

Book	Policy Manual
Section	800 Operations
Title	Use of Force
Code	805.3
Status	First Reading
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Purpose

The Joint Operating Committee recognizes and respects the value and integrity of each human life and believes that physical force should be avoided. The JOC also realizes there may be circumstances where physical force is necessary to preserve the safety of students, staff, and visitors. Investing School Police Officers with the lawful authority to use force to protect the public welfare requires a careful balancing of all human interests. Therefore, it is the policy of the School that School Police Officers (SPO) shall use only that force that is reasonably necessary to effectively bring an incident under control, while protecting the lives of the officers and others.

Definitions

Use of Force - use of force is the amount of reasonable effort required by school police to compel compliance from a person in order to protect the individual or others from injury. This includes any reasonable use of force occurring while the officer is acting in an official law enforcement capacity. Force used must be "objectively reasonable" based on the facts and circumstances confronting the officer(s) and judged from the perspective of a reasonable officer on the scene. See GRAHAM v. CONNOR 490 U.S.386 (1989); Tennessee v. Garner, 471 U.S. 1 (1985); Title 18, Pennsylvania Crimes Code 508, Use of Force in Law Enforcement. (1)

Reasonable force - the amount of force necessary to protect a student (s), staff or others from bodily injury or to prevent significant property damage.

Deadly force - force reasonable anticipated to create a substantial likelihood of causing death or very serious injury.

Force - the application of physical contract that is not welcome by the participant in order to move, restrict passage, escort or restrain.

De-Escalation - the use of proactive strategies, including verbal and non-verbal communication to defuse an individual who is in the process of losing self-control, is non-compliant, or is demonstrating unacceptable behavior. These strategies address behavior that is dangerous, disruptive, or otherwise impeded the learning of a student or others.

Significant property damage - measurably large damage to high-value real or personal property (e.g., computers, plumbing systems, building structures, fixtures and windows).

Delegation of Responsibility

The School Safety and Security Coordinator shall develop administrative regulation and procedures related to use of force.

Guidelines

Section 1: Justification of Use of Force -

The Pennsylvania Crimes Code, Title 18, Chapter 5, "General Principles of Justification", describes those circumstance in which the use of force is justified. (2)

A SPO shall use only that amount of force that is reasonably necessary given the facts and circumstances perceived by the officer at the time of the event to accomplish a legitimate law enforcement purpose.

The reasonableness of force will be judged from the perspective of a reasonable officer on the scene at the time of the incident. Any evaluation of reasonableness must allow for the fact that officers are often forced to make split-second decisions about the amount of force that reasonable appears necessary in a particular situation, with limited information and in circumstances that are tense, uncertain and rapidly evolving.

Given that no policy can realistically predict every possible situation that may occur, officers are entrusted to use well-reasoned discretion in determining the appropriate use of force in each incident.

It also recognized that circumstance may arise in which officers reasonably believe that it would be impractical or ineffective to use any of the tools, weapons or methods provided by the ECTS. Officers may find it more effective or reasonable to improvise their response to rapidly unfolding conditions that they are confronting. In such circumstances, the use of any improvised device or method must nonetheless be reasonable and utilized only to the degree that reasonably appears necessary to accomplish a legitimate law enforcement purpose.

While the ultimate objective of every law enforcement encounter is to avoid or minimize injury, nothing in this policy requires an officer to retreat or be exposed to possible physical injury before applying reasonable force.

Though SPO's have all legal authority to use reasonable force while effecting an arrest, officers have no more authority to use force for a policy violation than that of any other school official. **(1)**

Section 2: Use of Deadly Force -

Use of deadly force is justified in the following circumstances:

1. A SPO may use deadly force to protect him/herself or others from what s/he reasonably believes would be an imminent threat of death or serious bodily injury.
2. A SPO may use deadly force to stop a fleeing subject when the officer has probable cause to believe that the individual has committed, or intends to commit, a felony involving the infliction or threatened infliction of serious bodily injury or death, and the officer reasonably believes that there is an imminent risk of serious bodily injury or death to any other person if the individual is not immediately apprehended. Under such circumstances, a verbal warning should precede the use of deadly force, where feasible. **Imminent** does not mean immediate or instantaneous. An imminent danger may exist even if the suspect is not at the very moment pointing a weapon at someone. For example, an imminent danger may exist if an officer reasonably believes any of the following:

- a. The individual has a weapon or is attempting to access one and it is reasonable to believe the individual intends to use it against the officer or another person.
- b. The individual is capable of causing serious bodily injury or death without a weapon and it is reasonable to believe the individual intends to do so.

Section 3: Medical Attention Following the Use of Force -

Where it has become necessary to employ force that results in injury, where that injury is known, suspected, or alleged; when it is safe to do so, officers shall immediately employ medical aid as they would for any injured person and summon emergency medical assistance if necessary.

Section 4: Reporting the Use of Force -

Any use of force by a SPO shall be documented promptly, completely and accurately in an appropriate report, depending on the nature of the incident. The SPO should articulate the factors perceived and why s/he believed the use of force was reasonable under the circumstances. To collect data for purposes of training, resource allocation, analysis and related purposes, the School's SPO or the Director or his/her designee may require the completion of additional report forms, as specified in policy, procedure or law. Any action taken by an officer that results in injury or alleged injury should be reported under this policy.

Section 5: Notification of School Administrator -

In the event of any use of force incident, the SPO shall immediately notify the Director (or his/her designee).

Section 6: School Administrator Entitlements and Duties -

When an incident has occurred in which there has been a reported application of force, the Director shall be responsible for the following, in coordination with the Director:

1. Obtain the basic facts from the SPO involved. Absent an allegation of misconduct or excessive force, this will be considered a routine contact in the normal course of duties.
2. Contact parents/guardians if the subject is a student.
3. Ensure that any injured parties are examined and treated.
4. Review all related reports.
5. Determine if there is any indication that the individual may pursue civil litigation.
6. Evaluate the circumstances surrounding the incident and initiate an administrative investigation if there is a question of policy noncompliance or if any reason further investigation may be appropriate.

Section 7: Training -

The Director shall arrange to provide SPO's with annual training on this policy, who in turn shall be required to demonstrate their knowledge and understanding of this policy.

Additionally, SPO's are required to train, certify, and when applicable recertify with any equipment carried to the manufacturer's recommendation. The minimal M.P.O.E.T.C (Municipal Policy Officer's Education & Training Commission) standards will be imposed for initial employment. Annual continuing education and authorization to carry a firearm, and intermediate weapons training will be required as set forth by the department. **(3)**

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| Legal | 1. 18 Pa. C.S.A. 508 |
| | 2. 18 Pa. C.S.A. 501 et seq |
| | 3. Pol. 805.2 |
| | Pol. 113.2 |