

Use of Force

300.1 PURPOSE AND SCOPE

This policy provides 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, every member of this department is expected to use these guidelines to make such decisions in a professional, impartial, and reasonable manner.

In addition to those methods, techniques, and tools set forth below, the guidelines for the reasonable application of force contained in this policy shall apply to all policies addressing the potential use of force, including but not limited to the Less Lethal Tools and Conducted Energy Weapon policies.

300.1.1 DEFINITIONS

Definitions related to this policy include:

Carotid Control Hold - A technique designed to control an individual by temporarily restricting blood flow through the application of pressure to the side of the neck and, unlike a chokehold, does not restrict the airway.

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 the result of causing bodily injury, unconsciousness or death.

Deadly force - Force reasonably anticipated and intended to create a substantial likelihood of causing death or very serious injury.

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 an 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 mental health professionals to address a potential medical or mental health crisis (G.L. c. 111 § 51 1/2).

Feasible - Reasonably capable of being done or carried out under the circumstances to successfully achieve the arrest or lawful objective without increasing risk to the officer or another person.

Force - The application of physical techniques or tactics, chemical agents, or weapons to another person. It is not a use of force when a person allows him/herself to be searched, escorted, handcuffed, or restrained.

Imminent - Ready to take place; impending. Note that imminent does not mean immediate or instantaneous.

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Officer-involved Injury or Death - Any event during which an officer:

- (a) Discharges a firearm actually or proximately causing injury or death to another;
- (b) Discharges a stun gun actually or proximately causing injury or death to another;
- (c) Uses a chokehold actually or proximately causing injury or death to another;
- (d) Discharges tear gas or other chemical weapon actually or proximately causing injury or death to another;
- (e) Discharges rubber pellets from a propulsion device actually or proximately causing injury or death to another;
- (f) Deploys a dog actually or proximately causing injury or death to another;
- (g) Uses deadly force actually or proximately causing injury or death to another;
- (h) Fails to intervene to prevent the use of excessive or prohibited force by another officer who actually or proximately causing injury or death to another; or
- (i) Engages in a physical altercation with a person who sustains serious bodily injury or requests or received medical care as a result.

Serious Bodily Injury - Bodily injury that results in: (i) permanent disfigurement; (ii) protracted loss of impairment of a bodily function, limb or organ; or (iii) a substantial risk of death. This may also be referred to as "serious physical injury."

Totality of the circumstances - All facts and circumstances known to the officer at the time, taken as a whole, including the conduct of the officer and the subject leading up to the use of force.

Weaponless Physical Force - Weaponless physical force includes, but is not limited to the MPTC Use of Force Model and Defensive Tactics area of Contact Controls, Compliance Techniques, and Personal Weapons Techniques. Examples of weaponless force includes, but is not limited to, escorts, wristlocks, armbars, hand, elbow, and knee strikes.

300.2 POLICY

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 interactions and, when warranted, may use reasonable force in carrying out their duties.

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

The Tewksbury Police Department recognizes and respects the value of all human life and dignity without prejudice to anyone. Vesting officers with the authority to use reasonable force and to protect the public welfare requires monitoring, evaluation, and a careful balancing of all interests.

300.2.1 DUTY TO INTERVENE AND REPORT

Any officer present and observing another law enforcement officer or a member, regardless of rank or tenure, using physical force, including deadly force, that is clearly beyond that which is

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objectively reasonable under the circumstances shall, when in a position to do so, intervene to prevent the use of unreasonable force (G.L. c. 6E, § 15; 550 CMR § 6.06; 555 CMR § 6.06).

Any officer who observes another law enforcement officer or a member, regardless of rank or tenure, using physical force, including deadly force, that is potentially beyond that which is objectively reasonable under the circumstances should report these observations to a supervisor as soon as feasible and no later than by the end of the observing officer's shift (G.L. c. 6E, § 15; 550 CMR § 6.07; 555 CMR § 6.07). The observing officer should prepare a detailed written statement consistent with the department's procedures, and the supervisor should include that statement in the supervisor's report (G.L. c. 6E, § 15; 550 CMR § 6.07; 555 CMR § 6.07).

Failure to intervene could result in civil liability, criminal prosecution and/or disciplinary action, up to and including, termination. Additionally, an officer failing to intervene may have his/her certification revoked with POST or be ordered to be retrained after a hearing by POST for failing to intervene.

