


NORTHAMPTON POLICE DEPARTMENT Administration & Operations Manual		
Policy: Police Use of Force		AOM O-101
Massachusetts Police Accreditation Standards Referenced: [1.3.2], [1.3.1], [1.3.5], [1.3.6], [1.3.6.a], [1.3.6.b], [1.3.7], [1.3.13], [11.4.1.b,d&e], [1.3.12], [1.3.11], [16.3.6], [33.5.1], [1.3.11.c]		Issuing Authority <hr/> John D. Cartledge Chief of Police
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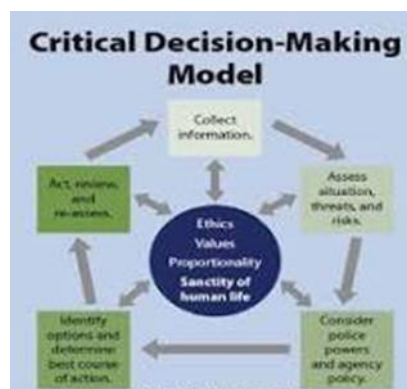
I. Introductory Discussion

- A. As a result of the duties inherent in the position of police officer, situations will arise where the officer must utilize a certain level of force in response to resistance, to affect an arrest or to protect themselves or others from the use of force or violence. The objective of this response to resistance is to maintain and/or establish control over a situation. Control is reached when a person complies with the officer’s directions and/or the suspect is restrained or apprehended and no longer presents a threat to the officer or another.

- B. Officers shall use only the amount of force necessary and reasonable to accomplish lawful objectives and to control a situation, affect an arrest, overcome resistance to arrest, or defend themselves or others from harm. When force is necessary, the degree of force employed should be in direct relationship to the amount of resistance exerted, or to the immediate threat to the officers or others.¹
- C. The policies and procedures within this directive are for internal Department use only and are not to be applied to any criminal or civil proceeding, nor do they create a higher legal standard of safety or care with respect to third parties. Violations of rules will only form the basis for administrative discipline, while violations of the law will be the basis for civil and criminal penalties in a court of law.

II. Definition of Conditional Terms [1.3.2]

- A. Active Resistance: When a subject makes physically evasive movements to interfere with an officer's attempt to control the subject; including bracing, tensing, pulling away, or actual or attempted flight.
- B. 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.²
- C. Critical Decision-Making Model: The Critical Decision-Making Model is a five-step critical thinking process: 1. Collecting information, 2. Assessing situations, threats, and risks, 3. Considering police powers and agency policies 4. Identifying options and determining best course of action and 5. Act, review, and re-assessing (See diagram).



¹ Graham v. Connor, 490 U.S. 386 (1989), 4th Amendment, MA Article 14

² See Section 4, Chapter 253 of the Acts of 2020; Section 30, Chapter 253 of the Acts of 220; G.L. c. 6E, § 1; Section 30, Chapter 253 of the Acts of 2020; G.L. c. 6E, § 5(b); G.L. c. 6E, § 14; G.L. c. 6E, § 15; See Section 119, Chapter 253 of the Acts of 2020

- D. Deadly Force: Physical force that can reasonably be expected to cause death or serious physical injury³.
- E. 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, as defined in subsection (a) of section 51½ of chapter 111, to address a potential medical or mental health crisis.⁴ Officers of the Northampton Police Department shall receive pre-service training in De-escalation.
- F. Defensive Force: The necessary infliction of physical battery to overcome physical resistance or to protect others from assault or injury.
- G. Force: Any physical strike or instrumental contact with a person; any intentional attempted physical strike or instrumental contact that does not take effect; or any significant physical contact that restricts the movement of a person. The term includes the discharge of a firearm, use of chemical spray, chokeholds or hard hands, taking of a subject to the ground, or the deployment of a canine. The term does not include escorting or handcuffing a person with minimal or no resistance. Use of force is lawful if it is **objectively reasonable** under the circumstances to affect an arrest, or protect the officer or other person.⁵
- H. Less Lethal Force: Is force that is not intended to cause serious physical harm or death. This includes the use of approved defensive/physical tactics, less lethal launchers, approved chemical substances, the canine, the authorized baton or other less lethal weapons approved by the Chief of Police.
- I. Minimum Amount of Force: The minimum amount of force is the least amount of force that is proper, reasonable, and necessary to achieve a lawful objective.
- J. Passive Resistance: When a subject does not cooperate with an officer's commands but does not take action to prevent being taken into custody. For example, a protestor who lies down in front of a doorway and must be carried away upon arrest.
- K. Perceived Circumstances: The officers understanding of the situation based on the information available; including the severity of any crime, the existence of an immediate safety threat to the officer or others and the degree of compliance/noncompliance from the subject.

