

observed in the 20 policies analyzed.⁹⁷ While reflecting these distinctions, they nonetheless prioritize and award the international standard of mandatory external reporting for all instances of use of lethal force with the full 25 points.

In particular, the sub-elements account for two main distinctions observed in policies: (1) internal v. external contact or reporting procedures; and (2) procedures triggered by all instances of use of lethal force v. only instances that result in death or serious bodily injury. The latter accounts for whether a policy requires accountability for when officers shoot at, but miss, human targets *or only* when they hit a person, killing or injuring them. Use of lethal force occurs each time a police officer shoots at a person, regardless of whether he hits or misses the person. The authors therefore awarded more points to policies that do not distinguish between hits or misses, requiring accountability for both.

The term “contact” in the second and third elements refers broadly to a notification process or other kind of contact to indicate that use of lethal force, death or injury has occurred. Contact and notification may require a summation of the facts of the incident, but not full reporting. The term “reporting” in the last two elements refers to the internal police department report created when lethal force is used, or something substantially similar, rather than a summary or brief of the incident. While the grading system does not evaluate the quality of the reporting forms and how they are used, it is important to note that the quality matters a great deal for effective accountability. For example, a reporting form that requires law enforcement officer to provide detailed descriptions of the de-escalation tactics used before the use of a weapon, or the kinds of warnings given before the use of force, and whether the officer considered retreating instead of engaging, will allow for a more thorough evaluation and assessment of the legality of the use of force.⁹⁸ Finally, review bodies external to police departments include government prosecutors, as well as other independent bodies with authority to conduct reviews of police use of force (e.g., the Inspector General in Los Angeles).

It is critical to note that for a system of reporting, whether internal or external, to be effective, it requires effective supervision and control, both internally by police leadership and externally by independent public officials. Whenever supervision, discipline, and (where appropriate) prosecution, fail to accompany investigative and reporting requirements, a message is sent that superiors, political leadership, and the public tacitly endorse unlawful and unprofessional behavior.⁹⁹ Effective accountability therefore requires institutional, cultural and command commitment beyond what can be provided and measured in policies.

Accountability Grades Discussion

All 20 cities required internal reporting following all instances of use of lethal force. **Phoenix**, for example, included a provision titled “Reporting use of force incidents.”¹⁰⁰ This section included a series of detailed instructions on procedures to be followed after the use of lethal force: “Employees will document the

⁹⁷ The third and fourth elements are assigned 7 and 8 points, respectively, so that the highest possible score (short of fully satisfying the principle for 25 points) is 20 points—the first (5), third (7) and fourth (8) elements satisfied. The third and fourth elements subsume the second—i.e., both external contact in all instances of use of force and reporting only when death or injury results include external contact only when death or injury result. As a result, it is not possible to receive points for the second element in addition to the third or fourth.

⁹⁸ See Amnesty Guidelines, *supra* note 31, at 185.

⁹⁹ *Id.* at 187.

¹⁰⁰ Phoenix Police Department, Operations Orders 1.5(6) Reporting Use of Force Incidents.

use of each response option”; “Supervisors will submit the initial Use of Force Report within seven (7) days of notification of the incident”; “Use of Force reports will be submitted up to commander approval within 30 days of initiation of the report.”¹⁰¹ The report was then distributed to officials and entities within the department. These included: the involved employee’s supervisor; the Professional Standards Bureau; the Violent Crimes Bureau/Homicide Unit; and the Incident Review Unit. The department was not required to notify or distribute the report to any external entities. For serious incidents involving death or serious injury, County Attorney’s Office participates in the primary on the scene briefing.

Jacksonville required external contact only when death or injury resulted from use of lethal force. **New York** and **Dallas** required external contact in all instances of use of lethal force without external reporting. New York required the investigating officer to notify the District Attorney’s Office “in all shooting cases” and “[c]onfer with District Attorney before interviewing uniformed member(s) of the service.”¹⁰² The commanding officer is instructed to forward the initial firearm discharge investigation report to, among others: First Deputy Commission; the Chief of Department; the Deputy Commissioner, Legal Matters; the Deputy Commissioner, Training; the Chief of Patrol; the Chief of Personnel; and the Chief of Community Affairs.¹⁰³

The Dallas policy states that the Crimes Against Persons Division will conduct a criminal investigation, among other times, “[a]ny time an officer intentionally discharges his firearm.”¹⁰⁴ As part of the criminal investigation of an officer involved shooting, Dallas required the Media Relations Unit to “coordinate with the investigative supervisor-in-charge and prepare a summary of the facts ... for issuance to the news media,” as well as a summary of the results of the department investigation when it was completed.¹⁰⁵ This constitutes external contact, rather than external reporting, because the internal police department report, or something substantially similar, was not shared; instead, only a summary of the incident and investigation were provided to the media.

San Jose and **Columbus** required external reporting only when use of lethal force resulted in death or injury to the subject. In these cities, only internal reporting was required when use of lethal force did not result in death or injury, including when an officer discharged his firearm at a subject, but missed. San Jose, for example, required “properly prepared case reports” to be submitted to the District Attorney’s Office following an officer involved shooting, defined as any time an officer’s discharge of a firearm resulted in “injury or death to any person.”¹⁰⁶ The policy also authorized the District Attorney’s investigator to “monitor the investigative process employed by the Department, including monitoring at the scene,” following an officer involved shooting.¹⁰⁷ **Columbus** required “copies of the investigative packet” to be forwarded to the county prosecutor for use of force resulting in “serious physical harm to or death of a human.”¹⁰⁸

¹⁰¹ *Id.* at 1.5(6)(B).

¹⁰² New York Police Department, Patrol Guide Procedure No: 221-04(20).

¹⁰³ New York Police Department, Patrol Guide Procedure No: 221-04.

¹⁰⁴ Dallas Police Department, General Order 317.00: Officer Involved Shootings, Serious Injury of Death Incidents, 317.01(A)(5).

¹⁰⁵ *Id.* at 317.02.

¹⁰⁶ San Jose Police Department, Duty Manual: Policies, Rules, Procedures, L 4705 and L 8512.

¹⁰⁷ *Id.* at L 4705.

¹⁰⁸ Columbus Police, Division Directive 2.01(III)(F)(4).

Los Angeles and **Chicago** are the only cities that required mandatory external reporting of all instances of use of lethal force (i.e. discharge of a firearm),¹⁰⁹ including those that did not result in death or injury. **Los Angeles** policy required the department's "Real-Time Analysis and Critical Response Division" to notify the Office of the Inspector General of all instances of use of lethal force.¹¹⁰ The department was also required to distribute copies of the "Force Investigation Division" administrative report generated after every use of lethal force to the Office of the Inspector General.¹¹¹ The assigned investigator or his supervisor was also required to "liaise with the assigned deputy district attorney and Inspector General to ensure that both [were] briefed and allowed to observe the investigation."¹¹² The Inspector General is an independent civilian charged with monitoring, auditing and overseeing the police department's disciplinary system.¹¹³

Pursuant to **Chicago** municipal code and reflected in Chicago policy, the Civilian Office of Police Accountability (COPA)¹¹⁴ "will conduct investigations into all incidents, including those in which no allegations of misconduct is made."¹¹⁵ COPA is an independent civilian oversight agency established in October 2016 by the Chicago City Council following the resignation of its predecessor agency's (Independent Police Review Authority) Chief Administrator after a series of protests and national attention following the shooting of Laquan McDonald by Chicago PD. COPA has access to all information the police possess even if the information is not connected to a specific ongoing investigation, and can examine police policies and procedures.¹¹⁶

¹⁰⁹ Los Angeles Police, Management Rules and Procedures Section 792.05.

¹¹⁰ *Id.* at Section 794.35.

¹¹¹ *Id.* at Section 794.39.

¹¹² *Id.* at Section 794.37.

¹¹³ Los Angeles Police Department, Office of the Inspector General, at http://www.lapdonline.org/police_commission/content_basic_view/1076.

¹¹⁴ Municipal Code of Chicago, Civilian Office of Police Accountability, Chapter 2-78, available at <http://www.chicagocopa.org/wp-content/uploads/2016/07/COPA-Ordinance.pdf>.

¹¹⁵ *Id.* at 2-78-120, Office and Chief Administrator – Powers and duties.

¹¹⁶ Civilian Office of Police Accountability (COPA), <https://www.chicagocopa.org/>.

