



Public Safety Model Policies

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2.2700 Professional Conduct of Peace Officers (MN Statute 626.8457)

- A. Policy: It is the policy of the Three Rivers Park District Public Safety to investigate circumstances that suggest an officer has engaged in unbecoming conduct and impose disciplinary action when appropriate.

- B. Procedure: This policy applies to all officers of this agency engaged in official duties whether within or outside of the territorial jurisdiction of this agency. Unless otherwise noted this policy also applies to off duty conduct. Conduct not mentioned under a specific rule but that violates a general principle is prohibited.
 - 1. Principle One: Peace officers shall conduct themselves, whether on or off duty, in accordance with the Constitution of the United States, the Minnesota Constitution, and all applicable laws, ordinances and rules enacted or established pursuant to legal authority.
 - a. Rationale: Peace officers conduct their duties pursuant to a grant of limited authority from the community. Therefore, officers must understand the laws defining the scope of their enforcement powers. Peace officers may only act in accordance with the powers granted to them.

 - b. Rules:
 - i. Peace officers shall not knowingly exceed their authority in the enforcement of the law.

 - ii. Peace officers shall not knowingly disobey the law or rules of criminal procedure in such areas as interrogation, arrest, detention, searches, seizures, use of informants, and preservation of evidence, except where permitted in the performance of duty under proper authority.

 - iii. Peace officers shall not knowingly restrict the freedom of individuals, whether by arrest or detention, in violation of the Constitutions and laws of the United States and the State of Minnesota.

- iv. Peace officers, whether on or off duty, shall not knowingly commit any criminal offense under any laws of the United States or any state or local jurisdiction.
 - v. Peace officers will not, according to MN STAT 626.863, knowingly allow a person who is not a peace officer to make a representation of being a peace officer or perform any act, duty or responsibility reserved by law for a peace officer.
2. Principle Two: Peace officers shall refrain from any conduct in an official capacity that detracts from the public's faith in the integrity of the criminal justice system.
- a. Rationale: Community cooperation with the police is a product of its trust that officers will act honestly and with impartiality. The peace officer, as the public's initial contact with the criminal justice system, must act in a manner that instills such trust.
 - b. Rules
 - i. Peace officers shall carry out their duties with integrity, fairness and impartiality.
 - ii. Peace officers shall not knowingly make false accusations of any criminal, ordinance, traffic or other law violation. This provision shall not prohibit the use of deception during criminal investigations or interrogations as permitted under law.
 - iii. Peace officers shall truthfully, completely, and impartially report, testify and present evidence, including exculpatory evidence, in all matters of an official nature.
 - iv. Peace officers shall take no action knowing it will violate the constitutional rights of any person.
 - v. Peace officers must obey lawful orders but a peace officer must refuse to obey any order the officer knows would require the officer to commit an illegal act. If in doubt as to the clarity of an order the officer shall, if feasible, request the issuing officer to clarify the order. An officer refusing to obey an order shall be required to justify his or her actions.
 - vi. Peace officers learning of conduct or observing conduct that is in violation of any law or policy of this agency shall take necessary action and report the incident to the officer's immediate supervisor who shall forward the information to the CLEO. If the officer's immediate supervisor commits the

misconduct the officer shall report the incident to the immediate supervisor's supervisor.

3. Principle Three: Peace officers shall perform their duties and apply the law impartially and without prejudice or discrimination.
 - a. Rationale: Law enforcement effectiveness requires public trust and confidence. Diverse communities must have faith in the fairness and impartiality of their police. Peace officers must refrain from fostering disharmony in their communities based upon diversity and perform their duties without regard to race, color, creed, religion, national origin, gender, marital status, or status with regard to public assistance, disability, sexual orientation or age.
 - b. Rules
 - i. Peace officers shall provide every person in our society with professional, effective and efficient law enforcement services.
 - ii. Peace officers shall not allow their law enforcement decisions to be influenced by race, color, creed, religion, national origin, gender, marital status, or status with regard to public assistance, disability, sexual orientation or age.
4. Principle Four: Peace officers shall not, whether on or off duty, exhibit any conduct which discredits themselves or their agency or otherwise impairs their ability or that of other officers or the agency to provide law enforcement services to the community.
 - a. Rationale: A peace officer's ability to perform his or her duties is dependent upon the respect and confidence communities have for the officer and law enforcement officers in general. Peace officers must conduct themselves in a manner consistent with the integrity and trustworthiness expected of them by the public.
 - b. Rules
 - i. Peace officers shall not consume alcoholic beverages or chemical substances while on duty except as permitted in the performance of official duties, and under no circumstances while in uniform, except as provided for in 3.
 - ii. Peace officers shall not consume alcoholic beverages to the extent the officer would be rendered unfit for the officer's next scheduled shift. A peace officer shall not report for work with the odor of an alcoholic beverage on the officer's breath.