³ Same

⁴ Same

⁵ Graham v. Connor, 490 U.S. 386 (1989), 4th Amendment, MA Article 14

- L. Perceived Subject Action (s): The subject action (s) as perceived by a reasonable officer that designates the subject as either compliant or non-compliant.
- M. Proportionality: The fundamental principle that the use of force must fit the nature and gravity of the offense and/or perceived circumstances.
- N. Reasonable Belief: Information and circumstances that would cause an ordinary and prudent person to act or think in a similar way under similar circumstances.
- O. Reasonable Officer Response: The balanced and proportionate response appropriate for the reasonable officer as selected from use of force options, in order to gain subject.
- P. 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.⁶
- Q. Soft Empty Hand Control: The use of physical strength and skill in defensive tactics to control arrestees who are reluctant to be taken into custody and offer some degree of physical resistance. Such techniques are not impact oriented and include pain compliance pressure points, takedowns, joint locks, and simply grabbing a subject. Touching or escort holds may be appropriate for use against levels of passive physical resistance.
- R. Hard Empty Hand Control: Impact oriented techniques that include knee strikes, elbow strikes, punches, and kicks. Control strikes are used to subdue a subject and include strikes to pressure points such as: the common peroneal (side of the leg), radial nerve (top of the forearm), or brachial plexus origin (side of the neck).

Defensive strikes are used by officers to protect themselves from attack and may include strikes to other areas of the body including the abdomen or head. Techniques in this category include pressure point controls, stunning, or striking actions delivered to a subject's body with the hand, fist, forearm, legs, or feet. These techniques target the major muscle groups and are delivered to create muscle cramping, thereby inhibiting muscle action and allowing the officer to subdue the subject. In extreme cases of self-defense, the officer may need to strike more fragile areas of the body where the potential for injury is greater. The use of neck restraints, chokeholds, or other similar weaponless control techniques, however, are prohibited.

- S. Verbal and Non-verbal Noncompliance: When a subject expresses their intentions not to comply with an officer's directive through verbal or non-verbal means. An officer may encounter statements ranging from pleading to physical

⁶ See Section 4, Chapter 253 of the Acts of 2020; Section 30, Chapter 253 of the Acts of 2020; G.L. c. 6E, § 1; Section 30, Chapter 253 of the Acts of 2020; G.L. c. 6E, § 5(b); G.L. c. 6E, § 14; G.L. c. 6E, § 15; See Section 119, Chapter 253 of the Acts of 2020

threats. Such statements may also include physical gestures, stances, and subconscious mannerisms.

- T. Verbal Command and Warnings: When tactically feasible, an officer will identify themselves as a police officer and issue verbal commands and warnings prior to the use of force. When feasible, an officer will allow the subject an opportunity to comply with the officer's verbal commands. A verbal warning is not required in circumstances where the officer has to make a split second decision, or if the officer reasonably believes that issuing the warning would place the safety of the officer or others in jeopardy.

III. Policy

- A. Officers should approach each situation using the 5-step critical-decision making process (CDM), which will allow them to quickly analyze and respond appropriately to a range of incidents. These steps include:
1. Collecting information,
 2. Assessing the situation, threats, and risks,
 3. Considering police powers and agency policy,
 4. Identifying options and determining the best course of action, and
 5. Acting, reviewing, and re-assessing the situation.

