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Title 8 - Use of Force

8.000 - Use of Force Core Principles

This section outlines the Seattle Police Department's core principles relating to the use of force. These general principles provide the foundation for the more specific policies governing the application, reporting, investigation and review of force. The Department recognizes that officers will face unique and challenging circumstances not specifically addressed in this policy. Officers are expected to apply these core principles reasonably in unanticipated situations.

1. Every Member of the Seattle Police Department is Committed to Upholding the Constitution and Laws of the United States and the State of Washington, and Defending the Civil Rights and Dignity of All Individuals, While Protecting Human Life and Property and Maintaining Civil Order.

It is the policy of the Seattle Police Department to accomplish the police mission with the cooperation of the public and as effectively as possible, and with minimal reliance upon the use of physical force.

The community expects and the Seattle Police Department requires that officers use only the force necessary to perform their duties and that such force be proportional to the threat or resistance of the subject under the circumstances.

An officer's commitment to public safety includes the welfare of members of the public, the officer, and fellow officers, with an emphasis on respect, professionalism, and protection of human life, even when force is necessary.

Officers who violate those values by using objectively unreasonable force degrade the confidence of the community, violate the rights of individuals upon whom unreasonable force is used, and may expose the Department and fellow officers to legal and physical hazards.

Conversely, officers who fail to use timely and adequate force when it is necessary may endanger themselves, the community and fellow officers.

2. When Safe under the Totality of the Circumstances and Time and Circumstances Permit, Officers Shall Use De-Escalation Tactics in Order to Reduce the Need for Force

Additional guidance on how to reduce the need to use force may be found in [Section 8.100](#).

3. Sometimes the Use-of-Force Is Unavoidable, and an Officer Must Exercise Physical Control of a Violent, Assaultive, or Resisting Individual to Make an Arrest, or to Protect Members of the Public and Officers From Risk of Harm

In doing so:

- * Officers should recognize that their conduct prior to the use of force, including the display of a weapon, may be a factor which can influence the level of force necessary in a given situation.
- * Officers should take reasonable care that their actions do not precipitate an unnecessary, unreasonable, or disproportionate use of force, by placing themselves or others in jeopardy, or by not following policy or training.
- * Officers should continually assess the situation and changing circumstances, and modulate the use-of-force appropriately.

4. An Officer Shall Use Only the Degree of Force That Is Objectively Reasonable, Necessary Under the Circumstances, and Proportional to the Threat or Resistance of a Subject

Objectively reasonable: The reasonableness of a particular use of force is based on the totality of circumstances known by the officer at the time of the use of force and weighs the actions of the officer against the rights of the subject, in light of the circumstances surrounding the event. It must be judged from the perspective of a reasonable officer on the scene, rather than with the 20/20 vision of hindsight

The calculus of reasonableness must allow for the fact that police officers are often forced to make split-second decisions—in circumstances that are tense, uncertain, dynamic and rapidly evolving—about the amount of force that

8.050 - Use of Force Definitions

Effective Date: 09/01/2015

Deadly Force: The application of force through the use of firearms or any other means reasonably likely to cause death, Great Bodily Harm, or serious physical injury.

When reasonably likely to cause death or serious physical injury, Deadly Force includes:

* Shooting a firearm at a person

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

De-escalation: Taking action to stabilize the situation and reduce the immediacy of the threat so that more time, options, and resources are available to resolve the situation. The goal of de-escalation is to gain the voluntary compliance of subjects, when feasible, and thereby reduce or eliminate the necessity to use physical force. See [Section 8.100](#) for further guidance.

De-escalation Techniques: Actions used by officers, when safe and without compromising law-enforcement priorities, that seek to minimize the likelihood of the need to use force during an incident, and increase the likelihood of gaining voluntary compliance from a subject. See [Section 8.100](#) for examples of de-escalation tactics and techniques.

Force: Force means any physical coercion by an officer in performance of official duties, including the following types of force.

* **De Minimis Force** – Physical interaction meant to separate, guide, and/or control without the use of control techniques that are intended to or are reasonably likely to cause any pain or injury. Includes:

- Use of control holds or joint manipulation techniques in a manner that does not cause any pain, and are not reasonably likely to cause any pain.

