


CAMDEN COUNTY POLICE DEPARTMENT			
VOLUME: 3	CHAPTER: 2	# OF PAGES: 18	
SUBJECT: USE OF FORCE			
EFFECTIVE DATE: January 28, 2013	ACCREDITATION STANDARDS: 4.1.1, 4.1.2, 4.1.3, 4.1.4 4.1.5, 4.2.1, 4.2.2, 4.2.3, 4.2.4, 4.3.4 (LE)	REVISION	PAGE #
BY THE ORDER OF: CHIEF JOSEPH D. WYSOCKI		04/10/14 06/16/14 01/14/16 02/04/16 12/22/16 08/20/19 01/22/2020	2-3, 7-14 16, 18 All 1 7 All 1
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PURPOSE

1. The primary purpose of this directive is to ensure officers respect the sanctity of life when making decisions regarding use of force. Sworn law enforcement officers have been granted the extraordinary authority to use force when necessary to accomplish lawful ends. That authority is grounded in the responsibility of officers to comply with the laws of the State of New Jersey regarding the use of force and to comply with the provisions of this directive. Equally important is law enforcement's obligation to prepare individual officers in the best way possible to exercise that authority.

In situations where law enforcement officers are justified in using force, the utmost restraint should be exercised. Use of force should never be considered routine. In exercising this authority, officers must respect the sanctity of all human life, act in all possible respects to preserve human life, do everything possible to avoid unnecessary uses of force, and minimize the force that is used, while still protecting themselves and the public.

POLICY

2. This directive applies to all officer uses of force. This directive establishes guidelines for officers with regard to use of force. This directive applies to all uses of force, whether officers are on- or off-duty. This directive complements the Critical Decision-Making model (CDM) that is the core of the Department's use of force training. CDM provides officers with an organized way of making decisions about how they shall act in any situation, including situations that may involve potential uses of force.

3. This directive recognizes constitutional principles, but aspires to go beyond them. The Fourth Amendment requires that an officer's use of force be "objectively reasonable." *Graham v. Connor*, 490 U.S. 386 (1989). Under this standard, an officer may only use force that a reasonable officer would when facing similar circumstances. The objectively reasonable standard acknowledges the difficult decisions that officers are forced to make under rapidly evolving and often unpredictable circumstances, but it does not provide specific guidance on what to do in any given situation.

The Constitution provides a "floor" for government action. This Department aspires to go beyond *Graham* and its minimum requirements. Sound judgment and the appropriate exercise of discretion will always be the foundation of police officer decision making in the broad range of possible use of force situations. It is not possible to entirely replace judgment and discretion with detailed policy provisions. Nonetheless, this directive is intended to ensure that de-escalation techniques are used whenever feasible, that force is only used when necessary, and that the amount of force used is proportionate to the situation that an officer encounters.

The Department's core use of force principles are as follows:

CORE PRINCIPLE #1: Officers may use force only to accomplish specific law enforcement objectives.

CORE PRINCIPLE #2: Whenever feasible, officers should attempt to de-escalate confrontations with the goal of resolving encounters without force. Officers may only use force that is objectively reasonable, necessary, and as a last resort.

CORE PRINCIPLE #3: Officers must use only the amount of force that is proportionate to the circumstances.

CORE PRINCIPLE #4: Deadly force is only authorized as a last resort and only in strict accordance with this directive.

CORE PRINCIPLE #5: Officers must promptly provide or request medical aid.

CORE PRINCIPLE #6: Employees have a duty to stop and report uses of force that violate any applicable law and/or this directive.

4. Officers will be disciplined for violations of this directive. This directive is not intended to create or impose any legal obligations or bases for legal liability absent an expression of such intent by a legislative body, court, or agency. Nevertheless, officers have an affirmative, individual duty to ensure compliance with this directive and with applicable state and federal laws. This applies to the officer's own conduct, as well as observation or knowledge of the conduct by other employees. This directive reinforces the responsibility of officers to take those steps possible to prevent or stop illegal or inappropriate uses of force by other officers. Actions inconsistent with this directive may result in disciplinary action, up to and including termination. At the same time, officers whose actions are consistent with the law and the provisions of this directive will be strongly supported in any subsequent review of their conduct regarding the use of force.

PROCEDURES

CORE PRINCIPLE #1: Officers may use force only to accomplish specific law enforcement objectives.

- 5. Officers *may* use force for the following legitimate law enforcement objectives:**
 - a. To effect lawful law enforcement objectives, such as to effect a lawful seizure (an arrest or detention) or to carry out a lawful search;
 - b. To overcome resistance directed at the officer or others;
 - c. To prevent physical harm to the officer or to another person, including intervening in a suicide or other attempt to self-inflict injury;
 - d. To protect the officer, or a third party, from unlawful force; or
 - e. To prevent property damage or loss.