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 is prohibited and shall be a violation of this Department policy (refer to the Discriminatory Harassment policy).

Any harassment, intimidation, or retaliation against any employee who observes and reports an instance of using physical force, including deadly force, beyond that which is necessary or objectively reasonable based on the totality of the circumstances to include the discharge of the employee, any change to their official rank, grade or compensation, denial of a promotion or taking any other adverse action against the officer or employee or threatening to take any such action for providing information to the agency or testifying in any agency or at any court proceeding is prohibited and shall be a violation of Department policy.

Any harassment, intimidation, or retaliation against any employee who observes and reports an instance of using physical force, including deadly force, beyond that which is necessary or objectively reasonable based on the totality of the circumstances to include the discharge of the employee, any change to their official rank, grade or compensation, denial of a promotion or taking any other adverse action against the officer or employee or threatening to take any such action for providing information to the POST or testifying in any POST proceeding is prohibited and shall be a violation of Department policy.

300.2.2 PERSPECTIVE

When observing or reporting force used by a law enforcement officer, each officer should take into account the totality of the circumstances and the possibility that other law enforcement officers may have additional information regarding the threat posed by the subject.

300.3 USE OF FORCE

Officers shall use only that amount of force that is reasonably necessary given the facts and circumstances perceived by the officer at the time of the event to accomplish a legitimate law

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enforcement purpose. When force is used to accomplish a lawful objective, officers will use reasonable force.

The reasonableness of force will be judged from the perspective of a reasonable officer on the scene at the time of the incident. Any evaluation of reasonableness must allow for the fact that officers are often forced to make split-second decisions about the amount of force that reasonably appears necessary in a particular situation, with limited information and in circumstances that are tense, uncertain and rapidly evolving.

Given that no policy can realistically predict every possible situation an officer might encounter, officers are entrusted to use well-reasoned discretion in determining the appropriate use of force in each incident.

It is also recognized that circumstances may arise in which officers reasonably believe that it would be impractical or ineffective to use any of the tools, weapons or methods provided by this department. Officers may find it more effective or reasonable to improvise their response to rapidly unfolding conditions that they are confronting. In such circumstances, the use of any improvised device or method must nonetheless be reasonable and utilized only to the degree that is reasonably necessary to accomplish a legitimate law enforcement purpose.

While the ultimate objective of every law enforcement encounter is to avoid or minimize injury, nothing in this policy requires an officer to retreat or be exposed to possible physical injury before applying reasonable force.

Physical force shall not be used against individuals in restraints, except as objectively reasonable to prevent their escape or prevent imminent bodily injury to the individual, the officer, or another person. In these situations, only the minimal amount of force necessary to control the situation shall be used.

300.3.1 ALTERNATIVE TACTICS - DE-ESCALATION

When circumstances reasonably permit, officers should use non-violent strategies and techniques to decrease the intensity of a situation, improve decision-making, improve communication, reduce the need for force, and increase voluntary compliance (e.g., summoning additional resources, formulating a plan, attempting verbal persuasion, utilizing barriers where feasible) (G.L. c. 6E, § 1; G.L. c. 6E, § 14; 550 CMR § 6.04; 555 CMR § 6.04; 550 CMR § 6.05; 555 CMR § 6.05).

An 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.

300.3.2 USE OF FORCE TO EFFECT AN ARREST

A law enforcement officer may use reasonable physical force to effect the lawful arrest or detention of a person, to prevent the escape from custody of a person, to defend against an individual who initiates force against the officer, or to prevent imminent harm provided the amount of force is proportionate to the threat of imminent harm, while protecting the safety of the officer or others (G.L. c. 6E, § 1; G.L. c. 6E, § 14; 550 CMR § 6.04; 555 CMR § 6.04). An officer's use of necessary, proportionate, and non-deadly force should comply with the rules and regulations

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established by the MPOSTC and MPTC (G.L. c. 6E, § 14; G.L. c. 6E, § 15; 550 CMR § 6.04; 555 CMR § 6.04).