The CDM is anchored by the ideals of ethics, values, proportionality, and the sanctity of human life. Everything in the model flows from that principled core. All training conducted by the Department's training division, in particular those involving the review of the Use of Force, Defensive Tactics and De-escalation, will emphasize the CDM process.

- B. **DE-ESCALATION**: Whenever reasonable according to Department policies and training, officers shall use de-escalation tactics to gain voluntary compliance and seek to avoid or minimize the use of physical force.

When safe and feasible, officers shall:

1. Attempt to slow down or stabilize the situation so that more time, options and resources are available.
 - a. Mitigating the immediacy of the threat gives officers more time to call additional officers or specialty units and to use other resources.
 - b. The number of officers on scene may make more force options available and may help reduce overall force used.
2. Consider whether a subject's lack of compliance is a deliberate attempt to resist or an inability to comply based on factors including, but not limited to:

- a. Medical conditions
- b. Mental/Behavioral Health Crisis
- c. Developmental disability (such as Autism or Asperger Syndromes)
- d. Physical limitation
- e. Language barrier
- f. Drug or alcohol use

Such considerations, when time and circumstances reasonably permit, should then be considered when planning a response.

3. 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 a medical or licensed mental health professional, as defined in subsection (a) of section 51112 of chapter 111, to address a potential medical or mental health crisis.

These tactics include, but are not limited to:

- a. Placing barriers between an uncooperative subject and an officer.
- b. Moving from a position that exposes officers to potential threats to a safer position.
- c. Reducing exposure to a potential threat using **time, distance, cover or concealment**.
- d. Communication from a safe position intended to gain the subject's compliance, using verbal persuasion, advisements or warnings.
 - 1) Avoidance of physical confrontation, unless immediately necessary (e.g. to protect someone or stop dangerous behavior).
 - 2) Using verbal techniques to calm an agitated subject and promote rational decision making.
 - 3) Calling additional resources to assist, including more officers, CIT officers and officers equipped with less-lethal tools.
 - 4) Removing unnecessary persons from the scene.

C. ANNOUNCING THE INTENT TO USE FORCE: As an alternative and/or the precursor to the actual use of force, NPD officers shall consider verbally announcing their intent to use force, including displaying an authorized weapon as a threat of force, when reasonable under the circumstances. The threatened

use of force shall only occur in situations that an officer reasonably believes may result in the authorized use of force. This policy shall not be construed to authorize language that may escalate a dangerous situation, such as language that is unnecessarily harsh or loud.

- D. **AMOUNT AND DEGREE OF FORCE:** The amount of force used shall be proportionate to the perceived circumstances, that is, no greater than is proper, reasonable, and necessary in a given situation. The amount and degree of force, which may be employed, will be determined by the information and the surrounding circumstances, including but not limited to those listed here.
1. The nature of the offense;
 2. The behavior of the subject(s);
 3. Actions by third parties who may be present;
 4. Physical odds against the officer;
 5. Safety of the general public;
 6. The feasibility or availability of alternative actions.

Other factors to consider when using force include but are not limited to the following:

Age	Subject's actions	Training
Sex	Experience	Exhaustion
Size	Perceptions	Skill level
Disability	Prior knowledge	Environment
Special circumstances	Injury	Physical – Conditions

An officer acting alone may be required to resort to a much greater degree of force than would be necessary if another officer or officers had been present. Therefore, unless immediate action is required, an officer should try to be mindful of their own levels of physical and mental fatigue and call and wait for assistance whenever appropriate.

- E. **USE OF FORCE IN ASCENDING ORDER:** Use of force options are described below in ascending order from the least severe to the most severe measures. The fundamental principle is that the use of force must be proportionate to the offense and/or perceived circumstances. Officers must never overlook the possibility of force de-escalation when appropriate.

