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# NEW POLICY INFORMATION

## DENVER POLICE DEPARTMENT



### USE OF FORCE POLICY DRAFT – MEDIA SUMMARY

JANUARY 2017

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#### 1. Purpose

The Denver Police Department values the sanctity of all human life and is committed to respecting human rights, the dignity of every individual, and the use of the least amount of force possible in those instances where force becomes necessary.

Although the department's goal is force avoidance or minimization, Denver Police officers may at times be required to make forcible arrests, overcome resistance and assaultive behavior to protect the public, other officers, themselves, and to meet department obligations. The Denver Police Department recognizes that its officers have the right of self-defense and supports their appropriate actions to avoid injury while discharging their duties. The use of force, especially force likely to result in serious bodily injury or death, is a serious action.

The intent of the Use of Force Policy is to support both public and officer safety, while recognizing and retaining the department's core mission of preventing crime. The new policy and its emphasis on de-escalation strive to meet the community's desire for a progressive police department, and enhance officer safety by reducing confrontations and injuries.

#### 2. Philosophy

When deciding whether to use force, and in the application of force, officers will act within the guidance and parameters of the decision-making model, department policy, and training consistent with this Use of Force Policy. Any force failing to meet the requirements of "necessary, reasonable, and appropriate force" as defined in this Use of Force Policy will be deemed "inappropriate force."

The concept of de-escalation (when circumstances permit) is a core component and philosophy. Officers will avoid demeanor, tactics, and actions that unduly jeopardize safety or hinder successful incident resolution.

Instinctively, highly effective officers already apply effective and ethical resolution tactics using a continual decision-making model. The proposed policy is designed to incorporate the department's best practices and those used by police departments across the country, while taking into consideration recommendations laid forth in the Final Report of the President's Task Force on 21st Century Policing and the Police Executive Research Forum's Guiding Principles on Use of Force Report. The new Use of Force Policy draft has also been simplified and condensed, and written to act in concert with the department's overall operations manual.

#### 3. Changes

The principle intent of the new Use of Force Policy, in combination with upcoming supportive training, is directed toward a reduction in physical confrontations when possible. Greater emphasis is made on officers using time, communication, and effective tactics to their advantage, while ultimately trying to de-escalate volatile situations. Using more concise language provides a more efficient guide to the men and women who carry out the complex duties of a peace officer.

##### A. USE OF FORCE THRESHOLD AND DECISION-MAKING MODEL

The new policy includes a threshold graphic for deciding when and if to apply force, and emphasizes the concept of authority, necessity, reasonableness, and appropriateness. It defines these concepts within a new decision-making model.

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The new policy makes little reference to state statutes and instead mandates that uses of force must be necessary, reasonable and appropriate. Force deemed necessary, reasonable and appropriate under the new policy meets or exceeds requirements set forth by state statutes.

The new and separate decision-making model also forms the basis for all decisions made by officers in the performance of their duties. For example, an enforcement action would also be evaluated using this model. The model does not eliminate discretion, rather it requires a heightened awareness.

**B. SANCTITY OF LIFE**

Sanctity of life will be further supported through a continual decision-making process, an emphasis on de-escalation, effective tactics and communication, and requiring that all uses of force be necessary, reasonable and appropriate. There is a shift from a uniform application of force to a more dynamic, critical thinking model that has the potential to reduce confrontations and injuries.

**C. DE-ESCALATION**

As a means of force avoidance (when appropriate), de-escalation and appropriate demeanor, tactics and actions are emphasized within the new policy. An enhanced ability to resolve incidents without using force can benefit all who are involved, and does not equate to less effective public safety or vigorous law enforcement. The Denver Police Department will continue its active and robust efforts to prevent crime, enforce the law using good judgement and discretion, and apprehend violators. De-escalation can result in less conflict, and it is not intended to reduce officer activity and crime fighting efforts.

**D. TIME, DISTANCE, AND COVER**

The new policy makes specific mention of the tactical consideration of time, distance and cover. When reasonable, officers are directed to use this strategy which may result in a greater number of safe outcomes for both officers and suspects.

**E. RESPONSIBILITY TO PROVIDE MEDICAL ATTENTION – INGESTION OF CONTRABAND**

The new policy provides more detailed direction regarding medical assistance for persons who officers encounter, expanding on the concept of rendering aid. It also provides clear direction when persons attempt to ingest contraband, prohibiting the use of force to prevent such ingestion.

**F. POLICY DELINIATION AND COHESION**

The new policy has been shortened to emphasize core philosophies, direction and guidance. Related topics such as the use of less-lethal equipment, reporting uses of force, and the department's response to critical incidents have been separated into distinct areas, but will be part of a cohesive approach to overall policy and procedure.

**G. SHOOTING AT MOVING VEHICLES**

A relatively new addition to the department's current policy will be included with this latest revision. It restricts officers from discharging a firearm at a moving vehicle unless deadly force is being used against an officer or other person by the vehicle occupant through means other than the vehicle itself. It emphasizes effective judgment, tactics and positioning.

**H. CAROTID COMPRESSION TECHNIQUE**

This technique continues to be classified as deadly force and is prohibited for situations requiring less than deadly force.

**I. DUTY TO INTERVENE**

The Denver Police Department has always had an expectation of officers safeguarding arrestees and suspects, and new language has been added to the policy requiring officers (when reasonable under the totality of circumstances) to intervene if they witness inappropriate force or mistreatment.

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#### **4. Input**

This draft policy is the product of best practices from across the nation, which have been extensively researched by the Denver Police Department. However, the department greatly values input from the members of the community, as they provide a diverse and important perspective. The department is encouraging interested community members to review the policy and send comments and suggestions to [DPDPlanning@denvergov.org](mailto:DPDPlanning@denvergov.org) by February 4, 2017.

#### **5. Training**

Prior to implementation of the new Use of Force Policy, all officers will receive training on its purpose and usage. The Training Division will provide instruction that integrates policy with real-world application, emphasizing a police response that embraces the sanctity of life and uses decision-making skills, de-escalation concepts, effective tactics, and appropriate uses of force.

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