- iii. Peace officers shall not use narcotics, hallucinogens, or other controlled substances except when legally prescribed. When medications are prescribed, the officer shall inquire of the prescribing physician whether the medication will impair the officer in the performance of the officer's duties. The officer shall immediately notify the officer's supervisor if a prescribed medication is likely to impair the officer's performance during the officer's next scheduled shift.
 - iv. Peace officers, whether on or off duty, shall not engage in any conduct which the officer knows, or should reasonably know, constitutes sexual harassment as defined under Minnesota law, including but not limited to; making unwelcome sexual advances, requesting sexual favors, engaging in sexually motivated physical contact or other verbal or physical conduct or communication of a sexual nature.
 - v. Peace officers shall not commit any acts which constitute sexual assault or indecent exposure as defined under Minnesota law. Sexual assault does not include a frisk or other search done in accordance with proper police procedures.
 - vi. Peace officers shall not commit any acts which, as defined under Minnesota law, constitute (1) domestic abuse, or (2) the violation of a court order restraining the officer from committing an act of domestic abuse or harassment, having contact with the petitioner, or excluding the peace officer from the petitioner's home or workplace.
 - vii. Peace officers, in the course of performing their duties, shall not engage in any sexual contact or conduct constituting lewd behavior including but not limited to, showering or receiving a massage in the nude, exposing themselves, or making physical contact with the nude or partially nude body of any person, except as pursuant to a written policy of the agency.
 - viii. Peace officers shall avoid regular personal associations with persons who are known to engage in criminal activity where such associations will undermine the public trust and confidence in the officer or agency. This rule does not prohibit those associations that are necessary to the performance of official duties or where such associations are unavoidable because of the officer's personal or family relationships.
5. Principle Five: Peace officers shall treat all members of the public courteously and with respect.
- a. Rationale: Peace officers are the most visible form of local government. Therefore, peace officers must make a positive impression when interacting with the public and each other.

- b. Rules
 - i. Peace officers shall exercise reasonable courtesy in their dealings with the public, other officers, superiors and subordinates.
 - ii. No peace officer shall ridicule, mock, deride, taunt, belittle, willfully embarrass, humiliate, or shame any person to do anything reasonably calculated to incite a person to violence.
 - iii. Peace officers shall promptly advise any inquiring citizen of the agency's complaint procedure and shall follow the established agency policy for processing complaints.
- 6. Principle Six: Peace officers shall not compromise their integrity nor that of their agency or profession by accepting, giving or soliciting any gratuity which could be reasonably interpreted as capable of influencing their official acts or judgments or by using their status as a peace officer for personal, commercial or political gain.
 - a. Rationale: For a community to have faith in its peace officers, officers must avoid conduct that does or could cast doubt upon the impartiality of the individual officer or the agency.
 - b. Rules:
 - i. Peace officers shall not use their official position, identification cards or badges for: (1) personal or financial gain for themselves or another person; (2) obtaining privileges not otherwise available to them except in the performance of duty; and (3) avoiding consequences of unlawful or prohibited actions.
 - ii. Peace officers shall not lend to another person their identification cards or badges or permit these items to be photographed or reproduced without approval of the chief law enforcement officer.
 - iii. Peace officers shall refuse favors or gratuities which could reasonably be interpreted as capable of influencing official acts or judgments.
 - iv. Unless required for the performance of official duties, peace officers shall not, while on duty, be present at establishments that have the primary purpose of providing sexually oriented adult entertainment. This rule does not prohibit officers from conducting walk-throughs of such establishments as part of their regularly assigned duties.
 - v. Peace officers shall:

- not authorize the use of their names, photographs or titles in a manner that identifies the officer as an employee of this agency in connection with advertisements for any product, commodity or commercial enterprise;
 - maintain a neutral position with regard to the merits of any labor dispute, political protest, or other public demonstration while acting in an official capacity;
 - not make endorsements of political candidates while on duty or while wearing the agency's official uniform.
- c. This section does not prohibit officers from expressing their views on existing, proposed or pending criminal justice legislation in their official capacity.
7. Principle Seven: Peace officers shall not compromise their integrity, nor that of their agency or profession, by taking or attempting to influence actions when a conflict of interest exists.
- a. Rationale: For the public to maintain its faith in the integrity and impartiality of peace officers and their agencies officers must avoid taking or influencing official actions where those actions would or could conflict with the officer's appropriate responsibilities.
- b. Rules:
- i. Unless required by law or policy a peace officer shall refrain from becoming involved in official matters or influencing actions of other peace officers in official matters impacting the officer's immediate family, relatives, or persons with whom the officer has or has had a significant personal relationship.
 - ii. Unless required by law or policy a peace officer shall refrain from acting or influencing official actions of other peace officers in official matters impacting persons with whom the officer has or has had a business or employment relationship.
 - iii. A peace officer shall not use the authority of their position as a peace officer or information available to them due to their status as a peace officer for any purpose of personal gain including but not limited to initiating or furthering personal and/or intimate interactions of any kind with persons with whom the officer has had contact while on duty.

- iv. A peace officer shall not engage in any off-duty employment if the position compromises or would reasonably tend to compromise the officer's ability to impartially perform the officer's official duties.
- 8. Principle Eight: Peace officers shall observe the confidentiality of information available to them due to their status as peace officers.
 - a. Rationale: Peace officers are entrusted with vast amounts of private and personal information or access thereto. Peace officers must maintain the confidentiality of such information to protect the privacy of the subjects of that information and to maintain public faith in the officer's and agency's commitment to preserving such confidences.
 - b. Rules:
 - i. Peace officers shall not knowingly violate any legal restriction for the release or dissemination of information.
 - ii. Peace officers shall not, except in the course of official duties or as required by law, publicly disclose information likely to endanger or embarrass victims, witnesses or complainants.
 - iii. Peace officers shall not divulge the identity of persons giving confidential information except as required by law or agency policy.
- 9. Application: Any disciplinary actions arising from violations of this policy shall be investigated in accordance with MN STAT 626.89, Peace Officer Discipline Procedures Act and the law enforcement agency's policy on Allegations of Misconduct as required by MN RULES 6700.2000 to 6700.2600.

2.2701 Definitions of Terms

Chief: Chief/Director of the Department of Public Safety.

Complaint: A written and signed statement alleging any violation of policy, misconduct, code of ethics, or violation of law.

Concern: Any report alleging a minor breach of policy, procedure, code of ethics or violation of law. A concern can be stated verbally, over the phone, in writing or anonymously.

Exonerated: The investigation established that the member acted appropriately and within policy and statutory guidelines.

Human Resources Director: Director of the Department of Human Resources.

Misconduct: A violation of any Park District or Department policy, regulation, or procedure including, but not limited to:

- A. Any criminal offense.
- B. The use of unnecessary or excessive force.
- C. Abuse of authority.
- D. Conduct which violates a person's civil rights.
- E. Abusive or insulting language or conduct which expresses any prejudice concerning a person's race, color, creed, religion, sex, national origin, marital status, sexual orientation, status with regard to public assistance, age, or disability.
- F. Intimidation of, or recrimination toward, a complainant or witness involved in any complaint proceeding.
- G. Unacceptable performance.
- H. Violation of the Standards of Professional Conduct of Peace Officers.

Members: All employees of the Department, whether full-time, part-time, or seasonal.

Not Substantiated: The investigation failed to disclose sufficient evidence to prove or disprove the allegation(s) made in the complaint.

Substantiated: The investigation established that the accused member's actions constituted misconduct.

Unfounded: The investigation failed to establish misconduct.

2.2702 Procedure for Investigating Complaints

The Chief shall assign a supervisor to be responsible for the investigation, unless the complaint is against the Chief, in which case the appropriate Associate Superintendent or Park Superintendent designee shall conduct the investigation, or cause one to be conducted. Alleged violations of the Park District's Discrimination/Sexual Harassment Policy shall be referred to Human Resources who shall investigate the complaint in accordance with Park District policy.

- A. Any citizen concern, regardless of category, may be lodged with any member and can be in the form of a written statement, verbal statement, or submitted anonymously. Complaints shall only be accepted in writing and must be signed by the accuser making the claim. The member receiving the concern or complaint shall be responsible for reporting it. A complaint shall immediately be referred to the Chief.
- B. The Park District Supplemental Report form (Appendix C) shall be used to record complaints.