- Using hands or equipment to stop, push back, separate, or escort a person without causing any pain, or in a manner that would reasonably cause any pain.

* **Type I** – Force that causes transitory pain, the complaint of transitory pain, disorientation, or intentionally pointing a firearm or bean bag shotgun at a person.

* **Type II** – Force that causes or is reasonably expected to cause physical injury greater than transitory pain but less than great or substantial bodily harm, and/or the use of any of the following weapons or instruments: CEW, OC spray, impact weapon, bean bag shotgun, deployment of K-9 with injury or complaint of injury causing less than Type III injury, vehicle, hobble restraint.

* **Type III** – Force that causes or is reasonably expected to cause, great bodily harm, substantial bodily harm, loss of consciousness, or death, and/or the use of neck and carotid holds, stop sticks for motorcycles, impact weapon strikes to the head.

Additional guidance on reporting force may be found in [Section 8.400](#).

[REDACTED]

Injury Classifications:

* **Physical or Bodily Injury (also "Injury")**: Physical pain or injury, illness, or an impairment of physical condition greater than transitory pain but less than great or substantial bodily harm. (SMC 12A.02.150,RCW 9A.04.110)

* **Serious Physical Injury (RCW 9.A.16.040(2))**: Physical injury which creates a substantial risk of death or which causes serious disfigurement, serious impairment of health or serious loss or impairment of the function of any bodily organ or structure or involves serious concussive impact to the head.

* **Substantial Bodily Harm (RCW 9A.04.110)**: Bodily injury which involves:

- *Temporary* but substantial disfigurement
- *Temporary* but substantial loss or impairment of the function of any bodily part or organ
- Fracture of any bodily part

* **Great Bodily Harm (RCW 9A.04.110)**: Bodily injury which either:

- Creates a probability of death
- Causes significant serious permanent disfigurement
- Causes a significant permanent loss or impairment of the function of any bodily part or organ

Less-Lethal Devices: Devices designed and intended to apply force not intended nor likely to cause the death of the subject or Great Bodily Harm. For the intended purpose of Less Lethal Tools see: [Section 8.200 #2](#). Includes: TASER, Impact weapons, Beanbag shotgun, OC spray.

Necessary Force: "Necessary" means that no reasonably effective alternative to the use of force appeared to exist and that the amount of force used was reasonable to effect the lawful purpose intended. See [RCW 9A.16.010 – Definitions](#).

Objectively Reasonable Force: Objectively reasonable force is based on the totality of circumstances known by the officer at the time of the use of force and weighs the actions of the officer against the rights of the subject, in light of the circumstances surrounding the event. It must be judged from the perspective of a reasonable officer at the scene, rather than with the 20/20 vision of hindsight. See Sections [8.000](#) and [8.100](#) for further guidance on objectively reasonable force.

[REDACTED]

Use of Force: See "Force."

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

8.100 - De-Escalation

1. When Safe under the Totality of the Circumstances and Time and Circumstances Permit, Officers Shall Use De-Escalation Tactics in Order to Reduce the Need for Force

De-escalation tactics and techniques are actions used by officers, when safe and without compromising law enforcement priorities, that seek to minimize the likelihood of the need to use force during an incident and increase the likelihood of voluntary compliance. (See [Section 8.050](#).)

When safe and feasible under the totality of circumstances, officers shall attempt to slow down or stabilize the situation so that more time, options and resources are available for incident resolution.

When time and circumstances reasonably permit, officers shall consider whether a subject's lack of compliance is a deliberate attempt to resist or an inability to comply based on factors including, but not limited to:

- * Medical conditions
- * Mental impairment
- * Developmental disability
- * Physical limitation
- * Language barrier
- * Drug interaction
- * Behavioral crisis

An officer's awareness of these possibilities, when time and circumstances reasonably permit, shall then be balanced against the facts of the incident facing the officer when deciding which tactical options are the most appropriate to bring the situation to a safe resolution.

Mitigating the immediacy of threat gives officers time to utilize extra resources, and increases time available to call more officers or specialty units.

The number of officers on scene may increase the available force options and may increase the ability to reduce the overall force used.

