


<p><b>Belmont Police Department</b></p>  <p>460 Concord Ave Belmont, Ma 02478</p>	<i>Request for Information</i>	
	To:	Requester of Information
	From:	James MacIsaac, Police Chief
	Date:	June 1, 2020
	Subject:	8 recommended Evidence-Based Policies
<i>Reference:</i>		

**1. Require officers to de-escalate situations, when possible, before using force.**

**Yes-**The Belmont Police Department trains officers annually on de-escalation techniques. This includes using the Use of force Continuum as a guide in de-escalation. Our officers also receive training in de-escalation techniques that include de-escalating incidents involving people in crisis, people living with addiction, and people with autism.

**2. Use a Force Continuum or Matrix that define/limit the types of force and specific weapons that can be used to respond to specific levels of resistance.**

**Yes-**The Belmont Police Department utilizes the MPTC (Municipal Police Training Counsel) Use-of Force Continuum<sup>1</sup> for the purpose of giving officers a guide for making a “balanced” response appropriate for the reasonable officer’s selection of identified response categories. The officer’s response is done to maintain or gain a subject’s compliance or control. Officers are trained to use every reasonable means of employing the minimum amount of force before escalating to a more severe application of force. Officers are instructed that they must de-escalate down the Continuum when a subject becomes compliant or when circumstances dictate.

**3. Restrict chokeholds and strangleholds (including carotid restraints) to situations where deadly force is authorized or prohibiting them altogether.**

**Yes-** BPD Policy- Use of Force Policy 300  
300.3.2 PAIN COMPLIANCE TECHNIQUES  
Pain compliance techniques may be effective in controlling a physically or actively resisting individual. Officers may only apply those pain compliance techniques for which they have successfully completed department-approved training.  
***Chokeholds and Strangleholds are not part of our training.***

**4. Require officers to give a verbal warning, when possible, before using deadly force.**

**Yes-** BPD Policy- Use of Force Policy 300  
300.4 DEADLY FORCE APPLICATIONS  
Under such circumstances, a verbal warning should precede the use of deadly force, where feasible.

<sup>1</sup> The Use of Force Model was developed in 1991 by Dr. Franklin Graves, Federal Law Enforcement Training Center and Professor Gregory J. Connor, University of Illinois Police Training Institute.

Officers are trained to use verbalization through verbal commands in an attempt to de-escalate or defuse a situation or to inform a subject that they are under arrest

**5. Prohibit officers from shooting at people in moving vehicles unless the person poses a deadly threat by means other than the vehicle (for example, shooting at people from the vehicle).**

**Yes-** BPD Policy- Use of Force Policy 300

**300.4.1 SHOOTING AT OR FROM MOVING VEHICLES**

Shots fired at or from a moving vehicle are rarely effective.

Officers should move out of the path of an approaching vehicle instead of discharging their firearm at the vehicle or any of its occupants. An officer should only discharge a firearm at the occupants of a moving vehicle when the officer reasonably believes there are no other reasonable means available to avert the threat of the vehicle, or if deadly force other than the vehicle is directed at the officer or others.

Officers should not shoot at any part of a vehicle in an attempt to disable the vehicle.

**6. Require officers to exhaust all other reasonable alternatives before resorting to using deadly force.**

**Yes-** BPD Policy- Use of Force Policy 300

**300.3.1 FACTORS USED TO DETERMINE THE REASONABLENESS OF FORCE**

When determining whether to apply force and evaluating whether an officer has used reasonable force, a number of factors should be taken into consideration, as time and circumstances permit.

These factors include but are not limited to:

- (a) The immediacy and severity of the threat to officers or others.
- (b) The conduct of the individual being confronted, as reasonably perceived by the officer at the time.
- (c) Officer/subject factors (e.g., age, size, relative strength, skill level, injuries sustained, level of exhaustion or fatigue, the number of officers available vs. subjects).
- (d) The effects of drugs or alcohol.
- (e) The individual's mental state or capacity.
- (f) The proximity of weapons or dangerous improvised devices.
- (g) The degree to which the individual has been effectively restrained and his/her ability to resist despite being restrained.
- (h) The availability of other options and their possible effectiveness.
- (i) The seriousness of the suspected offense or reason for contact with the individual.
- (j) The training and experience of the officer.
- (k) The potential for injury to officers, suspects, and others.
- (l) Whether the individual appears to be resisting, attempting to evade arrest by flight, or is attacking the officer.
- (m) The risk and reasonably foreseeable consequences of escape.
- (n) The apparent need for immediate control of the individual or a prompt resolution of the situation.
- (o) Whether the conduct of the individual being confronted no longer reasonably appears to pose an imminent threat to the officer or others.
- (p) Prior contacts with the individual or awareness of any propensity for violence.
- (q) Any other exigent circumstances.



## **7. Require officers to intervene to stop another officer from using excessive force.**

**Yes-** BPD Policy- Use of Force Policy 300

### **300.2.1 DUTY TO INTERCEDE**

Any officer present and observing another officer using force that is clearly beyond that which is objectively reasonable under the circumstances shall, when in a position to do so, intercede to prevent the use of unreasonable force. An officer who observes another employee use force that exceeds the degree of force permitted by law should promptly report these observations to a supervisor.

## **8. Require officers to report both uses of force and threats/attempted uses of force (for example, reporting instances where an officer intentionally points a firearm at a civilian) (Referred to in this study as ‘Comprehensive Reporting’).**

**Yes-** BPD Policy- Use of Force Policy 300

### **300.5 REPORTING THE USE OF FORCE**

Any use of force<sup>2</sup> by a member of this department shall be documented promptly, completely, and accurately in an appropriate report, depending on the nature of the incident. The officer should articulate the factors perceived and why he/she believed the use of force was reasonable under the circumstances. To collect data for purposes of training, resource allocation, analysis, and related purposes, the Department may require the completion of additional report forms, as specified in department policy, procedure, or law.

#### **300.5.1 NOTIFICATIONS TO SUPERVISORS**

An officer shall notify a supervisor as soon as practicable following the application of force in any of the following circumstances:

- (a) The application caused a visible injury.
- (b) The application would lead a reasonable officer to conclude that the individual may have experienced more than momentary discomfort.
- (c) The individual subjected to the force complained of injury or continuing pain.
- (d) The individual complains about the use of force.
- (e) Any application of the conducted energy device or control device.
- (f) Any application of a restraint device other than handcuffs, shackles or belly chains.
- (g) The individual subjected to the force was rendered unconscious.
- (h) An individual was struck or kicked.
- (i) An individual alleges any of the above has occurred.

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<sup>2</sup> The BPD considers pointing a firearm at an individual as a Use-of Force Incident.