1. **Cooperative Controls:**

- a. **Command Presence (Appearance & Communication):** The image that an officer conveys can in many cases influence the outcome of the situation. The officer should be neat and well groomed. The officer should be mindful of body language, always maintaining the highest level of vigilance. The officer should exude an aura of authority and ability.

- b. **Dialogue/Persuasion:** Effective verbal communication can many times reduce or manage anxious, aggressive, or violent behavior. The appropriate uses of verbal persuasion can in some cases prevent and or minimize the need for physical force.

2. **Contact Controls/Passively Resistant Subject(s)**

Escort/Compliance

Initial (Light) Physical Tactics: This application is appropriate when the subject's physical resistance is minor, and can be easily controlled. Examples of this are guiding an uncooperative subject into a handcuffing position, out of a vehicle, or into another room. Peaceful demonstrators refusing to comply with verbal commands would fall into this category.

3. **Compliance Techniques/Actively Resistant Subject (s)**

Chemical / Kinetic Force Compliance

Chemical Substance (OC Spray, Pepperball Projectile Launcher-Pepperball is an encapsulated projectile containing powdered cayenne pepper that is fired via dedicated launcher): Chemical substances should not be used if resistance is minor, or if **light physical tactics would achieve the same end**. Chemical substances may be used in self-defense or defense of another. They may also be used to subdue a person who physically resists arrest or to discourage persons engaged in violent conduct. They may be utilized with the subject who resists initial physical contact, shows signs of imminent physical resistance, or when a physical confrontation would be necessary in self-defense or in defense of another. The utilization of chemical substances may not be appropriate if such use could affect innocent bystanders particularly children.

4. **Compliance / Mechanical/ Assaultive/Threatening Subject(s)**

- a. **Baton:** The baton may be used by an officer in self-defense or defense of another. It may be used when necessary to subdue a person who physically resists arrest or to stop a person(s) engaged in violent conduct. It may also be considered when lesser methods have failed or would be obviously futile.
- b. **40mm Less-Lethal Launcher:** The 40mm system can be deployed against suspects at an Assaultive Level. The weapon, when used in conjunction with a conventional firearm can also be utilized at a level where Deadly Force would be justified such as “Suicide by Cop” types of scenarios.

5. **Less Lethal (Non-Deadly Force):**

A law enforcement officer is justified in using less lethal (non-deadly) force upon another person under the following circumstances:

1. When necessary to preserve the peace, prevent commissions of offenses, or prevent suicides or self-inflicted injury;
2. When necessary to overcome resistance to lawful arrests, protective custodies, mental health commitment orders, searches and seizures, and to prevent escapes from custody; or
3. When in self-defense or in defense of another against unlawful violence against persons or property.

6. **Less Lethal (Non-Deadly Force) Restrictions**

It should be noted that in Non-Deadly Force situations, certain tactics are prohibited:

- a. Chokeholds or neck restraints, with or without a device that restricts a person's airway are prohibited.⁷
- b. Force shall not be used against persons in handcuffs, except as objectively reasonable to prevent imminent bodily harm to the officer or another person or persons, or as objectively reasonable, where physical removal is necessary to overcome passive resistance.
- c. Any strike with an impact weapon or object to a person's head or neck is prohibited.
- d. Any use of flashlights, radios, or any other items not issued or trained specifically as defensive weapons are prohibited. In limited circumstances, when a confrontation escalates suddenly and/or unpredictably, an officer may use any means or device at hand such as a flashlight, radio, and other issued equipment or item, to defend themselves, another person, or to bring a situation under control. This decision should be based on the circumstances surrounding the officer at the time, if the officer determines it was reasonably necessary to do so, as long as the level of defensive action is objectively reasonable given the existing circumstances.

7. **Deadly Force [1.3.2]**

An officer is justified in using deadly force only when they reasonably believe such force is necessary to:

- a. Defend the officer or a third person from the imminent threat of death or serious bodily injury.
- b. Effect an arrest or prevent the escape from custody of a person whom they reasonably believe has committed or attempted to commit a felony involving the infliction or threatened infliction of serious physical injury; AND the officer reasonably believes this person still poses a significant threat of death or serious physical injury to the officer and other persons.

