



# Edina Police Operations Manual

Policy Number  
500.00

Subject:

## AUTHORIZED USE OF FORCE

Effective Date  
06/01/1993

Revised date  
10/13/2020

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### PURPOSE:

To establish departmental guidelines governing the use of force by department members. Department members are required to abide by these rules.

#### 500.01

### GENERAL STATEMENT OF POLICY

- Subd. 1** The use of force is permitted by law and department members may be required to use force under certain circumstances to accomplish necessary law enforcement tasks.
- Subd. 2** When department members are permitted to use force, they are authorized only to use such force level that is reasonable and necessary as determined by the situation.
- Subd. 3** Nothing in this policy should be interpreted as to mean that a department member must begin at the low end of the force continuum if this would mean that the member would be required to engage in prolonged struggles that expose the member or others to significant threat of injury.
- Subd. 4** Use of physical force should be discontinued when resistance ceases or when the incident is under control.
- Subd. 5** Physical force shall not be used against individuals in restraints, except as objectively reasonable to prevent their escape or prevent imminent bodily injury to the individual, the officer, or another person. In these situations, only the amount of force necessary to control the situation shall be used.

#### 500.02

### DEFINITIONS

**Subd. 1 Bodily Harm**

Physical pain or injury.

**Subd. 2 Great Bodily Harm**

Bodily injury which creates a high probability of death, or which causes serious, permanent disfigurement, or which causes a permanent or protracted loss or impairment of the function of any bodily member or organ or other serious bodily harm.

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Force used by an officer that the officer knows, or reasonably should know, creates a substantial risk of causing death or great bodily harm. The intentional discharge of a firearm in the direction of another person, or at a vehicle in which another person is believed to be, constitutes deadly force.

**Subd. 4 De-Escalation**

Taking action or communicating verbally or non-verbally during a potential force encounter in an attempt to stabilize the situation and reduce the immediacy of the threat so that more time, options, and resources can be called upon to resolve the situation without the use of force or with a reduction in the force necessary. De-escalation may include the use of such techniques as command presence, advisements, warnings, verbal persuasion, and tactical repositioning.

**Subd. 5 Other Than Deadly Force**

Force used by an officer that does not have the purpose of causing, nor create a substantial risk of causing, death or great bodily harm.

**Subd. 6 Choke Hold**

A method by which a person applies sufficient pressure to a person to make breathing difficult or impossible, and includes but is not limited to any pressure to the neck, throat, or windpipe that may prevent or hinder breathing, or reduce intake of air. Choke hold also means applying pressure to a person's neck on either side of the windpipe, but not to the windpipe itself, to stop the flow of blood to the brain via the carotid arteries.

**Subd. 7 Authorized Device**

A device an officer has received permission from the agency to carry and use in the discharge of that officer's duties, and for which the officer has:

- a) obtained training in the technical, mechanical and physical aspects of the device; and
- b) developed a knowledge and understanding of the law, rules and regulations regarding the use of such a device.

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Except as otherwise provided in subdivisions 2 and 3, reasonable force may be used upon or toward the person of another without the other's consent when the following circumstances exist or the actor reasonably believes them to exist:

(1) When used by a public officer or one assisting a public officer under the public officer's direction:

(a) In effecting a lawful arrest; or

(b) In the execution of legal process; or

(c) In enforcing an order of the court; or

(d) In executing any other duty imposed upon the public officer by law; or

(2) When used by a person not a public officer in arresting another in the cases and in the manner provided by law and delivering the other to an officer competent to receive the other into custody; or

(3) When used by any person in resisting or aiding another to resist an offense against the person; or

(4) When used by any person in lawful possession of real or personal property, or by another assisting the person in lawful possession, in resisting a trespass upon or other unlawful interference with such property; or

(5) When used by any person to prevent the escape, or to retake following the escape, of a person lawfully held on a charge or conviction of a crime; or

(6) When used by a parent, guardian, teacher, or other lawful custodian of a child or pupil, in the exercise of lawful authority, to restrain or correct such child or pupil; or

(7) When used by a school employee or school bus driver, in the exercise of lawful authority, to restrain a child or pupil, or to prevent bodily harm or death to another; or

(8) When used by a common carrier in expelling a passenger who refuses to obey a lawful requirement for the conduct of passengers and reasonable care is exercised with regard to the passenger's personal safety; or

(9) When used to restrain a person with a mental illness or a person with a developmental disability from self-injury or injury to another or when used by one with authority to do so to compel compliance with reasonable requirements for the person's control, conduct, or treatment; or

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(10) When used by a public or private institution providing custody or treatment against one lawfully committed to it to compel compliance with reasonable requirements for the control, conduct, or treatment of the committed person.

