

GENERAL ORDER

G.O. 1-013

SUBJECT: USE OF DEADLY FORCE



DATE EFFECTIVE: January 1, 2002
DATE WRITTEN: 02/26/99 DAB AMMENDED: 10/01/20
AMENDS: Police Manual Section 16, Paragraph 16. Policy F-95-3
DISTRIBUTION: ALL SWORN PERSONNEL
A.S. 1.9.1 1.14.2 1.14.3 1.14.5
ADMIN: SIGNATURE ON ISSUE
SIGNATURE:
INDEX: DISCHARGE OF FIREARM, SHOOTING POLICY, DEADLY FORCE, ROADBLOCKS, CHOKEHOLD

I. PURPOSE AND RESPONSIBILITY:

- A. Purpose: To set the policy and to make the rules and regulations that govern the use of deadly physical force and the limits within which the discharge of firearms is permitted by all sworn police officers of the Monroe Police Department.
- B. Responsibility:
 - 1. It will be the responsibility of the Support Services Division (SSD), Training Unit to issue to all sworn personnel a copy of this general order.
 - 2. It will be the responsibility of the SSD Training Unit supervisor to obtain a signed receipt from all sworn personnel upon issuance of this general order.
 - 3. It will be the responsibility of the SSD Training Unit to conduct instruction of this directive and to test the knowledge of all sworn personnel at least once a year to ensure that all officers fully comprehend this order. The SSD Training

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Unit supervisor will submit to the Chief of Police, an annual report of the test results.

4. It will be the responsibility of the SSD Training Unit that all newly sworn personnel be instructed and satisfactorily pass a test on this general order before being authorized to carry a Department firearm.
5. It will be the responsibility of all sworn personnel of this Police Department to study, to understand, and to follow the rules and regulations addressed in this general order.

II. DISCUSSION:

- A. This general order deals with the use of deadly force, however it is applied, including the discharge of firearms, and is for internal use of this Police Department only. This directive does not enlarge an officer's civil or criminal liability in any way. It should not be construed as the creation of a higher standard of safety or care in an evidentiary sense, with respect to a third party claim. Violations of this order, if proven, can only form the basis of a complaint by this Department, and then only in a non-judicial administrative setting.
- B. This general order has the value of human life ingrained in its message. Police officers have been delegated the responsibility to protect life and property and apprehend criminal offenders. The apprehension of criminal offenders and the protection of property must be subservient to the protection of life submitted to the narrowly defined exceptions in this general order. The officer's responsibility for protecting life must include the officer's own life.

III. DEFINITIONS:

- A. **DEADLY PHYSICAL FORCE:** Physical force which can be reasonably expected to cause death or serious physical injury.
- B. **FELONY:** A crime that is punishable under the Connecticut General Statutes by death or imprisonment in excess of one (1) year.
- C. **IMMINENT:** Near at hand; close rather than touching; on the point of happening;

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likely to occur at any moment.

- D. PROBABLE CAUSE: Facts or circumstances which would lead a reasonably intelligent and prudent person to believe that a crime is about to be, or has been committed.
- E. REASONABLE BELIEF: Facts or circumstances that would induce a reasonably intelligent and prudent person to believe that the facts and circumstances are as they appear.
- F. SERIOUS PHYSICAL INJURY: Death, serious disfigurement, serious impairment of health.
- G. CHOKEHOLD: A hold or other method of restraint applied to the neck area, or which otherwise impedes the ability to breath or restricts blood circulation to the brain of another person.

IV. POLICY:

- A. It will be the policy of the Monroe Police Department that the rules and regulations that follow will be strictly enforced. Officers must understand that deadly physical force is a most extreme measure and should only be used when the officer reasonably believes the suspect poses a significant threat of death or serious physical injury to the officer or others (Tennessee v. Garner 471 US 1, 1984).
- B. It will be the policy of the Monroe Police Department that because of the danger to innocent bystanders, warning shots are never fired. It should be borne in mind that there is always a danger of injuring innocent persons when firing a weapon, and every officer is admonished to always use the utmost caution in such cases.
- C. It will be the policy of the Monroe Police Department that the intentional use of chokeholds or other method of restraint applied to the neck area of another person is prohibited, unless the officer reasonably believes such use is necessary to defend the officer from the use of deadly physical force.

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V. **RULES AND REGULATIONS:**

A. DEADLY PHYSICAL FORCE:

1. A police officer is justified in employing deadly physical force only when the officer reasonably believes that such force is necessary to:
 - a. Defend the officer or a third person from the use of, or the imminent use of, deadly physical force;
 - b. Effect the arrest of, or prevent the escape from custody of, a person the officer reasonably believes has committed a felony which involved the infliction, of serious physical injury; and the officer reasonably believes this person still poses an imminent threat of death or serious physical injury to the officer or other persons; and
 - c. After exhausting reasonable alternatives to the use of deadly force, where feasible, the officer has given verbal warning of intent to use deadly physical force.

B. DISCHARGE OF FIREARMS: The discharge of firearms by officers is permitted only under the following circumstances:

1. Authorized use of deadly physical force as described in subparagraph A of this paragraph.
2. Participation in official, approved training programs or exercises, or competitive match shooting.
3. To kill an animal which presents an immediate physical threat to the officer or another person.
4. To kill an animal which is so badly injured that humanity demands its immediate removal from further suffering, provided that:
 - a. Every reasonable effort has been made to obtain assistance from an Animal Control Officer or the Connecticut Humane Society or a

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veterinarian; and

- b. Permission has been received from the Patrol Division (PD) supervisor or the highest ranking officer actually present at the scene.
- C. **ROADBLOCKS/BARRICADES:** The employment of a roadblock or barricade must be considered a force likely to result in death or serious physical injury and may only be employed as outlined in General Order 7-613, Traffic Direction and Control; paragraph V, subparagraph D, titled "Roadblocks."
- D. **CHOKEHOLDS:** The use of chokeholds or other restraints of the neck must be considered force likely to cause death or serious physical injury. These prohibited chokehold techniques include, but are not limited:
 - 1. Arm-Bar Hold.
 - 2. Carotid Artery Hold.
 - 3. Lateral Vascular Neck Restraint,
 - 4. Neck restraint or hold with knee or other object.

The use of a chokehold technique may only be used when the officer reasonably believes such use is necessary to defend against the use or imminent use of deadly physical force.

HISTORICAL CHANGES TO POLICY

Oct 1, 2020 - Page 1, CHOKEHOLD added to index. Page 3, Section III G, Chokehold added to definitions, Page 3, Section IV C added to section, Page 4, Section V A 1 c, first sentence added, Page 5, Section V D added.