- 6. Officers *may not* use or threaten to use force for the following reasons:**
 - a. To resolve a situation more quickly, unless the extended delay would risk the safety of the person involved, officers, or others, or would significantly interfere with other legitimate law enforcement objectives;
 - b. To punish a person or to retaliate against them for past conduct or to impose punishment;
 - c. To prevent a person from resisting or fleeing in the future;
 - d. To force compliance with an officer's request, unless that request is necessary to serve officer or public safety, or criminal adjudication; or
 - e. Based on bias against a person's race, ethnicity, nationality, religion, disability, gender, gender identity, sexual orientation, or any other protected characteristic.

CORE PRINCIPLE #2: Whenever feasible, officers should attempt to de-escalate confrontations with the goal of resolving encounters without force. Officers may only use force that is objectively reasonable, necessary, and as a last resort.

- 7. Officers will use de-escalation and force-mitigation tactics and techniques whenever safe and feasible to do so.** It should be every officer's goal to resolve all situations without using force. To make this more likely, officers must use de-escalation and force-mitigation tactics and techniques whenever doing so will not put the officer or another person at undue risk.
 - a. Officers will receive substantial training on the Critical Decision-Making (CDM) model, as well as when and how to appropriately use de-escalation and force-mitigation, including but not limited to *Tactical Communication*, *Tactical Positioning*, and *Time as a Tactic*.

- 8. Officers will provide clear instructions and warnings whenever feasible before using force.** Whenever safe and feasible, officers should not use force immediately when encountering noncompliance with lawful verbal directions. Instead, whenever safe and feasible, before using force, officers should:
 - a. Provide clear instructions and warnings;
 - b. Seek to communicate in non-verbal ways when a verbal warning would be inadequate (such as when the person does not speak English, or is unable to hear or understand warnings);

- c. Indicate the consequences of refusing to comply with a mandatory order, including that force will be used unless the person complies; and
- d. Give the person a reasonable amount of time to comply.

9. Officers must consider an individual's mental, physical, or other incapacities. Officers must, when feasible, consider whether a person's failure to comply with an officer's command is due to a medical condition, mental impairment, physical limitation, developmental disability, language barrier, drug interaction, behavioral crisis, or other factors beyond the individual's control. In these situations, officers should consider whether specific techniques or resources would help resolve the situation without force.

10. Officers should not exercise force unless it is necessary and as a last resort. Officers should exhaust all other reasonable means before resorting to the use of force. Using force only as a last resort means that officers not engage in unnecessary, overly aggressive, or otherwise improper actions that create a situation where force becomes needed. Using force only as a last resort also means that an officer shall not use force if a safe alternative would achieve the law enforcement objective.

CORE PRINCIPLE #3: Officers must use only the amount of force that is proportionate to the circumstances.

11. Officers must evaluate all the circumstances facing them in the field to determine whether force is appropriate and what amount is proportionate. Officers encounter a wide range of situations in the field, but the sanctity of human life should be at the heart of every decision an officer makes. When force cannot be avoided through de-escalation or other techniques, officers must use no more force than is proportionate to the circumstances. In general, the greater the threat and the more likely that the threat will result in injury or death, the greater the level of force that may be immediately necessary to overcome it. Consistent with training, some of the factors that officers should consider when determining how much force to use include:

- a. The risk of harm presented by the person;
- b. The risk of harm to the officer or innocent citizens by using force;
- c. The seriousness of the law enforcement objective;
- d. Whether further de-escalation techniques are feasible, including the time available to an officer to make a decision, and whether additional time could be gained through tactical means;
- e. If there is a practical, less harmful alternative available to the officer;
- f. Mental or physical disability, medical condition, and other physical and mental characteristics; and
- g. Whether there are other exigent/emergency circumstances.

12. As a situation changes, officers must reevaluate the circumstances and continue to respond proportionately. Over the course of an encounter, the circumstances and threats an officer faces may change. Consistent with training and the CDM process, while using force, officers must continually assess the effectiveness, proportionality, and necessity of their actions.

13. This Department trains officers on the following range of force options. The force options available to an officer fall along a continuum. Officers are not required to exhaust one type of force before moving to a greater force. Sound judgment and the appropriate exercise of discretion will always be the foundation of officer decision making in the broad range of possible use of force situations. This Department trains its officers on the following force options, from least to greatest force:

- a. Police Presence (*least*)
- b. Verbal Control Techniques
- c. Physical Contact
- d. Holding Techniques
- e. Compliance Techniques
- f. Control Instruments
- g. Physical Force
- h. Impact Weapons
- i. Canine Apprehension
- j. Conducted Energy Devices
- k. Deadly Force (*greatest*)