Figure 13

Accountability Policy Grades by Element

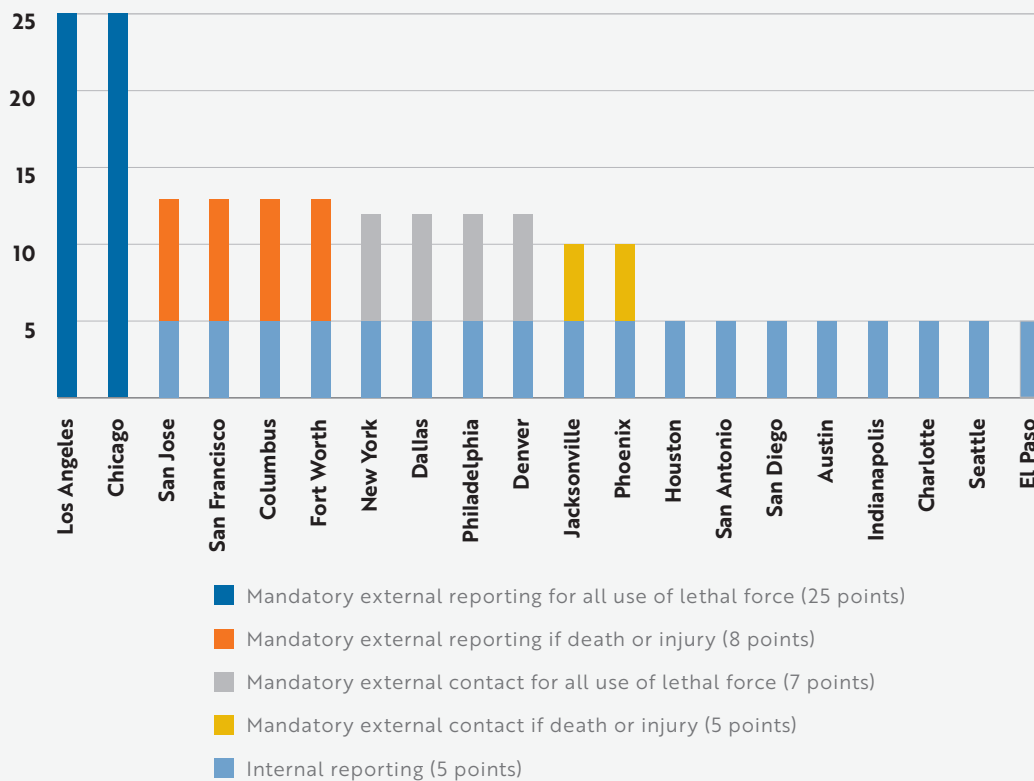


Figure 14

Cities Satisfying Accountability

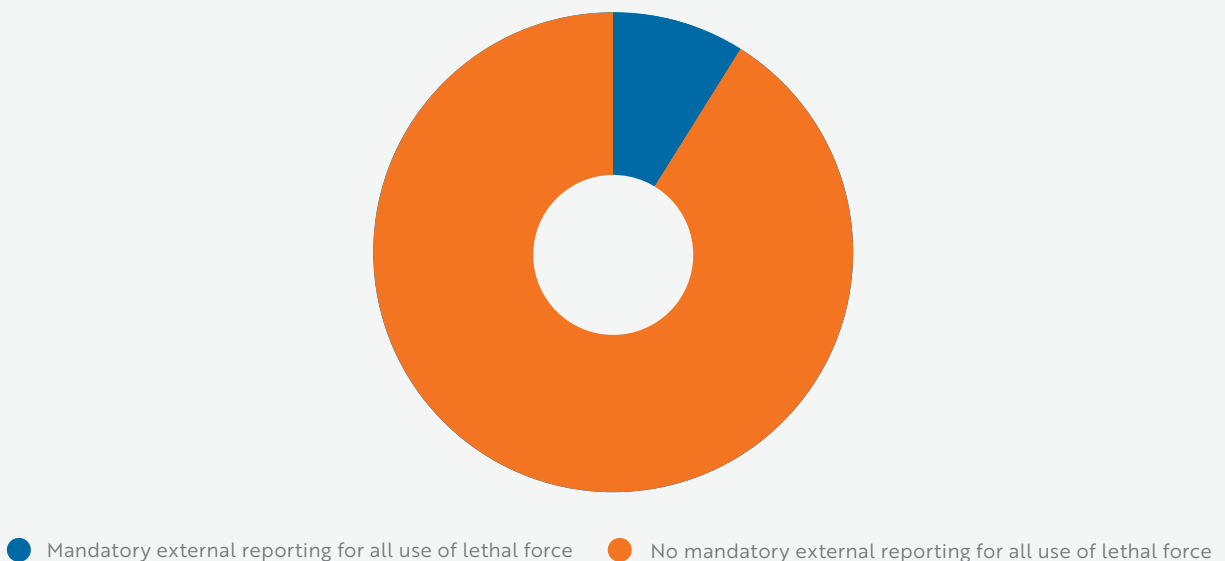


Figure 15

Overview of Use of Lethal Force Policy Grading System

INTERNATIONAL PRINCIPLE

PRINCIPLE ELEMENTS

Legality (20 points)

Policies must be based on a domestic law that complies with international human rights law and standards, so that authority for use of lethal force is provided in law.

Policy not based on state law (0 points): policies not based on state law granting authorization for use of lethal force.

Policy based on noncompliant state law (5 points): policies based on state law authorizing use of lethal force, but the law does not comply with international human rights law and standards.

Policy based on compliant state law (20 points): policies based on state law authorizing use of lethal force that complies with international human rights law and standards.

Necessity (30 points)

Lethal force may only be used in response to an immediate/imminent and particularized threat and only as a last resort.

Immediacy (10 points): lethal force may only be used against a person who presents an immediate or imminent threat.

Only **5 points** were given to policies that contained a general immediacy requirement but did not require immediacy in situations involving a fleeing felon.

Particularized threat (10 points): lethal force may only be used in response to a specific heightened risk or threat (of death or serious injury).

Proportionality (25 points)

Lethal force may only be used in response to threats to life or serious bodily harm to the officer or others.

No sub-categories for the principle of proportionality.

Accountability (25 points)

Police departments must conduct an effective review, involve an external oversight body and issue a report in all instances of the use of lethal force.

Mandatory internal reporting for all instances of use of lethal force (5 points): all use of lethal force must be reported on to a body internal to the police department.

Mandatory external contact only when death or injury results from use of lethal force (5 points): the police department must notify an external body following use of lethal force only when death or injury occurs.

Mandatory external contact for all instances of use of lethal force (7 points): the police department must notify an external body following each use of lethal force, regardless of whether death or injury results.

Mandatory external reporting only when death or injury results from use of lethal force (8 points): the police department must report to an external body following use of lethal force only when death or injury results.

Mandatory external reporting for all instances of use of lethal force (25 points): the police department must report to an external body following each use of lethal force, regardless of whether death or injury results.



Not one of the police departments in the 20 largest cities in United States has a human rights compliant use of force policy. None of the policies are constrained by a state law that complies with human rights law and standards. And too many police departments allow the use of lethal force in response to a non-lethal threat, thereby sanctioning unnecessary and disproportionate use of force.

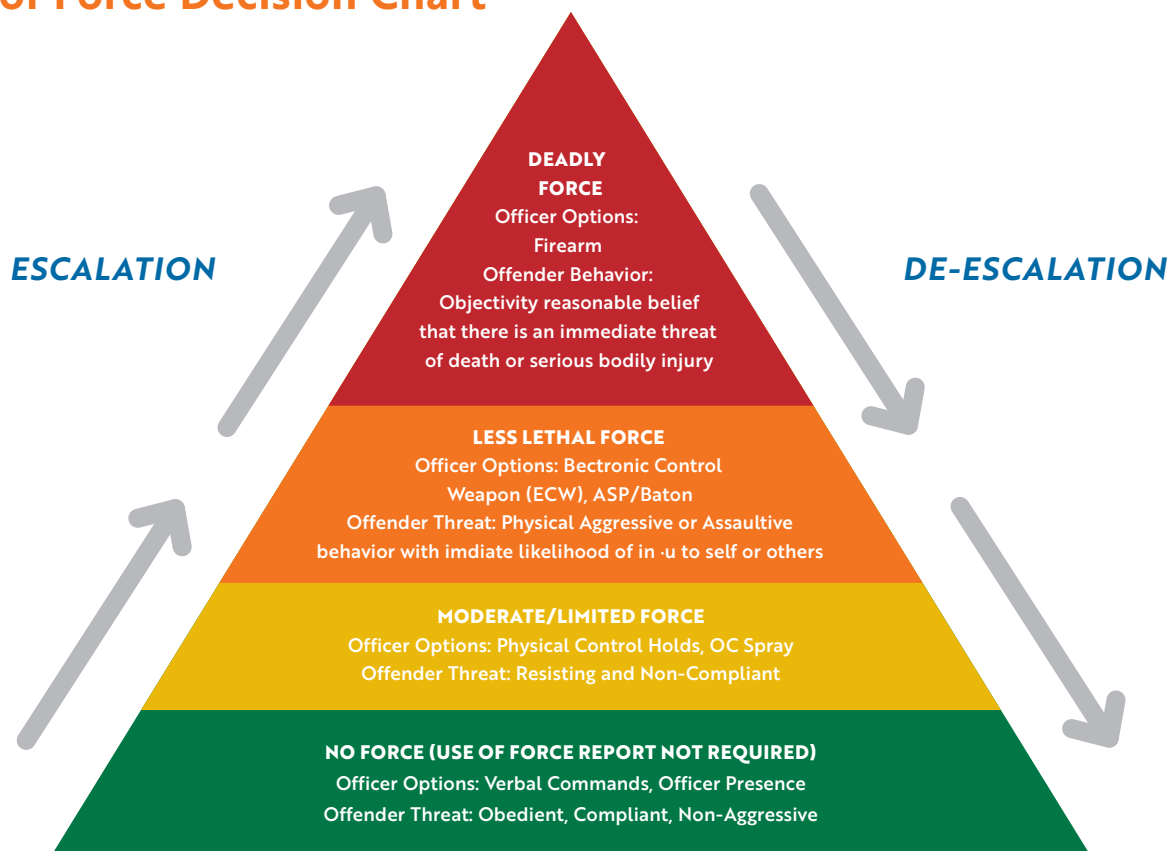
These policy failures have contributed to the tragic killings of unarmed black and brown men and women by police officers around the country. Ensuring police use of lethal force in the United States is constrained by international human rights law and standards requires a broad range of legal, institutional and practical measures, from a solid grounding in legislation, to a committed political and police leadership. Human rights compliant laws and police policies are an absolutely necessary component, but they alone cannot operationalize and make real the human rights law and standards embodied in the four core principles. Instead, law and policies provide the foundation on which a structure of reinforcing attitudes, practices and mechanisms must be built.

Making law and police policies more than just paper promises requires, among other things: comprehensive, effective and ongoing officer training; effective supervision and planning; robust corrective measures applied to officer misbehavior; independent and transparent investigating and reporting; disciplinary measures; and mechanisms with real independence, resources, power and will to provide accountability. Nevertheless, true structural transformation of law enforcement practices in the United States must begin with police policies that comply with international human rights law and standards.



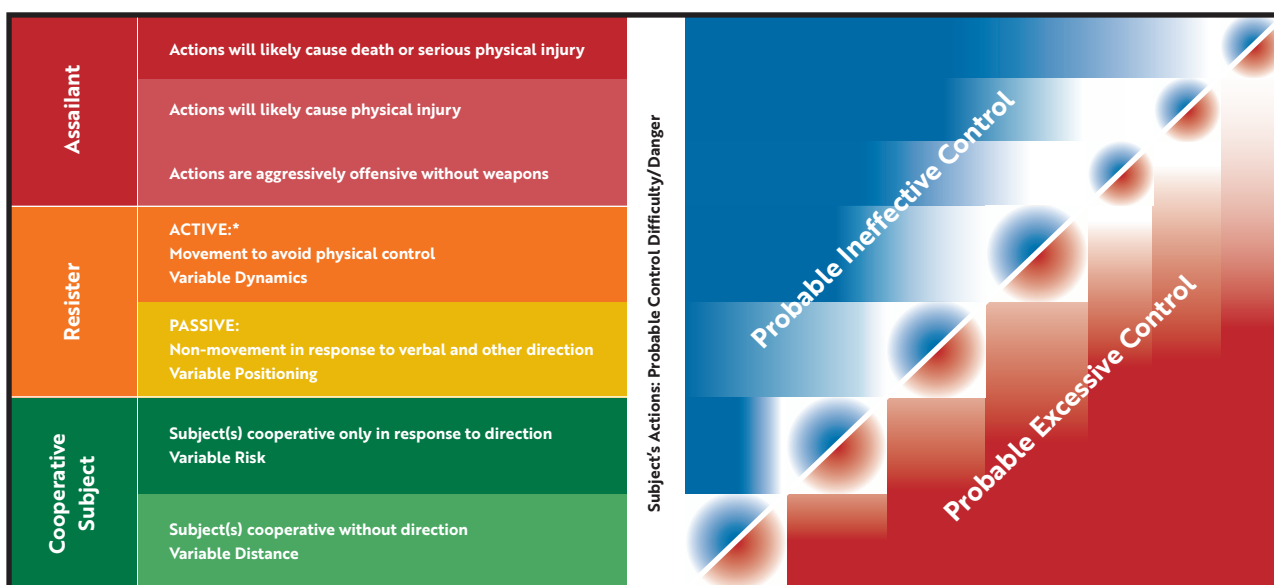
Appendix A

Philadelphia Police Department's "Use of Force Decision Chart"



Use the option that represents the minimal amount of force necessary to reduce the immediate threat.