⁷ MA Police Reform Law

Where feasible, the officer should give warning of the intent to use deadly physical force.⁸

8. **Deadly Force Restrictions**

- a. **Warning Shots**: Officers are prohibited from discharging their firearms as a means of warning or frightening a person;
- b. **Shooting at or from Moving Vehicles**: A law enforcement officer shall not discharge any firearm into or at a fleeing motor vehicle unless, based on the totality of the circumstances, such discharge is necessary to prevent imminent harm to a person and the discharge is proportionate to the threat of imminent harm to a person.⁹ Such discharges will be rigorously scrutinized. Officers shall, as a rule, avoid tactics that could place them in a position where a vehicle could be used against them. When confronted with an oncoming, moving vehicle, officers must attempt to move out of its path when possible, and should generally avoid placing themselves in situations where the use of deadly force is more likely;¹⁰
- c. **Risk to Innocent Bystanders**: When officers are about to discharge their firearms they should be aware of their field of fire, including the backdrop, so as to avoid creating an unnecessary substantial risk of harm to innocent persons. Officers are prohibited from discharging their firearms when, based on the totality of the circumstances, discharging a firearm would constitute a greater risk to innocent human life than the subject's actions. (i.e. discharging a firearm into a crowd or shooting into a building or through a wall, where the subject is not clearly identified and it is unknown if there are other occupants present.); and
- d. **Pointing Weapons**: Officers are prohibited from drawing and pointing their firearm at or in the direction of a person absent an objectively reasonable determination that the situation may escalate to the point where deadly force would be authorized under this policy; and officers shall not carry or use any firearms or weapons while impaired by alcohol, drugs, or any other medical condition that might interfere with their judgment or proficiency. Officers with known medical conditions but who have passed all required medical exams, have been cleared to perform the duties of a police officer, and who successfully complete ongoing firearms qualifications, may carry and use any firearm or weapons issued by the department. If the officer notices a change in their medical condition that may impact their ability to properly and safely perform their duties, they shall report such change immediately to their supervisor.¹¹

⁸ Tennessee v. Garner, 471 U.S. 1 (1985)

⁹ See Section 4, Chapter 253 of the Acts of 2020; Section 30, Chapter 253 of the Acts of 220; G.L. c. 6E, § 1; Section 30, Chapter 253 of the Acts of 2020; G.L. c. 6E, § 5(b); G.L. c. 6E, § 14; G.L. c. 6E, § 15; See Section 119, Chapter 253 of the Acts of 2020

¹⁰ MA Police Reform Law

¹¹ Graham v. Connor, 490 U.S. 386 (1989), 4th Amendment, MA Article 14

- e. De-escalation: 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.¹²

IV. Use of Excessive Force

Officers who use excessive or unauthorized force shall be subject to discipline, possible criminal prosecution, and/or civil liability. The use of force is only authorized when it is objectively reasonable and for a lawful purpose. Accordingly, the Department will thoroughly review and/or investigate all uses of force by officers to assure compliance with all legal requirements and this policy.¹³

V. Duty to Intervene

- A. 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. In addition to discipline up to and including termination, an Officer may have their certification revoked or be ordered to be retrained after a hearing by the POST for failure to intervene. [1.1.1 (1); 1.1.1 (5); 1.1.2 (5)]
- B. **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, not directly involved in the use of force incident, 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 supervisor will investigate the incident and complete a use of force report. The officer's written statement shall be included in the supervisor's report.[1.1.1 (1); 1.1.1 (6); 1.1.2 (6)]
- C. 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.