300.3.3 FACTORS USED TO DETERMINE THE REASONABLENESS OF FORCE

When determining whether to apply force and evaluating whether an officer has used reasonable force, a number of factors should be taken into consideration, as time and circumstances permit. These factors include but are not limited to:

- (a) Immediacy and severity of the threat to officers or others.
- (b) The conduct of the individual being confronted, as reasonably perceived by the officer at the time.
- (c) Officer/subject factors (e.g., age, size, relative strength, skill level, injuries sustained, level of exhaustion or fatigue, the number of officers available vs. subjects).
- (d) The effects of suspected drug or alcohol use.
- (e) The individual's mental state or capacity.
- (f) The individual's ability to understand and comply with officer commands.
- (g) Proximity of weapons or dangerous improvised devices.
- (h) The degree to which the individual has been effectively restrained and his/her ability to resist despite being restrained.
- (i) The availability of other reasonable and feasible options and their possible effectiveness.
- (j) Seriousness of the suspected offense or reason for contact with the individual.
- (k) Training and experience of the officer.
- (l) Potential for injury to officers, suspects, and others.
- (m) Whether the individual appears to be resisting, attempting to evade arrest by flight, or is attacking the officer.
- (n) The risk and reasonably foreseeable consequences of escape.
- (o) The apparent need for immediate control of the individual or a prompt resolution of the situation.
- (p) Whether the conduct of the individual being confronted no longer reasonably appears to pose an imminent threat to the officer or others.
- (q) Prior contacts with the individual or awareness of any propensity for violence.
- (r) Any other exigent circumstances.

300.3.4 COMPLIANCE TECHNIQUES

Compliance techniques may be effective in controlling a physically or actively resisting individual. Officers may only apply those compliance techniques for which they have successfully completed department-approved training. Officers utilizing any compliance technique should consider:

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- (a) The degree to which the application of the technique may be controlled given the level of resistance.
- (b) Whether the individual can comply with the direction or orders of the officer.
- (c) Whether, when feasible, the individual has been given sufficient opportunity to comply.

The application of any compliance technique shall be discontinued once the officer determines that compliance has been achieved.

300.3.5 CAROTID CONTROL HOLD

An officer shall not use a carotid control hold. The Department shall not train officers on the use of lateral vascular neck restraints, carotid control holds, or any action that involves the placement of any part of the officer's body on or around a person's neck in a manner that limits the person's blood flow with the intent of causing bodily injury, unconsciousness, or death (G.L. c. 6E, § 1; G.L. c. 6E, § 14; 550 CMR § 6.04; 555 CMR § 6.04; 550 CMR § 6.05; 555 CMR § 6.05).

300.3.6 RESPIRATORY RESTRAINTS (E.G., CHOKEHOLD)

An officer shall not use a respiratory restraint. The Department shall not train officers on the use of any action that involves the placement of any part of an officer's body on or around a person's neck in a manner that limits the person's breathing with the intent of causing bodily injury, unconsciousness, or death (G.L. c. 6E, § 1; G.L. c. 6E, § 14; 550 CMR § 6.04; 555 CMR § 6.04; 550 CMR § 6.05; 555 CMR § 6.05).

300.3.7 USE OF FORCE TO SEIZE EVIDENCE

In general, officers may use reasonable force to lawfully seize evidence and to prevent the destruction of evidence. However, officers are discouraged from using force solely to prevent a person from swallowing evidence or contraband. In the instance when force is used, officers should not intentionally use any technique that restricts blood flow to the head, restricts respiration or which creates a reasonable likelihood that blood flow to the head or respiration would be restricted. Officers are encouraged to use techniques and methods taught by the Tewksbury Police Department for this specific purpose.

300.4 DEADLY FORCE APPLICATIONS

When reasonable, the officer shall, prior to the use of deadly force, make efforts to identify him/herself as a police officer and to warn that deadly force may be used, unless the officer has objectively reasonable grounds to believe the person is aware of those facts.

A sworn member of this Department is authorized to use deadly 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 imminent harm to a person and the amount of force used is proportionate to the threat of imminent harm.

Use of deadly force is justified in the following circumstances involving imminent threat or imminent risk:

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- (a) An officer may use deadly force to protect him/herself or others from what he/she reasonably believes is an imminent threat of death or serious bodily injury.
- (b) An officer may use deadly force to stop a fleeing subject when the officer has probable cause to believe that the individual has committed, or intends to commit, a felony involving the infliction or threatened infliction of serious bodily injury or death, and the officer reasonably believes that there is an imminent risk of serious bodily injury or death to any other person if the individual is not immediately apprehended. Under such circumstances, a verbal warning should precede the use of deadly force, where feasible.

