

# Springfield, Illinois Police Department

## “8 Can’t Wait” response

August 13th, 2020

1. What section of your city's police use of force policy requires officers to use de-escalation whenever possible? (Note this has to be a requirement in the policy to be identified on our site as such). Enter both the section number/letter and the text of the policy you believe reflects this requirement.

SPD General Order: UOF-01 II.

It is the policy of this Department to:

- A. Authorize an officer to use non-lethal and less lethal force as defined in this order only when it is objectively reasonable under the totality of the circumstances. All officers will comply with existing law regarding the use of non-lethal and less lethal force.
- B. Have the affirmative duty to value and preserve human life. Officers shall use only the force that is objectively reasonable to effectively bring an incident under control, while protecting the safety of the officer and others.
- C. Use force only when no reasonably effective alternative appears to exist and shall use only the level of force which an objectively reasonable officer would use under the same or similar circumstances
- D. Have the affirmative duty to intervene to prevent or stop any unreasonable force being used by another officer whenever it is safe and reasonable to do so. All instances of unreasonable force will be immediately reported to a supervisor irrespective to the success or failure of the intervention.
- E. 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. This includes continually assessing the situation and modifying the use of force as circumstances change and in ways that are consistent with officer safety, including stopping the use of force when it is no longer necessary. Examples of de-escalation techniques include but are not limited to:
  1. Providing a warning and exercising persuasion and advice prior to the use of force
  2. Determining whether the officer may be able to stabilize the situation through the use of time, distance, or positioning to isolate and contain a subject.
  3. Requesting additional personnel to respond or make use of specialized units or equipment including crisis-intervention-team trained officers, as necessary and appropriate.

- F. Protect the rights of all persons regardless of the relationship (i.e. victim, complainant, suspect, or arrestee) between the officer and the citizen.
- G. Accord equal treatment to any person regardless of color, ethnic origin, political philosophy, race, religion, sex, sexual preference, social status, or physical or mental disability.
- H. Adhere to the Pressure Point Control Tactics (PPCT) “One Plus One” theory. However, because subject resistance can begin anywhere on the continuum, officer response can begin at any point on the continuum that represents an “objectively reasonable” response. It is important to understand that officers do not need to escalate response controls in a step-by-step progression.
- I. Document any use of force utilized by an officer on Departmental reports.

**2.** What section of your city's police use of force policy bans officers from using both chokeholds and strangleholds (which includes carotid restraints and other neck restraints)? Enter both the section number/letter and the text of the policy you believe reflects this requirement.

SPD General Order: UOF 01 VII, E, 2

Hard Empty Hand Control - Strikes, punches, kicks, elbows, brachial stuns, knee strikes, directed to large muscle mass of the forearms, arms, abdomen, side of the neck and legs, used against persons showing active aggression against an officer which includes physical actions/assaults against the Officer or another person with less than deadly force (e.g. punching, kicking, striking, grabbing, wrestling, etc.):

- 1. Strikes directed at the face and joints should only be used when the level of force justifies its use, understanding that those strikes have the potential of a higher degree of injury. Higher levels of force should be used when lower levels of force are ineffective or would not be effective if used,
- 2. Vascular neck restraints, chokeholds, and similar control tactics are not authorized to be used by members of the Springfield Police Department, except in deadly force encounters as set forth in 720 ILCS 5/7-5 (“Peace Officer’s use of force in making arrest”) and General Order UOF-02.

Chokehold Definition – applying any direct pressure to the throat, windpipe, or airway of another with the intent to reduce or prevent the intake of air. "Chokehold" does not include any holding involving contact with the neck that is not intended to reduce the intake of air. The use of any Chokehold is prohibited unless the use of deadly force is justified.

**3.** What section of your city's police use of force policy requires officers to give a verbal warning, when feasible, prior to using deadly force? Note, that if the policy only requires a warning when someone is fleeing, that is not a sufficient requirement because it does not cover all cases where a warning is feasible. Enter both the section number/letter and the text of the policy you believe reflects this requirement.