1. Complete and accurate information regarding the complaint and the allegation shall be obtained.
 2. The original complaint shall be sent to the Chief, as soon as possible, upon receipt.
- C. The Chief, when appropriate, shall notify the Associate Superintendent of the complaint and be responsible for recording, controlling, and reviewing all investigations of complaints against the Department, its members, and its services, except as otherwise stated above.
- D. The Chief shall be responsible for the maintenance of complaint investigation files, and for their review and analysis to determine trends in numbers and types of complaints – both from the individual and a Park District perspective.
- E. The Chief or their designee shall, as soon as possible, inform the complainant by letter of the status of the complaint.
- F. All members shall cooperate with the investigation.
- G. The investigation shall comply with the Police Officer Discipline Act (PODA), MN stats 626.89.
- H. The supervisor conducting the investigation shall complete a report which contains all relevant information organized into the following three parts:
1. Allegation(s) – This part shall include an itemized summary of the acts of misconduct alleged in the complaint. Reference shall be made to those policies, regulations, procedures, orders, statutes, or constitutional provisions which will have been violated if the allegations are substantiated.
 2. Investigation – This part shall include a chronological summary of the investigation, including all pertinent facts obtained through interviews with the complainant, accused member(s) and available witnesses. Written statements, a description and analysis of any physical evidence, and all other relevant information shall be included.
 3. Conclusion(s) – This part shall include the investigating supervisor’s findings, his/her conclusions as to whether any misconduct occurred, and the underlying reasons for the findings and conclusions.
- I. Investigation Review and Disposition
1. In the event that criminal charges are filed against a member, any administrative action shall be deferred until those criminal charges are resolved.

2. Upon the completion of the investigation, the supervisor conducting the investigation shall submit his/her report, the case file, and all investigative notes to the Chief.
3. The Chief may withhold issuing a disposition until any related criminal charges against the complainant are resolved. The complainant shall be informed of this decision.
4. The Chief, or their designee, shall notify the complainant and the accused member of the disposition of the investigation.
5. The Chief may suspend an accused member with pay at any time during the investigation of a complaint.
6. Nothing contained herein shall preclude the Park District from engaging in investigative or disciplinary actions which are not initiated by citizen complaint.

J. Discipline and Appeals

1. If the complaint is substantiated, and it is determined that disciplinary action is the appropriate remedy, discipline shall be administered in accordance with the applicable collective bargaining agreement or Human Resources Policies.
2. Employees disciplined pursuant to this section shall be afforded the rights of appeal as provided in the appropriate collective bargaining agreement or Human Resources Policies.

K. Maintenance and Disclosure of Data

1. Disclosure of data collected, created, received, or maintained in connection with this section shall be governed by the Minnesota Government Data Practices Act.
2. All data collected, created, received by the Department in connection with this procedure shall be maintained in accordance with the Department's retention schedule.
3. The placement of the disposition report or other data in a member's personnel file shall be governed by applicable Human Resources policy.

3.0100 Use of Force Purpose

It is the policy of the (Three Rivers Park District Police Department) to provide officers with guidelines for the use of force and deadly force in accordance with:

MN STAT 626.8452 DEADLY FORCE AND FIREARMS USE; POLICIES AND INSTRUCTION REQUIRED;

MN STAT 626.8475 DUTY TO INTERCEDE AND REPORT;

MN STAT 609.06 AUTHORIZED USE OF FORCE;

MN STAT 609.065 JUSTIFIABLE TAKING OF LIFE; and

MN STAT 609.066 AUTHORIZED USE OF FORCE BY PEACE OFFICERS.

Policy

It is the policy of this law enforcement agency to ensure officers respect the sanctity of human life when making decisions regarding use of force. Sworn law enforcement officers have been granted the extraordinary authority to use force when necessary to accomplish lawful ends. Officers shall treat everyone with dignity and without prejudice and use only the force that is objectively reasonable to effectively bring an incident under control, while protecting the safety of others and the officer.

Officers shall use only that amount of force that reasonably appears necessary given the facts and circumstances perceived by the officer at the time of the event to accomplish a legitimate law enforcement purpose.

Officers should exercise special care when interacting with individuals with known physical, mental health, developmental, or intellectual disabilities as an individual's disability may affect the individual's ability to understand or comply with commands from peace officers.

The decision by an officer to use force or deadly force shall be evaluated from the perspective of a reasonable officer in the same situation, based on the totality of the circumstances known to or perceived by the officer at the time, rather than with the benefit of hindsight, and that the totality of the circumstances shall account for occasions when officers may be forced to make quick judgments about using such force.

This policy is to be reviewed annually and any questions or concerns should be addressed to the immediate supervisor for clarification.

