After the use of lethal or less lethal weapons, or any use of force, officers shall evaluate the need for medical aid. Appropriate medical care will be provided following any use of force incident, after officers have determined that the scene is safe from threat, and
detainees have been secured. Officers will provide medical care including activating EMS when appropriate, after using lethal or non-lethal weapons or after any level of weaponless tactics are used if:

- The suspect complains of any injury or discomfort;
- Any visible injury results from the use of force; or
- The suspect requests medical treatment.
- Subject suffers any loss of consciousness.

If O.C is used, officers should allow subjects to use clear cool water to flush their eyes and exposed skin.

Complaints of injury and resulting in medical attention shall be documented in the narrative of a police incident report and a Subject Management Report. Photographs should be taken to reveal the existence or absence of injuries.

When transporting individuals involved in contentious police actions or following use of force incidents, consideration should be given to utilizing police personnel not directly involved in the action, if feasible.

**22. Lethal Force Investigation**

Every incident where the application of force results in serious physical injury or death shall require the shift supervisor to immediately respond to the scene and preserve the scene for a full investigation by the Massachusetts State Police Detective Unit of the Franklin/Hampshire District Attorney's Office.

No incident involving serious bodily harm or death will be investigated by a supervisor directly involved in the incident.

**23. Confiscation of weapon**

Any officers involved in a shooting shall have their service pistol and ammunition taken away by a supervisor during the investigation. The weapon shall be replaced with a new weapon and ammunition from the gun safe.

**24. Removal from Line Duty Assignment**

When any personnel have applied any use of force or taken any action in an official capacity that has resulted in serious physical injury or a death, the Department shall automatically remove the employee from line duty assignment pending an administrative review of the incident. The removal from line duty assignment will be with no loss of pay or benefits. The officer removed from the line of duty shall remain available to the Department and/or State Police Investigators to assist in the investigation of the incident.

Relief from operational assignment with full pay and benefits is intended to:

- Address the personal and emotional needs of an officer; and
- Assure the community that verification of all the facts surrounding such incidents are fully and professionally explored.

The officer shall not be allowed to talk to the press. All information regarding the incident will be disseminated through the Office of the Chief of Police.

**25. Use of Force Reporting**

A written report shall be submitted whenever an employee:
Use of Force

- Discharges a firearm, for other than training or recreational purposes; 1.3.6 a / 4.2.1 a
- Takes any action that results in, or is alleged to have resulted in, the injury or death of another person 1.3.6 b / 4.2.1 b
- Applies force through the use of lethal or less-lethal weapons; or 1.3.6 c / 4.2.1 c
- Applies weaponless physical force 1.3.6 d / 4.2.1 d
- Uses the restraint chair
  - supervisor completes narrative in original report

Employees will complete and submit a Subject Management Report SF-131, describing any of the following actions being taken:

- Handcuffs are used in a non-custodial application.
- A department authorized weapon (e.g. service weapon, rifle, specialty munitions or launchers) is:
  - Drawn/Displayed;
  - Fired for other than training or recreational purposes;
  - Used for destruction of injured animals.
- Weaponless physical force is applied (e.g. defensive tactics such as controlling techniques involving pain compliance or distraction techniques, or weaponless strikes).
- Controlling Techniques (i.e. escort or wrist locks) unless the intended use is to assist an incapacitated or injured subject.
- Oleoresin Capsicum spray is deployed.
- Straight baton or PR-24 baton is used to control or strike.
- Restraint chair is used (supervisor)
- The use of force results in, or is alleged to have resulted in injury or death of another person.

Officers involved in a use of force incident shall immediately (verbally), or as soon as reasonably possible, notify the on-duty first line supervisor (Sergeant) or shift commander when:

- Defensive Tactics are used (i.e. strikes, punches, kicks, etc.)
- Less Lethal Weapons are discharged for purposes other than as a controlling device (i.e. baton, OC, specialty munitions)
- Lethal Weapons are discharged
- The use of force results in, or is alleged to have resulted in the injury or death of another person.

Unless otherwise authorized by the Chief of Police or designee, the Subject Management Report SF-131 shall be completed and submitted to the employee’s immediate supervisor for review before the completion of the duty shift during which the incident occurred.

The fillable form is located in PowerDMS (see SF-131 instructions for directions). Upon completion, the form will be electronically submitted to the employee’s supervisor for preliminary review, and to the Use of Force Designee for review.

