



Training Directive

Numbered Directives shall be retained by all members

Number: 04-3

Date: 5/9/05

USE OF FORCE CONTINUUM

Selection of a reasonable force option under pressure is one of the most difficult aspects of a law enforcement officer's job. The Detroit Police Department's (DPD) policy and the law recognize that officers are expected to make split second decisions in rapidly evolving circumstances, and that the amount of time available to evaluate and respond to a situation may impact on the officer's decision. The DPD also recognizes that there is no one hard and fast formula or equation to determine appropriate use of force. [Refer to Directive 304.2 (Use of Force)].

The Michigan Commission on Law Enforcement Standards (MCOLES) developed the Michigan Law Enforcement Officer-Subject Control Continuum (MLEO-SCC) (last page), as a general training guide to using force in confrontations or arrest situations. However, officers must recognize that courtesy in all public contacts encourages understanding and cooperation. The most desirable method for effectuating an arrest is where a suspect complies with simple directions given by an officer. It is expected that an officer will almost always first try to establish and maintain control of a situation through use of presence and verbal dialogue or commands before progressing to use of the higher levels of force. It is important to keep in mind that proper police action need not always consist of some form of physical engagement, even if the suspect's actions would justify it. **OFFICER SAFETY IS ALWAYS A KEY PRIORITY.** Use of movement, cover, and concealment are keys to officer safety during confrontations or potential confrontations, particularly those in which a subject has or may have a firearm or other potentially dangerous weapon.

The most appropriate response choice to a situation often involves de-escalation, disengagement, area containment, surveillance, waiting out a subject, summoning reinforcements, or calling in specialized units.

Once control of a subject or subjects has been established, an officer should de-escalate to a force level sufficient to maintain that control. Once the situation is under control, an officer has the responsibility to provide appropriate custodial care for any subject(s) involved in the incident.

The Continuum is a graphic description of the escalation and de-escalation of force used by officers in response to an action taken by a subject. The Continuum shows types of subject actions commonly encountered by police, categorized as **"Inactive Resistance," "Passive Resistance," "Active Resistance," "Active Aggression,"** and **"Deadly Force,"** coupled with generally permissible force level response.

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Subject Action(s)

Inactive Resistance

Resistance that may include psychological intimidation and/or verbal resistance, (e.g. blank stare, clenching of fist(s), tightening of jaw muscles, etc.) The subject complies with verbal attempts at control, but displays visual and verbal cues that indicate potential physical resistance.

Passive Resistance

The subject exhibits the preliminary level of noncompliance that requires some degree of physical contact by the officer in order to elicit compliance. (e.g., a subject verbally refuses to go with the officer following a lawful arrest. The subject offers no physical or mechanical enhancement toward the resistance other than to stand motionless or remain seated.

Active Resistance

At this level, the scope and intensity of the subject's resistance has increased. The subject is exhibiting physical defiance to the officer's control. (e.g., if several subjects interlocked their arms in an act of civil disobedience. The subjects would be perceived at the active resistant level on the Continuum because the subjects are using force or energy to maintain resistance.

Active Aggression

The officer has the perception of an attack or the potential for such an attack on the officer or others. The officer makes the reasonable assessment that such actions by the subject **would not** result in death or serious physical injury to the officer or others. (e.g., during a lawful arrest, the subject walks away from an officer after being given verbal commands to stop. The subject suddenly turns and runs toward the officer with clenched fists to strike the officer and cause physical injury.

Deadly Force Assault

This type of threat poses the most serious concern for officer safety. The officer's objective reasonable assessment is that such assaultive actions pose an imminent danger by the subject that **could** result in death or serious physical injury.

Officer Response

Officer Presence/Verbal Direction

This level includes officer presence, communications skills, and restraint applications (compliant handcuffing). It is important for officers to recognize that the cooperative controls can also be used at higher levels within the Use of Force Continuum (e.g., communication skills are important for officer's to attempt de-escalate conflicts prior to it becoming necessary to using a higher level of force option).

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Compliance Controls

When confronted with a subject demonstrating resistant behavior, the officer shall use low-level physical tactics to gain control and cooperation (e.g., additional verbal persuasion skills, relative positioning strategies, and escorting). For example, if a person who is to be placed under arrest refuses to cooperate with an officer, but remains on the lowest level on the resistance scale and is passive in his or her refusal, the most appropriate response might be to wait for backup officers and show strength in numbers to gain the subject's voluntary compliance.

Physical Controls

When the subject becomes actively resistant, the officer may utilize physical control tactics. These tactics should be sufficient force to overcome the active resistance of the subject, and the officer should remain vigilant for more aggressive behavior from the subject. Examples include: come-along holds, pressure point applications, and joint locks, takedowns, chemical spray **and the PR-24 Collapsible Baton as a non-impact control device.**

Intermediate Controls

At this level, the subject attempts or achieves an assault on the officer or another person. The officer is justified in using defensive countermeasures designed to cease the subject's less lethal assault on the officer or others, de-escalate the situation, gain or regain control, and assure continued compliance. These tactics could include PR-24 strikes, blocking techniques, etc.

