



554.0 USE OF FORCE – GENERAL (Revised 8/03)

The value of human life is immeasurable in our society. Police officers have been delegated the responsibility to protect life and property and apprehend criminal offenders. The apprehension of criminal offenders and protection of property must at all times be subservient to the protection of life.

Constitutional justification for the use of force is evaluated on the concept of “reasonableness.” Police officers are restricted to the use of force that is “objectively reasonable” in light of the facts and circumstances as a reasonable officer would perceive them to be at the time of the incident. Information learned after the time of the officer’s application of force is irrelevant to assessing the appropriateness of the force used.

554.10 DEFINITIONS (Revised 9/01) (Revised 9/05)

Deadly Force - that force which is intended to cause death or serious bodily harm or which is likely to cause death or serious bodily harm, regardless of intent.

Less Lethal Force/Device – that force/device which meets operational objectives with less potential for causing death or serious physical injury.



Firearm – Any pistol, rifle or shotgun capable of discharging a projectile or a series of projectiles of any material which may reasonably be expected to be able to cause lethal injury.

Less Lethal Ammunition – A projectile(s) , which is not reasonably expected to cause lethal injury.

Felon - a person committing a felony crime in the presence of the police officer or a person the police officer has probable cause to believe has or is committing a felony crime.

Felony - a crime, which is, or may be, punishable by death or by imprisonment in the State Penitentiary.

Misdemeanor - a person committing a misdemeanor.

Misdemeanor - every crime, which is not a felony.

Probable Cause - probable cause is present if the facts and circumstances known to the officer would lead a man of prudence and caution to believe that an offense has been or is being committed.

Reasonably Necessary - a use of force is reasonably necessary when all other reasonable means to accomplish the desired action have been exhausted or would clearly be ineffective under the circumstances.

Violent Felony - a felony crime, which causes the danger of death or serious bodily harm.

Non-Violent Felony - a felony crime, which does not cause the danger of death or serious bodily harm.

Serious Bodily Harm – A bodily injury that creates a substantial risk of death; or causes serious, permanent disfigurement; or results in long-term loss or impairment of the functioning of any bodily member or organ.

554.20 LEGAL REQUIREMENTS (Revised 8/03) (Revised 9/05)

State law provides for situations within which police officers may use force to accomplish their required duties. State law does not provide that police officers must use force, nor does it eliminate the civil consequences of use of excessive force. In the performance of their duties, no officer will use more force in any situation than is reasonable and necessary under the existing circumstances. Any force used will be in accordance with the State law and established departmental policies. Physical techniques of custody and control should never be used to punish.

Officers may use only the amount of force that is reasonably necessary to:

- A. Affect a lawful arrest.
- B. Prevent the escape of a person lawfully arrested.
- C. Apprehend a person who has escaped from lawful arrest.
- D. Protect themselves or others from danger of death or bodily harm.

554.30 WEAPONS (Revised 9/01) (Revised 9/05)

Officers are to use only Department approved weapons for which training is provided in the Oklahoma City Police Department Academy and/or through other specialized and approved training. Such approved weapons are:

- A. Physical strength and skill.
- B. Department issued or approved baton and approved firearms.



- C. Less lethal devices. These devices may be used to control dangerous and violent subjects when other tactics have been or will likely be ineffective. Officers choosing to use these devices **SHOULD NOT** compromise their safety.

Flashlights or other non-approved defensive weapons should not be used as weapons, except as a last resort.

554.40 USE OF DEADLY FORCE (Revised 9/05)

Officers may use deadly force against a person under the following circumstances only:

- A. To protect themselves or others when the officers have probable cause to believe that they or others are in danger of death or serious bodily harm and that the use of deadly force is reasonably necessary to protect themselves or others, or
- B. When reasonably necessary to affect an arrest for a violent felony crime; or to prevent a person who the officer has probable cause to believe has committed a violent felony crime from escaping; or to apprehend such a person who has escaped:
 1. When all other reasonable means have failed, and;
 2. The officers witnessed the violent felony being committed or have probable cause to believe that a violent felony has been committed and by that person.

If feasible, a warning should be given prior to the use of deadly force.

MERE SUSPICION IS NOT SUFFICIENT TO JUSTIFY THE USE OF DEADLY FORCE.

554.50 DEADLY FORCE PROHIBITIONS (Revised 9/05)

Officers **SHALL NOT** use deadly force under the following circumstances:

- A. To affect any misdemeanor or non-violent felony arrest.
- B. To prevent the escape of a misdemeanant or a non-violent felon.
- C. To apprehend any person who is fleeing from arrest for a misdemeanor or non-violent felony.

554.60 USE OF FIREARMS (Revised 9/05)

Officers are required by law to use only the minimum amount of force necessary to protect themselves and other persons or to affect an arrest. The use of firearms is the application of maximum and deadly force. Officers shall exhaust all other reasonable means before resorting to the use of firearms.

Officers may discharge firearms under the following circumstances ONLY:

- A. When permissible as a use of deadly force.
- B. To kill a dangerous animal or an animal that is so seriously injured that humane considerations require an immediate end to its further suffering.
- C. For purposes of firearms training, practice or qualification.
- D. From a moving vehicle only if being fired upon.



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- E. At a moving vehicle only as a last resort when officers have probable cause to believe such use of force is necessary to prevent the danger of death or serious bodily harm, considering that:
1. Firing at or from a moving vehicle will, under most circumstances, create a greater threat to innocent lives than allowing the violent felon to escape.
 2. The presence of innocent occupants of a vehicle must be considered before firing at a moving vehicle and innocent lives must never needlessly be placed in jeopardy.
 3. Mere contact of two vehicles does not constitute a violent felony. The intent to assault the occupants of the vehicle, which is contacted, by another vehicle must be evident. Officers may not consider that a collision involving the vehicle they occupy justifies the use of firearms unless the intent to injure the officer is reasonably apparent.

Officers SHALL NOT discharge firearms under the following circumstances:

- A. When the use of firearms clearly constitutes a greater threat to innocent lives than allowing a violent felon to escape.
- B. To affect an arrest for a misdemeanor or non-violent felony.
- C. To prevent the escape of a person arrested for a misdemeanor or non-violent felony.
- D. To apprehend a person fleeing arrest for a misdemeanor or non-violent felony.
- E. To fire a warning shot.

The rules of firearm safety shall be adhered to at all times, including while inside Department buildings. Officers are not to unholster their weapons unless it is necessary for inspection, safety, security or other valid reason.