TOWN OF LAKE MILLS POLICE DEPARTMENT

POLICY - #101

Subject: **Use of Force** Effective Date: **January 1, 2014**

I. PURPOSE

The purpose of this policy is to provide law enforcement officer of this agency with guidelines for the use of deadly and non-deadly force.

II. POLICY

It is the policy of this law enforcement agency that officers use only the force that reasonably appears necessary to effectively bring an incident under control, while protecting the lives of the officer and others. It must be stressed that the use of force is not left to the unfettered discretion of the involved officer. This is not a subjective determination. The use of force must be objectively reasonable. The officer must only use that force which a reasonably prudent officer would use under the same or similar circumstances.

III. DEFINITIONS

Deadly force: Any use of force that creates a substantial risk of causing death or serious bodily harm.

Non-deadly force: Any use of force other than that which is considered deadly force. This includes any physical effort used to control or restrain another, or to overcome the resistance of another.

Objectively Reasonable: This term means that, in determining the necessity for force and the appropriate level of force, officers shall evaluate each situation in light of the known circumstances, including, but not limited to, the seriousness of the crime, the level of threat or resistance presented by the subject, and the danger to the community.

IV. PROCEDURES

A. Use of Deadly Force

1. Law enforcement officers are authorized to use deadly force when one or both of the following apply:

a. To protect the officer or others from what is reasonably believed to be a threat of death or serious bodily harm.

b. To prevent the escape of a fleeing violent felon who the officer has probable cause to believe will pose a significant threat of death or serious physical injury to the officer or others. Where practicable prior to discharge of the firearm,

officers shall identify themselves as law enforcement officer and state their intent to shoot.

B. Deadly Force Restrictions

1. Officers may use deadly force to destroy an animal that represents a threat to public safety, or as a humanitarian measure where the animal is seriously injured, when the officer reasonably believes that deadly force can be used without harm to the officer or others.

2. Warning shots are not allowed.

3. Firearms shall not be discharged at a moving vehicle unless a person in the vehicle is immediately threating the officer or another person with deadly force.

C. Use of Non-deadly Force

1. Where deadly force is not authorized, officers may use only that level of force that is objectively reasonable to bring an incident under control.

2. Officers are authorized to use department approved, non-deadly force techniques and issued equipment when one or more of the following apply:

a. To protect the officer or others from physical harm.

b. To restrain or subdue a resistant individual.

c. To bring an unlawful situation safely and effectively under control.

D. Training

In addition to training required for firearms qualification, officers shall receive agency-authorized training designed to simulate actual shooting situations and conditions and, as otherwise necessary, to enhance officers' discretion and judgment in using deadly and non-deadly force in accordance with this policy.