Chicago Police Department's "Use of Force Model"



Notes: With permission of the authors, the Use of Force Model has been modified to conform with the Chicago Police Department General Order entitled "Use of Force Guidelines."

* See addendum entitled "Force Options" for appropriate options and specific guidelines on active resisters.

** See addendum entitled "Force Options" for specific conditions on the use of tasers.

*** See addendum entitled "Canines as a Force Option" for specific conditions on the use of canines.

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Garry F. McCarthy Superintendent of Police

Officer's Reaction: Probable Reversibility/Control/Tissue Damage

USED
ALONE

**Social Control: Presence of Law Enforcement Representative
Used with means of physical control**

USED
ALONE

**Verbal Control: Persuasion/Advice/Warning
Used with means of physical control**

Control Modes without Weapons

HOLDING	STUNNING	DIRECT MECHANICAL
Pain Compliance/ Neuro Muscular	Diffused pressure striking	Direct body mechanics against body structure

Control Modes with Weapons

		Impact Weapons Impact Munitions
OC Spray/Chemical Weapons (Individuals not part of group or crowd) See "Force Options" for use of OC guidelines for "Resisters"		
OC Spray/Chemical Weapons (Groups, crowds, and individuals taking part in a group crowd) Superintendent or Designee Approval Required		
Capsaicin II Powder Agent Superintendent or Designee Approval Required		
LRAD Acoustic Transmission Superintendent or Designee Approval Required		
Taser**		
Canine***		

Firearms and other Lethal Force




Legality



Texas: TEXAS STATE LAW: V.T.C.A., Penal Code § 9.51 § 9.51. Arrest and Search

(c) A peace officer is justified in using deadly force against another when and to the degree the peace officer reasonably believes the deadly force is immediately necessary to make an arrest, or to prevent escape after arrest, if the use of force would have been justified under Subsection (a) and: (1) the actor reasonably believes the conduct for which arrest is authorized included the use or attempted use of deadly force; or (2) the actor reasonably believes there is a substantial risk that the person to be arrested will cause death or serious bodily injury to the actor or another if the arrest is delayed.




(d) A person other than a peace officer acting in a peace officer's presence and at his direction is justified in using deadly force against another when and to the degree the person reasonably believes the deadly force is immediately necessary to make a lawful arrest, or to prevent escape after a lawful arrest, if the use of force would have been justified under Subsection (b) and: (1) the actor reasonably believes the felony or offense against the public peace for which arrest is authorized included the use or attempted use of deadly force; or (2) the actor reasonably believes there is a substantial risk that the person to be arrested will cause death or serious bodily injury to another if the arrest is delayed.

City	City Use of Force Policy	Based on State Law: Yes/No	Compliant with International Standards: Yes/No
Austin 	P.M. 200.3 DEADLY FORCE APPLICATIONS <p>"An officer has no duty to retreat and is only justified in using deadly force against another when and to the extent the officer reasonably believes the deadly force is immediately necessary to (Tex. Penal Code § 9.51(c) and (e)):</p> <p>(a) Protect himself or others from what he reasonably believes would be an imminent threat of death or serious bodily injury.</p> <p>(b) Make an arrest or to prevent escape after arrest when the officer has probable cause to believe that:</p>	Yes	No

Texas (continued):

City	City Use of Force Policy	Based on State Law: Yes/No	Compliant with International Standards: Yes/No
Austin (continued)	<ol style="list-style-type: none"> 1. The subject has committed or intends to commit an offense involving the infliction or threatened infliction of serious bodily injury or death; or 2. The officer reasonably believes that there is an imminent or potential risk of serious bodily injury or death to any other person if the subject is not immediately apprehended." 	Yes	No
El Paso 	<p>P.M. 300.4 PARAMETERS FOR USE OF DEADLY FORCE</p> <p>"The Texas Penal Code sets forth when the use of deadly force is justified. The Department sets further guidelines and administrative restrictions regarding the use of deadly force. Reasonable belief, bodily injury, and serious bodily injury carry the same definitions as in Section 1.07, Texas Penal Code. Deadly force carries the same definition as in Section 9.01, Texas Penal Code.</p> <p>Deadly force, as a matter of Department policy (whether the officer is on or off duty), is used only in the following situations:</p> <ol style="list-style-type: none"> 1. When necessary to protect the officer from what is reasonably believed by the officer, at the time, to be an imminent threat of death or serious bodily injury; 2. When necessary to protect another from what is reasonably believed by the officer, at the time, to be an imminent threat of death or serious bodily injury; 3. When immediately necessary to make a lawful arrest or prevent an escape after arrest, and an imminent threat exists where the suspect has demonstrated actions that would lead an officer to reasonably believe there is substantial risk that the suspect will cause death or serious bodily injury to another if the arrest is delayed; [...]" 	Yes	No
Houston 	<p>G.O. 600-17: USE OF DEADLY FORCE</p> <p>"The use of deadly force shall be limited to those circumstances in which officers reasonably believe it is necessary to protect themselves or others from the imminent threat of serious bodily injury or death."</p>	Yes	No

Texas (continued):



City	City Use of Force Policy	Based on State Law: Yes/No	Compliant with International Standards: Yes/No
Fort Worth 	G.O. 306.06 USE OF DEADLY FORCE "A. The use of deadly force is authorized only when it is necessary for officers to protect themselves or others from an immediate threat of death or serious bodily injury. Justification for the use of deadly force shall be limited to the facts known or reasonably perceived by an officer at the time the incident occurs."	Yes	No
Dallas 	G.O. 906.02 USE OF DEADLY FORCE POLICY "A. Justification for the Use of Deadly Force- In all situations, justification for the use of deadly force must be limited to the facts reasonably apparent to the officer at the time the officer decides to use the force. B. Definitions... 3. Reasonable Belief - A belief that would be held by a n ordinary and prudent person in the same circumstances as the actor."	Yes	No
San Antonio 	G.M. 501.07 USE OF DEADLY FORCE "B. The use of deadly force is authorized only to protect an officer or another person from what is reasonably believed to be an immediate threat of death or serious bodily injury. C. The use of deadly force against one who is fleeing from custody, or who is fleeing immediately after committing an offense, is prohibited unless the officer has probable cause to believe the suspect poses an imminent threat of death or serious bodily injury to the officer or a third party."	Yes	No

CALIFORNIA: Cal. Penal Code § 196; § 196. Justifiable homicide; public officers



"Homicide is justifiable when committed by public officers and those acting by their command in their aid and assistance, either...

2. When necessarily committed in overcoming actual resistance to the execution of some legal process, or in the discharge of any other legal duty; or,

3. When necessarily committed in retaking felons who have been rescued or have escaped, or when necessarily committed in arresting persons charged with felony, and who are fleeing from justice or resisting such arrest." [§196]

City	City Use of Force Policy	Based on State Law: Yes/No	Compliant with International Standards: Yes/No
Los Angeles 	S.O. NO. 5 AMENDING 556.01 "Deadly Force. Law enforcement officers are authorized to use deadly force to: <ul style="list-style-type: none"> • Protect themselves or others from what is reasonably believed to be an imminent threat of death or serious bodily injury; or, • Prevent a crime where the suspect's actions place person(s) in imminent jeopardy of death or serious bodily injury; or, • Prevent the escape of a violent fleeing felon when there is probable cause to believe the escape will pose a significant threat of death or serious bodily injury to the officer or others if apprehension is delayed. In this circumstance, officers shall, to the extent practical, avoid using deadly force that might subject innocent bystanders or hostages to possible death or injury. The reasonableness of an Officer's use of deadly force includes consideration of the officer's tactical conduct and decisions leading up to the use of deadly force."	Yes	No
San Diego 	D.P. 1.04 V. PROCEDURES "H. Use of Firearms <ol style="list-style-type: none"> 2. No officer shall discharge a firearm in the performance of duty except: c. When necessary to apprehend a fleeing suspect if there is probable cause to believe the suspect has committed a felony involving the infliction or threatened infliction of death or serious bodily injury, and the officer reasonably believes the suspect is armed with a deadly weapon and the suspect's escape would pose an imminent threat to the officer or others." 	Yes	No

California (continued):

City	City Use of Force Policy	Based on State Law: Yes/No	Compliant with International Standards: Yes/No
San Francisco 	G.O. 5.01 USE OF FORCE "III. CONSIDERATIONS GOVERNING ALL USES OF FORCE 1. USE OF FORCE MUST BE FOR A LAWFUL PURPOSE. Officers may use reasonable force options in the performance of their duties, in the following circumstances: 1. To effect a lawful arrest, detention, or search. 2. To overcome resistance or to prevent escape. 3. To prevent the commission of a public offense. 4. In defense of others or in self-defense. 5. To gain compliance with a lawful order. 6. To prevent a person from injuring himself/herself. However, an officer is prohibited from using lethal force against a person who presents only a danger to himself/herself and does not pose an immediate threat of death or serious bodily injury to another person or officer."	Yes	No
San Jose 	D.M. L 2600 USE OF FORCE "San Jose Police Department recognizes and understands the complexity of those situations necessitating the use of force. Officers follow established authorizations to use force provided by state law (Penal Code Sections 835 and 835a)." L 2601 GENERAL PROCEDURES "Officers may use force to affect a detention, arrest, prevent an escape or overcome resistance, in self-defense or defense of others." L 2601 OBJECTIVELY REASONABLE FORCE "...whether the subject poses an immediate threat to the safety of the officers or others and whether the subject is actively resisting arrest or attempting to evade arrest by flight. This policy guideline applies to all uses of force, including deadly force."	Yes	No


Ohio: No Law

North Carolina: § 15A-401. Arrest by law-enforcement officer, N.C.G.S.A. § 15A-401

(2) A law-enforcement officer is justified in using deadly physical force upon another person for a purpose specified in subdivision (1) of this subsection only when it is or appears to be reasonably necessary thereby:

- a. To defend himself or a third person from what he reasonably believes to be the use or imminent use of deadly physical force;
- b. To effect an arrest or to prevent the escape from custody of a person who he reasonably believes is attempting to escape by means of a deadly weapon, or who by his conduct or any other means indicates that he presents an imminent threat of death or serious physical injury to others unless apprehended without delay; or
- c. To prevent the escape of a person from custody imposed upon him as a result of conviction for a felony.

Nothing in this subdivision constitutes justification for willful, malicious or criminally negligent conduct by any person which injures or endangers any person or property, nor shall it be construed to excuse or justify the use of unreasonable or excessive force.