This policy applies to all licensed peace officers and part-time peace officers engaged in the discharge of official duties. Section (4) Procedure, paragraphs (g.1-2), are effective March 1, 2021 and thereafter.

3.0101 Definition of Terms

Bodily Harm: Physical pain or injury.

Great Bodily Harm: Bodily injury which creates a high probability of death, or which causes serious, permanent disfigurement, or which causes a permanent or protracted loss or impairment of the function of any bodily member or organ or other serious bodily harm.

Deadly Force: Force used by an officer that the officer knows, or reasonably should know, creates a substantial risk of causing death or great bodily harm. The intentional discharge of a firearm in the direction of another person, or at a vehicle in which another person is believed to be, constitutes deadly force.

De-escalation: Taking action or communicating verbally or non-verbally during a potential force encounter in an attempt to stabilize the situation and reduce the immediacy of the threat so that more time, options, and resources can be called upon to resolve the situation without the use of force or with a reduction in the force necessary. De-escalation may include the use of such techniques as command presence, advisements, warnings, verbal persuasion, and tactical repositioning.

Other Than Deadly Force: Force used by an officer that does not have the purpose of causing, nor create a substantial risk of causing, death or great bodily harm.

Choke Hold: A method by which a person applies sufficient pressure to a person to make breathing difficult or impossible, and includes but is not limited to any pressure to the neck, throat, or windpipe that may prevent or hinder breathing, or reduce intake of air. Choke hold also means applying pressure to a person's neck on either side of the windpipe, but not to the windpipe itself, to stop the flow of blood to the brain via the carotid arteries.

Authorized Device: A device an officer has received permission from the agency to carry and use in the discharge of that officer's duties.

Procedure

A. General Provisions

1. Use of physical force should be discontinued when resistance ceases or when the incident is under control.
2. Physical force shall not be used against individuals in restraints, except as objectively reasonable to prevent their escape or prevent imminent bodily injury to the individual, the officer, or another person. In these situations, only the amount of force necessary to control the situation shall be used.
3. Once the scene is safe and as soon as practical, an officer shall provide appropriate medical care consistent with his or her training to any individual who has visible injuries, complains of being injured, or requests medical attention. This may include providing first aid, requesting emergency medical services, and/or arranging for transportation to an emergency medical facility.
4. All uses of force shall be documented and investigated pursuant to this agency's policies.

B. Duty to Intercede

1. Regardless of tenure or rank, an officer must intercede when:

- a. present and observing another officer using force in violation of section 609.066, subdivision 2, or otherwise beyond that which is objectively reasonable under the circumstances; and
- b. physically or verbally able to do so

C. Duty to Report: An officer who observes another officer use force that exceeds the degree of force permitted by law has the duty to report the incident in writing within 24 hours to the chief law enforcement officer of the agency that employs the reporting officer.

D. De-escalation:

1. An officer shall use de-escalation techniques and other alternatives to higher levels of force consistent with their training whenever possible and appropriate before resorting to force and to reduce the need for force.
2. Whenever possible and when such delay will not compromise the safety of another or the officer and will not result in the destruction of evidence, escape of a suspect, or commission of a crime, an officer shall allow an individual time and opportunity to submit to verbal commands before force is used.

E. Use of Other Than Deadly Force

1. When de-escalation techniques are not effective or appropriate, an officer may consider the use of other than deadly force to control a non-compliant or actively resistant individual. An officer is authorized to use agency-approved other than deadly force techniques and issued equipment in the following circumstances:
 - a. Effecting a lawful arrest; or
 - b. The execution of legal process; or
 - c. Enforcing an order of the court; or
 - d. Executing any other duty imposed upon the public officer by law; or
 - e. Defense of self or another.

F. Use of Certain Types of Force

1. Except in cases where deadly force is authorized as articulated in MN STAT. 609.066 to protect the peace officer or another from death or great bodily harm, officers are prohibited from using:
 - a. Chokeholds
 - b. Tying all of a person's limbs together behind a person's back to render the person immobile, or;
 - c. Securing a person in any way that results in transporting the person face down in a vehicle.
2. Less than lethal measures must be considered by the officer prior to applying these measures.