SPD General Order: UOF-02 IV. PROCEDURES

1. Use of Deadly Force
2. Verbal warnings: Before using deadly force, if feasible, officers will audibly command a subject to submit to their authority. Implicit in this requirement is the concept that officers will give the subject an opportunity to submit to such command unless danger is increased by giving a verbal command.

4. What section of your city's police use of force policy requires officers to intervene in the moment to stop another officer who they witness using excessive force? Enter both the section number/letter and the text of the policy you believe reflects this requirement.

SPD General Order: UOF-01 II.

It is the policy of this Department to:

- A. Authorize an officer to use non-lethal and less lethal force as defined in this order only when it is objectively reasonable under the totality of the circumstances. All officers will comply with existing law regarding the use of non-lethal and less lethal force.
- B. Have the affirmative duty to value and preserve human life. Officers shall use only the force that is objectively reasonable to effectively bring an incident under control, while protecting the safety of the officer and others.
- C. Use force only when no reasonably effective alternative appears to exist and shall use only the level of force which an objectively reasonable officer would use under the same or similar circumstances.
- D. Have the affirmative duty to intervene to prevent or stop any unreasonable force being used by another officer whenever it is safe and reasonable to do so. All instances of unreasonable force will be immediately reported to a supervisor irrespective to the success or failure of the intervention.
- E. 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. This includes continually assessing the situation and modifying the use of force as circumstances change and in ways that are consistent with officer safety, including stopping the use of force when it is no longer necessary. Examples of de-escalation techniques include but are not limited to:
  1. Providing a warning and exercising persuasion and advice prior to the use of force
  2. Determining whether the officer may be able to stabilize the situation through the use of time, distance, or positioning to isolate and contain a subject.
  3. Requesting additional personnel to respond or make use of specialized units or equipment including crisis-intervention-team trained officers, as necessary and appropriate.

- F. Protect the rights of all persons regardless of the relationship (i.e. victim, complainant, suspect, or arrestee) between the officer and the citizen.
- G. Accord equal treatment to any person regardless of color, ethnic origin, political philosophy, race, religion, sex, sexual preference, social status, or physical or mental disability.
- H. Adhere to the Pressure Point Control Tactics (PPCT) “One Plus One” theory. However, because subject resistance can begin anywhere on the continuum, officer response can begin at any point on the continuum that represents an “objectively reasonable” response. It is important to understand that officers do not need to escalate response controls in a step-by-step progression.
- I. Document any use of force utilized by an officer on Departmental reports. I.

**5.** What section of your city's police use of force policy bans officers from shooting at moving vehicles in all cases except where someone is using deadly force by means other than the vehicle (for example a person shooting at people from the vehicle)? Note, restrictions that allow officers to use deadly force against the vehicle when the vehicle is the only threat - even if the vehicle is presenting a deadly threat - are not in compliance because they do not represent a higher standard than the traditional deadly force standard. Enter both the section number/letter and the text of the policy you believe reflects this requirement.

Deadly Force Restrictions: The use of a firearm and discharge thereof shall be governed by the following department guidelines:

- A. Deadly force should not be used against persons whose actions are a threat solely to themselves or property and not to other members of the public or to officers
- B. Firearms shall not be discharged at a moving vehicle unless:
  - 1. a person in the vehicle is threatening the officer or another person with deadly force by means other than the vehicle; or
  - 2. the vehicle is operated in a manner deliberately intended to strike an officer or another person, and all other reasonable means of defense have been exhausted (or are not present or practical), which includes moving out of the path of the vehicle.
- C. Choke holds and vascular restraints are prohibited unless deadly force is authorized
- D. Firing into a crowd or over the heads of persons in a crowd is prohibited;
- E. Warning shots are prohibited.

**6.** What section of your city's police use of force policy requires officers to report all instances of using force - including when they point a firearm at a civilian (even if it does not discharge). Pointing firearms at civilians is often the most frequent reportable force category for agencies that require officers to report this. Enter both the section number/letter and the text of the policy you believe reflects this requirement.

SPD General Order: ROC-02 Add. 2

Rule 15: Use of Force

- A. In any case where force is used to subdue or control a subject, all officers using such force will submit complete written reports by the end of the duty shift. If the officer is injured, such reports will be submitted at the earliest possible time, or if the incident occurs off duty, the report will be submitted within eight (8) hours.