14. The level of resistance that an officer encounters is a key factor in determining the proportionate amount of force. It is not possible to determine ahead of time what the proportionate level of force is for every possible situation that officers may face. Nevertheless, one of the key factors in determining what level of force is necessary and proportionate in a given situation is the level of resistance that an officer encounters. In general, the less resistance an officer faces, the less force the officer should use. The types of resistance officers may encounter fall along a continuum, from a cooperative person to an active assailant. Consistent with training, the following general rules apply when officers are exercising judgment in determining what level of force is necessary and proportionate:

- a. **Cooperative Person:** When dealing with a cooperative person, officers may rely on police presence and/or verbal control techniques, but should not use greater force.
- b. **Passive Resistor:** When dealing with a passive resistor, officers may rely on police presence, verbal control techniques, holding techniques, compliance techniques, and/or control instruments, but greater force, such as physical force, impact weapons (batons), and Conducted Energy Devices (CEDs), should not be used.
- c. **Active Resistor:** In general, when dealing with an active resistor, in addition to the options available for passive resisters, properly trained personnel may use canine apprehension if the canine handler has probable cause to believe that the person has committed a crime, and less intrusive means of apprehension have been exhausted or under the circumstances would be unavailable or ineffective. Further guidance may be found in Department directive CCV4C5.
- d. **Threatening Assailant:** In general, when dealing with a threatening assailant, officers have all use of force options, other than deadly force, available to them, including impact weapons (such as batons or less lethal ammunition) and CEDs. Although a range of force options are generally available, particular options can be used only if proportional to the threat faced. For example:
 - CEDs and less lethal ammunition may be discharged only in response to resistance that poses a substantial risk of serious physical injury.

- e. **Active Assailant:** In general, when dealing with an active assailant, officers have all force options available, though deadly force should only be used as a last resort and in strict accordance with the guidance below, *see* Core Principle #4.

15. When an individual engages in certain aggressive actions, he/she is considered an assailant, not a resistor. When a person uses force, threatens to use force, or otherwise acts in an aggressive manner that increases the likelihood that they may cause physical injury to an officer or to another person, that person is no longer considered cooperative or even a resistor, but instead becomes an assailant. Flight from an officer does not, on its own, qualify a person as an assailant (*see* Section 24 below for more information).

16. When an individual's actions pose an imminent danger, he/she is considered an active assailant, not a threatening assailant. The difference between a threatening assailant and an active assailant is how immediate a threat the assailant poses to the officer or another person. When the person poses an *imminent danger*, the person is considered an active assailant. When the threat exists but does not amount to imminent danger, the person is considered a threatening assailant.

17. Special requirements must be met before an officer may display a firearm. Unholstering or pointing a firearm are tactics that should be used with great caution. The presence of an officer's firearm, under the right circumstances, can discourage resistance and ensure officer safety in potentially dangerous situations without the need to resort to actual force. At the same time, however, unnecessarily or prematurely drawing a firearm can limit an officer's options in controlling a situation, will create great anxiety on the part of citizens, and may result in an unwarranted or accidental discharge of the firearm. Accordingly, officers should only display their firearms in appropriate tactical situations and using the following principles as guidance:

- a. **Pointing a firearm.** Consistent with training, officers may point a firearm at a person only when circumstances create a reasonable belief that it may be immediately necessary for the officer to use deadly force. When the officer no longer reasonably believes that deadly force may be immediately necessary, the officer shall, as soon as practicable, secure or holster the firearm.
- b. **Unholstering a firearm.** Consistent with training, officers may unholster or otherwise display a firearm only when circumstances create a reasonable belief: (1) that the officer is permitted to point a firearm at a person, *or* (2) that unholstering or displaying the firearm may itself help establish or maintain control in a potentially dangerous situation.

18. Persons under an officer's control should be positioned in a way so that their breathing is not obstructed. After gaining control of a person, officers should position the person in a manner to allow the person to breath unobstructed. This means that officers should not sit, kneel, or stand on a person's chest or back, and whenever feasible should not force the person to lie on his or her stomach.

19. In addition to this directive, specific weapons directives remain applicable. In addition to the requirements of this directive, officers may only use weapons in a manner consistent with specific Departmental weapons policies, such as directive CCV3C3 (Weapons & Ammunition), directive CCV4C3 (Conducted Energy Devices – Tasers), and other relevant directives.

CORE PRINCIPLE #4: Deadly force is only authorized as a last resort and only in strict accordance with this directive.

20. Deadly force includes, but is not limited to, use of a firearm. Deadly force is force that an officer knows or should know creates a substantial risk of causing death or serious bodily harm. Deadly force includes, but is not limited to, firing a firearm in the direction of another person. Depending on the circumstances, deadly force also includes other potentially lethal tactics, such as:

- a. Firing of a firearm at a vehicle, building, or structure in which another person is believed to be; or
- b. Applying a chokehold or similar technique.

21. Threatening deadly force does not necessarily constitute deadly force. A threat to cause death or serious bodily harm, such as by displaying a firearm, does not constitute deadly force, so long as the officer's purpose is limited to creating an apprehension that deadly force will be used if necessary.

