



CITY OF MARICOPA POLICE DEPARTMENT

Operations

Policy
1.62

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Steve Stahl, *Chief of Police*

09/10/2014

Use of Force – Philosophies & Definitions

1. PURPOSE

This order provides the Maricopa Police Department (MPD) personnel with the philosophy and definitions pertaining to use of force.

2. AUTHORITY

In accordance with Arizona Revised Statutes (ARS), police officers possess the legal authority to use reasonable levels of force necessary to lawfully control and/or arrest citizens.

3. PHILOSOPHY

- The MPD is committed above all to the sanctity and preservation of life, human rights, the dignity of every individual, and the Constitution of the United States and the State of Arizona. An officer's responsibility for protecting life must include his or her own and those of his or her fellow officers and the general public.
- The decision to use force when conducting official law enforcement responsibilities is among the most critical decisions made by officers. It is a decision that must be made quickly and under difficult, often unpredictable, rapidly changing and unique circumstances.
- The United States Supreme Court has held that the reasonableness of a particular use of force must be judged from the perspective of a reasonable officer on the scene, rather than with the 20/20 vision of hindsight. Force used to gain control of a situation will be used with restraint and in proportion to the resistance offered.

4. DEFINITIONS

Carotid Control Technique:

A technique designed to render a violent subject unconscious for a short period of time.

Chemical Agents:

A substance produced to cause changes to a person's eyes or respiratory passages. Refers to OC spray, SWAT chemical munitions, etc.

Control Methods:

Verbal or physical techniques an officer uses in an attempt to neutralize the actions of a subject or to protect the subject from injury to self or others.



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Deadly Force: (ARS 13-105.14)

Force that is used with the purpose of causing death or serious physical injury or in the manner of its use or intended use is capable of creating a substantial risk of causing death or serious physical injury.

Deadly Weapon: (ARS 13-105.15)

Anything designed for lethal use, including a firearm.

De-escalation:

To diminish or decrease in scope, size, or intensity based on circumstances at that time.

Conducted Electrical Weapons (CEW):

An electro-muscular disruption device that disrupts the body's ability to communicate messages from the brain to the muscles causing temporary motor skill dysfunction to a subject.

Escalation:

To increase in scope, size, or intensity based on circumstances at that time.

Imminent or Impending Threat:

- "Imminent" does not mean "immediate" or "instantaneous", but that an action is pending.
- A threat is imminent or impending in circumstances where:
 - It appears that a subject's intent is to cause death and/or serious physical injury to the officer or others, **and**
 - It appears that the subject has the means or ability to do so, **and**
 - It appears that the subject has the opportunity and ability to use those means or instrumentalities to cause death or serious physical injury.

Impact Weapons:

- Objects and instruments that are used, or are designed to be used, to apply force to the person of another by coming into physical contact with that person.
- Impact weapons include the expandable baton, side-handle baton, and flexible baton (bean bag shotgun).

Less Lethal Weapons:

Devices used by members to stop, control, and restrain individuals while causing less



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harm than deadly force.

Limited Strikes:

Strikes applied to limited target areas. Refer to "Strikes" definition. Example target areas: brachial plexus (tie-in), radial, median, femoral, common peroneal and tibial nerves.

Non-Deadly Force: (ARS 13-105.31)

Force that is used upon or directed toward the body of another person and includes confinement, but does not include deadly physical force. Any application of force that is not reasonably anticipated and is not intended to create a substantial likelihood of death or serious injury shall be considered physical force and non-deadly force.

Physical Injury: (ARS 13-105.32)

The impairment of a person's physical condition.

Police Service Dogs (K-9)

Police Service Dogs (K-9) may be used when the PSD Handler reasonably believes the use of the PSD is necessary to locate subjects wanted for a serious crime, to protect officers or others from an imminent or actual assault, or in an attempt to prevent suicide.

Reasonable Belief:

Means that the facts or circumstances the officer knows, or should know, are such as to cause the ordinary and prudent officer to act or think in a similar way under similar circumstances.

Resistance:

The subject's failure to comply with Maricopa Police Department personnel's attempt to establish control.

Serious Physical Injury: (ARS 13-105.38)

Physical injury that creates a reasonable risk of death or that causes serious and permanent disfigurement, serious impairment of health or loss or protracted impairment of the function of any bodily organ or limb.

Strikes:

- Techniques that have more than a minimal chance of injury. (Examples: Kicks, elbow, palm or knee strikes, and punches).



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A handwritten signature in black ink, appearing to read "Steve Stahl".

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- The officer will consider the totality of circumstances in evaluating which area of the body to strike.