

## Abington Township Police Department Policy and Procedure Manual

<b>Chapter:</b>	Law Enforcement Role and Authority	<b>General Order:</b>	1.3.1
<b>Section:</b>	Use of Force	<b>Original Date:</b>	040104
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<b>Pennsylvania Accreditation References:</b>	1.3.1		

### I. PURPOSE

The purpose of this general order is to provide members with guidelines on the use of deadly and non-deadly force.

### II. POLICY

The Abington Township Police Department recognizes and respects the value and special integrity of each human life. In vesting police officers with the lawful authority to use force to protect the public welfare, a careful balancing of all human interests is required. Therefore, it is the policy of this department that police officers shall use only that force that is reasonably necessary to effectively bring an incident under control, while protecting the lives of the officer and others.

### III. DEFINITIONS

- A. **Deadly force:** Any use of force which, under the circumstances in which it is used, is readily capable of causing death or serious bodily injury.
- B. **Serious bodily injury:** Bodily injury which creates a substantial risk of death or which causes serious, permanent disfigurement, or protracted loss or impairment of the function of any bodily member or organ.
- C. **Non-deadly force:** Any use of force other than that which is considered deadly force.
- D. **Positional asphyxia:** Also known as postural asphyxia, is a form of asphyxia which occurs when someone's position prevents the person from breathing adequately.

## IV. PROCEDURES

- A. Personnel will use only the force necessary to accomplish lawful objectives.
1. The purpose of this General Order is to provide guidelines on use of force by department members. This policy should not be construed as a creation of a higher legal standard of safety, care or conduct for employees in an evidentiary sense with respect to third party claims. Conviction of violations of law will form the basis for civil and criminal sanctions in a recognized judicial setting.
  2. In the event of a conflict between this general order and statutes or case law, the more restrictive shall control.
  3. The value of human life is immeasurable in our society. Police officers have been delegated the awesome responsibility to protect life and property and apprehend criminal offenders. The apprehension of criminal offenders must at all times be subservient to the protection of life. The officer's responsibility for protecting life must include his/her own.
  4. All sworn members are responsible for the review and knowledge of Pennsylvania Statute Title 18, Chapter 5, General Principles of Justification. Specifically, police officers are governed by Section 505, Use of Force in Self-Protection; Section 506, Use of Force for the Protection of Other Persons; Section 507, Use of Force for the Protection of Property; and Section 508, Use of Force in Law Enforcement. These statutes have been used to form the basis of this policy.
  5. Police Department members shall use only that amount of force which is necessary and reasonable to control the situation, affect an arrest, overcome resistance to arrest, or defend themselves or others from harm.
  6. When the use of force is necessary, the degree of force that is employed should be in direct relationship to the amount of resistance employed by the person or the immediate threat the person poses to the member or others.
  7. The use of force by members of the department will, whenever possible, be progressive in nature. This force may be in the form of advice, warnings, persuasion, verbal encounters, physical contact, use of baton or other less lethal weapons, or the use of deadly force.
  8. Sworn members must weigh the circumstances of each individual case and employ only that amount of force which is necessary and reasonable to control the situation or persons. No member will use unreasonable or excessive force toward any person.
  9. Officer(s) will exercise due regard with respect to positional asphyxia, as it can result from virtually any restraint or control position. Officer(s) shall monitor the individual(s) for signs and symptoms of asphyxia. Officer(s)

will, as soon as reasonably practical, move the individual(s) to a position to ensure there is no impairment to an individual's breathing. Chokeholds, strangleholds, and carotid restraints, are not permitted under any circumstances unless the officer reasonably believes that such force is necessary to save a life.