City	City Use of Force Policy	Based on State Law: Yes/No	Compliant with International Standards: Yes/No
Charlotte 	<p>I.D.G. 600-018 IV(A)(1)</p> <p>"When it appears to be reasonably necessary to defend him or herself or another person from what the officer reasonably believes to be the use or imminent use of deadly physical force; [...]"</p> <p>I.D.G.600-018 IV(A)(2)</p> <p>"To effect an arrest or prevent the escape from custody of a person who, the officer reasonably believes, is attempting to escape by means of a deadly weapon; [...]"</p> <p>I.D.G.600-018 IV(A)(3)</p> <p>"To affect an arrest or prevent the escape from custody of a person who, by his or her conduct or any other means, indicates that he or she presents an imminent threat of death or serious physical injury to others unless apprehended without delay."</p>	Yes	No

Illinois: 720 ILCS 5/7-5 5/7-5. Peace officer's use of force in making arrest

However, he is justified in using force likely to cause death or great bodily harm only when he reasonably believes that such force is necessary to prevent death or great bodily harm to himself or such other person, or when he reasonably believes both that: [§7-5(a)]

- (1) Such force is necessary to prevent the arrest from being defeated by resistance or escape; and [§7-5(a)(1)]
- (2) The person to be arrested has committed or attempted a forcible felony which involves the infliction or threatened infliction of great bodily harm or is attempting to escape by use of a deadly weapon, or otherwise indicates that he will endanger human life or inflict great bodily harm unless arrested without delay. [§7-5(a)(2)]


Illinois (continued):

City	City Use of Force Policy	Based on State Law: Yes/No	Compliant with International Standards: Yes/No
Chicago 	<p>GO3-02 III (C) 3. (A)-(B):</p> <p>"Last Resort: The use of deadly force is a last resort that is permissible only when necessary to protect against an imminent threat to life or to prevent great bodily harm to the member or another person. Consistent with this requirement, a sworn Department member may use deadly force only when such force is necessary to prevent:</p> <ul style="list-style-type: none"> (a.) death or great bodily harm from an imminent threat posed to the sworn member or to another person. (b.) an arrest from being defeated by resistance or escape, where the person to be arrested poses an imminent threat of death or great bodily harm to a sworn member or another person unless arrested without delay." <p>GO3-02 III (C)</p> <p>"4. Fleeing Persons. Deadly force may not be used on a fleeing person unless the subject poses an imminent threat, as defined above."</p> 	Yes	No

Indiana: IC 35-41-3-3 35-41-3-3 Use of force relating to arrest or escape

- (b) A law enforcement officer is justified in using reasonable force if the officer reasonably believes that the force is necessary to effect a lawful arrest. However, an officer is justified in using deadly force only if the officer:
 - (1) has probable cause to believe that that deadly force is necessary:
 - (A) to prevent the commission of a forcible felony; or
 - (B) to effect an arrest of a person who the officer has probable cause to believe poses a threat of serious bodily injury to the officer or a third person; and
 - (2) has given a warning, if feasible, to the person against whom the deadly force is to be used.
- (d) A law enforcement officer who has an arrested person in custody is justified in using the same force to prevent the escape of the arrested person from custody that the officer would be justified in using if the officer was arresting that person. However, an officer is justified in using deadly force only if the officer:
 - (1) has probable cause to believe that deadly force is necessary to prevent the escape from custody of a person who the officer has probable cause to believe poses a threat of serious bodily injury to the officer or a third person; and
 - (2) has given a warning, if feasible, to the person against whom the deadly force is to be used.
- (e) A guard or other official in a penal facility or a law enforcement officer is justified in using reasonable force, including deadly force, if the officer has probable cause to believe that the force is necessary to prevent the escape of a person who is detained in the penal facility.


Indiana (continued):

City	City Use of Force Policy	Based on State Law: Yes/No	Compliant with International Standards: Yes/No
Indianapolis 	G.O. 1.30, POLICY <p>"Officers may use deadly force only if the officer:</p> <p>A. Reasonably believes that the force is necessary to prevent the commission of a forcible felony; or</p> <p>B. Has probable cause to believe that the deadly force is necessary to effect an arrest of a person who the officer has probable cause to believe poses a threat of serious bodily injury to the officer or third person; and</p> <p>C. Has given a warning, if feasible, to the person against whom the deadly force is to be used."</p> G.O. 1.31 <p>Deadly Force- Defined by 35-31.5-2-85: "Deadly force" means force that creates substantial risk of serious bodily injury.</p>	Yes	No


Florida: § 776.05. Law enforcement officers; use of force in making an arrest

The officer is justified in the use of any force: [§776.05]

- (1) Which he or she reasonably believes to be necessary to defend himself or herself or another from bodily harm while making the arrest;
- (2) When necessarily committed in retaking felons who have escaped; or
- (3) When necessarily committed in arresting felons fleeing from justice. However, this subsection shall not constitute a defense in any civil action for damages brought for the wrongful use of deadly force unless the use of deadly force was necessary to prevent the arrest from being defeated by such flight and, when feasible, some warning had been given, and:
 - (a) The officer reasonably believes that the fleeing felon poses a threat of death or serious physical harm to the officer or others; or
 - (b) The officer reasonably believes that the fleeing felon has committed a crime involving the infliction or threatened infliction of serious physical harm to another person.

City	City Use of Force Policy	Based on State Law: Yes/No	Compliant with International Standards: Yes/No
Jacksonville 	ORDER 551.A. VERSION 2 RESPONSE TO RESISTANCE <p>I. A. 1. "The decision to use force at any level must be based upon state and federal laws and the circumstances that the officers reasonably believed to exist at that time."</p> <p>II. C. 1. "a. Officers may use deadly force when the officer reasonably believes such force is necessary to prevent imminent death or great bodily harm to themselves or another person;</p>	Yes	No

Florida (continued):

City	City Use of Force Policy	Based on State Law: Yes/No	Compliant with International Standards: Yes/No
Jacksonville (continued) 	<p>b. Officers may use deadly force to apprehend a fleeing felon only when: (1) There is probable cause to believe the person fleeing committed a violent felony which involved the infliction or threatened infliction of great bodily harm or death, or the person fleeing escaped while being held in custody as a suspect or prisoner for a violent felony which involved the infliction or threatened infliction of great bodily harm or death; and (2) The officer reasonably believes the use of deadly force is necessary to prevent escape; and (3) The officer reasonably believes the failure to immediately apprehend the fleeing person will place the officer, another law enforcement officer, or any other person in imminent danger of death or great bodily harm. (4) The officer's decision to use deadly force against a fleeing felon will be judged by the reasonableness of the officer's actions based upon the facts and circumstances available to the officer at the time the force was deployed. (5) If feasible, prior to the use of deadly force, officers shall give some warning of the possible use of deadly force, unless to do so would jeopardize the safety of the officer or any other person."</p>	Yes	No

Pennsylvania: 18 Pa.C.S.A. § 508 § 508. Use of force in law enforcement

However, he is justified in using deadly force only when he believes that such force is necessary to prevent death or serious bodily injury to himself or such other person, or when he believes both that: **§508(a)(1)**

- (i) such force is necessary to prevent the arrest from being defeated by resistance or escape; and **§508(a)(1)(i)**
- (ii) the person to be arrested has committed or attempted a forcible felony or is attempting to escape and possesses a deadly weapon, or otherwise indicates that he will endanger human life or inflict serious bodily injury unless arrested without delay. **§508(a)(1)(ii)**
- (2) A peace officer or corrections officer is justified in the use of such force, including deadly force, which the officer believes to be necessary to prevent the escape from a correctional institution of a person whom the officer believes to be lawfully detained in such institution under sentence for an offense or awaiting trial or commitment for an offense. **§508(c)(2)**
- (3) A corrections officer is justified in the use of such force, which the officer believes to be necessary to defend himself or another from bodily harm during the pursuit of the escaped person. However, the officer is justified in using deadly force only when the officer believes that such force is necessary to prevent death or serious bodily injury to himself or another or when the officer believes that: **§508(c)(3)**
 - (i) such force is necessary to prevent the apprehension from being defeated by resistance; and **§508(c)(3)(i)**
 - (ii) the escaped person has been convicted of committing or attempting to commit a forcible felony, possesses a deadly weapon or otherwise indicates that he will endanger human life or inflict serious bodily injury unless apprehended without delay. **§508(c)(3)(ii)**

Pennsylvania (continued):

- (ii) The use of deadly force is not in any event justifiable under this subsection unless: **§508(d)(ii)**
- A) the actor believes that there is a substantial risk that the person whom he seeks to prevent from committing a crime will cause death or serious bodily injury to another unless the commission or the consummation of the crime is prevented and that the use of such force presents no substantial risk of injury to innocent persons; or **§508(d)(ii)(A)**
- (B) the actor believes that the use of such force is necessary to suppress a riot or mutiny after the rioters or mutineers have been ordered to disperse and warned, in any particular manner that the law may require, that such force will be used if they do not obey. **§508(d)(ii)(B)**

City	City Use of Force Policy	Based on State Law: Yes/No	Compliant with International Standards: Yes/No
Philadelphia	<p>DIR.10.1 (I)(C)</p> <p>"Police Officers shall not use deadly force against another person, unless they have objectively reasonable belief that they must protect themselves or another person from imminent death or serious bodily injury. Further, an officer is not justified in using deadly force at any point in time when there is no longer an objectively reasonable belief that the suspect is dangerous, even if deadly force would have been justified at an earlier point in time."</p> <p>*(PLEAC 1.3.2)</p>	Yes	No


Arizona: A.R.S. § 13-410 § 13-410.

Justification; use of deadly physical force in law enforcement

The use of deadly force by a peace officer against another is justified pursuant to § 13-409 only when the peace officer reasonably believes that it is necessary: **§13-410(C)**


1. To defend himself or a third person from what the peace officer reasonably believes to be the use or imminent use of deadly physical force. **§13-410(C)(1)**
2. To effect an arrest or prevent the escape from custody of a person whom the peace officer reasonably believes: **§13-410(C)(2)**
 - (a) Has committed, attempted to commit, is committing or is attempting to commit a felony involving the use or a threatened use of a deadly weapon. **§13-410(C)(2)(a)**
 - (b) Is attempting to escape by use of a deadly weapon. **§13-410(C)(2)(b)**
 - (c) Through past or present conduct of the person which is known by the peace officer that the person is likely to endanger human life or inflict serious bodily injury to another unless apprehended without delay. **§13-410(C)(2)(c)**
 - (d) Is necessary to lawfully suppress a riot if the person or another person participating in the riot is armed with a deadly weapon. **§13-410(C)(2)(d)**
- D. Notwithstanding any other provisions of this chapter, a peace officer is justified in threatening to use deadly physical force when and to the extent a reasonable officer believes it necessary to protect himself against another's potential use of physical force or deadly physical force. **§13-410(D)**

Arizona (continued):

City	City Use of Force Policy	Based on State Law: Yes/No	Compliant with International Standards: Yes/No
Phoenix 	O.O. 1.5(4)(H) <p>"When such force is reasonable to protect themselves or a third person from another's use, or threatened use, of deadly force.</p> <p>To prevent the escape of a subject whom the employees has probable cause to believe has committed an offense involving the infliction or threat of serious physical injury or death, and is likely to endanger human life or cause serious injury to another unless apprehended without delay.</p> <p>In situations where the officer must overcome an attack the officer reasonably believes would produce serious physical injury or death to the officer or another person.</p> <p>When the use of techniques taught by the Department's proficiency skills instructors is not practical under the circumstances, the officer may resort to any reasonable method to overcome the attack."</p>	Yes	No

New York: §35.30 Justification; use of physical force in making an arrest or in making an arrest or in preventing an escape, McKinney's Penal Law §35.30

1. ...except that deadly physical force may be used for such purposes only when he or she reasonably believes that:
 - (a) The offense committed by such person was:
 - (i) a felony or an attempt to commit a felony involving the use or attempted use or threatened imminent use of physical force against a person; or
 - (ii) kidnapping, arson, escape in the first degree, burglary in the first degree or any attempt to commit such a crime; or
 - (b) The offense committed or attempted by such person was a felony and that, in the course of resisting arrest therefor or attempting to escape from custody, such person is armed with a firearm or deadly weapon; or
 - (c) Regardless of the particular offense which is the subject of the arrest or attempted escape, the use of deadly physical force is necessary to defend the police officer or peace officer or another person from what the officer reasonably believes to be the use or imminent use of deadly physical force.

