

In current draft:

300.1.2 USE OF FORCE STANDARD

Officers shall only use physical force when no other viable option is available. In all cases where physical force is used, officers shall use the minimum amount of force that is objectively reasonable, objectively necessary and proportional to effectively and safely resolve a conflict.

This directive recognizes constitutional principles, but aspires to go beyond them. The Fourth Amendment requires that an officer's use of force be "objectively reasonable." *Graham v. Connor*, 490 U.S. 386 (1989). Under this standard, an officer may only use force that a reasonable officer would when facing similar circumstances. The objectively reasonable standard acknowledges the difficult decisions that officers are forced to make under rapidly evolving and often unpredictable circumstances, but it does not provide specific guidance on what to do in any given situation.

The Constitution provides a "floor" for government action. This Department aspires to go beyond *Graham* and its minimum requirements. Sound judgment and the appropriate exercise of discretion will always be the foundation of police officer decision making in the broad range of possible use of force situations. It is not possible to entirely replace judgment and discretion with detailed policy provisions. Nonetheless, this directive is intended to ensure that de-escalation techniques are used whenever feasible, that force is only used when objectively necessary, and that the amount of force used is proportionate to the situation that an officer may encounter.

Officers must continuously evaluate all the circumstances facing them in the field to determine whether force is appropriate and what amount is proportionate, keeping the sanctity of human life at the heart of every decision an officer makes.

Proposed by Ramsey:

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In dealing with suspects, officers shall strive to use alternatives to physical force whenever possible. In all cases where physical force is used, officers shall use the minimum amount of force that is objectively reasonable, objectively necessary, and proportional to effectively and safely resolve a conflict.

The United States Supreme Court in *Graham v. Connor*, 490 U.S. 386 (1989), held that, in order to comply with the U.S. Constitution, an officer's use of force must be objectively reasonable under the totality of circumstances known to the officer at the time. But this standard merely sets the bare minimum standard for police conduct, below which an officer's conduct would be regarded as illegal under the U.S. Constitution.

In fulfilling this Department's mission to safeguard the life, dignity, and liberty of officers themselves and all members of the community they are sworn to protect and serve, this Policy requires more of our officers than simply not violating the law. As a result, this Policy is more restrictive than the minimum constitutional standard and state law in two important respects.

First, it imposes a higher duty upon officers to use the minimal amount of force objectively necessary to safely achieve their legitimate law enforcement objective. And, second, this Policy imposes a stricter obligation on officers to exert only such force that is objectively proportionate to the circumstances, requiring a consideration of the seriousness of the suspected offense, the availability of de-escalation and other less aggressive techniques, and the risks of harm presented to members of the public and to the officers involved.