Imminent does not mean immediate or instantaneous. An imminent danger may exist even if the suspect is not at that very moment pointing a weapon at someone. For example, an imminent danger may exist if an officer reasonably believes that the individual has a weapon or is attempting to access one and intends to use it against the officer or another person. An imminent danger may also exist if the individual is capable of causing serious bodily injury or death without a weapon, and the officer believes the individual intends to do so.

300.4.1 STATE LIMITATIONS TO DEADLY FORCE APPLICATIONS

Prior to using deadly force, based on the totality of the circumstances the officer should, if feasible, verbally identify himself as an officer and provide a warning that deadly force may be used (550 CMR § 6.05; 555 CMR § 6.05).

In circumstances where deadly force is authorized, the necessity to protect others does not extend to the subject of the use of deadly force (550 CMR § 6.05; 555 CMR § 6.05).

Deadly force should not be used against persons whose actions are a threat only to themselves or property.

300.4.2 MOVING VEHICLES

Shots fired at or from a moving vehicle involve additional considerations and risks, and are rarely effective.

When feasible, officers should take reasonable steps to move out of the path of an approaching vehicle instead of discharging their firearm at the vehicle or any of its occupants.

An officer should only discharge a firearm at a moving vehicle or its occupants when the officer reasonably believes there are no other reasonable means available to avert the imminent threat of the vehicle, or if deadly force other than the vehicle is directed at the officer or others (G.L. c. 6E, § 14; 550 CMR § 6.05; 555 CMR § 6.05).

Officers should not shoot at any part of a vehicle in an attempt to disable the vehicle (550 CMR § 6.05; 555 CMR § 6.05).

Officers shall not discharge a firearm at a moving vehicle, except if all of the following conditions are met:

- (a) It is necessary for the officer to defend himself/herself or others.

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- (b) The occupants of the vehicle are employing deadly force, which the officer reasonably perceives as an immediate threat of death or serious physical injury to themselves or another.
- (c) There is no substantial risk to the safety of other persons, including risks associated with motor vehicle accidents.
- (d) Officers have not positioned themselves in such a way as to create a likelihood of being struck by an occupied vehicle (e.g., surrounding a vehicle at close proximity while dismounted).
- (e) The officer is not firing strictly to disable the vehicle; and the circumstances provide a high probability of stopping or striking the intended target

300.5 REPORTING THE USE OF FORCE

Any use of force or show of force by a member of this department, including any action that results in, or is alleged to have resulted in, injury or death of another person, shall be documented promptly, completely, and accurately in an appropriate report, depending on the nature of the incident and a [Use of Force Report](#) must be completed. The officer should articulate the factors perceived, any de-escalation techniques attempted, and why he/she believed the use of force was reasonable under the circumstances.

A supervisor not directly involved in the use of force incident shall review the Use of Force Review Form and complete the Supervisory/Command Review section. The Supervisor shall also ensure the [Supervisor Use of Force Checklist](#) is completed.

Officers involved in any instance where a firearm was pointed at a subject shall file a separate [Use of Force Report](#) .

To collect data for purposes of training, resource allocation, analysis, and related purposes, the Department may require the completion of additional report forms, as specified in department policy, procedure, or law. See the Report Preparation Policy for additional circumstances that may require documentation.

300.5.1 INVOLVED OFFICER RESPONSIBILITIES

In all incidents involving use of force where either the officer or the suspect is noticeably injured or claims to be injured at the time force is used or the deployment of less-lethal force or the deployment of lethal force, the involved officer shall:

- (a) Notify the supervisors.
- (b) Request that sufficient officers be dispatched to the scene.
- (c) Activate EMS, render medical assistance to the subject and arrange for transportation to a medical facility for evaluation and/or treatment.
- (d) Identify involved officers and witnesses.
- (e) Preserve any evidence.
- (f) Secure the scene until the Patrol Supervisor has arrived.

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300.6 MEDICAL CONSIDERATIONS

Once it is reasonably safe to do so, medical assistance shall be rendered as quickly as possible following any law enforcement action in which injuries have been sustained. Officers are required to provide appropriate medical aid after using lethal weapons, less-lethal weapons, and weaponless tactics. Officers are required to obtain medical assistance for any person who exhibits signs of physical distress, has sustained visible injury, expresses a complaint of injury or continuing pain, or was rendered unconscious. Any individual exhibiting signs of physical distress after an encounter should be continuously monitored until the individual can be medically assessed. Individuals should not be placed on their stomachs for an extended period, as this could impair their ability to breathe.