G. Use of Deadly Force

1. An officer is authorized to use deadly force if an objectively reasonable officer would believe, based on the totality of the circumstances known to the officer at the time and without the benefit of hindsight, that such force is necessary. Use of deadly force is justified when one or both of the following apply;
 - a. To protect the peace officer or another from death or great bodily harm provided that the threat:
 - i. Can be articulated with specificity
 - ii. Is reasonably likely to occur absent action by the law enforcement officer; and
 - iii. Must be addressed through the use of deadly force without unreasonable delay; or
 - b. To effect the arrest or capture, or prevent the escape, of a person whom the peace officer knows or has reasonable grounds to believe has committed or attempted to commit a felony and the officer reasonably believes that the person will cause death or great bodily harm to another person under the threat criteria in paragraph (a), items (i) to (iii), unless immediately apprehended.
2. To effect the arrest or capture, or prevent the escape, of a person whom the peace officer knows or has reasonable grounds to believe has committed or attempted to commit a felony and the officer reasonably believes that the person will cause death or great bodily harm to another person under the threat criteria in paragraph (a), items (i) to (iii), unless immediately apprehended.

3. Where feasible, the officer shall identify themselves as a law enforcement officer and warn of his or her intent to use deadly force.
4. Where feasible, the officer shall identify themselves as a law enforcement officer and warn of his or her intent to use deadly force.

H. Training

1. All officers shall receive training, at least annually, on this agency's use of force policy and related legal updates.
 2. In addition, training shall be provided on a regular and periodic basis and designed to
 - a. Provide techniques for the use of and reinforce the importance of de-escalation
 - b. Simulate actual shooting situations and conditions; and
 - c. Enhance officers' discretion and judgement in using other than deadly force in accordance with this policy.
 3. Before being authorized to carry a firearm all officers shall receive training and instruction with regard to the proper use of deadly force and to the agency's policies and State statutes with regard to such force. Such training and instruction shall continue on an annual basis.
 4. Before carrying an authorized device all officers shall receive training and instruction in the use of the device including training as it relates to its use in deadly force and/or other than deadly force situations. Such training and instruction shall continue on an annual basis.
 5. Officers will carry and use only authorized devices unless circumstances exist which pose an immediate threat to the safety of the public or the officer requiring the use of a device or object that has not been authorized to counter such a threat.
 6. With agency approval officers may modify, alter or cause to be altered an authorized device in their possession or control.
- I. Recordkeeping Requirements: The chief law enforcement officer shall maintain records of the agency's compliance with use of force training requirements.

3.0101 Definitions of Terms

Approved Weapon: A device or instrument that a member has received permission from the Department to carry and use in the discharge of that member's duties, and for which the member has:

- A. Obtained training in the technical, mechanical, and physical aspects of the weapon; and
- B. Received training in the regulations, procedures, and laws, as they pertain to the use of such weapon.

Chemical Agent: A chemical irritant or chemical inflammatory substance manufactured for law enforcement use.

Deadly Force: Force which the actor uses with the purpose of causing, or which the actor should reasonably know creates a substantial risk of causing, death or great bodily harm. The intentional discharge of a firearm in the direction of another person, or at a vehicle in which another person is believed to be, constitutes deadly force.

Force: Intentional acts by a person that will cause, or are substantially certain to cause, another to: (1) sustain a harmful or offensive bodily contact; or (2) fear an immediate harmful or offensive bodily contact.

Force Technique: A particular method for applying force to the person of another. Examples of force techniques include shooting, wristlocks, and pressure point control methods.

Great Bodily Harm: Bodily injury which creates a high probability of death, or which causes serious permanent disfigurement, or which causes a permanent or protracted loss or impairment of the function of any bodily member or organ or other serious bodily harm.

Intermediate Weapons: All objects and instruments that are used, or are designed to be used, to impact on or physically manipulate the person of another by touching that person.

Non-Deadly Force: All force actually used by a member which does not have the purpose of causing, nor create a substantial risk of causing, death or great bodily harm.

Weapon: Any instrument used, or designed to be used, to apply force to the person of another.

3.0102 Force Continuum

Officers can rapidly move up or down the Use of Force Continuum as needed dependent upon the dynamics of the situation to include skipping steps in the continuum if those levels of force would likely prove to be inadequate or otherwise ineffective. Officers shall be primarily concerned with the safety of all involved parties to include suspects and shall try to de-escalate situations whenever possible/practical.

Levels of Control:

- A. **Officer Presence/Verbal Direction:** Officer Presence is the identification of a police officer's authority, either by mere presence or the verbal identification of being a police officer. In either case, an officer's identification of authority brings with it the assumption the public must obey a lawful order. Verbal Direction is defined as "commands of direction or arrest." Most subjects comply with verbal direction and the officer's