Evidence related to the force incident (i.e. cruiser, detention or building cameras, witness statements, photographs, etc.) shall be preserved and collected according to INV-1, and notated on the SF-131.
Employees who are unable to submit a report due to injury shall file the report as soon as they are physically able to do so. If the employee will be out on extended leave and cannot complete the form, the information may then be provided to and documented by a supervisor, and submitted to the Use of Force designee for review.

It is strongly recommended that employee's and on-scene supervisors, involved in a lethal force encounter or one involving serious physical injury, complete a brief synopsis of the event prior to the end of their shift to include:

- Facts and circumstances of the event;
- Elements of any crimes involved in the event.

Employees involved in the above encounters shall be required to submit a detailed account of the incident within 24-36 hours of the event. A qualified member of the UMPD Firearms and Defensive Tactics Unit shall supervise the completion of this report.

**Supervisor Review:**

The on-duty first-line supervisor (Sergeant) shall take the following actions, where applicable and where able to do so (exceptions may include suspect flight, or other exigent circumstances):

- Assess all involved personnel and subject/s of force application for injury
- Ensure medical treatment is provided, where applicable
- Ensure that any reported injury (actual or alleged) to any individual involved is documented and photographed
- Identify involved officers, suspects/subjects and witnesses
- Debrief the employee (s) who engaged in the use of force
- Review and ensure evidence related to the force incident (i.e. cruiser, detention or building cameras, witness statements, photographs, etc.) is preserved and collected according to INV-1.
- Determine if a detective should respond to the scene
- Review the officer’s Subject Management Report SF-131 and ensure it is submitted through the chain of command to the Chief’s designee
- For incidents involving serious bodily harm or death, the scene will be secured and any evidence preserved for investigation
- Ensure Incident or Arrests Reports are completed by the involved officer(s) prior to the conclusion of his/her shift or detail assignment.
- Complete and forward a supervisor After Action Report with any evidence through the chain of command to the Chief of Police.

Supervisors should not complete a review of a use of force incident that they are involved in (actual and physical use of force by the supervisor that meets reporting standards outlined above).

Where there is no supervisor of a higher rank available who was not involved, then a supervisor of any rank, not involved in the incident, shall complete the preliminary review. Where there is no other supervisor to complete the review, the involved
supervisor will still ensure all of the above actions are taken, and submitted to the Chief’s designee.

If the incident involves serious bodily harm or death, the on-duty or on-call Lieutenant shall be contacted.

For Large Scale Incidents or Crowd Management, the Incident Commander will be responsible for assigning a designee to complete a Preliminary Review where applicable.

26. Stress Counseling

Whenever an officer is involved in a use of force incident that results in death or serious injury, the Chief of Police or his/her designee will make arrangements for stress counseling for the officer and his/her immediate family. Arrangements can be made with resources listed or any appropriate psychological assistance provider.

The Faculty and Staff Assistance Program (FSAP) provides free and confidential counseling, consultation, referrals, mediation, health promotion and other specialized services for all UMass employees and their family members. Information about the service is available at https://www.umass.edu/humres/faculty-and-staff-assistance-program.

Department members are also eligible to utilize the services offered by the Center for Counseling and Psychological Health at the University of Massachusetts-Amherst. Contact numbers include:

- (413) 545-2337
- (413) 577-5000

Critical Incident Stress Management Team (CISM): regional team comprised of law enforcement, fire fighters, medical and mental health professionals available for post critical incident stress debriefings and counseling; contact 24/7 (413) 586-6065

27. Review of Reports

Supervisors shall forward the Subject Management Report SF-131 through the chain of command to the Chief’s designee for Use of Force Report administrative reviews.

A Use of Force instructor, appointed by the Chief of Police, shall review every instance of the application of force. The purpose of the review is to ensure compliance with policy and procedure, as well as to evaluate the effectiveness of the Department’s training program(s) in use of force and defensive tactics. The findings of such reviews shall be submitted to the Deputy Chief of Operations for review and appropriate action. The Use of Force instructor conducting the review must not have been involved in the incident.

28. Remedial Use of Force Training

1.3.11/4.3.3.c
If the facts of an incident support a conclusion that the use of lethal force was not in compliance with UMPD directives, the officer may be required to successfully complete a remedial Use of Force training program in addition to any disciplinary measures that may be imposed.

