

Proposed language for Section 300.2:

Purpose and Scope

This policy sets forth criteria governing the use of force. All officers are responsible for knowing and complying with this policy and conducting themselves in a manner that reflects the Berkeley Police Department's Use of Force Core Values [**or Core Principles, depending on the language used**]. Violations of this policy may result in disciplinary action, including and up to termination, and may subject the officer to criminal prosecution. Supervisors shall ensure that all personnel in their command know the content of this policy and operate in compliance with it.

(Source: Campaign Zero Model Use of Force Policy, Camden Use of Force Policy)

Proposed language for Section 300.3:

Use of Force Standard

Officers shall only use physical force when no other viable option is available and when all non-physical options have been exhausted. In all cases where physical force is used, officers shall use the minimum amount of force that is objectively reasonable, necessary and proportional to effectively and safely resolve a conflict. Officers shall continue to assess and modulate the use of force as resistance and other circumstances change.

(Source: Campaign Zero Model Use of Force Policy, Seattle Use of Force Policy)

Use of Deadly Force

(Not sure if this goes here or elsewhere)

Deadly force may only be used as a last resort when a threat of death to the officer or others is imminent. An officer shall not use deadly force against another person unless all of the following conditions are met:

- The officer has an objectively reasonable belief that deadly force is necessary to protect the officer or another person from a subject who is posing a current, active and immediate threat of death;
- The officer has exhausted all reasonable alternatives to the use of force, including de-escalation, other reasonable means of apprehending the subject, self-defense or defense of others; and
- The officer objectively and reasonably believes that using deadly force would not unnecessarily endanger innocent people.

Lethal force is prohibited when its sole purpose is to affect an arrest, overcome resistance or prevent a subject from escaping when the subject does not present an immediate danger of death or serious bodily injury. Lethal force is also prohibited solely to prevent property damage, prevent the destruction of evidence, disable a moving vehicle or against a person who only poses a threat to him/herself and not to others.

(Source: Campaign Zero Model Use of Force Policy, Seattle Use of Force Policy, Oakland Use of Force Policy, Camden Use of Force Policy)