

Kent PD	WASPC	Title
#3.10	#3.1	Use of Force

Law enforcement officers often handle situations where control must be exercised to make arrests and to protect the public safety. Control may be achieved through verbal persuasion, warnings, and the use of physical force. Physical force should only be used for defense or to control the actions/behavior of another person, when such actions/behaviors create a perceived risk of injury to any person or damage to property of another, or to overcome the active resistance to a lawful order. All use of force by Kent officers will be in compliance with RCW 9A.16.020.

Officers of the Kent Police Department will use only that force that is objectively reasonable to effect a lawful arrest, defend themselves or others from violence, restore order or to otherwise accomplish police duties according to law. To the extent that Department Policy may contain provisions more restrictive than the state law, such provisions are not intended, nor may be they construed or applied, to create a higher standard of care of duty toward any person or to provide a basis for criminal or civil liability against the City, the Police Department, or any of its officials or individual officers. Force, including deadly force and the use of Department issued or authorized firearms, weapons and control/impact/capture devices, is to be used in the performance of police duty when and only to the extent necessary. The degree of force used by an officer will be based on that officer’s perception and reasonable assessment of risk posed by the suspect or suspects under the totality of the circumstances. Reasonable force will be modulated both up and down based on the amount of resistance encountered. Police Use of Force falls into three basic categories, Non-Deadly, Intermediate, and Deadly Force.

Non-Deadly Force is force that presents a minimal risk of injury to subject and is objectively reasonable to defend self or others, effect arrest, overcome resistance or prevent escape. Examples-Presence, verbal commands, “empty hand” controls, Taser in drive stun, and LVNR (Levels 1,2 and 3 prior to unconscious).

Intermediate Force is force that presents a significant risk of injury to subject. It is objectively reasonable to defend self or others; to effect arrest or overcome resistance **WHEN** there is active resistance **AND** threat of harm to officers or public. **SOME** examples include Taser in dart mode, K9 contact, LVNR (Unconscious), OC, impact weapons to primary& secondary targets, kicks and punches to primary and secondary targets, etc.

Deadly Force is force that presents a substantial risk of serious bodily injury/death. Is it objectively reasonable to defend self or others or to effect arrest overcome resistance or prevent escape when threat of serious bodily injury or

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death, or with Probable Cause for a violent felon who presents an imminent threat. Examples include firearms but can be much broader.

In the event an intermediate or higher level of force is used the on-duty supervisor will be notified prior to the scene being cleared. In most cases the on duty supervisor will respond to the scene of applications of the TASER in dart mode and the use of LVNR where a subject is rendered unconscious.

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