Based upon the officer's initial assessment of the nature and extent of the individual's injuries, medical assistance may consist of examination by an emergency medical services provider or medical personnel at a hospital or jail. If any such individual refuses medical attention, such a refusal shall be fully documented in related reports and, whenever practicable, should be witnessed by another officer and/or medical personnel. If a recording is made of the contact or an interview with the individual, any refusal should be included in the recording, if possible.

The on-scene supervisor or, if the on-scene supervisor is not available, the primary handling officer shall ensure that any person providing medical care or receiving custody of a person following any use of force is informed that the person was subjected to force. This notification shall include a description of the force used and any other circumstances the officer reasonably believes would be potential safety or medical risks to the subject (e.g., prolonged struggle, extreme agitation, impaired respiration).

Individuals who exhibit extreme agitation, violent irrational behavior accompanied by profuse sweating, extraordinary strength beyond their physical characteristics, and imperviousness to pain, or who require a protracted physical encounter with multiple officers to be brought under control, may be at an increased risk of sudden death. Calls involving these persons should be considered medical emergencies. Officers who reasonably suspect a medical emergency should request medical assistance as soon as practicable and have medical personnel stage away.

See the Medical Aid and Response Policy for additional guidelines.

300.7 SUPERVISOR RESPONSIBILITIES

A supervisor should respond to a reported application of force. When a supervisor is able to respond to an incident in which there has been a reported application of force, the supervisor is expected to:

- (a) Obtain the basic facts from the involved officers. Absent an allegation of misconduct or excessive force, this will be considered a routine contact in the normal course of duties.
- (b) Ensure that any injured parties are examined and treated.

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- (c) When possible, separately interview with the individual upon whom force was applied. This interview should be recorded if practical. If this interview is conducted without the individual having voluntarily waived his/her *Miranda* rights, the following shall apply:
 - 1. The content of the interview should not be summarized or included in any related criminal charges.
 - 2. The fact that a recorded interview was conducted should be documented in a property or other report.
 - 3. The recording of the interview should be distinctly marked for retention until all potential for civil litigation has expired.
- (d) Once any initial medical assessment has been completed or first aid has been rendered, ensure that photographs have been taken of any areas involving visible injury or complaint of pain, as well as overall photographs of uninjured areas.
 - 1. These photographs should be retained until all potential for civil litigation has expired.
- (e) Determine if a detective should respond to the scene and the level of investigative services to be utilized (e.g., photographs, measurements, and diagrams).
- (f) Identify any witnesses not already included in related reports.
- (g) Review and approve all related reports. All use of force reports require a review by a supervisor *not directly involved* in the incident.
- (h) Complete the Supervisory/Command Review section of the Use of Force Report form and the [Supervisor Use of Force Checklist](#) . If a supervisor uses force, the supervisor must complete the [Use of Force Report](#) and an uninvolved higher ranking officer shall complete the Supervisory/Command Review section..
- (i) Determine if there is any indication that the individual may pursue civil litigation.
 - 1. If there is an indication of potential civil litigation, the supervisor should complete and route a notification of a potential claim through to the Deputy Chief of Police.
- (j) Evaluate the circumstances surrounding the incident and initiate an administrative investigation if there is a question of policy noncompliance or if for any reason further investigation may be appropriate.

In the event that a supervisor is unable to respond to the scene of an incident involving the reported application of force, the supervisor is still expected to complete as many of the above items as circumstances permit.

300.7.1 DIVISION COMMANDER RESPONSIBILITY

The Division Commander shall review each use of force by any personnel within his/her command to ensure compliance with this policy and to address any training issues. If the Division Commander is directly involved in a reportable use of force incident, the reports shall be reviewed by the Deputy Chief.

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300.7.2 DEPUTY CHIEF RESPONSIBILITIES

All Use of Force Reports and the Supervisor Use of Force Checklists shall be forwarded via email or hard copy to the Deputy Chief of Police for review. This review should include the department Lead Use of Force instructors to assist the Deputy Chief. Any noted or discovered deficiencies in training or policy shall be brought to the attention of the Chief of Police immediately. Any failure in issued equipment used by the officer should be fully investigated by the Deputy Chief and a report should be forwarded to the Chief of Police for review as soon as practical.

