

## P.G. 203-11 Use Of Force

Date Effective: 08/01/13

### USE OF FORCE

All uniformed members of the service are responsible and accountable for the proper use of force under appropriate circumstances. Members of the service are reminded that the application of force must be consistent with existing law and with New York City Police Department Values, by which we pledge to value human life and respect the dignity of each individual. Depending upon the circumstances, both federal and state laws provide for criminal sanctions and civil liability against uniformed members of the service, when force is deemed excessive, wrongful or improperly applied.

The primary duty of all members of the service is to preserve human life. Only that amount of force necessary to overcome resistance will be used to effect an arrest or take a mentally ill or emotionally disturbed person into custody. Deadly physical force will be used ONLY as a last resort and consistent with Department policy and the law.

At the scene of a police incident, many members of the service may be present and some members may not be directly involved in taking police actions. However, this does not relieve any member present of the obligation to ensure that the requirements of the law and Department regulations are complied with. Members of the service are required to maintain control or intervene if the use of force against a subject clearly becomes excessive. Failure to do so may result in both criminal and civil liability. EXCESSIVE FORCE WILL NOT BE TOLERATED.

All members of the service at the scene of a police incident must:

- a. Immediately establish firearms control
- b. Use minimum necessary force
- c. Employ non-lethal alternatives, as appropriate.

Members of the New York City Police Department will NOT use chokeholds. A chokehold shall include, but is not limited to, any pressure to the throat or windpipe, which may prevent or hinder breathing or reduce intake of air. Whenever it becomes necessary to take a violent or resisting subject into custody, responding officers should utilize appropriate tactics in a coordinated effort to overcome resistance (for example see [P.G. 216-05](#), "Aided Cases-Mentally Ill or Emotionally Disturbed Persons"). The patrol supervisor, if present, should direct and control all activity. Whenever possible, members should make every effort to avoid tactics, such as sitting or standing on a subject's chest, which may result in chest compression, thereby reducing the subject's ability to breathe.

Persons taken into custody (i.e., arrest, mentally ill, emotionally disturbed, etc.) shall be rear cuffed at the earliest opportunity to reduce the potential for resistance, which may cause injuries. In addition, alternate restraining devices (Velcro straps, mesh restraining blankets, etc.) shall be used, at the earliest opportunity, to restrain or further restrain a subject whose actions or behavior may cause injury to himself/herself or others.

After an individual has been controlled and placed under custodial restraint using handcuffs and other authorized methods, the person should be positioned so as to promote free breathing. The subject should not be maintained or transported in a face down position.

The member assuming custody of the subject should closely observe him or her for any apparent injuries. If the area is dark, a flashlight or other source of illumination should be used to maintain a clear view of the subject at all times.

If a person appears to be having difficulty breathing or is otherwise demonstrating life-threatening symptoms, medical assistance will be requested immediately. The patrol supervisor will direct that alternate means to maintain custody be utilized, if appropriate.

The use of restraints to "hog-tie" (restraining person by connecting or tying rear cuffed hands to cuffed or shackled ankles or legs) subjects and the transportation of subjects in a face down position within any vehicle are prohibited.