22. Strict requirements must be met before an officer may use deadly force. As discussed above, when feasible, officers should try to de-escalate situations, issue verbal warnings, or use non-lethal force with the goal of resolving encounters without using deadly force. There are, however, occasions when deadly force is necessary to protect officers or members of the public. An officer may use deadly force only when the officer reasonably believes such action is immediately necessary to protect the officer or another person from imminent danger of death or serious bodily harm.

- a. If feasible, an officer should identify himself/herself and state his/her intention to shoot before using a firearm.
- b. Officers shall not use deadly force if the officer reasonably believes that an alternative will avert or eliminate an imminent danger of death or serious bodily harm, and achieve the law enforcement purpose at no increased risk to the officer or another person.

23. Strict additional requirements must be met before an officer may use deadly force against a moving vehicle. While any firearm discharge entails some risk, discharging a firearm at or from a moving vehicle entails an even greater risk to innocent persons and passengers because of the risk that the fleeing suspect may lose control of the vehicle. Due to this greater risk, and considering that firearms are not generally effective in bringing moving vehicles to a rapid halt, an officer shall not fire from a moving vehicle, or at the driver or occupant of a moving vehicle, unless the officer reasonably believes:

- a. There exists an imminent danger of death or serious bodily harm to the officer or another person; *and*
- b. No other means are available at that time to avert or eliminate the danger.

24. Strict additional requirements must be met before an officer may use deadly force against a fleeing suspect. An officer may use deadly force to prevent the escape of a fleeing person only if *all* of the following conditions are met:

- a. The officer has probable cause to believe the suspect has committed an offense in which the suspect caused or attempted to cause death or serious bodily harm; *and*

- b. The suspect will pose an imminent danger of death or serious bodily harm should the escape succeed; *and*
- c. The use of deadly force presents no substantial risk of injury to innocent persons.

25. There are specific circumstances in which the use of deadly force is prohibited. In general, officers may not discharge their weapons as a signal for help or as a warning shot, nor may they use deadly force in the following situations:

- a. Solely to prevent property damage or loss;
- b. Solely to prevent the destruction of evidence (for example, under no circumstances shall an officer use a chokehold, or any lesser contact with the neck area, in order to prevent the destruction of evidence by ingestion, unless life threatening to the actor);
- c. Solely to disable moving vehicles; or
- d. Against a person who poses a threat only to themselves (and not to others).

CORE PRINCIPLE #5: Officers must promptly provide or request medical aid.

26. Officers have a duty to provide prompt medical care. Officers shall always treat people with dignity and respect. Whenever a person is injured, complains of an injury, or requests medical attention, as soon as it is safe and practical, officers shall request medical aid (such as by contacting emergency medical services) and provide appropriate medical care consistent with the officer's training (such as by providing first aid and/or transportation to an emergency medical facility).

27. Officers have a duty to continuously monitor individuals for potential medical intervention after a use of force. Out of respect for the sanctity of life, officers shall closely monitor persons against whom force was used for signs that they require medical assistance. This responsibility applies during transportation and throughout custody. Officers should pay particular attention to persons believed to be pregnant, children, the elderly, and physically frail individuals.

CORE PRINCIPLE #6: Employees have a duty to stop and report uses of force that violate any applicable law and/or this directive.

28. Officers have a duty to prevent and stop illegal and inappropriate uses of force by other officers. Every employee has an obligation to ensure compliance, by themselves and others, with Department directives and regulations, as well as all applicable laws, regarding use of force. Any employee who observes an officer about to use force that is illegal, excessive, or otherwise inconsistent with this directive must, absent extraordinary circumstances, do whatever he/she can to interrupt the flow of events *before* the fellow officer does something that makes any official action necessary. Officers can serve each other and the public by simply saying or doing the right thing to prevent a fellow officer from resorting to force illegally or inappropriately. Similarly, any employee who observes an officer using force that is illegal, excessive, or otherwise inconsistent with this directive must, absent extraordinary circumstances, do whatever he/she can to interrupt the flow of events and *stop* the use of force.

- a. If a supervisor observes such a violation, the supervisor must issue a direct order to stop the violation.

29. Employees have a duty to report illegal and inappropriate uses of force by other officers.

Any employee who observes or has knowledge of a use of force that is illegal, excessive, or otherwise inconsistent with this directive must:

- a. Notify a supervisor as soon as possible; *and*
- b. Submit an individual written report to a supervisor before reporting off duty on the day the officer becomes aware of the misconduct.

30. Employees are prohibited from retaliating against an employee who intercedes in or reports illegal or inappropriate uses of force. No employee may retaliate, in any form, against another employee who intercedes in or reports a violation of this directive, or who cooperates with an investigation into a possible violation of this directive.

