





## **POLICIES AND PROCEDURES MANUAL**

	<b>USE OF FORCE</b>	
	<b>POLICY NUMBER: 4-1</b>	ISSUING AUTHORITY 
	<b>EFFECTIVE DATE: June 12, 2025</b>	Christine A. Elow Police Commissioner

### **I. GENERAL CONSIDERATIONS AND GUIDELINES**

Due to their law enforcement and peacekeeping role, police officers may be confronted with situations that require them to use various degrees of force to effectuate a lawful arrest, to ensure public safety, or to protect themselves or others from harm. The degree and amount of force an officer applies will depend upon the subject's actions including the degree and amount of resistance or threat to safety the situation presents.

An officer's use of force is intended to maintain or reestablish control over a situation and to stop any threat. Control is reached when a subject either complies with an officer's directions, is restrained or apprehended, and no longer presents a threat to the officer or others. Since officers will encounter a wide range of subject behaviors, they must be trained and prepared to utilize a wide range of force options.

No written policy can offer definitive answers to every situation in which the use of force might be appropriate. Rather, the goal of this policy is to set forth specific guidelines for the exercise of sound judgment, reasonableness, and prudent decision-making knowing that the sanctity of human life is at the heart of everything the department does.

### **II. POLICY**

It is the policy of the Cambridge Police Department that:

- A. officers shall use only that degree and amount of force that is necessary and proportionate based on the totality of the circumstances, to make a lawful arrest or detention of a person, to effectively bring an incident under control, or to protect the lives and safety of others or themselves;
- B. the lawful and proper use of force is limited to that which is reasonable to control and terminate unlawful resistance and/or to prevent any physical attack against the officer or any other person;
- C. in all incidents when force is used, officers are expected to exercise sound judgment in accordance with their training, this policy, and applicable laws;

- D. de-escalation is a part of the department's overall approach to use of force and where practical, is the preferred, tactically sound approach to many critical incidents;
- E. good communication and verbal skills are an important part of defusing and de-escalating critical incidents.

### III. DEFINITIONS

- A. *Chokehold*: The use of a lateral vascular neck restraint, carotid restraint, or other action that involves the placement of any part of a law enforcement officer's body on or around a person's neck in a manner that limits the person's breathing or blood flow with the intent of or with the result of causing bodily injury, unconsciousness, or death.
- B. *De-escalation Tactics*: Proactive actions and approaches used by an officer to stabilize a law enforcement situation so that more time, options, and resources are available to gain a person's voluntary compliance and to reduce or eliminate the need to use force including, but not limited to, verbal persuasion, warnings, slowing down the pace of an incident, waiting out a person, and requesting additional resources to resolve the incident including, but not limited to, calling in medical or licensed mental health professionals, as defined in M.G.L. c. 111, § 51½(a), to address a potential medical or mental health crisis. De-escalation shall include, but is not limited to, issuing a summons instead of executing an arrest where feasible.
- C. *Force*: The amount of physical effort, however slight, required by police to compel compliance by an unwilling subject.
- D. *Less Lethal or Non-Deadly Force*: Any use of force other than that which is considered deadly force that involves physical effort to control, restrain, or overcome the resistance of another.
- E. *Lethal or Deadly Force*: Physical force that can reasonably be expected to cause death or serious physical injury.
- F. *Passive Resistance*: An individual who is noncompliant with officer commands, nonviolent and does not pose an immediate threat to the officer or the public.
- G. *Probable Cause*: There are trustworthy facts and inferences that would lead a reasonable person to believe it is more likely than not that a specific crime was or is being committed; and/or evidence of a crime is in a particular place.
- H. *Reasonable Suspicion*: There are trustworthy facts and inferences that would lead a reasonable person to believe that there is a concrete possibility that a crime was, is, or will be committed; and sometimes the suspect is armed and dangerous.
- I. *Resisting Arrest*: Refers to the act of a person who knowingly prevents or attempts to prevent a police officer, acting under the color of official authority, from effectuating an arrest. To resist arrest includes threatening to use physical force or violence against the officer, or the use of any other means to create a substantial risk of physical injury to a police officer (M.G.L. c. 268, § 32B).