**500.04**      **WHEN TO USE FORCE**

Department members are authorized to use reasonable force only when necessary and when in compliance with Minnesota State Statutes. While the use of reasonable force may be necessary in certain situations, force should not be used unless other reasonable alternatives have been exhausted or are not feasible for the situation. Elements to be considered include, but are not limited to:

- a) Nature of the offense.
- b) The behavior and capabilities of the subject against whom the force is to be used.
- c) Actions of third parties who may be present.
- d) Physical conditions existing at the time.
- e) Feasibility or availability of alternative actions.

**500.05**      **DE-ESCALATION**

An officer shall use de-escalation techniques and other alternatives to higher levels of force consistent with their training whenever possible and appropriate before resorting to force and to reduce the need for force. Whenever possible and when such delay will not compromise the safety of another or the officer and will not result in the destruction of evidence, escape of a suspect, or commission of a crime, an officer shall allow an individual time and opportunity to submit to verbal commands before force is used.

**500.06**      **USE OF CERTAIN TYPES OF FORCE**

Except in cases where deadly force is authorized as articulated in MN statute [609.066](#) to protect the peace officer or another from death or great bodily harm, officers are prohibited from using:

- a) Chokeholds,
- b) Tying all of a person's limbs together behind a person's back to render the person immobile, or;

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- c) Securing a person in any way that results in transporting the person face down in a vehicle.

Less than lethal measures must be considered by the officer prior to applying these measures.

**500.07      FORCE CONTINUUM**

Force progression may be in the form of:

- a) Verbal persuasion
- b) Manual escort
- c) Pain compliance such as come-along or pressure point techniques
- d) Mechanical compliance such as punches or kicks.
- e) Approved chemical irritant
- f) Conducted Electrical Weapon (CEW, i.e. Taser)
- g) Police baton (ASP)
- h) Less lethal impact munitions
- i) Deadly force

**500.08      REPORTING REQUIREMENTS**

Whenever force is used in the line of duty, the circumstances shall be clearly documented in such reports that are made relevant to the incident.

**500.09      DUTY TO INTERCEDE AND REPORT**

Regardless of tenure or rank, an officer must intercede when:

- a) Present and observing another officer using force in violation of section [609.066](#) subdivision 2, or otherwise beyond that which is objectively reasonable under the circumstances; and
- b) Physically or verbally able to do so.

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- c) An officer who observes another officer use force that exceeds the degree of force permitted by law has the duty to report the incident in writing within 24 hours to the chief of police of the agency that employs the reporting officer.

**500.10      MEDICAL TREATMENT**

Once the scene is safe and as soon as practical, an officer shall provide appropriate medical care consistent with his or her training to any individual who has visible injuries, complains of being injured, or requests medical attention. This may include providing first aid, requesting emergency medical services, and/or arranging for transportation to an emergency medical facility. The chief of police shall be immediately notified in each case involving death or serious injury requiring medical treatment.

**500.11      TRAINING**

**Subd. 1** All officers will receive and complete, in a satisfactory manner, use of force training on an annual basis. Learning objectives on use of force established by the P.O.S.T. Board will be the basis for this training.

**Subd. 2** In addition, training shall be provided on a regular and periodic basis and designed to:

- a) Provide techniques for the use of and reinforce the importance of de-Escalation,
- b) Simulate actual shooting situations and conditions; and
- c) Enhance officers' discretion and judgement in using other than deadly force in accordance with this policy.

**500.12      RECORDKEEPING**

The chief of police shall maintain records of the agency's compliance with the use of force training requirements.