The Deputy Chief of Police shall be responsible for the following:

- (a) Ensuring that a thorough investigation was conducted and that all reports were prepared and submitted through the appropriate databases.
- (b) Reviewing all reports submitted to determine whether the use of force was in compliance with department policy and procedures; and conduct an annual analysis of use of force incidents.

The Deputy Chief of Police shall report all Use of Force incidents to the FBI National Use of Force Database Collection on a monthly basis.

300.8 TRAINING

Officers will receive pre-service as well as annual documented training on this policy and demonstrate their knowledge and understanding.

Subject to available resources, officers should receive periodic training on:

- (a) Guidelines regarding vulnerable populations, including but not limited to children, elderly, pregnant persons, and individuals with physical, mental, or intellectual disabilities.
- (b) De-escalation tactics, including alternatives to force.

All use of force training shall be conducted by MPTC-approved instructors and shall comply with MPTC standards.

In-service training on Defensive Tactics shall occur at least annually.

Proficiency tests scores and course attendance rosters shall be forwarded to the Training Officer upon the completion of training.

300.9 USE OF FORCE ANALYSIS

At least annually, the Training Sergeant, should prepare an analysis report on use of force incidents. The following data should be reviewed when conducting the annual analysis:

- (a) Date and time of incidents;
- (b) Type of force or type of weapon used;
- (c) Types of encounters resulting in use of force;
- (d) Race, age, and gender of subjects involved; and

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- (e) Injuries (to subjects, agency employees, and others involved).

The report should be submitted to the Chief of Police. The report should not contain the names of officers, suspects, or case numbers, and should include:

- (a) The identification of any trends in the use of force by members.
- (b) Training needs recommendations.
- (c) Equipment needs recommendations.
- (d) Policy revision recommendations.

Attachments

Use of Force Form UPDATED.pdf



TEWKSBURY POLICE DEPARTMENT USE OF FORCE REPORT FORM



Name of Officer Completing Form: _____

DATE	TIME	LOCATION	CASE #
SUBJECT'S NAME		D.O.B.	HEIGHT
		WEIGHT	RACE / ETHNICITY
REASON THE USE OF FORCE WAS NECESSARY (check all that apply):			
<input type="checkbox"/> TO EFFECT AN ARREST		<input type="checkbox"/> TO DEFEND SELF	<input type="checkbox"/> PREVENT ESCAPE
<input type="checkbox"/> TO DEFEND ANOTHER OFFICER / PERSON		<input type="checkbox"/> PROTECTIVE CUSTODY / SUBJECT SAFETY	
<input type="checkbox"/> TO DISPATCH ANIMAL		<input type="checkbox"/> OTHER: _____	
LIST MOST SERIOUS OFFENSE(S) AT TIME FORCE USED:			
WAS SUBJECT INJURED? <input type="checkbox"/> YES <input type="checkbox"/> NO DESCRIBE INJURIES:		WAS REPORTING OFFICER INJURED? <input type="checkbox"/> YES <input type="checkbox"/> NO DESCRIBE INJURIES:	MEDICAL TREATMENT PROVIDED TO/BY:
		PHOTOS TAKEN BY: 	
SUBJECTS THAT RESISTED:		# OFFICERS PRESENT:	SUPERVISOR NOTIFIED / TIME / BY WHOM:
AT THE TIME OF ARREST, THE SUBJECT WAS:			
<input type="checkbox"/> SUSPECTED TO BE UNDER THE INFLUENCE OF ALCOHOL OR DRUGS <input type="checkbox"/> MENTALLY IMPAIRED / EMOTIONALLY DISTURBED <input type="checkbox"/> UNDER THE INFLUENCE OF ALCOHOL OR DRUGS <input type="checkbox"/> OTHER: _____			
OFFICER'S PERCEPTION OF INDIVIDUAL'S ACTIONS (USE NARRATIVE TO DESCRIBE PERCEIVED THREAT(S) POSED BY INDIVIDUAL):			
<input type="checkbox"/> <u>PASSIVE RESISTANCE –</u> (dead weight or non-compliance to Officer's lawful verbal direction, but offering no actively resistive movement)			
<input type="checkbox"/> <u>ACTIVE OR ESCAPE RESISTANCE –</u> (actions such as pushing, pulling, evasive arm movement, flailing, flight, muscle tension, etc. to avoid control)			
<input type="checkbox"/> <u>ASSAULTIVE / HIGH-RISK –</u> (agitated, combative state, physically assaultive actions and/or behavior that poses threat of injury to another – e.g. punching, kicking, etc.)			
<input type="checkbox"/> <u>LIFE THREATENING / SERIOUS BODILY INJURY –</u> (actions that may result in death or serious bodily injury)			