City	City Use of Force Policy	Based on State Law: Yes/No	Compliant with International Standards: Yes/No
New York City 	P.G. 203-12 <p>"Respect for human life requires that, in all cases, firearms be used as a last resort, and then only to protect life.</p> <p>Uniformed members of the service should use only the</p>	Yes	No


New York (continued):

City	City Use of Force Policy	Based on State Law: Yes/No	Compliant with International Standards: Yes/No
New York City (continued)	<p>minimal amount of force necessary to protect human life. Where feasible, and consistent with personal safety, some warning, such as "POLICE - DON'T MOVE," should be given."</p> <p>P.G. 203-12(A)-(II)</p> <ol style="list-style-type: none"> Police officers shall not use deadly physical force against another person unless they have probable cause to believe they must protect themselves or another person present from imminent death or serious physical injury. Police officers shall not discharge their weapons when, in their professional judgment, doing so will unnecessarily endanger innocent persons. Police officers shall not discharge their firearms in defense of property. Police officers shall not discharge their firearms to subdue a fleeing felon who presents no threat of imminent death or serious physical injury to themselves or another person present. Police officers shall not fire warning shots. Police officers shall not discharge their firearms to summon assistance except in emergency situations when someone's personal safety is endangered and unless no other reasonable means is available. Police officers shall not discharge their firearms at or from a moving vehicle unless deadly physical force is being used against the police officer or another person present, by means other than a moving vehicle. Police officers shall not discharge their firearms at a dog or other animal except to protect themselves or another person from physical injury and there is no other reasonable means to eliminate the threat. Police officers shall not, under any circumstances, cock a firearm. Firearms must be fired double action at all times." 	Yes	No


Washington: West's RCW 9A.16.040 9A.16.040.

Justifiable homicide or use of deadly force by public officer, peace officer, person aiding

- (1) Homicide or the use of deadly force is justifiable in the following cases:
 - (a) When a public officer is acting in obedience to the judgment of a competent court; or
 - (b) When necessarily used by a peace officer meeting the good faith standard of this section to overcome actual resistance to the execution of the legal process, mandate, or order of a court or officer, or in the discharge of a legal duty; or
 - (c) When necessarily used by a peace officer meeting the good faith standard of this section or person acting under the officer's command and in the officer's aid:
 - (i) To arrest or apprehend a person who the officer reasonably believes has committed, has attempted to commit, is committing, or is attempting to commit a felony;
 - (ii) To prevent the escape of a person from a federal or state correctional facility or in retaking a person who escapes from such a facility; or
 - (iii) To prevent the escape of a person from a county or city jail or holding facility if the person has been arrested for, charged with, or convicted of a felony; or
 - (iv) To lawfully suppress a riot if the actor or another participant is armed with a deadly weapon.
- (2) In considering whether to use deadly force under subsection (1) (c) of this section, to arrest or apprehend any person for the commission of any crime, the peace officer must have probable cause to believe that the suspect, if not apprehended, poses a threat of serious physical harm to the officer or a threat of serious physical harm to others. Among the circumstances which may be considered by peace officers as a "threat of serious physical harm" are the following:
 - (a) The suspect threatens a peace officer with a weapon or displays a weapon in a manner that could reasonably be construed as threatening; or
 - (b) There is probable cause to believe that the suspect has committed any crime involving the infliction or threatened infliction of serious physical harm. Under these circumstances deadly force may also be used if necessary to prevent escape from the officer, where, if feasible, some warning is given, provided the officer meets the good faith standard of this section.
- (3) A public officer covered by subsection (1)(a) of this section shall not be held criminally liable for using deadly force without malice and with a good faith belief that such act is justifiable pursuant to this section.
- (4) A peace officer shall not be held criminally liable for using deadly force in good faith, where "good faith" is an objective standard which shall consider all the facts, circumstances, and information known to the officer at the time to determine whether a similarly situated reasonable officer would have believed that the use of deadly force was necessary to prevent death or serious physical harm to the officer or another individual.
- (5) This section shall not be construed as:
 - (a) Affecting the permissible use of force by a person acting under the authority of RCW 9A.16.020 or 9A.16.050; or
 - (b) Preventing a law enforcement agency from adopting standards pertaining to its use of deadly force that are more restrictive than this section.

City	City Use of Force Policy	Based on State Law: Yes/No	Compliant with International Standards: Yes/No
Seattle 	S.P.M. 8.200(4) <p>"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:</p> <ul style="list-style-type: none"> A suspect is acting or threatening to cause death or serious physical injury to the officer or others, and 	Yes	No

Washington (continued):

City	City Use of Force Policy	Based on State Law: Yes/No	Compliant with International Standards: Yes/No
Seattle (continued) 	<ul style="list-style-type: none"> 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." <p>S.P.M. 8.200(5)</p> <p>"Deadly Force May Be Used to Prevent the Escape of a Fleeing Suspect Only When an Objectively Reasonable Officer Would Believe That it Is Necessary and That There is Probable Cause That:</p> <ul style="list-style-type: none"> The suspect has committed or is in the process of committing a felony involving the infliction or threatened infliction of serious physical injury or death; and The escape of the suspect would pose an imminent danger of death or serious physical injury to the officer or to another person unless the suspect is apprehended without delay; and The officer has given a verbal warning to the suspect, if time, safety, and circumstances permit." 	Yes	No


Colorado: C.R.S. 18-1-707

Justification and Exemptions from Criminal Responsibility

- (1) Except as provided in subsections (2) and (2.5) of this section, a peace officer is justified in using reasonable and appropriate physical force upon another person when and to the extent that he reasonably believes it necessary:
 - (a) To effect an arrest or to prevent the escape from custody of an arrested person unless he knows that the arrest is unauthorized; or
 - (b) To defend himself or a third person from what he reasonably believes to be the use or imminent use of physical force while effecting or attempting to effect such an arrest or while preventing or attempting to prevent such an escape.
- (2) A peace officer is justified in using deadly physical force upon another person for a purpose specified in subsection (1) of this section only when he reasonably believes that it is necessary:
 - (a) To defend himself or a third person from what he reasonably believes to be the use or imminent use of deadly physical force; or
 - (b) To effect an arrest, or to prevent the escape from custody, of a person whom he reasonably believes:
 - (I) Has committed or attempted to commit a felony involving the use or threatened use of a deadly weapon; or
 - (II) Is attempting to escape by the use of a deadly weapon; or
 - (III) Otherwise indicates, except through a motor vehicle violation, that he is likely to endanger human life or to inflict serious bodily injury to another unless apprehended without delay

Colorado (continued):

- (3) Nothing in subsection (2)(b) or subsection (2.5) of this section shall be deemed to constitute justification for reckless or criminally negligent conduct by a peace officer amounting to an offense against or with respect to innocent persons whom he is not seeking to arrest or retain in custody.
- (4) For purposes of this section, a reasonable belief that a person has committed an offense means a reasonable belief in facts or circumstances that if true would in law constitute an offense. If the believed facts or circumstances would not in law constitute an offense, an erroneous though not unreasonable belief that the law is otherwise does not render justifiable the use of force to make an arrest or to prevent an escape from custody. A peace officer who is effecting an arrest pursuant to a warrant is justified in using the physical force prescribed in subsections (1), (2), and (2.5) of this section unless the warrant is invalid and is known by the officer to be invalid.

City	City Use of Force Policy	Based on State Law: Yes/No	Compliant with International Standards: Yes/No
Denver 	<p>O.M. 105.00 USE OF FORCE POLICY</p> <p>(1)(a) POLICY [...] “When deciding whether to use force, officers shall act within the boundaries of the United States and Colorado constitutions and laws, ethics, good judgment, this use of force policy, and all other relevant Denver Police Department policies, practices and training.”</p> <p>(2) STATE STATUTES “C.R.S. §18-1-707 states in the pertinent part: Use of physical force in making an arrest or in preventing an escape:</p> <p>1. (1) Except as provided in subsection (2) of this section, a peace officer is justified in using reasonable and appropriate physical force upon another person when and to the extent that he reasonably believes it necessary:</p> <p>a. To effect an arrest or to prevent the escape from custody of an arrested person unless he knows that the arrest is unauthorized; or</p> <p>b. To defend him self or a third person from what he reasonably believes to be the use or imminent use of physical force while effecting or attempting to affect such an arrest or while preventing or attempting to prevent such an escape.</p> <p>2. A peace officer is justified in using deadly physical force upon another person for a purpose specified in subsection (1) of this section only when he reasonably believes that it is necessary:</p> <p>a. To defend himself or a third person from what he reasonably believes to be the use or imminent use of deadly physical force; or</p> <p>b. To affect an arrest or prevent the escape from custody, of a person whom he reasonably believes:</p> <p>1. Has committed or attempted to commit a felony involving the use or threatened use of a deadly weapon; or</p>	Yes	No

Colorado (continued):

City	City Use of Force Policy	Based on State Law: Yes/No	Compliant with International Standards: Yes/No
Denver (continued)	<p>2. Is attempting to escape by the use of a deadly weapon; or</p> <p>3. Otherwise indicates, except through a motor vehicle violation, that he is likely to endanger human life or to inflict serious bodily injury to another unless apprehended without delay. (The Denver Police Department policy on use of deadly force in this situation is more restrictive than state law – see OMS 105.05(5).</p> <p>3. Nothing in subsection (2)(b) of this section shall be deemed to constitute justification for reckless or criminally negligent conduct by a peace officer amounting to an offense against or with respect to innocent persons whom he is not seeking to arrest or retain custody.</p> <p>4. For the purposes of this section a reasonable belief that a person has committed an offense means a reasonable belief in facts or circumstances which if true would in law constitute an offense. If the believed facts and circumstances would not in law constitute an offense, an erroneous though not unreasonable belief that the law is otherwise does not render justifiable the use of force to make an arrest or to prevent an escape from custody. A peace officer who is affecting an arrest pursuant to a warrant is justified in using the physical force prescribed in subsection (1) and (2) of this section unless the warrant is invalid and is known by the officer to be invalid."</p>	Yes	No

Necessity

Immediacy (10 points)

- No Immediacy Requirement (0 pts)
- Fleeing Felon exception (5 pts)
- Immediacy Required in all Circumstances (10 pts)

City

Austin



P.M. 200.3 DEADLY FORCE APPLICATIONS

"An officer has no duty to retreat and is only justified in using deadly force against another when and to the extent the officer reasonably believes the deadly force is immediately necessary to (Tex. Penal Code § 9.51(c) and (e)):

(a) Protect himself or others from what he reasonably believes would be an imminent threat of death or serious bodily injury.