- J. *Retaliation*: Any intentional or attempted adverse or negative act against a person who in good faith makes a report, serves as a witness, or participates in an investigation or adjudication process regarding an alleged violation of department policy. Retaliation includes threatening, intimidating, harassing, coercing, or any other conduct that would discourage a reasonable person from engaging in activity protected under this policy. Retaliation does not include good faith actions lawfully pursued in response to a report of an alleged violation of a department policy.
- K. *Serious Bodily Harm*: Bodily injury that results in: (a) permanent disfigurement; (b) protracted loss or impairment of a bodily function, limb, or organ; or (c) a substantial risk of death.
- L. *POST*: Peace Officers Standards and Training.

## IV. PROCEDURES

- A. 4.1.1 (M) Use of Reasonable Force
  - 1. Officers are authorized to use only that force which is reasonable, necessary, and proportionate to accomplish lawful objectives and shall attempt de-escalation techniques whenever feasible.
- B. 4.1.2 (M) Use of Deadly Force
  - 1. Officers shall not use deadly force upon a person, unless de-escalation tactics have been attempted and failed or are not feasible based on the totality of the circumstances and such force is necessary to prevent imminent harm to a person and the amount of force used is proportionate to the threat of imminent harm, and;
    - a. the imminent harm poses an imminent danger of death or serious bodily injury to the officer or another person;
    - b. the officer attempts as many de-escalation tactics that are feasible under the circumstances, including utilizing barriers; and
    - c. the officer uses only the amount of force that is objectively reasonable.
  - 2. An officer may not use deadly force against persons who pose only a danger to themselves.
  - 3. Whenever an officer discharges a firearm at another person either in self-defense or defense of others, or to prevent the escape of a felon, such action shall be construed as the use of deadly force. An officer shall not use deadly force at any time when there is no longer an objectively reasonable belief that an individual currently and actively poses an immediate threat of serious bodily harm or death even if deadly force would have been justified at an earlier point in time.
    - a. Where feasible based on the totality of the circumstances, officers shall verbally identify themselves as police officers and issue some warning before using deadly force.
    - b. The removing of a firearm from its holster does not constitute a use of force and is therefore not reportable as a use of force.

- c. The pointing of a firearm shall constitute a use of force and is therefore a reportable use of force.
- d. Officers engaged in a controlled tactical operation, such as the Special Response Team conducting the execution of a search warrant, will be subject to the reporting requirements as they relate to the pointing of a firearm. However, an involved supervisor may elect to document the pointing of a firearm or firearms for all involved officers in place of separate reports.
- e. Officers are only authorized to use a weapon that they have been authorized to carry, and only to the extent that is required in the lawful execution of their duties as defined by departmental policy and by law.
- f. Whenever an officer discharges a firearm, either unintentionally or in the performance of police duty, whether on duty or off duty, the officer shall notify the on-duty Shift Commander as soon as time and circumstances permit and submit a written report as required.
- g. Officers are excused from the reporting requirements when the discharge of a firearms is for training, recreational, or testing purposes and only when no injury to a person or property damage has been sustained.
- h. A firearm may be used to destroy an animal for humane purposes only with authorization from a supervisor; when doing so does not pose any risk to surrounding persons or property; and out of sight of children. In such cases, the officer shall submit a Use of Force Report.
- i. Discharging a firearm as a warning or threat to another person is strictly prohibited.
- j. Officers shall not discharge a firearm from within a moving vehicle.
- k. Officers shall not discharge any firearm into or at a moving motor vehicle unless, based on the totality of the circumstances, including the risk of safety to other persons in the area, such discharge is objectively reasonable, necessary to prevent imminent harm to a person, and the discharge is proportionate to the threat of imminent harm; and only if the following conditions exist:
  - (1) A person in the vehicle is threatening the officer or another person with deadly force by means other than the vehicle; or the vehicle is operated in a manner deliberately intended to strike an officer or another person, and all other reasonable means of defense have been exhausted or are not present or practical, which includes moving out of the path of the vehicle.
  - (2) Officers have not intentionally positioned themselves in such a way as to create a likelihood of being struck by an occupied vehicle, such as surrounding a vehicle at close proximity while dismounted.
  - (3) The officer is not firing strictly to disable the vehicle.