TEWKSBURY POLICE DEPARTMENT USE OF FORCE REPORT FORM



OFFICER'S RESPONSE OPTION(S) (PROVIDE FURTHER DETAILS IN ATTACHED NARRATIVE REPORT(S)):

PRESENCE: FULL UNIFORM PARTIAL UNIFORM PLAINCLOTHES _____

NOTE: Officers not in full uniform, describe means of visual police identification (e.g. raid vest or jacket, displayed badge/ID, etc.)

DEESCALATION TECHNIQUES ATTEMPTED (Describe details in Narrative Report):

VERBAL COMMANDS (Describe details in Narrative Report):

COMPLIANCE TECHNIQUES (Describe details in Narrative Report):

(Force used to gain control – restraint, come-alongs, takedowns – use of hands, arms, feet, legs)

CHEMICAL SPRAY / CHEMICAL AGENT (Describe details in Narrative Report):

Number of Bursts: Duration of Bursts: Distance from Subject:
Impact Location: Time between application / decontamination:

IMPACT WEAPON / TEMP. INCAPACITATION (Describe details in Narrative Report):

ELECTRONIC CONTROL WEAPON / DEVICE (Describe details in Narrative Report):

Laser Only Spark Check Drive Stun Probe Deployment Impact Location: _____

Number of Cycles: _____

Unit #: _____ Serial #: _____ Cartridge Serial #: _____ Distance from Subject: _____

POINT A FIREARM (Describe details in Narrative Report):

DEADLY FORCE – Firearm or other (Describe details in Narrative Report):

OTHER:

RESTRAINT METHOD USED: HAND or FLEX CUFFS LEG RESTRAINTS BODY GUARD
 SPIT SHIELD NONE OTHER:

OFFICERS PRESENT AT SCENE DURING FORCE APPLICATION:

SHIFT SUPERVISOR(S):

OTHER WITNESS(ES) / PERSON(S) PRESENT AT SCENE:

SHIFT OFFICER(S):

AUDIO-VISUAL EVIDENCE: YES NO

If NO, explain: _____

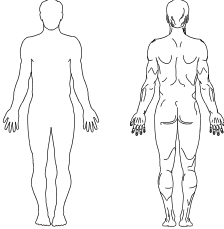
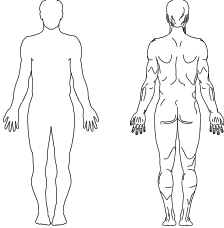
SUPERVISOR(S) WHO RESPONDED TO SCENE:

COMPLETING OFFICER(S): IF ADDITIONAL SPACE IS REQUIRED IN ANY BOX USE THE ATTACHED BLANK PAGE; ATTACH ALL RELATED NARRATIVE REPORTS, SUPPLEMENTS AND STATEMENTS AND FORWARD TO SHIFT SUPERVISOR PRIOR TO END OF TOUR OF DUTY



TEWKSBURY POLICE DEPARTMENT USE OF FORCE REPORT FORM



CASE #		
WAS SUBJECT(S) INJURED? * <input type="checkbox"/> YES <input type="checkbox"/> NO <small>* (Complete Diagram Below)</small>	OFFICER(S) TAKING PHOTOS	TOTAL # OF PHOTOS
DESCRIBE THE EXTENT OF THE SUBJECT'S INJURIES AND PLACE ON THE DIAGRAM:		
	<hr/> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/>	
WAS OFFICER(S) INJURED? * <input type="checkbox"/> YES <input type="checkbox"/> NO * (Complete Diagram Below)		
DESCRIBE THE EXTENT OF THE OFFICER'S INJURIES AND PLACE ON THE DIAGRAM:		
	<hr/> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/>	
WITNESS(ES) OR PERSON(S) WITH KNOWLEDGE:	ADDRESS:	PHONE #:
OFFICER'S NARRATIVE: Did Officer prepare a detailed incident report describing facts and circumstances leading to the use of force? <input type="checkbox"/> YES <input type="checkbox"/> NO If no, explain: <hr/> <hr/> <hr/> <hr/>		