¹² See Section 4, Chapter 253 of the Acts of 2020; Section 30, Chapter 253 of the Acts of 2020; G.L. c. 6E, § 1; Section 30, Chapter 253 of the Acts of 2020; G.L. c. 6E, § 5(b); G.L. c. 6E, § 14; G.L. c. 6E, § 15; See Section 119, Chapter 253 of the Acts of 2020

¹³ Graham v. Connor, 490 U.S. 386 (1989), 4th Amendment, MA Article 14

- D. The Northampton Police Department prohibits retaliation against any employee who observes and reports an instance on using physical force, including deadly force, beyond that which is necessary or objectively reasonable based on the totality of the circumstances to include discharge of the employee, any change to their official rank, grade or compensation, deny a promotion or take any other adverse action against an officer or employee or threaten to take any such action for providing information to the POST or testifying in any POST proceeding resulting.
- [1.1.1 (1)]

VI. General Considerations

- A. In addition to being authorized, the use of force, especially deadly force, must be justified. Justification will depend upon the facts and circumstances known to the officer at the time of the incident. The officer's response must be reasonable and necessary in light of the situation. Unfortunately, there are no hard and fast rules, although certain factors may be given as examples.
1. The nature of the offense;
 2. The behavior of the subject against whom the force is to be used;
 3. Whether the situation is an "imminent use" situation as defined within this policy;
 4. Whether the officer is in uniform and/or has made their presence and authority known;
 5. Actions by third parties who may be present or come on to the scene;
 6. Physical odds against the officer;
 7. The feasibility or availability of alternative actions;
 8. The escalation/de-escalation factors involved; and/or
 9. Whether the officer(s) or a third party is in danger from deadly force.
 10. Types of weapons available to the officers at the time ¹⁴

Department approved chemical agents/noxious gases may be used when physical force is necessary to deter persons engaged in riotous conduct or barricaded subjects. Such are to be used only at the discretion of the Officer-in-Charge.

VII. Injury/Medical Aid Procedures [1.3.5]

- A. In cases of injury to detainees or bystanders, officers shall be responsible to ensure that appropriate medical aid is provided to the injured subject at the earliest possible opportunity in accordance with [AOM O105 Handling Injuries/Illnesses](#). Officers shall be trained in the proper treatment procedures for persons exposed to chemical sprays and the effects of other less-lethal force techniques.

¹⁴ Graham v. Connor, 490 U.S. 386 (1989), 4th Amendment, MA Article 14

1. The OIC shall be notified of all injuries obtained as a direct or indirect result of the use of force in an arrest situation.
2. All injuries sustained by detainees as a result of the use of force in an arrest situation shall be documented in the arrest report as well as on [AOM O142.a Detainee Injury Report](#) by the OIC. Likewise, any injuries sustained by a third party shall be documented. This report shall be submitted to the Operations Division Commander.
3. If a person is offered and/or refuses medical treatment, the refusal shall be recorded in the police report, along with all relevant information. In addition, under these circumstances, the officer will notify their supervisor as soon as practical.

VIII. Administrative and Reporting Procedures

A. Required Forms/Reports - Use of Force [1.3.6]

1. The proper written reports shall immediately be submitted to the Officer-in-Charge (OIC). If the OIC was the one who used the force, they shall immediately notify their immediate supervisor. It is incumbent upon the OIC or immediate supervisor receiving use of force forms/reports to complete a timely review and provide comments if necessary and appropriate. A use of force needs to be completed whenever an officer:
 - a. Discharges a firearm for any reason except for training or recreational purposes, or competition on approved range. [1.3.6,a]
 - b. Takes any action that results in, or is alleged to have resulted in, the injury or death of a person. [1.3.6,b]
 - c. Whenever and officer uses any force against a suspect greater than un-resisted handcuffing.¹⁵
2. Forms/Reports to be submitted to the OIC include:
 - a. Copy of the Incident Report; and
 - b. If applicable, one of the following forms/reports:
 - 1) The Response to Resistance Form found in LEFTA under the Use of Force Section.
 - 2) Use of Firearm Report Form found in LEFTA under the Field Investigations Section.
3. The OIC, having received the applicable form/report in LEFTA, will complete and forward the report attached as follows:
 - a. The Response to Resistance Form to the Defensive Tactics Instructor. After review, the Defensive Tactics Instructor shall forward the report to the