NOTIFICATIONS REGARDING USES OF FORCE

31. Officers must immediately notify the Department of all firearm discharges. All firearm discharges by an officer must immediately be reported to the Department's Real-Time Tactical Operations and Intelligence Center and to the Camden County Prosecutor's Office. This requirement includes any discharge while an officer is off duty and all unintentional discharges, but does not include discharges during training and/or qualification sessions or recreational discharges.

32. Officers must immediately notify the Department of all critical use of force incidents. All use of force by an officer that results in death or serious bodily injury, and uses of a firearm by an officer that result in an injury of any degree, must immediately be reported to the Professional Standards Division and to the Camden County Prosecutor's Office.

- a. This notification shall occur before any investigation of the incident is undertaken, other than to secure the scene and to render medical assistance as required.
- b. The Prosecutor's Office shall conduct the subsequent investigation into the use of force in accordance with the New Jersey Attorney General's Supplemental Directive Amending Attorney General's Directive 2006-5. The Prosecutor's Office is also responsible for the necessary notifications to the Division of Criminal Justice ("DCJ"). DCJ may supersede the investigation where there may be a conflict or if the matter is better handled at the state level.
- c. When a prosecutor's detective or investigator, assistant prosecutor, or the prosecutor is involved in the use of force incident, DCJ shall be the lead investigating agency.
- d. If DCJ becomes the lead investigating agency, a shooting response team consisting of DCJ investigators and members of the New Jersey State Police Major Crimes Unit shall normally conduct the investigation.

33. Officers must report all other uses of force through the chain of command. All other use of force incidents—those that do not result in death or serious bodily injury and do not involve the discharge of a firearm—shall be reported through the appropriate Departmental chain of command.

REPORTING REQUIREMENTS & REAL-TIME REVIEW

34. All employees must complete their reports accurately and completely. All employees are responsible, at all times, for accurately and completely describing the facts and circumstances concerning any use of force incident, including articulating specific facts to explain an officer's own decision to use force. The Department may impose discipline for any substantial omissions or misrepresentations.

35. Every use of force greater than physical contact must be documented and reported.

Whenever an officer uses a degree of force greater than physical contact, the officer must complete the following reports and submit them through the appropriate Departmental chain of command:

- a. A State of New Jersey—Use of Force Report; *and*
- b. A Department Blue Team—Use of Force Report; *and*
- c. An investigation report and/or supplementary report regarding the nature of the underlying incident (and indicating that the officer has completed Use of Force Reports), with the following conditions:
 - In accordance with New Jersey Attorney General's Supplemental Directive Amending Attorney General's Directive 2006-5, supervisors shall not require officers deploying force that results in death or serious bodily harm, being investigated by the Attorney General's Office, a county prosecutor's office, or DCJ to submit investigation or supplemental reports. Officers are still required to submit Use of Force reports.
 - Only the New Jersey Attorney General's Office, a county prosecutor's office, or DCJ can order such reports. An officer's statements to these entities can suffice as their report of the incident.
 - Officers not directly involved in the use of force, but who have indirect involvement (*e.g.*, secondary responders, assisting responders, witnesses, etc.), may be required to submit investigation reports upon approval of the lead investigating agency (*i.e.* New Jersey Attorney General's Office, Camden County Prosecutor's Office, or DCJ).
- d. A Conducted Energy Device Deployment Review Report (if a CED is used);
- e. An Informational Report (if a CED is used); *and*
- f. A Police Use of Deadly Force—Attorney General Notification Report (if applicable).

36. The following additional reporting requirements apply to an officer's actions that do not involve physical contact or greater force under Section 35. An officer who takes any of the following actions, if not otherwise reportable under Section 35, must create a written incident report and/or supplementary report capturing the relevant facts and circumstances for each of the following situations:

- a. Every intentional discharge of a firearm not for training or recreational purposes;
- b. Every instance where an officer unintentionally discharges a CED or firearm, regardless of the reason;
- c. Every instance where an officer takes an official action that results in or is alleged to have resulted in death or injury to another person.

37. Supervisors have specific responsibilities as part of each use of force review. The approving Sergeant (or other supervisor) and Watch Commander shall review all reports for accuracy and completeness and shall promptly address any issues, including: policy changes, training needs, weapons or equipment issues, or discipline (*i.e.* an administrative review). Recommendations to modify policy, apply remedial training beyond what can be performed by the supervisor, change weapons, equipment, or tactics, or apply discipline shall be thoroughly documented and forwarded through the chain of command.

a. Sergeants have the following responsibilities:

- Ensure all required paper reports and related documents are complete and submitted, review them for accuracy and completeness, and either reject and return for immediate corrections or approve;
- Review all relevant documents and information, including body-worn camera video and photographs, in order to assess the underlying incident and complete an Administrative Review Report;
- Log into Blue Team, review the submitted Blue Team Report, and either reject and return for corrections or approve; *and*
- Assemble all reports and relevant documents and immediately submit them to the Watch Commander.

b. Watch Commanders have the following responsibilities:

- Review all submitted reports, body-worn camera video, photographs, and any other relevant information or documents;
- Log into Blue Team, review the submitted Blue Team Report, and either reject and return for corrections or approve;
- Complete the Use of Force Command Review Report and forward it to Executive Command personnel;
- Scan and attach the Use of Force Command Review Report and all submitted documents to the Blue Team report; *and*
- Forward the Blue Team Report with attachments to the Internal Affairs Unit in Blue Team and forward all paper documents to the Internal Affairs Office (2nd Floor) via inter-office mail.

