

Part 1 AUTHORITY AND RESPONSIBILITIES Chapter C Page 2

1.6 Officers must avoid using unnecessary force. The privilege to use force is limited. A Police Officer can only use as much force as necessary to protect themselves or others. In some cases, that amount of force will involve lethal force. Most often, the amount of force will be what is reasonably necessary to enable them to affect the arrest.

1.7 Use of Force situations often do not allow for an ordinal progression up a continuum of force and officers must be ready to escalate or de-escalate as the situation evolves.

1.8 Disengagement is a reasonable option in consideration of officer safety and the necessity to apprehend immediately. Disengagement, area containment, surveillance, waiting out a subject, summoning reinforcements, or calling in specialized units may be an appropriate response to a situation and should be considered.

1.9 Force options may be used simultaneously, for instance, combining verbal commands with use of chemical irritant. The officer must exercise proper use of force decision making, which means the use of reasonable force, including proper tactics, and de-escalation techniques.

1.10 A Police Officer's failure to stop an assault by a third person may be grounds for a charge of assault (or assault causing, assault with a weapon, aggravated assault or murder as the case may be) for that Police Officer. The Courts have held that because a peace officer has a duty to protect persons in their custody, that the failure to protect them in the face of an assault is in fact an encouragement of the assault. The passive Police Officer is therefore a party to the offence and criminally liable.

2.0 Guidelines For the Use of Force

2.1 Police Officers shall not resort to the use of force UNLESS such use is necessary in the execution of their duties as peace officers and this purpose cannot REASONABLY be accomplished by less violent means.

2.2 The decision as to whether force is to be used, and the amount to be applied, shall rest solely with the Police Officer at the scene who is personally involved. However, as noted in Section 1 of this chapter, it is important to bear in mind that the decision to use force and the amount thereof must be reasonable and not excessive. Such decisions are subject to review in criminal, civil and/or disciplinary proceedings.

2.3 Although decisions may have to be made instantly, in each case the decision shall be based on a reasonable assessment of the totality of circumstances.

2.4 Police Officers shall not use any more force than is necessary under the circumstances to accomplish their lawful objectives.

2.5 Officers should avoid the use of items as a means of force that are not issued specifically as defensive weapons such as flashlights, radios, etc., except as spontaneous defensive weapons, in response to situations where there is reason to believe that imminent threat of death or serious physical injury exists and no other option is available.