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# SPRINGFIELD POLICE DEPARTMENT

## GENERAL ORDER

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SUBJECT:	
USE OF FORCE	

### I. Purpose

The policy and procedure of the Springfield Police Department regarding the use of force including less lethal force and deadly force, are set forth in this order with the purpose of providing officers with specific guidelines about when an officer may use force. The goal is to use only the amount of force that is objectively reasonable, necessary and proportional to accomplish a lawful objective.

### II. Policy

The Springfield Police Department places its highest value on the safety of all persons. A reverence and respect for the dignity of all persons and the sanctity of human life shall be reflected in all policies, training, leadership, and procedures of the Springfield Police Department. The department's regulations, policies, and procedures are designed to ensure that this core value guides officers in their use of force.

All members of the Springfield Police Department will seek to gain the voluntary compliance of persons. Members shall use de-escalation techniques to prevent or reduce the need for force when it is safe and feasible to do so based on the totality of the circumstances. Members will use only the amount of force that is reasonable, necessary and proportional to accomplish lawful objectives, and will de-escalate at the point the threat diminishes. 1.1.1

This policy and Municipal Police Training Committee guidelines provide officers with a basis on which to utilize sound judgment in making reasonable and prudent decisions.

### III. Definitions

**CHOKEHOLD (PROHIBITED):** The use of a lateral vascular neck restraint, carotid restraint or other action that involves the placement of any part of an officer's body on or around a person's neck with the intent to limit the person's breathing or blood flow. The Springfield Police Department does not train its officers in the use of chokeholds.

**DEADLY FORCE:** Force that can reasonably be expected to cause death or serious physical injury. Discharging a firearm is always considered to be deadly force regardless of whether anyone is injured or whether the officer was aiming the firearm at anyone.

**LESS LETHAL FORCE:** Less lethal force is that degree of force, which is neither likely nor intended to cause death or serious physical injury.

**OBJECTIVELY REASONABLE:** The reasonableness of a particular use of force is based on the totality of circumstances known by the officer at the time of the use of force and weighs the actions of the officer against the rights of the subject, in light of the circumstances surrounding the event. It must be judged from the perspective of a reasonable officer on the scene, rather than with the 20/20 vision of hindsight. The calculus of reasonableness must allow for the fact that police officers are often forced to make split-second decisions in circumstances that are tense, uncertain, and dynamic and rapidly evolving about the amount of force that is necessary in a particular situation.

The reasonableness inquiry in an excessive-force case is an objective one: whether the officers' actions are objectively reasonable in light of the facts and circumstances confronting them, without regard to their underlying intent or motivation.

**NECESSARY:** No reasonably effective alternative to the use of force appears to exist and the amount of force used is reasonable to effect the lawful purpose intended. Necessity is based on the totality of the circumstances known by the officer at the time of the use of force.

**PROPORTIONAL:** To be proportional, the level of force applied must reflect the totality of circumstances surrounding the situation at hand, including the nature and immediacy of any threats posed to officers and others. Officers must rely on training, experience, and assessment of the situation to decide an appropriate level of force to be applied. Reasonable and sound judgment will dictate the force option to be employed. Proportional force does not require officers to use the same type or amount of force as the subject. The more immediate the threat and the more likely that the threat will result in death or serious physical injury, the greater the level of force that may be reasonable, necessary and proportional to counter it.

**SERIOUS BODILY INJURY:** Bodily injury that results in permanent disfigurement, protracted loss or impairment of a bodily function, limb or organ, or a substantial risk of death.

**DE-ESCALATION:** De-escalation tactics are actions that an officer can take to stabilize the situation and reduce the immediacy of the threat so that more time, options, and resources are available to resolve the situation. The goal of de-escalation is to gain the voluntary compliance of persons, when feasible, and thereby reduce or eliminate the necessity to use physical force.

**DE-ESCALATION TECHNIQUES:** Actions used by officers that seek to minimize the likelihood of the need to use force during an incident and increase the likelihood of gaining

voluntary compliance from a subject. 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.

**DUTY TO INTERVENE:** Officers shall verbally or physically intervene with other officer(s) in order to prevent the abusive conduct or excessive force. 26.0.4

## **IV. Procedures**

### **A. Use of Force**

1. Officers shall use the amount of force that is objectively reasonable, necessary, and proportional under the circumstances to protect themselves and/or others while performing their lawful duties. When feasible and practical, officers shall attempt to de-escalate potential use of force situations with non-physical force alternatives. When de-escalation attempts have failed and a decision to use force is made, officers must engage in a continual assessment of the ongoing situation, threats, options, and risks. 1.1.1
2. Officers are further trained that whenever a particular force option is utilized, the particular force option shall terminate when a subject is under control and/or when the subject no longer offers force or resistance. 1.1.2
3. An officer shall utilize and carry, and/or have immediately available, only department authorized weapons, restraining devices and chemical agents while on duty. Officers are only permitted to use equipment they have been authorized to carry while on duty consistent with the prescribed manner in which they have been trained. The carrying and use of any unauthorized weapons, restraining devices and chemical agents when on duty is strictly prohibited. 1.1.0
4. All officers of the Springfield Police Department shall strictly adhere to the Use of Force Policy and all federal, state, and local laws including the U.S. and Massachusetts Constitutions. Violation of this policy shall be considered misconduct subject to corrective action, disciplinary action, possible criminal prosecution and/or civil liability. 1.1.0
5. Any employee, sworn or civilian, whose action(s) or use of force in an official capacity results in death or serious physical injury, is required to be removed from duty pending an administrative review. 1.1.8