38. Use of force records shall be retained and available according to state law. All use of force reports shall be retained as required by the New Jersey Division of Revenue and Enterprise Services, Bureau of Records Management (BRM) records retention schedules. Use of force reports are subject to discovery and access through the New Jersey Open Public Records Act.

INTERNAL AFFAIRS USE OF FORCE REVIEW

39. Use of force incidents will be reviewed by Internal Affairs according to set procedure.

Once a Use of Force Administrative Review Packet has been completed and submitted from the Watch Commander to Internal Affairs, the following procedure will be followed:

- a.** Review the Use of Force Administrative Review Packet to ensure all relevant documents are attached and signed, including:
 - Command Review Report
 - Sergeant Administrative Review
 - Incident Report
 - Use of Force Card
 - Use of Force Report
 - Blue Team Report
 - CAD Ticket
 - Arrest Report (if applicable)
 - Tickets/Summons
 - Impound Report
 - Victim Notification Report
 - Medical Discharge Forms (if applicable)
 - Victim Notification Form
 - Photographs
 - Any other additional documentation
- b.** Review the Command Review Report for the Watch Commander's findings and whether the officer(s) involved followed Department policy and procedures;
- c.** Review the Sergeant's Administrative Review for its findings and whether the officer(s) utilized the Critical Decision-Making model;
- d.** Review the Incident Report to gain a situational understanding of the reason force was utilized;
- e.** Review the officer's body-worn camera footage to ensure the force was necessary, proportionate, and reasonable;
- f.** Compare the officer's actions as displayed on the body-worn camera footage with the officer's Incident or Additional Information Report, Use of Force Report, and Blue Team Report (repeat for all officers who utilize force in each incident);
- g.** Review all other body-worn camera footage, including from responding officers, to gain a full panoramic view of the incident;
- h.** Upload and link all documents into IAPro, along with all body-worn camera footage, Audio Log Transmissions, Blue Team Reports, witness officers involved, and Administrative Review forms;
- i.** If there are no issues identified with the incident or the Administrative Review Packet, the incident is routed (via IAPro) and the hard copy of the Review Packet is provided to the Internal Affairs Commander for review;
- j.** If there are any issue(s) identified with any application of force, documentation, or body-worn cameras, the Watch Commander (who reviewed the incident) and the reviewing supervisor are contacted and made aware of the issue(s) and provided a date as to when the issue(s) must be resolved and corrected;
- k.** If training issues are identified, the issues are brought to the attention of the Internal

Affairs Commander (once the issue is confirmed, the Professional Development and Training Division is contacted, via an EIS Request for Training, for corrective actions);

- I. If any criminal or rule violations are identified, an Internal Affairs complaint is generated. Rule infractions are forward to Command Level for investigation. Criminal or serious violations are investigated within the Office of Internal Affairs.

USE OF FORCE DATA COLLECTION & ANALYSIS

40. The Department shall collect and analyze use of force data. This Department collects, analyzes, and makes public data regarding uses of force. The Department does so in order to ensure our enforcement practices are fair, non-discriminatory, and involve the minimum amount of force necessary to accomplish a legitimate law enforcement objective.

41. The Professional Standards Division shall issue an annual use of force report and analysis.

- a. The Professional Standards Division is responsible for completing an annual use of force summary report in a manner prescribed by the Camden County Prosecutor. This summary report shall be published and made available to the public upon request.
- b. The Professional Standards Division is responsible for completing an annual analysis of the previous calendar year's use of force incidents, Department polices, and use of force practices. Examples of some analytical categories may include, but are not limited to:
 - Use of force by time of day and day of week;
 - Use of force by type of location (*e.g.*, business, residential, or industrial);
 - Use of force by type of incident;
 - Use of force by officer/detective involved;
 - Use of force by division, bureau, unit;
 - Use of force by person's actions;
 - Use of force by type (*e.g.*, deadly force);
 - Use of force resulting in injury to personnel;
 - Use of force resulting in injury to actors;
 - Use of force resulting in arrests;
 - Percentage of use of force vs. total number of custodial arrests.
- c. The Professional Standards Division's annual analysis is designed to: (1) identify any broad patterns or trends that could indicate policy ineffectiveness, training needs, equipment upgrade needs, and/or policy modification needs; and (2) identify any pattern or practice of behavior by particular officers that could warrant intervention, remediation, and/or re-training.