Other examples include:

- * Placing barriers between an uncooperative subject and an officer
- * Containing a threat
- * Moving from a position that exposes officers to potential threats to a safer position
- * Decreasing the exposure to potential threat by using
 - Distance
 - Cover
 - Concealment
- * Communication from a safe position intended to gain the subject's compliance, using:
 - Verbal persuasion
 - Advisements
 - Warnings
- * Avoidance of physical confrontation, unless immediately necessary (for example, to protect someone, or stop dangerous behavior)

* Using verbal techniques, such as Listen and Explain with Equity and Dignity (LEED) Training, to calm an agitated subject and promote rational decision making

* Calling extra resources to assist or officers to assist:

- More officers
- CIT officers
- Officers equipped with less-lethal tools

* Any other tactics and approaches that attempt to achieve law enforcement objectives by gaining the compliance of the subject

8.200 - Using Force

Effective Date: 09/01/2015

1. Use of Force: When Authorized

An officer shall use only the force reasonable, necessary, and proportionate to effectively bring an incident or person under control, while protecting the lives of the officer or others.

In other words, Officers shall only use objectively reasonable force, proportional to the threat or urgency of the situation, when necessary, to achieve a law-enforcement objective. The force used must comply with federal and state law and Seattle Police Department policies, training, and rules for specific instruments and devices. Once it is safe to do so and the threat is contained, the force must stop.

When determining if the force was objectively reasonable, necessary and proportionate, and therefore authorized, the following guidelines will be applied:

Reasonable: The reasonableness of a particular use of force is based on the totality of circumstances known by the officer at the time of the use of force and weighs the actions of the officer against the rights of the subject, in light of the circumstances surrounding the event. It must be judged from the perspective of a reasonable officer on the scene, rather than with the 20/20 vision of hindsight. Factors to be considered in determining the objective reasonableness of force include, but are not limited to:

- * The seriousness of the crime or suspected offense;
- * The level of threat or resistance presented by the subject;
- * Whether the subject was posing an immediate threat to officers or a danger to the community;
- * The potential for injury to citizens, officers or subjects;
- * The risk or apparent attempt by the subject to escape;
- * The conduct of the subject being confronted (as reasonably perceived by the officer at the time);
- * The time available to an officer to make a decision;
- * The availability of other resources;
- * The training and experience of the officer;
- * The proximity or access of weapons to the subject;
- * Officer versus subject factors such as age, size, relative strength, skill level, injury/exhaustion and number of officers versus subjects; and
- * The environmental factors and/or other exigent circumstances.

* Whether the subject has any physical disability.

The assessment of reasonableness must allow for the fact that police officers are often forced to make split-second decisions—in circumstances that are tense, uncertain, and rapidly evolving—about the amount of force that is necessary in a particular situation.

The reasonableness inquiry in an excessive-force case is an objective one: whether the officers' actions are objectively reasonable in light of the facts and circumstances confronting them, without regard to their underlying intent or motivation.

Necessary: Officers will use physical force only when no reasonably effective alternative appears to exist, and only then to the degree which is reasonable to effect a lawful purpose.

Proportional: To be proportional, the level of force applied must reflect the totality of circumstances surrounding the situation at hand, including the nature and immediacy of any threats posed to officers and others.. Officers must rely on training, experience, and assessment of the situation to decide an appropriate level of force to be applied. Reasonable and sound judgment will dictate the force option to be employed. Proportional force does not require officers to use the same type or amount of force as the subject. The more immediate the threat and the more likely that the threat will result in death or serious physical injury, the greater the level of force that may be proportional, objectively reasonable, and necessary to counter it.

[REDACTED]

3. Officers Should Assess and Modulate the Use-Of-Force as Resistance Changes

For example, as resistance decreases, the use of force may decrease.

4. Use of Deadly Force

Deadly force may only be used in circumstances where threat of death or serious physical injury to the officer or others is imminent. A danger is imminent when an objectively reasonable officer would believe that:

- * A suspect is acting or threatening to cause death or serious physical injury to the officer or others, and
- * The suspect has the means or instrumentalities to do so, and
- * The suspect has the opportunity and ability to use the means or instrumentalities to cause death or serious physical injury

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

6. Following a Use-of-Force, Officers Shall Render or Request Medical Aid, if Needed or if Requested By Anyone, as Soon as Reasonably Possible

Following a use-of-force, officers will request a medical aid response, if necessary, for suspects and others and will closely monitor subjects taken into custody.