(b) Make an arrest or to prevent escape after arrest when the officer has probable cause to believe that:

1. The subject has committed or intends to commit an offense involving the infliction or threatened infliction of serious bodily injury or death; or

2. The officer reasonably believes that there is an imminent or potential risk of serious bodily injury or death to any other person if the subject is not immediately apprehended."

5

Particularized Threat (10 points)

P.M. 200.3 DEADLY FORCE APPLICATIONS

"An officer has no duty to retreat and is only justified in using deadly force against another when and to the extent the officer reasonably believes the deadly force is immediately necessary to (Tex. Penal Code § 9.51(c) and (e)):

(a) Protect himself or others from what he reasonably believes would be an imminent threat of death or serious bodily injury."

10

Last Resort (10 points)

P.M. PHILOSOPHY OF THE AUSTIN POLICE DEPARTMENT


"... [A]ll employees will strive to preserve human life while recognizing that duty may require the use of deadly force, as a **last resort**, after other reasonable alternatives have failed or been determined impractical"

P.M. 202.1.1

"Where feasible, a warning should be given before an officer resorts to deadly force..."

10

Austin Final Grade: 25 Points

City	Immediacy (10 points)	Particularized Threat (10 points)	Last Resort (10 points)
El Paso 	<p>P.M. 300.4 PARAMETERS FOR USE OF DEADLY FORCE</p> <p>"Deadly force, as a matter of Department policy (whether the officer is on or off duty), is used only in the following situations:</p> <ol style="list-style-type: none"> 1. When necessary to protect the officer from what is reasonably believed by the officer, at the time, to be an imminent threat of death or serious bodily injury; 2. When necessary to protect another from what is reasonably believed by the officer, at the time, to be an imminent threat of death or serious bodily injury; 3. When immediately necessary to make a lawful arrest or prevent an escape after arrest, and an imminent threat exists where the suspect has demonstrated actions that would lead an officer to reasonably believe there is substantial risk that the suspect will cause death or serious bodily injury to another if the arrest is delayed; [...]" 	<p>P.M. 300.4 Parameters for Use of Deadly Force</p> <p>"Deadly force, as a matter of Department policy (whether the officer is on or off duty), is used only in the following situations:</p> <ol style="list-style-type: none"> 1. When necessary to protect the officer from what is reasonably believed by the officer, at the time, to be an imminent threat of death or serious bodily injury; 2. When necessary to protect another from what is reasonably believed by the officer, at the time, to be an imminent threat of death or serious bodily injury;" 	<p>P.M. 300.3 EVALUATION OF SITUATION</p> <p>"In determining the appropriate amount of force, officers shall evaluate each situation in light of the known facts and circumstances of each particular case."</p> <p>P.M. 300.3 Evaluation of Situation</p> <p>"When feasible, officers will give a verbal warning before using any force including deadly force. Such warnings require that officers must identify themselves as police officers and convey their purpose and reason for the use of force (UOF)."</p>
	10	10	0

El Paso Final Grade: 20 Points

City	Immediacy (10 points)		
	<ul style="list-style-type: none"> No Immediacy Requirement (0 pts) Fleeing Felon exception (5 pts) Immediacy Required in all Circumstances (10 pts) 		
	Particularized Threat (10 points)	Last Resort (10 points)	
Houston	G.O. 600-17(4) "The use of deadly force will be limited to those circumstances in which officers reasonably believe it is necessary to protect themselves or others from the imminent threat of serious bodily injury or death."	G.O. 600-17(4) "The use of deadly force will be <u>limited to</u> those circumstances in which officers reasonably believe it is necessary to protect themselves or others <u>from the imminent threat of serious bodily injury or death.</u> "	
	G.O. 600-17(4)(B) "Officers are prohibited from <u>using firearms in the following ways:</u> ... b. <u>Firing at fleeing suspects who do not represent an imminent threat to the life of the officer or another.</u> "	G.O. 600-17(1) "It is the duty of all employees to constantly assess the situation and adjust the use of force accordingly."	
	10	10	0

Houston Final Grade: 20 Points

Fort Worth	G.O. 306.06 USE OF DEADLY FORCE "A. The use of deadly force is authorized <u>only when it is necessary for officers to protect themselves or others from an immediate threat of death or serious bodily injury.</u> Justification for the use of deadly force shall be limited to the facts known or reasonably perceived by an officer at the time the incident occurs	G.O. 306.06 USE OF DEADLY FORCE "A. The use of deadly force is authorized only when it is necessary for officers to protect themselves or others from an <u>immediate threat of death or serious bodily injury.</u> "	G.O. 306.04 DE-ESCALATION "A. When safely possible, an officer shall use de-escalation techniques <u>consistent with department training whenever possible and appropriate before resorting to force and to</u> reduce the need for force. 1. Officers should use advisements, warnings, verbal persuasion, and other tactics and alternatives to higher levels of force."
	10	10	10

Fort Worth Final Grade: 30 Points

City

Immediacy (10 points)

- No Immediacy Requirement (0 pts)
- Fleeing Felon exception (5 pts)
- Immediacy Required in all Circumstances (10 pts)

Particularized Threat (10 points)

Last Resort (10 points)

Dallas



G.O. 906.02 USE OF DEADLY FORCE POLICY

"D. Authorization to Use Deadly Force – Officers will only use deadly force to protect themselves or another person from imminent death or serious bodily injury."

G.O. 906.02 USE OF DEADLY FORCE POLICY

"D. Authorization to Use Deadly Force – Officers will only use deadly force to protect themselves or another person from imminent death or serious bodily injury."

G.O. 906.01 PHILOSOPHY

"C. Deadly force will be used with great restraint and as a last resort only when the level of resistance warrants the use of deadly force."

G.O. 906.02 USE OF DEADLY FORCE POLICY:

"Avoiding the Use of Deadly Force: 1. At the point when an officer should reasonably perceive the potential exists that deadly force may be an outcome of any situation, the officer must use reasonable alternatives if time and opportunities permit."

10

10

10

Dallas Final Grade: 30 Points

San Antonio



G.M. 501.07 USE OF DEADLY FORCE

"A. This section applies to all forms of deadly force, regardless of the type of instrument or weapon used.

B. The use of deadly force is authorized only to protect an officer or another person from what is reasonably believed to be an immediate threat of death or serious bodily injury.

C. The use of deadly force against one who is fleeing from custody, or who is fleeing immediately after committing an offense, is prohibited unless the officer has probable cause to

G.M. 501.07 USE OF DEADLY FORCE

"A. This section applies to all forms of deadly force, regardless of the type of instrument or weapon used.


B. The use of deadly force is authorized only to protect an officer or another person from what is reasonably believed to be an immediate threat of death or serious bodily injury."

G.M. 501.05 APPLICATION OF FORCE

"C. The use of force by an officer can be viewed as a matrix of force options used in response to a subject's actions and behavior. The force matrix illustrates the relationship between a subject's actions and the officer's response. As force options move from lesser to greater levels, the risk of injury to the suspects and/or officers increase. The matrix is designed to assist officers in understanding how force can escalate

City	Immediacy (10 points)	Particularized Threat (10 points)	Last Resort (10 points)
	<ul style="list-style-type: none"> ■ No Immediacy Requirement (0 pts) ■ Fleeing Felon exception (5 pts) ■ Immediacy Required in all Circumstances (10 pts) 		
San Antonio (continued)	believe the suspect poses an imminent threat of death or serious bodily injury to the officer or a third party."		"See table: <u>Deadly Force</u> is last option, allowed only in response to Imminent Serious Bodily Injury/Death"
	10	10	10

San Antonio Final Grade: 30 Points

Los Angeles	S.O. NO. 5 AMENDING 556.01	S.O. NO. 5 AMENDING 556.01	S.O. NO. 5 PURPOSE
	<p>"Law enforcement officers are authorized to use deadly force to:</p> <ul style="list-style-type: none">• Protect themselves or others from what is reasonably believed to be an imminent threat of death or seriously bodily injury. <p>[...]</p> <ul style="list-style-type: none">• Prevent the escape of a violent fleeing felon when there is a probable cause to believe the escape will pose a <u>significant threat of death or serious bodily injury to the officer or others if apprehension is delayed.</u>"	<p>"Law enforcement officers are authorized to use deadly force to:</p> <ul style="list-style-type: none">• Protect themselves or others from what is reasonably <u>believed to be an imminent threat of death or seriously bodily injury.</u>"	<p>"The purpose of this Order is to revise the use of force policy preamble to include the need to control an incident by using time, distance, communications, and available resources, in an effort to de-escalate the situation, whenever it is safe and reasonable to do so."</p> <p>S.O. NO. 5 AMENDING 556.01: DEADLY FORCE</p> <p>"The reasonableness of an Officer's use of deadly force includes consideration of the officer's tactical conduct and decisions leading up to the use of deadly force."</p> <p>WARNING SHOTS.</p> <p>"Warning shots shall only be used in exceptional circumstances where it might reasonably be expected to avoid the need to use deadly force. Generally, warning shots shall be directed in a manner that minimizes the risk of injury to innocent persons, ricochet dangers and property damage."</p>
	10	10	10

Los Angeles Final Grade: 30 Points

City

San Diego



Immediacy (10 points)

- No Immediacy Requirement (0 pts)
- Fleeing Felon exception (5 pts)
- Immediacy Required in all Circumstances (10 pts)

D.P. 1.04 V. PROCEDURES

"H. Use of Firearms

2. No officer shall discharge a firearm in the performance of duty except:

b. When the officer has a reasonable belief that a subject (or animal) poses an imminent threat of death or serious bodily injury to the officer or another person;

c. When necessary to apprehend a fleeing suspect if there is probable cause to believe the suspect has committed a felony involving the infliction or threatened infliction of death or serious bodily injury, and the officer reasonably believes the suspect is armed with a deadly weapon and the suspect's escape would pose an imminent threat to the officer or others;"

Particularized Threat (10 points)

D.P. 1.04 V. PROCEDURES

"H. Use of Firearms

2. No officer shall discharge a firearm in the performance of duty except:

b. When the officer has a reasonable belief that a subject (or animal) poses an imminent threat of death or serious bodily injury to the officer or another person;"

D.P. 1.04 V. PROCEDURES

"F. The Force Matrix is broken into the following five levels: [...]

5. Fifth level – officers defend themselves or others against the subject's life-threatening behavior with the use of deadly force."