(4) The circumstances provide a high probability of stopping or striking the intended target.

- I. Firing to disable a vehicle is prohibited.
  - m. In every incident, the officer shall take into account the location of vehicular and pedestrian traffic and the potential hazard to innocent persons, including risks associated with vehicle accidents.
- C. 4.1.3 (M) Warning Shots
- 1. Warning shots are strictly prohibited.
- D. 4.1.4 (M) Use of Authorized Less Lethal Weapons/Force
- 1. A law enforcement officer shall not use force upon another person, unless de-escalation tactics have been attempted and failed or are not feasible based on the totality of the circumstances and such force is necessary and proportionate to: (a) effect the lawful arrest or detention of a person; (b) prevent the escape from custody; (c) prevent imminent harm and the amount of force used is proportionate to the threat of imminent harm, while protecting the safety of the officer or others; or (d) defend against an individual who initiates force against an officer.
    - a. Officers shall immediately cease the use of force once conclusive control of the subject has been achieved and the subject's resistance or physical force against the officer, or another, has ceased.
    - b. Placing handcuffs on a subject will not be construed to be a use of physical force. Use of restraining devices is mandatory on all prisoners, unless in the officer's judgment unusual circumstances exist that make the use of restraining devices impossible or unnecessary, such as on a young juvenile, or person who is frail or elderly, physically challenged or injured.
    - c. Except to temporarily gain, regain, or maintain control of an individual and apply restraints, a law enforcement officer shall not intentionally sit, kneel, or stand on an individual's chest, neck, or spine, and shall not force an individual to lie on their stomach.
    - d. A law enforcement officer shall not obstruct the airway or limit the breathing of any individual, nor shall a law enforcement officer restrict oxygen or blood flow to an individual's head or neck. An individual placed on their stomach during restraint should be moved into a recovery position or seated position as soon as practicable.
  - 2. All authorized defensive weapons will be used in the manner prescribed during training; and no officer will be permitted to employ any department issued weapon prior to successfully completing department training courses or other courses of training provided or approved by the Municipal Police Training Committee.
  - 3. The use of blackjacks, saps, nunchakus, kenpo sticks, brass knuckles, weighted gloves, or any other weapon that has not been authorized by this department is prohibited.

4. Officers are authorized to carry and deploy OC spray and the approved PR 24 Control Device.
  - a. All officers authorized to carry the PR 24 Control Device will be trained in its use by a certified instructor.
  - b. All officers authorized to carry OC spray will be trained in its use by a certified instructor.
  - c. All officers authorized to deploy the 40mm Launcher shall be trained in its use by a certified instructor.
- E. 4.1.5 (M) Rendering Medical Aid Following Police Actions
  1. Appropriate medical aid shall be rendered when tactically feasible following any law enforcement action in which injuries have occurred, medical distress is apparent, or the subject is unconscious. Such enforcement actions include but are not limited to the use of OC spray, restraining devices, impact weapons, and open or closed fist strikes.
  2. Where an officer has used OC spray, immediately thereafter, officers shall be alert to any indications that the subject needs medical care. Observations that would suggest the need for care include, but are not limited to breathing difficulties, gagging, profuse sweating, and loss of consciousness; or that person complains of injury or discomfort and requests medical attention. After an application of OC spray, decontamination should be undertaken as soon as practicable.
  3. Officers should contact ECC and request an ambulance respond to any use of force or police actions if the subject requests medical assistance or if the officer believes the subject needs medical attention.
  4. Any person requesting and/or deemed in need of immediate medical attention shall be transported, in accordance with departmental policy, to the nearest available emergency medical treatment center or hospital. The officer's police report shall document that the detainee received medical treatment.
  5. Whenever an officer uses force, regardless of whether any injury was sustained, the officer shall notify the sector sergeant who will then notify the Shift Commander of the incident.
  6. The sector sergeant shall immediately respond to the scene of any use of force incident; this may include but is not limited to the application of physical force, when an officer is injured, a prisoner has a visible injury or complains of injury or discomfort, or requests medical attention. The on-scene supervisor is responsible for making sure the following steps are taken, as appropriate.
    - a. Provide officers with assistance when necessary, including medical attention; make notifications through the chain of command; ensure that medical treatment for subjects and prisoners is properly evaluated and provided; and determine if the Criminal Investigations Section should respond to the scene to take photos and to sketch diagrams. A photograph showing no injuries may be as important as one that shows an injury.