TEWKSBURY POLICE DEPARTMENT USE OF FORCE REPORT FORM



SUPERVISORY / COMMAND REVIEW		
REPORTING SUPERVISOR (Name and Badge #)	DATE AND TIME OF SUPERVISOR REPOSE	LOCATION
OFFICER WHO USED FORCE (Name and Badge #)	WAS SUBJECT(S) INJURED? <input type="checkbox"/> YES <input type="checkbox"/> NO	WAS OFFICER(S) INJURED? <input type="checkbox"/> YES <input type="checkbox"/> NO
SUPERVISOR'S NARRATIVE: (Document steps taken to review and evaluate Officer's use of force.) <hr/> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/>		
A/V EVIDENCE AVAILABLE / REVIEWED BY SUPERVISOR: <input type="checkbox"/> YES <input type="checkbox"/> NO Date:	A/V EVIDENCE AVAILABLE / REVIEWED BY OFFICER: <input type="checkbox"/> YES <input type="checkbox"/> NO Date:	A/V EVIDENCE AVAILABLE / REVIEWED BY LIEUTENANT: <input type="checkbox"/> YES <input type="checkbox"/> NO Date:
LIEUTENANT REVIEW NARRATIVE: (Confirm proper and complete investigation was conducted.) <hr/> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/>		
OFFICER REVIEW (Print / Sign / Date):	SUPERVISORY REVIEW (Print / Sign / Date):	LIEUTENANT'S REVIEW (Print / Sign / Date):

**SUPERVISORY / COMMAND: REVIEW & CRITIQUE USE OF FORCE WITH INVOLVED OFFICER(S).
NOTE FINDINGS ABOVE AND FORWARD COMPLETED PACKET TO CHIEF OF POLICE**

Use of force requires an ON-SCENE review, including a narrative report from the responding supervisor. This is REQUIRED for incidents involving- Chemical Spray, ECW/ECD deployment or Drive Stun; any incident resulting in injury or complaint of injury; or any other time deemed appropriate by a supervisor.

Supervisor Use of Force Checklist updated.pdf

Supervisor Use of Force Checklist:

-In **ALL** incidents involving the use of less-lethal and lethal force, **ALL** involved officers that used force shall prepare and submit a Use of Force Form **AND** a narrative in IMC (this includes a Taser spark display and pointing a firearm at a subject)

-Remember that each application of the Taser is considered a separate Use of Force therefore a separate Use of Force form must be completed for each application

-For any incident where force is used and there are criminal charges, the department's Use of Force/DT instructor should be consulted and should review the packet *prior* to it being submitted into court

- Incident/Arrest Report completed by officer and submitted to OIC for approval
- Narrative completed by **each** Officer/Supervisor that used force
- Incident/Arrest Report reviewed and approved by OIC
- Incident/Arrest Report includes documentation regarding verbal commands given, de-escalation tactics attempted, "why" the officer took the actions they did, etc.
- Use of Force Form completed by each Officer/Supervisor that used force
- A Supervisor that was not involved in the Use of Force reviewed each Use of Force Report form, completed the Supervisory/Command Review Section and signed off (If the Lieutenant used force, the Deputy Chief shall complete this section)
- All Use of Force Form(s) shall be reviewed by the OIC

Audio/Visual Recordings

Did you check for audio/visual recordings of the Use of Force Incident (surveillance, cell phone recordings, etc.)? Yes No

Is there an audio/visual recording of the Use of Force Incident?

Yes No

If Yes:

- Copy of recording obtained
- Copy of recording viewed by supervisor
- Copy of recording uploaded into Incident/Arrest report

- Copy of recording entered in as evidence and placed in overnight evidence locker

Witnesses

Do you identify witnesses to the Use of Force Incident?

- Yes
- No

If Yes:

- Witness statement obtained
- Witness information entered into incident/arrest report
- Witness statements uploaded into incident/arrest report

Photographs

- Photograph's taken of person force used against (*reminder: photographs are to document injuries but also to document a lack of injuries*)
- Photograph's taken of officer injuries
- Photograph's uploaded into Incident/Arrest Report

The following items must be scanned and emailed to the Deputy Chief for review:

- Supervisor Use of Force Checklist
- Incident/Arrest report
- All Use of Force Forms

Upon receipt by the Deputy Chief:

- All Documents forwarded to Use of Force Committee
- Use of Force Committee signed Use of Force Forms

Once all items are reviewed and signed off by Use of Force Committee:

- All Documents uploaded into Guardian