Last Resort (10 points)

D.P. 1.04 V. PROCEDURES

"E. The use of force by an officer can be viewed as a matrix of force options that can be used in response to a subject's actions and behavior. The matrix is designed to assist officers in understanding how force can escalate and assist officers in

documenting the subsequent force used. The force matrix illustrates the relationship between a subject's actions and the officer's response. As force options move from lesser to greater levels, the risk of injury to the subject and/or officer increases. However, there may be situations and circumstances that do not

conform to this matrix. Officers who experience those unusual situations must

use only that amount of force that is reasonable, based upon the subject's actions and behavior."

D.P. 1.04 V. PROCEDURES

"F. The Force Matrix is broken into the following five levels:

...

5. Fifth level – officers defend themselves or others against the subject's life-threatening behavior with the use of deadly force."

D.P. 1.04 V. PROCEDURES

"H. Use of Firearms

City	Immediacy (10 points)	Particularized Threat (10 points)	Last Resort (10 points)
San Diego (continued)	<ul style="list-style-type: none"> No Immediacy Requirement (0 pts) Fleeing Felon exception (5 pts) Immediacy Required in all Circumstances (10 pts) 		<p>3. A verbal warning to submit to the authority of the officer shall be given prior to the use of a firearm, if feasible..."</p>
	10	10	10

San Diego Final Grade: 30 Points

San Francisco



G.O. 5.01 VI. FORCE OPTIONS

"G. FIREARMS AND OTHER DEADLY FORCE

[...]

2. DISCHARGE OF FIREARMS

a. PERMISSIBLE CIRCUMSTANCES. Except as limited by Sections VI.G.2.d. and e., an officer may discharge a firearm or use other deadly force in any of the following circumstances. The circumstances below (2.a.i-iv) apply to a discharge of a firearm or application of deadly force:

- i. In self-defense when the officer has reasonable cause to believe that he or she is in immediate danger of death or serious bodily injury; or
- ii. In defense of another person when the officer has reasonable cause to believe that the person is in immediate danger of death or serious bodily injury. However, an officer may not discharge a firearm at, or use deadly force against, a person who presents a danger only to him or herself, and there is no

G.O. 5.01 VI. FORCE OPTIONS

"G. FIREARMS AND OTHER DEADLY FORCE

...

2. DISCHARGE OF FIREARMS

a. PERMISSIBLE CIRCUMSTANCES. Except as limited by Sections VI.G.2.d. and e., an officer may discharge a firearm or use other deadly force in any of the following circumstances

- i. In self-defense when the officer has reasonable cause to believe that he or she is in immediate danger of death or serious bodily injury
- ii. In defense of another person when the officer has reasonable cause to believe that the person is in imminent danger of death or serious bodily injury ..."

G.O. 5.01 VI. FORCE OPTIONS

"G. FIREARMS AND OTHER DEADLY FORCE. It is the policy of this Department to use deadly force only as a last resort when reasonable alternatives have been exhausted or are not feasible to protect the safety of the public and police officers. The use of firearms and other deadly force is the most serious decision an officer may ever make. When safe and feasible under the totality of circumstances, officers shall consider other objectively reasonable force options before discharging a firearm or using other deadly force.

[...]

2. DISCHARGE OF FIREARMS

b. VERBAL WARNING. If feasible, and if doing so would not increase the danger to the officer or others, an officer shall give a verbal warning to submit to the authority of the officer before discharging a firearm or using other deadly force."

City	Immediacy (10 points)	Particularized Threat (10 points)	Last Resort (10 points)
San Francisco (continued)	<ul style="list-style-type: none"> No Immediacy Requirement (0 pts) Fleeing Felon exception (5 pts) Immediacy Required in all Circumstances (10 pts) <p>reasonable cause to believe that the person poses an immediate danger of death or serious bodily injury to the officer or any other person; or</p> <p>iii. To apprehend a person when both of the following circumstances exist:</p> <ul style="list-style-type: none"> - The officer has reasonable cause to believe that the person has committed or has attempted to commit a violent felony involving the use or threatened use of deadly force; AND - The officer has reasonable cause to believe that a substantial risk exists that the person will cause death or serious bodily injury to officers or others if the person's apprehension is delayed;" 		
	10	10	10

San Francisco Final Grade: 30 Points

San Jose



D.M. L 2602 OBJECTIVELY REASONABLE FORCE

"Important factors to be considered when deciding how much force can be used to apprehend or subdue a subject include, but are not limited to, the severity of the crime at issue, whether the subject poses an immediate threat to the safety of the officers or others and whether the subject is actively resisting

D.M. L 2600 USE OF FORCE

"...in situations where resistance, a threat to life or a threat of physical force against officers or others is encountered and verbal persuasion has not been effective, is not feasible or would appear to be ineffective, an officer may use objectively reasonable force."

D.M. L 2603 FORCE OPTIONS POLICY:

D.M. L 2604 GENERAL RESPONSIBILITY WHEN FORCE IS USED


"Each situation is unique. The Department relies on the officer's judgment and discretion to employ an objectively reasonable level of force under each unique circumstance."

D.M. L 2600 USE OF FORCE


"...in situations where resistance, a threat to life or a threat of


City	Immediacy (10 points)	Particularized Threat (10 points)	Last Resort (10 points)
San Jose (continued)	<ul style="list-style-type: none"> ■ No Immediacy Requirement (0 pts) ■ Fleeing Felon exception (5 pts) ■ Immediacy Required in all Circumstances (10 pts) <p>arrest or attempting to evade arrest by flight."</p> <p>D.M. L 2638 DIRECT USE OF FIREARM</p> <p>"...to <u>effect</u> the capture of, or prevent the escape or rescue of, a suspect whom the officer has reasonable cause to believe... <u>would pose an imminent danger of death or serious physical injury...</u>"</p>	<p>"There is no requirement that the person actually has to strike or attempt to strike an officer to be considered physically threatening or assaultive, so long as an objectively reasonable officer has sufficient information (verbal threats, verbal defiance, physical stance, etc.) to believe that a person is <u>physically threatening</u> and has the <u>present ability to harm the officer.</u>"</p> <p>D.M. L. 2621 USE OF IMPACT WEAPONS</p> <p>"Officers may only intentionally target a suspect's head with an impact weapon as a deadly force option (i.e. when the force being responded to is likely to cause death or serious bodily injury) when objectively reasonable to protect themselves or others from an imminent threat of death or serious bodily injury."</p> <p>D.M. L 2638 DIRECT USE OF FIREARM</p> <p>"...to effect the capture of, or prevent the escape or rescue of, a suspect whom the officer has reasonable cause to believe... <u>would pose an imminent danger of death or serious physical injury...</u>"</p>	<p>physical force against officers or others is encountered and verbal persuasion has not been effective, is not feasible or would appear to be ineffective, an officer may use objectively reasonable force."</p> <p>WHEN FIREARMS WILL NOT BE DISCHARGED</p> <p>"Firearms will not be discharged under the following circumstances:</p> <ul style="list-style-type: none"> - At misdemeanants who do not pose an imminent danger of death or serious physical harm to other persons. - To affect the capture, or prevent the escape or rescue of, a suspect whom the officer has reasonable cause to believe has committed a felony which did not involve the use or a threat to use deadly force."
	10	10	10


San Jose Final Grade: 30 Points


City	Immediacy (10 points)		
	<ul style="list-style-type: none"> No Immediacy Requirement (0 pts) Fleeing Felon exception (5 pts) Immediacy Required in all Circumstances (10 pts) 		
	Particularized Threat (10 points)	Last Resort (10 points)	
Columbus 	D.D. 2.01(II)(B) <p>"Deadly Force</p> <p>1. Sworn personnel may use deadly force when the involved personnel have reason to believe the response is objectively reasonable to <u>protect themselves or others from the imminent threat of death or serious physical harm.</u></p> <p>2. Sworn personnel may use deadly force upon a human being to prevent escape when there is probable cause to believe that the subject poses <u>an immediate threat of serious physical harm to himself, herself, or others."</u></p>	D.D. 2.01(II)(B) <p>"Deadly Force</p> <p>1. Sworn personnel may use deadly force when the involved personnel have reason to believe the response is objectively reasonable to protect themselves or others <u>from the imminent threat of death or serious physical harm."</u></p>	D.D. 2.01(I)(B)(1) <p>"Use of Force Levels of Control</p> <p>1. A progression of techniques used to control a suspect's actions. Levels of Control used by the Division of Police are: [...]</p> <p>Level 8: Deadly force" (Deadly force is last option.)</p> <p>D.D. 2.01(II)(B)(4)</p> <p>"If reasonable, sworn personnel should give a verbal warning of the intention to use deadly force."</p> <p>police officers and convey their purpose and reason for the use of force (UOF)."</p>
	10	10	10

Columbus Final Grade: 30 Points


Charlotte 	I.D.G.600-018(IV)(A)(2) PROCEDURES FOR THE USE OF DEADLY FORCE <p>"A. An officer may use deadly force only as follows:</p> <p>1. When it appears to be reasonably necessary to defend him or herself or another person from what the officer reasonably believes <u>to be the use or imminent use of deadly physical force;</u> or</p> <p>2. To effect an arrest or prevent the escape from custody of a person who, the officer reasonably believes, <u>is attempting to</u></p>	I.D.G.600-018(IV)(A)(1)] PROCEDURES FOR THE USE OF DEADLY FORCE <p>"A. An officer may use deadly force only as follows:</p> <p>1. When it appears to be reasonably necessary to defend him or herself or another person from what the officer reasonably believes <u>to be the use or imminent use of deadly physical force ..."</u></p>	I.D.G.600-018(IV)(B) <p>"If feasible, an officer will identify him or herself as a police officer and issue a verbal warning before using deadly force ..."</p> <p>I.D.G.600-020</p> <p>"The Use of Force Continuum is <u>a guideline for officers in making critical use of force decisions.</u> The above image illustrates the options that an officer has at each level of resistance. It should be noted that professional presence and verbal interaction are present at every level of resistance."</p>
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City	Immediacy (10 points)		
	<ul style="list-style-type: none"> No Immediacy Requirement (0 pts) Fleeing Felon exception (5 pts) Immediacy Required in all Circumstances (10 pts) 		
	Particularized Threat (10 points)	Last Resort (10 points)	
Charlotte	escape by means of a deadly weapon ..."	(Lethal Force is last of eight options on the continuum.)	
	5	10	10
Charlotte Final Grade: 25 Points			

City	Immediacy (10 points)		
	<ul style="list-style-type: none"> No Immediacy Requirement (0 pts) Fleeing Felon exception (5 pts) Immediacy Required in all Circumstances (10 pts) 		
	Particularized Threat (10 points)	Last Resort (10 points)	
Chicago	GO3-02 III (C) "4. Fleeing Persons. Deadly force may not be used on a fleeing person unless the subject poses an imminent threat, as defined above." GO3-02 III (C) "3.(a)-(b): A sworn Department member may use deadly force only when such force is necessary to prevent: (a.) death or great bodily harm from an imminent threat posed to the sworn member or to another person. (b.) an arrest from being defeated by resistance or escape, where the person to be arrested poses an imminent threat of death or great bodily harm to a sworn member or another person unless arrested without delay"	GO3-02 III (C) "3.(a)-(b): A sworn Department member may use deadly force only when such force is necessary to prevent: (a.) <u>death or great bodily harm from an imminent threat posed to the sworn member or to another person.</u> (b.) an arrest from being defeated by resistance or escape, where the person to be arrested poses an imminent threat of death or great bodily harm to a sworn member or another person unless arrested without delay."	GO3-02 III (C) "3. Last Resort: The use of deadly force is a last resort that is permissible only when necessary to protect against an imminent threat to life or to prevent great bodily harm to the member or another person."
	10	10	10
Chicago Final Grade: 30 Points			