- b. If photographs are taken, officers are advised to protect the privacy and confidentiality of all subjects.
  - c. Document the use of force in Blue Team.
- F. 4.1.6 (M) Vascular Neck Restraint Restrictions
  - 1. Lateral vascular neck restraint techniques, commonly referred to as LVNR techniques, are strictly prohibited. A law enforcement officer shall not be trained to use a lateral vascular neck restraint, carotid restraint or other action that involves the placement of any part of law enforcement officer's body on or around a person's neck in a manner that limits the person's breathing or blood flow.
- G. 4.1.7 (M) Choke Holds
  - 1. Choke holds are prohibited. A law enforcement officer shall not use a chokehold or other tactics that restrict or obstruct an individual's breathing or oxygen or blood flow to an individual's head or neck.
- H. 1.2.10 (M) Duty to Intervene
  - 1. The Cambridge Police Department requires all employees to intervene and notify appropriate supervisory authority if they observe another department employee engage in any unnecessary or unreasonable use of force.
  - 2. A law enforcement officer present and observing another officer using or attempting to use physical force, including deadly force, beyond that which is necessary or objectively reasonable based on the totality of the circumstances, shall intervene to prevent the observed officer's use of unnecessary or unreasonable force, regardless of the rank of the officer so observed, unless intervening would result in imminent harm to the officer or another identifiable individual. The failure of a law enforcement officer to intervene as set forth in 555 CMR 6.06 may subject the officer to de-certification by the POST Commission.
  - 3. An officer who observes another officer using physical force, including deadly force, beyond that which is necessary or objectively reasonable based on the totality of the circumstances shall report the incident to an appropriate supervisor as soon as reasonably possible but not later than the end of the officer's shift. The officer shall prepare a detailed written statement describing the incident consistent with uniform protocols. The officer's written statement shall be included in the supervisor's report.
  - 4. Any harassment, intimidation, or retaliation against any officer who either intervened to prevent or stop an excessive force incident or made, intended to make, or is required to make a report regarding the witnessed excessive force incident shall be reported immediately to an appropriate supervisor. Any such actions may result in departmental discipline and decertification.

5. The duty to intervene is not a new concept. The new law and regulation, as outlined in this policy, codifies the essential holding In Commonwealth v. Adams, which was issued in 1993 and has been regularly taught by this department.
  - a. “This case involves defendants who failed to understand that what they did and did not do was wrong and in violation of police department regulations. This case involves a collective unwillingness to intervene to protect a citizen from the denial of his civil rights by fellow police officers. The imposition of sanctions was wholly justified.”

I. Training Considerations

1. Training will be considered from a comprehensive perspective ranging from immediate action to de-escalation and will include training for department personnel from call-taker through points of contact in the field. Such training will be scenario-based when possible and emphasize proportionality and reasonableness.
2. All members of the department are trained on Integrating Communications, Assessment, and Tactics (ICAT), a training guide for defusing critical incidents, and are expected to utilize the Critical Decision-Making Model, which is the backbone of the entire ICAT program, when applicable.
3. Training will review use of force options based on subject actions from officer presence to deadly force and will emphasize the importance of providing warning prior to the use of deadly force where reasonable, appropriate, and not prevented by physical environment, distance, or other situational circumstance.