TRAINING REGARDING USE OF FORCE

- 42. All officers shall be issued this directive and receive use of force training.** Prior to being authorized to carry a weapon, all personnel shall receive training regarding use of force and a copy of this directive. The training and issuance of the directive shall be documented and forwarded to the training unit.
- a.** A certified instructor shall train all employees who are or may be assigned to duties that require the application of less lethal force.
 - b.** Training in the use of chemical or natural agents, such as oleoresin capsicum (OC), mace, gas, etc., shall include procedures for the treatment of persons exposed to such chemical/natural agents, as well as safe handling and storage procedures.
 - c.** Prior to being authorized to carry and use less lethal ammunition or control and restraint techniques, employees must demonstrate proficiency in the deployment and/or use of such authorized less lethal ammunition and approved control and restraint techniques.
- 43. The Department shall conduct semiannual use of force trainings.** Use of force training shall be conducted semiannually, in concert with the Attorney General's Guidelines. This training must:
- a.** Reflect current standards established by statutory and case law, as well as state, county, and Departmental policies, directives, and guidelines;
 - b.** Be scenario based;
 - c.** Include the use of force in general, levels of force, the use of deadly force, definitions of critical terms, critical decision making, crisis recognition and response, tactical communications, operational safety tactics, the limitations that govern the use of force and deadly force, and all applicable aspects of Departmental directives;
 - d.** Integrate the Integrating Communications Assessment and Tactics Training Guide, published by the Police Executive Research Forum; and
 - e.** Be documented (electronically is permitted) each time it is conducted, listing all personnel being trained.
- 44. Officers have an ongoing obligation to review Department directives and trainings on use of force.** All officers have an ongoing obligation to review the Department's use of force directives and training materials, and to seek clarification any time they have questions or need guidance. This ongoing review may take place via formal supervisor-led training sessions as well as through mentoring opportunities to reinforce the content and philosophies.

DEFINITIONS

<p>1. Active Assailant: A person who is using or imminently threatening the use of force against another person, with or without a weapon, in an aggressive manner that poses an imminent danger to an officer or another person.</p>
<p>2. Active Resistance: A person who is uncooperative and fails to comply with directions from an officer, and instead attempts to avoid physical control and/or arrest by creating distance between themselves and the officer or the officer's reach. This type of resistance includes but is not limited to evasive movement of the arm, flailing arms, and full flight by running.</p>
<p>3. Canine Apprehension: A properly trained police canine may be used to apprehend an Active Resister whenever the handler has probable cause to believe the person has committed a crime, and less intrusive means of apprehension have been exhausted or, under the circumstances, determined to be ineffective or unavailable. Additional guidance may be found in Department directive CCV4C5.</p>
<p>4. Chokehold: Sometimes referred to as a Neck or Carotid Restraint, a chokehold is a technique that involves applying direct pressure to a person's trachea (windpipe) or airway (front of the neck) with the intention of reducing the intake of air. A Carotid Restraint is a technique that applies direct pressure to the carotid artery (on the side of the neck) restricting the flow of blood to the brain and causing a temporary loss of consciousness.</p>
<p>5. Compliance Techniques: Physical techniques that involve the use of non-impact pressure to sensitive areas of the body (mainly areas of skin covering bone) in order to elicit and maintain control of a person. Compliance techniques include joint manipulation and pressure point techniques, but do not include any technique that restricts blood flow to carotid arteries, causing a person to lose oxygen to the brain.</p>
<p>6. Conducted Energy Devices (CED): A CED is any device approved by the New Jersey Attorney General that is capable of firing darts/electrodes that transmit an electrical charge or current intended to temporarily disable a person. Additional guidance may be found in Department directive CCV4C3.</p>
<p>7. Control Instruments: Tools (such as a baton) applied with non-impact pressure to joints and sensitive areas of the body (mainly areas of skin covering bone) in order to elicit and maintain control of a person. Additional guidance may be found in Department directive CCV3C3.</p>
<p>8. Cooperation: Responsiveness to and compliance with officer requests.</p>
<p>9. Critical Decision-Making Model: The Critical Decision-Making model or "CDM" is an organized way of making decisions about how an officer will act in any situation, including situations that may involve potential uses of force.</p>
<p>10. Deadly Force: Force that an officer uses with the purpose of causing, or which the officer knows to create a substantial risk of causing, death or serious bodily harm. Deadly force is not limited to firing a firearm in the direction of another person, but also includes other particularly dangerous tactics as discussed in Section 20 of this directive.</p>
<p>11. De-escalation (De-escalation Techniques): Actions taken by an officer meant to stabilize a situation and reduce the immediacy of a potential threat so that a potentially dangerous situation with voluntary compliance and without resorting to force.</p>