#### Rule 16: Use and Display of Weapons

- B. In any situation where a sworn officer uses a firearm, accidentally or intentionally, except on the firearms range, by firing or striking a person with it, the officer will immediately notify the on-duty Watch Commander, unless incapacitated. The on-duty Watch Commander will direct the Officer as to how to proceed and to complete the appropriate documentation regarding the incident. The Officer shall submit the documentation to the Chief of Police through his respective Division Commanding Officer.
  1. If the incident occurs while on-duty, the Officer will submit the documentation no later than the end of the duty shift (unless other applicable General Orders apply).
  2. If the incident occurs while off-duty, the documentation will be submitted within twenty-four (24) hours unless otherwise approved the commanding officer of the division.
  3. If the Officer is injured, the Officer will submit the documentation at the earliest time possible.

7. What section of your city's police use of force policy requires officers to exhaust all available or all reasonable alternatives prior to using deadly force? Note, that this requirement must be explicitly stated on the policy. Enter both the section number/letter and the text of the policy you believe reflects this requirement.

Adhere to the PPCT "One Plus One" theory. However, because subject resistance can begin anywhere on the continuum, officer response can begin at any point on the continuum that represents an "objectively reasonable" response. It is important to understand that officers do not need to escalate response controls in a step by step progression.

Article 7, Section 7-5: Peace Officer's Use of Force in Making an Arrest states in part: "A peace officer, or any person whom he has summoned or directed to assist him, need not retreat or desist from efforts to make a lawful arrest because of resistance or threatened resistance to the arrest. He is justified in the use of any force which he reasonably believes to be necessary to affect the arrest and of any force which he reasonably believes to be necessary to defend himself or another from bodily harm while making the arrest.

SPD General Order UOF-01, V

Officers will:

1. Maintain a courteous and professional demeanor when dealing with the public.

2. Exercise advice, persuasion and warning prior to the use of force. This decision to use physical force should be based on factors which include but are not limited to:
  - a. Age of the person,
  - b. Availability of assistance,
  - c. Circumstances of the particular situation, including the nature of the offense,
  - d. Mental state of the individual,
  - e. Size and gender of the individual as compared to the officer(s),
  - f. Number of suspects compared to the number of officer(s),
  - g. Availability of weapons to the suspect,
  - h. Officer's injuries,
  - i. Officer on the ground (An officer on the ground is in a more vulnerable position than when on his feet).
3. Not use excessive force, unwarranted physical force, or verbal abuse. Use of force employed by officers should be in compliance with PPCT defensive tactics guidelines,
4. Use only the amount of force necessary to accomplish a lawful objective, control an individual or effect and maintain an arrest, and only in conformity with state law, and the Illinois and U.S. Constitutions.
5. Document any and all uses of force on departmental report forms, including the department use of force report form. Officers need to justify using higher degrees of control methods when a subject's resistance does not escalate, and the officer's attempt to control the subject is not successful. Increasing the amount of force or degree of control response should only occur when the officer reasonably believes that control must be immediately established to prevent a further escalation of active resistance.
6. When the subject(s) has/have been handcuffed and are in the prone position they should be placed onto their side, in a seated position, or into a standing position. This should be accomplished when tactically advantageous but as soon as reasonably feasible to minimize the risk of positional asphyxiation, difficulty breathing, or/ and to minimize any other medical duress which may be caused by being in the prone position.
7. Not use Tasers on subjects offering only passive resistance or to prevent them from swallowing contraband.
8. Document any action that results in, or is alleged to have resulted in, injury or death to another person, on departmental report forms, including the Department use of force report form.
9. Complete all reports regarding any use of force and submit the reports to a watch supervisor for review and signature by the end of the shift.

**8.** What section of your city's police use of force policy establishes a use of force continuum - a framework classifying which force types are the most severe and restricting those to the most extreme situations. Add the text of the policy here or you if the continuum is represented in an image just put a link to where the image is and text describing which section in the policy it's on.