### **B. De-Escalation**

Officers, including school resource officers and officers responding to mental health-related calls, shall, unless it is not possible to do so, avoid the use of force by using de-escalation techniques. Examples include verbal persuasion and warnings, slowing down the pace of an incident, waiting out persons, using barriers, creating distance between the member and the threat, and requesting additional resources such as specialized units (crisis intervention-trained (CIT) members, behavioral health care providers, or negotiators) before resorting to force, and to reduce the need for force. De-escalation techniques may mitigate threats, give officers time to utilize extra resources, and increase time available to call more officers or specialty units.

- a. Officers shall talk to the person; attempt to convince the person to comply and not



use threatening phrases or profanity; reduce any threat presented by withdrawing to a position that is tactically advantageous; or take actions that allow the member greater distance and time, in order to de-escalate a situation or deploy a lesser force option or no force at all.

- b. Officers shall perform their work in a manner that avoids unduly jeopardizing their own safety or the safety of others through poor tactical decisions including, but not limited to, immediately approaching a person without proper evaluation of the situation, failing to leave sufficient space between the member and the person, closing the reactionary gap, or escalating a situation.
- c. Officers shall not use tactics that unnecessarily escalate an encounter or create a need for force.
- d. Officers shall de-escalate force immediately as resistance decreases.
- e. If the officer has no alternative to using force, the officer shall use only the amount of force that is objectively reasonable, necessary and proportional to respond to the threat or resistance and shall immediately reduce the level of force as the threat or resistance lessens or stops.

### **C. Less Lethal Force**

An officer may use that level of less lethal force that is objectively reasonable, necessary, and proportional to bring an incident and/or person under control. This should be utilized when de-escalation tactics have been attempted and failed or are not feasible based on the totality of circumstances. 1.1.4

An officer is authorized to use less lethal force to:

- a. Effect an arrest
- b. Protect the officer or another subject(s) from physical harm, including persons from harming themselves.
- c. Restrain or subdue a resistant subject
- d. Bring an unlawful situation safely and effectively under control

Examples include:

- a. OC Spray
- b. Electronic Control Weapons (e.g. TASER)
- c. Baton
- d. Personal Weapons (e.g. hands, elbows, knees, feet)

### **D. Deadly Force 1.1.2**

1. The use of Deadly Force/Lethal Force shall always be the last resort.
2. Officers shall not use Deadly Force unless they have exhausted de-escalation options and Less-Lethal Force options have been tried and failed, or are not safe based on the totality of circumstances.
3. An officer may use Deadly Force when they reasonably believe such action is immediately necessary to protect an officer or another person from an imminent threat of death or serious physical injury.

4. Prior to the decision to employ Deadly Force, officers shall consider environmental considerations such as field of fire, backdrop, bystanders, potential for ricochet, possibility of over penetration, and other risks to life.
5. Where safety permits, officers should identify themselves as a law enforcement officers and state their intention to use Deadly Force before using a firearm or employing Deadly Force.
6. An officer may use Deadly Force to prevent the escape of a fleeing person if force is authorized and no reasonable force alternative exists that is within SPD policy, the member has given a verbal warning to the person (if time, safety, and circumstances permit), and there is probable cause to believe that:
  - a. The person has committed or is in the process of committing a felony involving the infliction or threatened infliction of serious physical injury or death, and
  - b. The escape of the person would pose an imminent threat of death or serious physical injury to the member or another unless the person is apprehended without delay, and
  - c. Officers have identified themselves as law enforcement officers, have stated their intention to use Deadly Force, and have given the person a reasonable opportunity to comply voluntarily, if time, safety, and the circumstances permit.

#### **Restrictions on the Use of Deadly Force 1.1.2**

1. Deadly Force shall not be used to subdue persons whose conduct is a threat only to property.
2. Deadly Force shall not be used against persons whose conduct is a threat only to themselves.
3. The following are prohibited unless the use of Deadly Force is authorized and no reasonable alternatives exist:
  - a. Discharge of a firearm at a person.
  - b. Strikes with any hard object, such as a baton, flashlight, radio, weapon stock/handle, or improvised impact weapon to the person's head, neck, sternum, spine, groin, or kidneys.
  - c. Intentional strikes of a person's head against a hard, fixed object including, but not limited to, a roadway, concrete floor, wall, or iron bars.
  - d. Kneeing or kicking a person's head, neck, back, or torso, including "knee drops" onto a prone or supine person.
  - e. Intentionally deploying a Controlled Electronic Weapon (CEW, aka Taser) to the neck, chest, groin or face of a person.
  - f. Discharge of a less-lethal munition to the chest, neck, or head at close range.
  - g. The use of any force on a person whose health, age, condition, or circumstances make it likely that death or serious physical injury will result.
4. Firing warning shots is prohibited. 1.1.3
5. Firing into crowds is prohibited.
6. Officers shall not fire any weapon from or at a moving vehicle, except:

- a. To counter an immediate threat of death or serious physical injury to the member or another person, by a person in the vehicle using means other than the vehicle. See Vehicle Pursuit Policy.