<p>12. Employee: Any employee of the Camden County Police Department, full or part-time, sworn and non-sworn.</p>
<p>13. Holding Techniques: Holding techniques include a firm grip or grab of an arm, wristlocks, come-along holds (<i>i.e.</i> escort holds that are not elevated to compliance techniques), controlled take-downs, and pins against the ground or objects, as well as any combination of the above.</p>
<p>14. Imminent Danger: Imminent danger describes threatened actions or outcomes that are immediately likely to cause death or serious bodily harm to an officer or another person, unless action is taken. In order to be <i>imminent</i>, the person threatening danger must have the means/instruments and opportunity/ability to cause death or serious bodily harm. The threatened harm does not have to be instantaneous. The period of time involved is dependent on the circumstances and facts of each situation and is not the same in all situations.</p>
<p>15. Impact Weapons: Weapons designed to establish control by means of applying mechanical impact to a person to disable elements of his or her musculoskeletal structure. Impact weapons include batons and less lethal ammunition. The Department trains officers to avoid the use of flashlights, radios, firearms, or any item not specifically designed as an impact weapon, unless immediately necessary and no other practical options are available. Additional guidance may be found in Department directive CCV3C3.</p>
<p>16. Officer: Also known as a law enforcement officer. Any person sworn to enforce the criminal laws of the State of New Jersey, who is certified by the Police Training Commission, or is currently employed by a public safety agency and is authorized to carry a firearm under N.J.S.A. 2C:39-6.</p>
<p>17. Oleoresin Capsicum Spray: Also known as OC Spray or Pepper Spray, this is an inflammatory chemical agent that causes an intense burning sensation of the skin, eyes, and mucous membranes. Direct exposure to a person's eyes will likely result in the eyes closing, tearing, and swelling. When inhaled, a person experiences choking, gagging, gasping for breath, or, on rare occasion, unconsciousness. As a result of these symptoms, a person may experience nausea or temporarily impaired thought processes, or may become disoriented or lose his or her balance.</p>
<p>18. Passive Resistance: A person who is not cooperative, in that the person fails to comply (in a non-movement way) with verbal or other direction from an officer.</p>
<p>19. Physical Contact: Routine or procedural contact necessary to effectively accomplish a legitimate law enforcement objective. Examples include, guiding a subject into a police vehicle, holding the subject's arm while transporting, handcuffing a subject and maneuvering or securing a subject for a frisk.</p>
<p>20. Physical Force: Forceful, concentrated striking movements such as punching and kicking, or focused pressure strikes and pressures. These techniques can be combined with take-downs or pins against the ground or other objects.</p>
<p>21. Police Presence: Police presence established through identification of authority and proximity to the person.</p>
<p>22. Proportionate Force: Actions, including de-escalation and force, which correspond appropriately with the particular circumstances confronting the officer.</p>
<p>23. Professional Standards Division: Division within CCPD that includes the Internal Affairs</p>

<p>Section, which is responsible for the investigation of all internal complaints, and the Quality Assurance Section, which is responsible for managing the department's in-service training curriculum as well as completing various audits of department processes.</p>
<p>24. Real-Time Tactical Operations and Intelligence Center: The RT-TOIC maintains a real-time awareness of conditions of certain places within the Department's integrated technology platform and monitors the tactical deployment of all Department assets in the field to ensure compliance with the Department's weekly crime reduction plan. RT-TOIC also deploys virtual patrollers utilizing the Department's CCTV camera system, and manages police dispatch and 911 functions.</p>
<p>25. Substantial Risk: A substantial risk is one that is foreseeably likely to occur. That is, the risk is one that a reasonable officer in the same circumstances should anticipate as the likely outcome.</p>
<p>26. Tactical Communication: Verbal communications techniques that are designed to avoid or minimize the use of force. Such techniques include attempts to exercise persuasion, advice, instruction, and warning prior to the use of physical force.</p>
<p>27. Tactical Positioning: Making advantageous use of positioning, distance, and cover to isolate and contain a person and avoid the need to resort to force.</p>
<p>28. Threatening Assailant: A person who is using or threatening the use of force against another person, with or without a weapon, in an aggressive manner that may cause physical injury. Examples may include: (1) a person who puts an officer in fear of a battery by advancing on the officer in a threatening manner or closing the distance between the assailant and the officer, thereby reducing the officer's reaction time, and (2) a person who fails to disarm, thereby increasing the likelihood the person's actions are likely to cause physical injury.</p>
<p>29. Time as a Tactic: Establishing a zone of safety around a person that creates an opportunity for an assessment and action, when feasible, thereby decreasing the need to resort to force.</p>
<p>30. Verbal Control Techniques: Consists of persuasion, advice, instruction, and warning in the form of verbal statements or commands that may result in compliant behavior. Whenever it is safe and feasible, officers shall attempt to de-escalate confrontations by utilizing verbal control techniques prior to, during, and after the use of physical force.</p>