City	Immediacy (10 points)	Particularized Threat (10 points)	Last Resort (10 points)
Indianapolis 	G.O. 1.30 POLICY <p>"Officers may use deadly force only if the officer: ...</p> <p>A. Reasonably believes that the force is necessary to prevent the commission of a forcible felony; or</p> <p>B. Has probable cause to believe that the deadly force is necessary to effect an arrest of a person who the officer has <u>probable cause to believe poses a threat of serious bodily injury to the officer or third person</u> [...]"</p>	G.O. 1.30 POLICY <p>"Officers may use deadly force only if the officer:</p> <p>A. Reasonably believes that the force is necessary to <u>prevent the commission of a forcible felony</u>; or</p> <p>B. Has probable cause to believe that the deadly force is <u>necessary to effect an arrest of a person who the officer has probable cause to believe poses a threat of serious bodily injury to the officer or third person</u>;"</p>	G.O. 1.30 POLICY <p>"Officers may use deadly force <u>only if the officer:</u></p> <p>[...]</p> <p>C. Has given a warning, if feasible, to the person against whom the deadly force is to be used."</p>
	0	0	0

Indianapolis Final Grade: 0 Points

Jacksonville 	ORDER 551.A. VERSION 2 RESPONSE TO RESISTANCE <p>II. C. 1.</p> <p>"a. Officers may use deadly force when the officer reasonably believes such force is necessary to prevent imminent death or great bodily harm to themselves or another person;</p> <p>b. Officers may use deadly force to apprehend a fleeing felon only when:</p> <p>(1) There is probable cause to believe the person fleeing committed a violent felony which involved the infliction or threatened infliction of great bodily harm or death, or the person fleeing escaped while being held in custody as a</p>	ORDER 551.A. VERSION 2 RESPONSE TO RESISTANCE <p>II. C. 1.</p> <p>"a. Officers may use deadly force when the officer reasonably believes such force is necessary to prevent <u>imminent death or great bodily harm to themselves or another person</u>;</p> <p>b. Officers may use deadly force to apprehend a fleeing felon only when:</p> <p>(1) There is probable cause to believe the person fleeing committed a violent felony which involved the infliction or threatened infliction of great bodily harm or death, or the person fleeing escaped while being held in custody as a suspect</p>	ORDER 551.A. VERSION 2 RESPONSE TO RESISTANCE <p>II. C. 1.</p> <p>(5) If feasible, prior to the use of deadly force, officers shall give some warning of the possible use of deadly force, unless to do so would jeopardize the safety of the officer or any other person."</p>
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City	Immediacy (10 points)		
	<ul style="list-style-type: none"> No Immediacy Requirement (0 pts) Fleeing Felon exception (5 pts) Immediacy Required in all Circumstances (10 pts) 		
	Particularized Threat (10 points)	Last Resort (10 points)	
Jacksonville (continued)	<p>suspect or prisoner for a violent felony which involved the infliction or threatened infliction of great bodily harm or death; and</p> <p>(2) The officer reasonably believes the use of deadly force is necessary to prevent escape; and</p> <p>(3) The officer reasonably believes the failure to immediately apprehend the fleeing person will place the officer, another law enforcement officer, or any other person in imminent danger of death or great bodily harm."</p>	<p>or prisoner for a violent felony which involved the infliction or threatened infliction of great bodily harm or death; and</p> <p>(2) The officer reasonably believes the use of deadly force is necessary to prevent escape; and</p> <p>(3) The officer reasonably believes the failure to immediately apprehend the fleeing person will place the officer, another law enforcement officer, or any other person in <u>imminent danger of death or great bodily harm."</u></p>	
	10	10	0

Jacksonville Final Grade: 20 Points


Philadelphia	<p>DIR. 10(I)(C)</p> <p>"Police Officers shall not use deadly force against another person unless they have an objectively reasonable belief that they must protect themselves or another person from <u>imminent death or serious bodily injury</u>. Further, an officer is not justified in using deadly force at any point in time when there is no longer an objectively reasonable belief that the suspect is dangerous, even if deadly force would have been justified at an earlier point in time."</p> <p>DIR. 10.1 (IV)</p> <p>"SPECIFIC PROHIBITIONS A. Police officers shall not draw</p>	<p>DIR. 10(I)(C)</p> <p>"Police Officers shall not use deadly force against another person unless they have an objectively reasonable belief that they must protect themselves or <u>another person from imminent death or serious bodily injury."</u></p>	<p>DIR. 10(I)(A)</p> <p>"The application of deadly force is a measure to be employed only in the most extreme circumstances and all lesser means of force have failed or could not be reasonably employed."</p> <p>DIR. 10(I)(C)</p> <p>"Further, an officer is not justified in using deadly force at any point in time when there is no longer an objectively reasonable belief that the suspect is dangerous, even if deadly force would have been justified at an earlier point in time."</p>
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City	Immediacy (10 points)	Particularized Threat (10 points)	Last Resort (10 points)
Philadelphia (continued)	<ul style="list-style-type: none"> ■ No Immediacy Requirement (0 pts) ■ Fleeing Felon exception (5 pts) ■ Immediacy Required in all Circumstances (10 pts) <p>their firearms unless they reasonably believe an immediate threat for serious bodily injury or death to themselves or another person exists."</p> <p>DIR. 10 (IV)</p> <p>"F. Police officers shall not discharge their firearms to subdue a fleeing individual <u>who presents no threat of imminent death or serious physical injury</u> to themselves or another person."</p>		<p>DIR. 10(I)(D)</p> <p>"When feasible under the circumstances...verbal warning before using deadly force."</p> <p>DIR. 10(III)(B) USE OF FORCE DECISION CHART</p> <p>"The following diagram illustrates the amount of force an officer should use based on the suspect's behavior and threat. It is the suspect's behavior that places the officer and/or others in danger. The suspect's threat is the primary factor in choosing a force option. However, the officer should also consider the totality of the circumstances to include, but not limited to, an offender's altered state due to alcohol or drugs, mental impairment, medical conditions, or the proximity of weapons."</p> <p>(Deadly Force is last option only allowed in response to a threat that shows "objectively reasonable belief that there is an immediate threat of death or serious injury is likely.")</p>
	10	10	10


Philadelphia Final Grade: 30 Points

City	Immediacy (10 points)	Particularized Threat (10 points)	Last Resort (10 points)
Phoenix	<p data-bbox="420 472 570 493">O.O. 1.5(4)(H)</p> <p data-bbox="420 516 748 604">"Guidelines - Officers may use deadly force under the following circumstances:</p> <ul data-bbox="420 625 748 1276" style="list-style-type: none"> <li data-bbox="420 625 748 743">- When <u>such force is reasonable to protect themselves or a third person</u> from another's use, or threatened use, of deadly force. <li data-bbox="420 764 748 1073">- To prevent the escape of a subject whom the employees has probable cause to believe has committed an offense involving the infliction or threat of serious physical injury or death, <u>and is likely to endanger human life or cause serious injury to another unless apprehended</u> without delay. <li data-bbox="420 1094 748 1276">- In situations where the officer must overcome an attack the officer reasonably believes would produce serious physical injury or death to the officer or another person." 	<p data-bbox="773 472 922 493">O.O. 1.5(4)(H)</p> <p data-bbox="773 516 1101 604">"Guidelines - Officers may use deadly force under the following circumstances:</p> <ul data-bbox="773 625 1101 1276" style="list-style-type: none"> <li data-bbox="773 625 1101 743">- When such force is reasonable to protect themselves or a third person <u>from another's use, or threatened use, of deadly force.</u> <li data-bbox="773 764 1101 1073">- To prevent the escape of a subject whom the employees has probable cause to believe has committed an offense involving the infliction or threat of serious physical injury or death, and is likely to endanger human life or cause serious injury to another unless apprehended without delay. <li data-bbox="773 1094 1101 1276">- In situations where the officer must overcome an attack the officer reasonably believes would produce serious physical injury or death to the officer or another person." 	<p data-bbox="1122 472 1271 493">O.O. 1.5(4)(H)</p> <p data-bbox="1122 516 1448 634">"Deadly force is utilized as a last resort when other measures are not practical under the existing circumstances."</p> <p data-bbox="1122 655 1271 676">O.O. 1.5(4)(H)</p> <p data-bbox="1122 699 1448 821">"When the shooting of a subject appears imminent employees will, if practical, issue a verbal warning."</p>
	0	10	10

Phoenix Final Grade: 20 Points

City	Immediacy (10 points)	Particularized Threat (10 points)	Last Resort (10 points)
New York City 	<p>P.G. 203-12(A)</p> <p>"Police officers shall not use deadly physical force against another person <u>unless they have probable cause to believe they must protect themselves or another person present from imminent death or serious physical injury.</u>"</p> <p>P.G. 203-12(D)</p> <p>"Police officers <u>shall not discharge their firearms to subdue a fleeing felon who presents no threat of imminent death or serious physical injury to themselves or another person present.</u>"</p>	<p>P.G. 203-12(A)</p> <p>"Police officers shall not use deadly physical force against another person unless they have probable cause to believe they must protect themselves <u>or another person present from imminent death or serious physical injury.</u>"</p>	<p>P.G. 203-12</p> <p>"Respect for human life requires that, in all cases, firearms be used as a <u>last resort</u>, and then only to protect human life. Where feasible, and consistent with personal safety some warning ... should be given."</p>
	10	10	10

New York City Final Grade: 30 Points

Seattle 	<p>S.P.M. 8.200(4)</p> <p>"Deadly force may only be used in circumstances where threat of death or serious physical injury to the officer or others is imminent."</p> <p>S.P.M. 8.200(5)</p> <p>"Deadly force may be used to prevent the escape of a fleeing suspect only when ... <u>suspect would pose an imminent danger of death or serious physical injury ...unless the suspect is apprehended without delay...</u>"</p>	<p>S.P.M. 8.200(4)</p> <p>"Deadly force may only be used in circumstances where threat of <u>death or serious physical injury to the officer or others is imminent.</u>"</p>	<p>S.P.M. 8.100(1)</p> <p>"Officers shall use de-escalation tactics in order to reduce the need for force..."</p> <p>S.P.M. 8.000(2)</p> <p>"When safe under the totality of circumstances, 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."</p> <p>S.P.M. 8.300-POL-4 FIREARMS (7)</p> <p>"Officers shall issue a verbal warning to the subject and</p>
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