[REDACTED]

7. Officers Shall Automatically Request Medical Aid in Certain Situations

Every Type III use-of-force [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

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[REDACTED]

[REDACTED]

[REDACTED]

8.300 - Use of Force Tools

Effective Date: 09/01/2015

This policy addresses the use and deployment of all force tools that are available to sworn Department employees. The following force options are governed by this policy:

[REDACTED]

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

* Oleoresin Capsicum (OC) spray

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

The policies addressing and governing the use of specific force tools are [8.300-POL-1 through 8.300-POL-10](#), which are contained in the "Use of Force Tools Policy Manual." Those policies and that manual have the full force and effect of SPD policy.

The Intended Purpose of Less-Lethal Devices

Less-lethal devices are used to interrupt a subject's threatening behavior so that officers may take physical control of the subject with less risk of injury to the subject or officer than posed by greater force applications. Less-lethal devices alone cannot be expected to render a suspect harmless.

Support officers should be prepared to take immediate action to exploit the brief opportunity created by the less-lethal device and take control of the subject if safe to do so.

[REDACTED]
[REDACTED]
[REDACTED]

2. Uniformed Officers Are Required to Carry at Least One Less Lethal Tool

Uniformed officers who have been issued a CEW shall carry it.

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

7. Use of Less-Lethal Tools in the Following Circumstances is Only Permitted in Situations Where There is a Risk of Death, Great Bodily Harm, or Serious Physical Injury to the Officer or Third Parties

[REDACTED]
[REDACTED]

[REDACTED]

[REDACTED]

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8.300-POL-4 Use of Force – FIREARMS

1. Officers Shall Only Shoot Firearms in Situations Where Deadly Force is Permitted. See [Section 8.000](#)

a. Firearms May Be Used Against a Dangerous Animal to Deter an Attack or to Prevent Injury to Persons Present

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

5. An Officer May Draw or Exhibit a Firearm in the Line of Duty When the Officer has Reasonable Cause to Believe It May Be Necessary for His or Her Own Safety or for the Safety of Others

When an officer determines that the threat is over, the officer shall holster his or her firearm.

Unnecessarily or prematurely drawing or exhibiting a firearm may limit an officer's alternatives in controlling a situation, may create unnecessary anxiety on the part of the public, and may result in an unwarranted or unintentional discharge of the firearm.

Officers shall not draw or exhibit a firearm unless the circumstances surrounding the incident create a reasonable belief that it may be necessary to use the firearm in conformance with this policy on the use of firearms.

[REDACTED]

7. Officers Shall Issue a Verbal Warning to the Subject and Fellow Officers Prior to Shooting a Firearm

Officers shall issue a verbal warning to the subject, other officers, and other individuals present, that a firearm will be shot and defer shooting the firearm a reasonable amount of time to allow the subject to comply with the warning.

Exception: A verbal warning is not required if giving the warning would compromise the safety of the officer or others. In such circumstances, the deploying officer should document his/her reason for believing his/her safety would have been compromised in his/her use of force statement.

[REDACTED]

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8.300-POL-6 Use of Force – OLEORESIN CAPSICUM (OC) SPRAY

This policy applies to the use of OC spray by all sworn Department employees.

Oleoresin Capsicum spray (OC spray) is an inflammatory agent that causes an intense burning sensation of the skin, eyes, and mucous membranes. A one second burst applied directly to the face (direct exposure), even with glasses, will usually result in the immediate closing of the eyes. The individual's eyes will likely close, tear, and swell as a result. When inhaled (secondary exposure), the respiratory tract will likely become inflamed and temporarily restrict breathing to short, shallow breaths. The individual may experience choking, gagging, gasping for breath, or, on rare occasion, unconsciousness. The individual may experience nausea, lung pain, or temporarily impaired thought processes. The individual may become disoriented or lose his or her balance.

OC spray may reduce or eliminate the need for substantial physical force to make an arrest or gain custody. It may reduce the potential for injuries to officers and suspects.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]