#### **E. Force Levels** [\(Use of Force Review/Investigations\)](#)

1. The officer's response options within each of the five force levels identified in the Use of Force Model are not necessarily listed in the order of use and/or need. The officer may de-escalate, stabilize or escalate their response based upon their risk assessment and the perceptions of the subject's degree of compliance or non-compliance.
2. The force tactics listed in each of the five force levels identified in the Use of Force Model are those tactics that officers are trained in. The Department recognizes that there are other methods and tactics that can be used at each of the levels of authority. If a tactic is used that is not listed it must be objectively reasonable, necessary and proportionate as it relates to the officer's risk assessment and the subject's action(s).
3. An officer shall use de-escalation techniques and other alternatives to force consistent with their training, whenever possible and appropriate.
4. Whenever possible an officer shall allow an individual time and opportunity to submit to advisements, warnings, or verbal commands before force is used. This opportunity should be given when such delay will not compromise the safety of the officer or another, and will not result in the destruction of evidence, escape of a suspect, or commission of a crime.

#### **F. Prohibited Actions**

1. The Springfield Police Department prohibits any use of force for punishment, or as a punitive measure. This includes using force to punish an individual for fleeing, resisting arrest, insulting or assaulting an officer.
2. Springfield Police Department officers will not use force against handcuffed or otherwise restrained persons unless necessary or reasonable under the circumstances to stop an assault, prevent injury, escape, or as necessary to fulfill other legitimate law enforcement objectives. Officers shall not use force against a handcuffed or restrained person if the person's actions only present a risk of property damage.
3. Restrained persons are to be seated or placed on their side. Officers shall not position a restrained person face-down as it may cause positional asphyxia. Officers shall not place a person on their back as it can cause radial nerve damage to the wrist and forearm area.
4. The use of chokeholds and/or neck holds is strictly prohibited. (MGL c6E s14(c)) SPD does not and will not in the future, train its officers in the use of chokeholds and/or neck holds.

#### **G. Duty to Intervene** [Use of Force Reporting 26.0.4](#)



1. An officer present and observing another officer using physical force, including deadly force, beyond that which is objectively reasonable, necessary, and proportional based on the totality of the circumstances, shall intervene to prevent the use of unreasonable force. Intervention may be verbal and/or physical depending on the urgency of the situation and potential level of misconduct and/or problematic behavior.
2. Failing to intervene shall be subject to appropriate departmental disciplinary action or possible criminal prosecution (**MGL c6E s15**), unless intervening would result in imminent harm to the officer or others.
3. Any harassment, intimidation, or retaliation against any officer who either intervened to prevent or stop an excessive force incident or made, intended to make, or is required to make a report regarding the witnessed excessive force incident shall be reported immediately to an appropriate supervisor and will not be tolerated. Any such actions may result in disciplinary action.

#### **H. Duty to Provide Medical Assistance 1.1.5**

1. After any level of force is used the officer involved, or any officer aware of a visible injury, complaint of injury, signs of medical distress, or when medical attention is requested by any person, officers shall immediately evaluate the need for medical attention, render aid consistent with their training, and request for medical attention to be provided as soon as the situation safely allows. The officer shall promptly notify their immediate supervisor when a use of force has resulted in injury or medical treatment is requested. The officer shall also inform their supervisor of the circumstances necessitating such treatment.
2. Members will provide a person, including a suspect or detainee, medical attention upon request.
3. Members will provide medical care to any person(s) with obvious signs of severe injury, including but not limited to: an individual undergoing any form of medical distress.
4. Members will treat injured persons, whether another officer, a member of the public, or a subject, with dignity and respect.

#### **I. Training**

Newly hired officers and veteran officers will be provided access to the agency's use of force policy. They will receive instruction on the policy through the use of a variety of adult learning techniques and de-escalation strategies, including scenario-based training, problem-solving practices, online learning platforms, and traditional lecture formats. This training will be provided at Police Academy training for newly hired officers, and through annual training provided by the Municipal Police Training Committee (MPTC). Veteran officers will be provided updates, and or amendments, to the Use of Force policy via written directives, training bulletins, Roll Call trainings, and during annual In-Service training. **1.1.13**

Training records shall electronically track SPD officers' compliance with training requirements, and allow officers to digitally acknowledge completion of each training

course as well as completion of annual training requirements and training on any new or substantially revised policies.

**Cheryl C. Clapprood**  
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