¹⁵ MA Police Reform Law

- Training Supervisor and the Training Supervisor shall forward the report to the Operations Division Commander (ODC) for final review.
- b. Use of Firearm Report Form to the Senior Firearms Instructor. After review, the Senior Firearms Instructor shall forward the report to the Training Supervisor and the Training Supervisor shall forward the report to the Operations Division Commander (ODC) for final review.
4. The Defensive Tactics instructor will review the Response to Resistance form to determine if the Use of Force was within the Policy of the Northampton Police Department.
 - a. If use of force is determined to be within Policy of the Northampton Police; The Defensive Tactics Instructor reviewing the Response to Resistance shall sign off and forward to the Training Supervisor.
 - b. If use of force is determined to be within Policy of the Northampton Police Department, and the OIC or Defensive Tactics Instructor deems the tactics used by the officer require additional coaching; The Defensive Tactics Instructor reviewing the Response to Resistance shall document the deficiencies.
 - 1) The reviewing Defensive Tactics Instructor will create an action plan of appropriate coaching to aid officers in improving tactics to create a safer environment for themselves and the subject/suspects they encounter.
 - 2) Once the coaching plan is generated two or more defensive tactics instructors should vote to agree if the action plan is necessary and appropriate for the involved officer.
 - 3) Once a vote in favor of the coaching plan is completed by two or more Defensive Tactics Instructors, it will be forwarded to the Training Supervisor.
 - c. If the Response to Resistance is determined by the OIC or Supervisor to not be within the Policy of the Northampton Police Department, the Defensive Tactics Instructor shall immediately be notified.
 - d. If the Response to Resistance is determined by the Defensive Tactics Instructor to not be within the Policy of the Northampton Police Department, they shall immediately notify the Training Supervisor. If the Training Supervisor is unavailable then the Operations Division Commander (ODC) shall be notified immediately.
 5. The Training Supervisor shall perform a timely review of the police action and the use of force for appropriateness, justification, and authorization. Upon completion of their review, the Training Supervisor shall forward the original form/report to the Operations Division Commander (ODC) for administrative review. [1.3.7]
 - a. This review may serve as the basis for policy revision, procedural changes, additional training, disciplinary action, or official commendation.

- b. Following review, all forms/reports regarding the use of force incident shall be filed as appropriate.
 - c. In the event that the Operations Division Commander or the Training Supervisor are the involved officer applying use of force tactics, the next highest ranking officer shall be the reviewer of all reports and forms. [1.3.7]
6. By the end of March each year, the ODC shall complete a Use of Force Analysis Report for all use of force activities occurring during the previous calendar year. The ODC will forward a copy of such report to the Chief of Police following review. See AOM: A-105. [1.3.13] [11.4.1, a, c, & d]
 7. Within five (5) days of receiving a use of force report, the ODC shall submit a report to the FBI Use-of Force Data Collection database if the use of force involved resulted in:
 - a. The death of the person due to an officer's use of force;
 - b. The serious bodily injury of person due to an officer's use of force; or
 - c. The discharge of a firearm by an officer at or in the direction of person that did not otherwise result in death or serious bodily injury.

The ODC shall submit a zero (0) report to the FBI database monthly if there were no uses of force as described above.

B. Supervisory Action in Serious Injury/Death Actions [1.3.8]

1. In the event of any use of force and or any action that results in serious bodily injury or death, the employee's immediate Supervisor shall:
 - a. Relieve the employee from active duty, and [52.2.7]
 - b. Take control of the firearm or weapon used until the proper reports have been filed and a preliminary investigation has been completed. The supervisor responsible for removing an officer's weapon should, whenever possible, ensure that any such removal is done in a manner that is discreet and outside of public view so as not to cause embarrassment to the officer.
 - c. A supervisor not involved in the incident will complete a report, which will include the reporting officer(s) written statements.
2. If appropriate, the officer's firearm should be replaced by another firearm. The officer shall re-qualify with that firearm as soon as possible.
3. The Chief of Police shall place the officer on administrative leave pending the completion of an investigation into the matter.
 - a. While on administrative leave, the officer involved shall attend a psychological evaluation and/or debriefing by a psychological or psychiatric services approved by the department. This evaluation and/or debriefing is mandatory for the officer involved and optional for the officer's family members.