Deadly Force

When the officer perceives that the subject of such force poses an imminent danger of death or serious physical injury to the officer or to another person, immediate countermeasures must be used to stop the threat. These tactics could include the discharge of a firearm, and other forms of deadly force.

Other Considerations

While the Continuum focuses on the subject's actions to select a force option, a number of other factors should be taken into consideration as part of the "totality of the circumstances." These factors are not necessarily reflected in the Continuum but may legitimately affect the officer's selection of a force level option, either up or down the continuum. These escalation/de-escalation factors include, but are not limited to:

- The nature of the offense
- Influence of drugs or alcohol
- Presence/proximity of weapons
- Officer/Subject factors (e.g., age, size, strength, etc.)
- The feasibility and availability of alternative responses
- The availability of additional officers

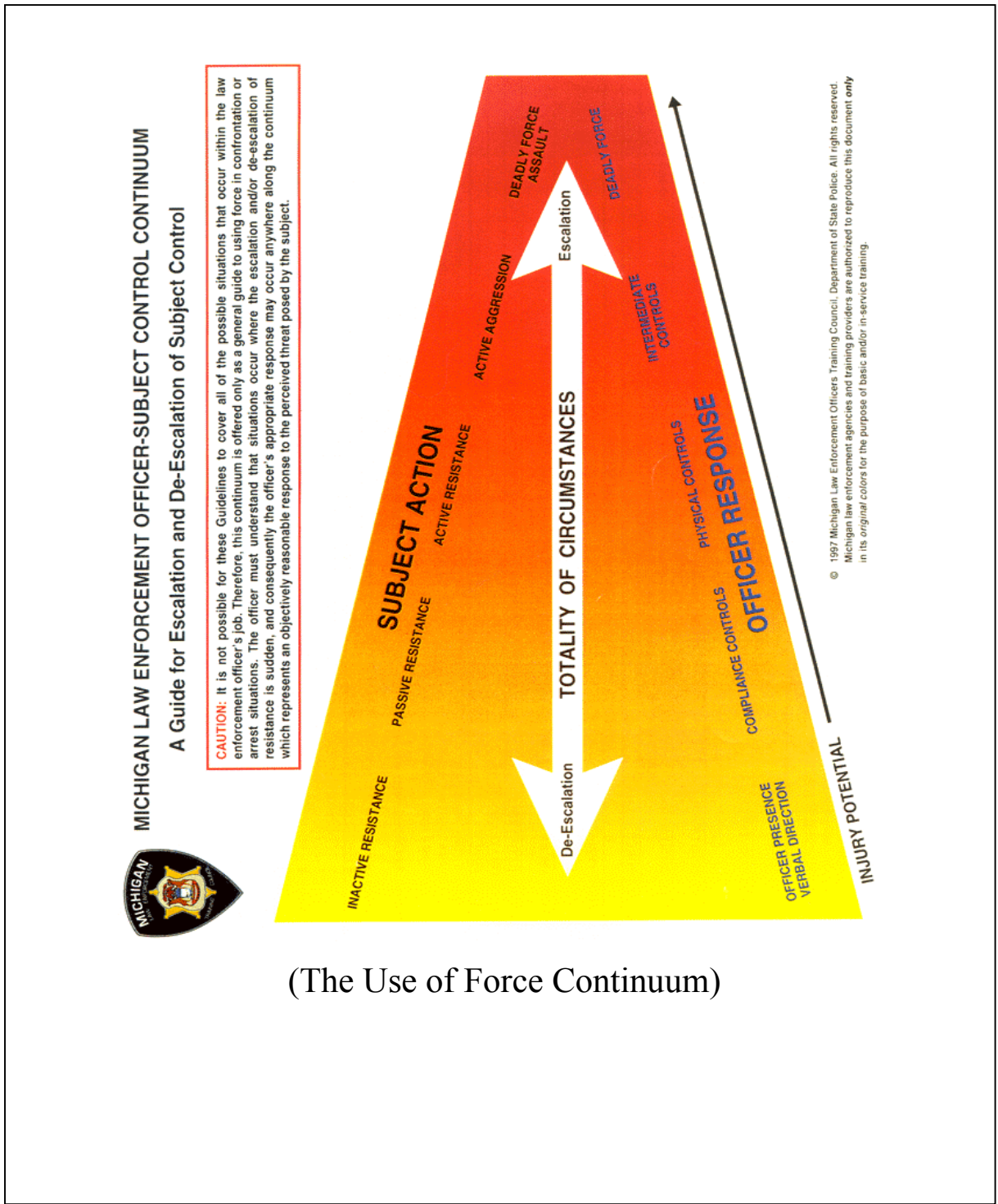
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Conclusion

In the final analysis, no graph or chart can substitute or eliminate the need for an officer's reasoned decision about the use of force based on training, experience, common sense and good judgment. Every officer has an individual responsibility to ensure that the force used is reasonable and necessary.



(The Use of Force Continuum)

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