

Good Example of a Use of Force Report

On this date I responded to assist in this investigation.

I responded due to Officer Doe's request via radio for units to assist. Officer Doe communicated that he needed immediate assistance. As a result, I responded code 1 (lights and sirens) to this location.

- Provides reason and authority for the Officer to be there.

Upon my arrival I observed a black Nissan pickup truck parked under an open car port, with a marked patrol vehicle parked behind, with its red/blue lights activated.

- Seeks to confirm what the primary officer stated in his report and supports the legal authority for what is about to occur.

As I drew closer I observed Officer Doe standing in front of the Nissan pickup, holding the left arm of a subject (later identified as Smith).

Upon seeing me, Officer Doe told me that Smith was "under arrest for RDO." (RDO refers to NCGS 14-223: Resist, delay, or obstruct and officer.) Officer Doe then informed me that SMITH was resisting.

- Gives the officer's thought process as to his perception and his legal reasoning for his authority to perform certain actions.

I walked up behind SMITH, and secured his right arm. At this time, I noted that SMITH was flexing the muscles in his arms, had both hands clenched into fists, was hunched forward slightly, and was standing with his feet apart and offset in a "boxer's stance." I know through my training and experience that these are pre-assaultive indicators.

- Begins to document the suspect's ability / opportunity / intent (AOI). This is what is taught in BLET, and is a must for any use of force report.

As I grabbed SMITH's arm at the wrist and elbow, SMITH clenched both hands in towards his abdomen, ignoring repeated instructions from Officer Doe to put his hands behind his back. It became immediately apparent that SMITH was going to continue actively resisting attempts to take him into custody.

- Documents verbal commands and the attempted effort to use the least amount of force. Supports sanctity of life, supports the training we give reference de-escalation. Documents the suspect's degree of non-compliance and how he has the ability to engage in non-compliance behavior/actions. Again, this is BLET AOI.

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Officer Doe and I pushed SMITH into the front of the Nissan pickup in order to restrict his ability to move and pull away. SMITH continued to clench both closed fists in front of his body, ignoring Officer Doe's continued instructions to place his hands behind his back. Officer Doe and I continued attempting to use soft hand techniques to place SMITH's hands behind his back, with no success.

- Documents the officers' actions and gives a reason and purpose for said actions. Then documents the results of said actions. This also begins to cover the escalation of force being applied. Covers verbal commands and the use of soft hand tactics. Spot on with supporting our Use of Force Policy.

At this point, due to SMITH's active resistance, and pre-assaultive behavior, I used my right leg to perform 3 knee strikes to SMITH's right common peroneal (the outside of the upper leg), while telling SMITH to put his hands behind his back. SMITH relaxed his arms and complied. He was cuffed and searched without further incident.

- Again, documents the actions of the officer and the out come of said actions. Clearly documents the stunning technique and allows KPD to show actions are supported by the State of NC. Spot on with supporting KPD's Use of Force policy.

During this process I noted the odor of alcohol emanating from SMITH's person. I commented on the odor of alcohol, and SMITH spontaneously uttered that he had not consumed any alcohol.

- A person's ability to make rational choices are diminished when impaired. This can often lead to an increase in need of use of force to gain compliance. Verbal de-escalation is less effective when drugs and or alcohol are involved.