- b. Prior to returning to active duty, the officer shall, in the case of the use of a firearm, be re-qualified on any service firearm the officer is authorized to carry.

IX. Weapons & Training

A. Weapons Authorization: Only weapons and ammunition authorized by the Chief of Police shall be used by department members in law enforcement capacity both on and off duty. Refer to [AOM S211 Weapons, Equipment & Department Owned Property](#) for procedures regarding the approval, issuance, inventory, and maintenance of department approved/issued weapons. [1.3.9]

1. This does not preclude the officer from utilizing any means necessary to protect their life or the life of a third party.
2. Prior to being authorized to carry issued/approved weapons (firearms, OC, batons, etc.) all department members shall be issued copies of and be instructed in the following departmental AOM Chapters: [1.3.12]
 - a. [O101 Police Use of Force](#)
 - b. [O101tb5 Police Use of Firearms](#)
 - c. [O101tb3 Police Use of OC Spray](#)
 - d. [O101tb12 Police Use of PepperBall System](#)
 - e. [O101tb14 Police Use of 40mm Less Lethal Launchers](#)
 - f. [O101tb2 Police Use of Baton](#)
 - g. [O105 Handling Injuries/Illnesses](#)

Prior to being authorized to carry any newly adopted issued/approved weapon, all department members shall be issued copies of and be instructed in the departmental policies pertaining to that weapon. The issuance of the policy and instruction shall be documented on the Training Reception Form. [1.3.12]

- B. At least annually, all sworn personnel shall receive in-service training on department use of force policies including de-escalation training and shall demonstrate proficiency with any firearm authorized for carry by the officer. In-service training and proficiency demonstration for all other authorized weapons (batons, OC, etc.) shall occur at the discretion of the Lead Defensive Tactics Instructor, Training Supervisor, and Operations Division Commander. Biennial training for baton and OC is not required by the MPTC. After initial certification has been met, only familiarization training is needed. Demonstrating proficiency shall include: [1.3.11] [16.3.6] [33.5.1]
1. Achieve minimum qualifying scores on a prescribed course;
 2. Familiarity with recognized safe handling procedures for the use of such weapon;
 3. Attain and demonstrate knowledge of the laws concerning such weapon;
 4. Demonstrate knowledge of department policies regarding the use of force and the use of the respective weapons. [1.3.12]

- C. Those officers that are unable to demonstrate proficiency with authorized weapons shall be provided with remedial training sufficient to correct the cause of the proficiency problem prior to resuming official duties. In those situations in which an officer has failed to demonstrate proficiency with an authorized firearm, the Firearms Instructor overseeing the proficiency testing shall immediately notify the Chief of Police or a Division Commander if the Chief is unavailable.
- D. Those officers who are unable to demonstrate proficiency with any other department issued equipment such as OC, baton, etc., other than issued/authorized firearms, shall be provided with remedial training sufficient to correct the cause of the problem prior to being authorized to carry such weapon while in the performance of official duties. In addition, if an officer is unable to demonstrate proficiency in any weaponless control technique/method, the Defensive Tactics Instructor overseeing the proficiency testing shall immediately notify the Chief of Police, or a Division Commander if the Chief is unavailable. [1.1.12]
- E. Upon notification, the Chief of Police or Division Commander shall determine the officer's work status, which may include removal from duty or assignment to restricted duties, pending completion of remedial training and the officer's successful demonstration of required proficiency. An officer may return to full duty only after completing remedial training and successfully demonstrating proficiency in the required skill, equipment, or technique as documented by the overseeing instructor. [1.1.12]
- F. All training, including remedial training, will be documented.