29. Archives

The Deputy Chief of Administration shall be responsible for overseeing the storage and archiving of all Subject Management Reports and findings. Such documents shall be kept for the duration of employment of UMPD police personnel, plus five (5) years, and/or until the final adjudication of any current or pending litigation.

30. Review of Death, Serious Physical Injury; and Employee Misconduct

If the application of force results in the actual or alleged death or serious physical injury of another person, the Department shall investigate the incident. Additionally, the Department shall review the incident (as referenced below), separate from, and after the conclusion of, the investigation.

If a person files a claim of police misconduct, the application of force shall be reviewed according to the provisions of written directive ADM-17 Internal Affairs. The internal affairs review shall be limited to addressing officer misconduct.

NOTE: When deemed appropriate, the District Attorney’s Office conducts parallel investigations independent from Department investigations, or from the inquiry of the Critical Incident Board of Review.

31. Critical Incident Board of Review

In the case of a serious incident, the Chief of Police or designee may convene a board to review the incident. A board is a group of persons having investigatory or advisory powers regarding specific actions, conditions, and/or decisions affecting individual employees.

32. Composition of Board of Review

The Critical Incident Board of Review may consist of:

- Deputy Chief of Administration or Deputy Chief of Operations;
- Superior Officer of the Internal Affairs Bureau;
- Training Coordinator;
- Firearms Instructor;
- Defensive Tactics Instructor;
- Patrol Officer;
- Labor Union Representative;
- Others as determined by the Chief.
33. Duties

When convened, the Critical Incident Board of Review shall review a specified incident(s). The purpose of the review is to ensure compliance with policy and procedure, as well as to evaluate the effectiveness of the Department’s training program(s) in use of force/defensive tactics. The findings of such reviews shall be submitted to the Chief of Police for review and appropriate action.

This shall include:

- Review of Subject Management reports and other relevant documents;

- The report of findings shall include the relevant facts and circumstances surrounding the incident, and at a minimum the following areas shall be examined:
  - Tactical considerations;
  - Training considerations;
  - Quality of supervision;
  - Department directives;
  - Investigative process and quality;
  - Recommendations.

34. Annual Use of Force Analysis

Annually, an analysis of all Subject Management Reports shall be completed by the Chief’s designee for Use of Force Report administrative reviews.

The purpose of this analysis is to reveal patterns or trends that could indicate training needs or deficiencies, equipment upgrades, and/or policy modifications.

This analysis may include review and consider of such factors as:

- The total number of use of force incidents for the year as well as previous year(s) comparisons (noting percentage increases/decreases)
- Breakdown of type of force used or type of weapons used in each incident
- Nature of the situation that required the use of force
- Suspect information
- Day of the week, time of day, squad, shift schedule, etc
- Information on the officer(s) involved (number of years on the job, etc.)
- Whether the officer was in uniform or plainclothes
- Whether or not there were any injuries to the officer or the subject
- Summary breakdown of the dispositions of the administrative reviews (justified / not justified, compliance / non-compliance with agency policy, etc)

The results of this analysis shall be submitted to the Chief of Police, Deputy Chief of Operations, and the Deputy Chief of Administration during the first quarter of the calendar year.

35. FBI Use of Force Data Collection
UMPD participates in the FBI National Use of Force Data Collection program. The collection and reporting of use-of-force data will include any use of force that results in the death or serious bodily injury of a person, as well as when a law enforcement officer discharges a firearm at or in the direction of a person. The definition of serious bodily injury will be based, in part, upon Title 18, United States Code, Section 2246 (4). The term “serious bodily injury” means “bodily injury that involves a substantial risk of death, unconsciousness, protracted and obvious disfigurement, or protracted loss or impairment of the function of a bodily member, organ, or mental faculty.” The National Use-of-Force Data Collection will include incident information, subject information, and officer information. Three types of use-of-force events and information related to each event are collected. These events include:

- When a fatality to a person occurs connected to use of force by a law enforcement officer
- When there is serious bodily injury to a person connected to use of force by a law enforcement officer
- In the absence of either death or serious bodily injury, when a firearm is discharged by law enforcement at or in the direction of a person.

Information is submitted monthly to the FBI Use of Force Data Collection program, by the Chief’s designee.