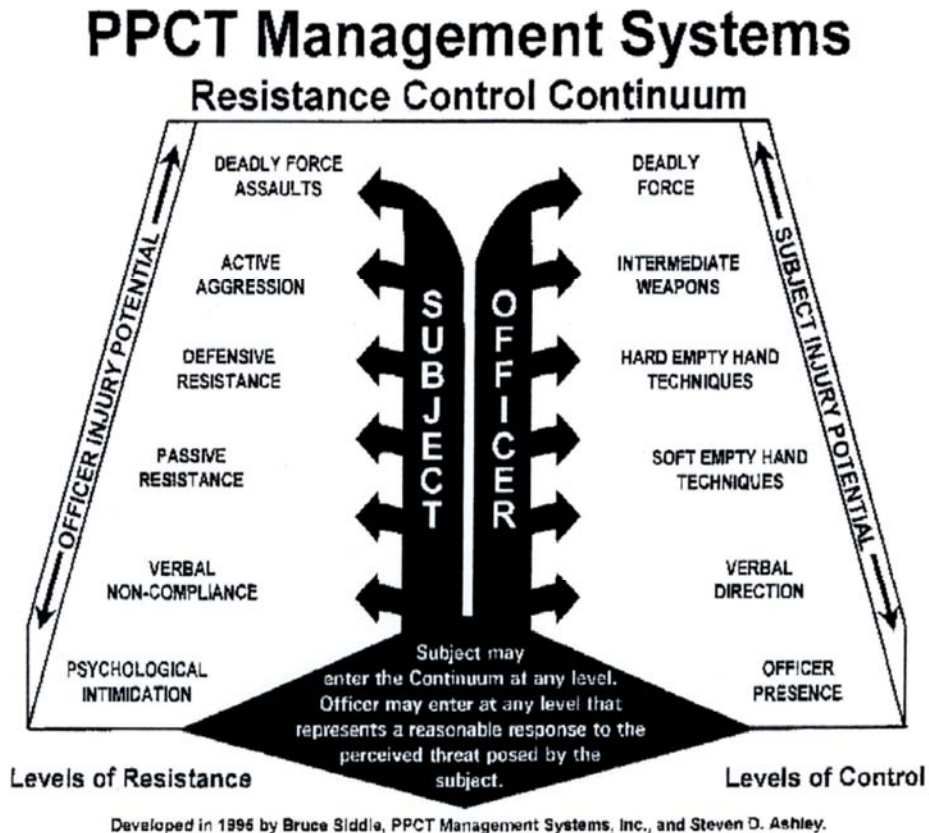
SPD General Order: UOF-01 II. POLICY

It is the policy of this Department to:

- A. Comply with existing law regarding the use of non-lethal and less lethal force. Sworn officers will use force which is permitted by law and is reasonable and necessary to accomplish lawful objectives.
- B. Protect the rights of all persons regardless of the relationship (i.e. victim, complainant, suspect, or arrestee) between the officer and the citizen.
- C. Accord equal treatment to any person regardless of color, ethnic origin, political philosophy, race, religion, sex, sexual preference, social status, or physical or mental disability.
- D. Use only the amount of force necessary to accomplish a lawful objective, control an individual or effect and maintain an arrest; and only in conformity with federal law, state law, and the Illinois and U.S. Constitutions.
- E. Adhere to the PPCT “One Plus One” theory. However, because subject resistance can begin anywhere on the continuum, officer response can begin at any point on the continuum that represents an “objectively reasonable” response. It is important to understand that officers do not need to escalate response controls in a step by step progression.
- F. Document on Departmental reports any use of any force by a sworn officer.

## USE OF FORCE CONTINUUM

The PPCT Resistance/Control Continuum was designed as a general guide to using force in a confrontation or arrest situation. The continuum will assist officers in applying the law and Departmental policy in use of force situations, documenting the use of force, and presenting testimony in a court proceeding.



## 720 ILLINOIS COMPILED STATUTES

Article 7, Section 7-5: Peace Officer's Use of Force in Making an Arrest states in part: "A peace officer, or any person whom he has summoned or directed to assist him, need not retreat or desist from efforts to make a lawful arrest because of resistance or threatened resistance to the arrest. He is justified in the use of any force which he reasonably believes to be necessary to affect the arrest and of any force which he reasonably believes to be necessary to defend himself or another from bodily harm while making the arrest.