

Subject: Alternatives to Force, De-escalation, Tactical Disengagement		
Directive Number 101.2	Effective Date 09-12-16	WILEAG

This Directive consists of the following numbered sections:

- I. Purpose
- II. Policy
- III. Applicability
- IV. Definitions
- V. Procedures

I Purpose

To provide police officers with considerations alternative to the use of force when reasonable and under appropriate circumstances.

II Policy

The McFarland Police Department empowers its officers to consider and when appropriate, utilize de-escalation tactics and alternatives to the use of force when reasonable and safe to do so, when adequate time is available to do so and when in the process of doing so no greater risk to the officer(s) or public is likely.

III Applicability

This Directive is applicable to officers performing official police duties, on or off duty.

IV Definitions

In a police setting, as used in this Directive:

- A. *Totality of Circumstances*
 - The severity of the crime.
 - Whether the suspect poses an immediate threat to the safety of others.
 - Whether the suspect is actively resisting arrest or attempting to evade arrest by flight.

- B. *De-escalation tactics and techniques* are actions used by officers, when safe and without compromising law enforcement priorities (mandatory arrest), that seek to minimize the likelihood of the need to use force during an incident and increase the likelihood of voluntary compliance.

V Procedures

- A. When the safety and wellbeing of the Officer(s) and public is not jeopardized, the totality of the circumstances permit and sufficient time exists, Officers shall consider and attempt to utilize de-escalation tactics or alternatives solutions in order to minimize as best they can the need for the use of force.
- B. When the safety and wellbeing of the Officer(s) and public is not jeopardized, the totality of the circumstances permit and sufficient time exists, officers shall attempt to slow down or stabilize the situation so that more time, options and resources are available for incident resolution.
- C. When the safety and wellbeing of the Officer(s) and public is not jeopardized, the totality of the circumstances permit and sufficient time exists, officers shall consider whether a subject's lack of compliance is a deliberate attempt to resist or an inability to comply based on factors including, but not limited to:
 - 1. Medical conditions
 - 2. Mental impairment
 - 3. Developmental disability
 - 4. Physical limitation
 - 5. Language barrier
 - 6. Drug interaction
 - 7. Behavioral crisis
- D. Section C (above) does not suggest that officers, upon identifying any one or combination of factors, are expected to put themselves or the public in any greater degree of danger in addressing the situation. Rather, the factors are to be used in the assessment of the totality of circumstances and options that may or may not be available, and understanding that in many situations there may be little or no time available to make such an assessment.
- E. Notwithstanding the factors listed in section C, Officers are still fully expected to preserve and protect the lives of the public and themselves.
- F. Mitigating the immediacy of threat gives officers time to utilize extra resources, and increases time available to call more officers or specialty units. For example:

1. Additional officers on scene may provide the opportunity to utilize other options that reduce the need, or decrease the level of overall force necessary, to include less lethal options.
 2. Placing barriers between an uncooperative subject and an officer.
 3. Containing a threat.
 4. Moving from a position that exposes officers to potential threats to a safer position.
 5. Decreasing the exposure to potential threat by using:
 - a. Distance
 - b. Cover
 - c. Concealment
 - d. Communication from a safe position intended to gain the subject's compliance, using:
 1. Verbal persuasion
 2. Advisements
 3. Warnings
 6. Avoidance of physical confrontation, unless immediately necessary (for example, to protect someone, or stop dangerous behavior).
 7. Using verbal techniques to calm an agitated subject and promote rational decision making.
- G. Disengaging altogether and initiating secondary contact at a time, place or under conditions in which better resources or more favorable circumstances exist that may allow the subject to be apprehended in a safer manner. The availability of this option depends greatly upon:
1. The totality of the circumstances, including sufficiency of reaction time.
 2. Whether disengaging poses any measurable amount of risk to the public or Officers both immediately and upon secondary contact.
 3. The compatibility of the decision with law enforcement priorities.
- H. Supervisory Review
1. Just as department administration reviews and evaluates each use of force incident, the department will also review and evaluate each incident in which alternatives to force tactics, de-escalation measures or complete disengagement were utilized.

2. In keeping with the values and mission of the McFarland Police Department and the spirit of this policy, which is to place the preservation of human life as our utmost priority and to provide our Officer's with all means possible to carry them out, department administration will not admonish or discipline an Officer for their decision to implement alternatives to use of force, de-escalation tactics or altogether disengagement, even if the decision conflicts with a lesser department policy, as long as:
 - a. Their actions did not constitute a violation of law.
 - b. Their actions were within the scope of their duties as a law enforcement officer.
 - c. The reasons for their actions can be clearly justified and articulated.
 - d. Their actions did not expose themselves or the public to any measurable amount of danger or risk.
 - e. Their actions were clearly in the spirit of the preservation of human life.
 - f. Their actions did not involve tactics that are outside of the scope of their training.

This Directive was implemented on 09-12-16, and will supersede any previously existing policies, arrangements, or understandings to the contrary.

BY ORDER OF THE CHIEF:

Craig J. Sherven
Chief of Police

Revised: No revision as of today's date