



Department Policies

SECTION TITLE
Use of Force

SECTION NUMBER REVISION
POL 4200 1

Use of Force - Mission Statement

It is the policy of the Centre Island Police Department to care for the people and community we serve, to respect human dignity, to protect the rights of all people and to be committed to fairness and respect in our interaction with the people we serve.

The use of force by members of law enforcement is a matter of utmost concern both to the public and the law enforcement community. Therefore, when faced with a situation where the use of force is reasonable and necessary, the guiding values of members of the Centre Island Police Department shall be those principles set forth above, as well as the paramount objective of reverence for the sanctity of human life.

Use of Force - General

Members of the Centre Island Police Department will only use force in accordance with existing law and the Centre Island Police Department's policy, rules and procedures.

In all cases, the primary duty of all Members of the Department is to protect human life and provide for the safety of the community. In some cases it may be necessary to use force to bring a particular incident or person under control. In those situations only reasonable and necessary force will be utilized to achieve that goal. Whenever feasible, and consistent with personal and public safety, members should de-escalate the use of force once a particular threat and/or resistance has dissipated. The selection of appropriate force by a Member of the Department shall be based upon the totality of circumstances present at the time such force is employed, taking into account the use of force training received and the guidelines provided by the Centre Island Police Department. A Member of the Department must be able to clearly explain his or her reason(s) for the use of force and the external circumstances that formulated his or her decision to utilize force in a given situation.

It should be noted that members of law enforcement who use unreasonable force diminish the confidence of the community they serve, expose their department and fellow officers to legal and physical hazards, and violate the rights of individuals upon whom unreasonable force is used. Conversely, members of law enforcement who fail to use force when warranted may endanger themselves, the community and fellow officers. As such, in every situation, Members of the Department are expected to act with intelligence and employ sound judgment in furtherance of the spirit of this policy.

Use of Deadly Force

Deadly force is only appropriate under circumstances where its use is justified and authorized by applicable federal and state law, and is in accordance with this policy and the rules and procedures set forth in the Department Manual. Furthermore, a Member of the Department is only justified in using deadly force when it is reasonable and necessary. The basis for such a determination depends on the totality of circumstances known or reasonably perceived by the Member of the Department at the time. A Member of the Department must be able to clearly

ISSUING AUTHORITY
Chief of Police

SIGNATURE
Michael A. Capobianco

REVISION DATE
11/05/2020

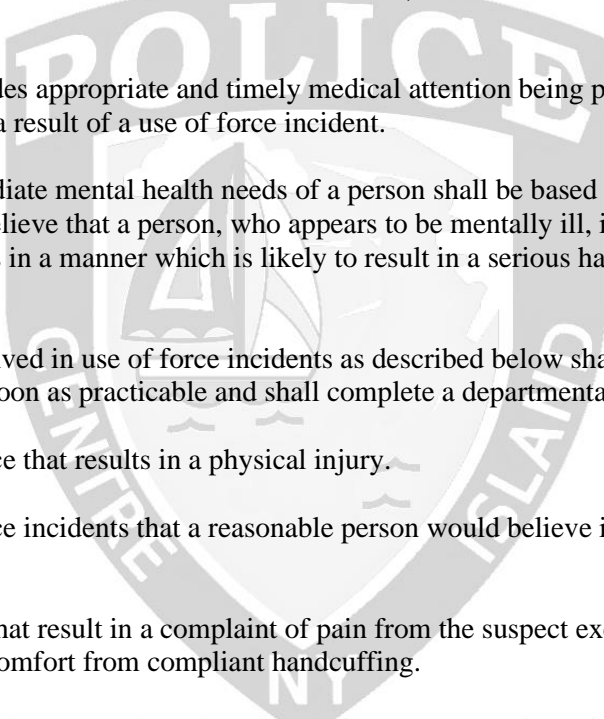
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explain and articulate his or her reason(s) for the use of deadly force, the external circumstances that formulated his or her decision to utilize deadly force, as well as the factors that led to the conclusion that the member's life, the life of another Member of the Department, or the lives of the public, were in imminent peril and the use of deadly force was reasonable and necessary.

Incidents involving the use of deadly force by Members of the Department will be thoroughly reviewed by the Centre Island Police Department, Nassau County Police Department and/or District Attorney's office on a case by case basis.

Reporting and reviewing the use of force

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- A. A police or peace officer or other law enforcement entity who has custody of a person must provide attention to the medical and mental health needs of a person in their custody and obtain assistance and treatment of such needs, which are reasonable and provided in good faith.
1. This includes appropriate and timely medical attention being provided to a party injured as a result of a use of force incident.
 2. The immediate mental health needs of a person shall be based upon the reasonable cause to believe that a person, who appears to be mentally ill, is conducting themselves in a manner which is likely to result in a serious harm to themselves or others.
- B. Members involved in use of force incidents as described below shall notify their supervisor as soon as practicable and shall complete a departmental use of force report.
1. Use of force that results in a physical injury.
 2. Use of force incidents that a reasonable person would believe is likely to cause an injury.
 3. Incidents that result in a complaint of pain from the suspect except complaints of minor discomfort from compliant handcuffing.
 4. Incidents where a conducted energy device (CED) was intentionally discharged or accidentally discharged after being displayed.
 5. Incidents where a firearm was discharged at a subject.
- C. A standardized use of force form should be used to document any reportable use of force incident.
- D. Officers should document any requests for necessary medical or mental health treatment as well as efforts of police to arrange for such treatment.

Additional Instructions

Whenever possible, members of the department should make every effort to avoid tactics, such as sitting or standing on a subject's chest, which may result in chest compression, thereby reducing the subject's ability to breathe. Persons taken into custody (i.e., arrest, mentally ill, emotionally disturbed, etc.) shall be rear cuffed at the earliest opportunity to reduce the potential for resistance, which may cause injuries. After an individual has been controlled and placed under custodial restraint using handcuffs and other authorized methods, the person should be positioned so as to promote free breathing. The subject should not be maintained or transported in a face down position. The member of the department assuming custody of the subject should closely observe him or her for any apparent injuries. If the area is dark, a flashlight or other source of illumination should be used to maintain a clear view of the subject at all times. If a person appears to be having difficulty breathing or is otherwise demonstrating life-threatening symptoms, medical assistance will be requested immediately.

Any use of force will require an immediate notification to a supervisor.

All members are required to know and understand the applicable policy, rules and procedures as set forth in this Department Manual, including the below listed procedures and rules, with regard to the following types of force: impact, chemical, electronic, and deadly force.

1. Use of Deadly Force – OPS 12404,
2. Use of Electronic Control Device (ECD)/Taser – OPS 12403,
3. Use of Oleoresin Capsicum (OC) – OPS 12402,
4. Use of Impact Weapons - OPS 12401,
5. Department Rules, Article 5, General –