



Frederick Community College Procedure

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Use of Force	Policy Number	6.33
	Assigned to	Affinity Groups
	Approved	06/11/14

A. Purpose

The purpose of this Policy is to provide Frederick Community College (FCC) security officers with guidelines on the appropriate use of force in the performance of the duties.

B. Definitions

1. **Appropriate Force:** The amount of force which a reasonable, trained security officer would apply in order to obtain the compliance of a resisting individual. Appropriate force must be proportional with the actual or imminent threat posed.
2. **Constructive Force:** Includes a security officer's presence, verbal commands and directives.
3. **Deadly Force:** Physical force which has a substantial risk that it will result in death or serious physical injury.
4. **Empty-Hand Control:** Any weaponless control or technique performed with empty or open hands, such as control holds or the intentional moving (pushing) of an uncooperative person, as well as, instinctive weaponless control techniques used to gain control of a resistant individual. Empty-Hand Control does not include any strikes or active use of personal weapons (feet, fists, elbows, knees, etc.) or the mere application of handcuffs.
5. **Excessive Force:** Physical force that is disproportionate to the actual or potential threat posed by an individual. Excessive force exceeds the amount of force that a reasonable and prudent, trained security officer would employ under similar circumstances.
6. **Force:** The amount of effort used by a security officer to gain a resisting individual's compliance. This definition includes physical force and constructive force.
7. **Imminent:** Likely to happen without delay or immediately impending.
8. **Light-Handed Control:** Any minimal physical hand contact used by a security officer to guide, direct, or steer an individual in a given direction.

9. Non-Deadly Force: Physical force which by its application is not intended to cause and/or has a low probability of causing death or serious physical injury.
10. Physical Force: Includes Light-Handed Controls and Empty-Handed Controls.
11. Reasonable Belief: Is that which would cause an ordinary and prudent person to act or think in a similar way. The reasonableness of a decision to use force, however, must be viewed from the perspective of the security officer on the scene, who may often be forced to make split-second decisions in circumstances that are tense, unpredictable, and rapidly evolving.
12. Serious Physical Injury: An injury that causes major disfigurement, severe tissue damage, broken bones, damage to internal organs, or permanent paralysis.

C. General

1. Use of Force Continuum
 - a. When the application of force is necessary, security officers shall, to the extent possible, utilize an escalating scale of options. The security officer shall not employ a more forceful measure unless it is determined that a lower level of force would not be adequate, or unless such level is attempted and actually found to be inadequate.
 - b. The use of force continuum of options, in order of increasing severity is set forth below:
 - (1) Presence
 - (2) Verbal Commands and Directives
 - (3) Compliance-no use of physical force necessary
 - (4) Non-compliance-assess action and necessity
 - (5) Light-Handed Control
 - (6) OC Spray
 - (7) Empty-Hand Controls
 - (8) Baton
 - c. Security officers shall de-escalate force immediately when it is apparent that a lesser level of force has become appropriate. A security officer need not attempt to gain control over an individual through the use of the lowest level of force on the continuum when circumstances dictate and the security officer has reasonable belief

that a higher level of force is necessary. Likewise the skipping of steps may be appropriate given the level of resistance encountered. The continuum should be viewed as a wheel and not a ladder or steps. A security officer may immediately employ any level of force on the continuum provided that the level of force selected is reasonable and justified at the time employed.

2. Authorization to Use Force

FCC security officers are authorized to use force, in accordance with the requirements of this procedure, which is reasonable and necessary to accomplish the following lawful objectives.

- a. When a security officer reasonably believes the use of force is necessary to prevent serious injury to an individual, the officer, or others, including the use of physical force to defend against the physical attack of another or to defend a third party from the physical attack of another.
- b. To detain an individual when a serious crime has been committed and the security officer has a reasonable belief that the person being detained committed the crime. Security officers may detain such an individual long enough for local law enforcement authorities to arrive and take custody of the individual. Security officers are further authorized to use physical force to assist law enforcement authorities, when necessary, in securing and maintaining control of an arrestee once police have taken control of the situation.
- c. A supervisor shall respond to the scene of all incidents where the use of force by a security officer has been reported.

3. Determining the Appropriate Level of Force

FCC security officers when assessing whether force should be employed and the appropriate level of force to employ shall consider all relevant information, including, but not limited to, the following:

- a. The nature, extent, and imminence of the threat or perceived threat to the security officer and/or a third parties presented by the individual(s);
- b. The severity of the crime or incident;
- c. The threat level posed or perceived to be posed by the individuals(s);
- d. The availability of, and benefit of, other options or tactics which do not involve the use of physical force;
- e. The skill level of the particular security officer in various tactics and techniques;
- f. The threat posed to innocent third party(s).

4. Inappropriate Uses of Force

FCC security officers using physical force in the performance of their duties must do so in accordance with the requirements of this procedure. FCC security officers are only authorized to use physical force in support of the lawful objectives described above in subpart 2. In accordance with the provisions above, FCC security officers shall use the minimum amount and level of force necessary to accomplish their lawful objectives. Each use of physical force by a FCC security officer shall be evaluated by FCC's administration to determine whether appropriate force was employed in accordance with the requirements of this procedure. Should it be determined that an FCC security officer employed excessive force, the security officer will be subject to disciplinary action up to and including termination of employment.

5. Prohibited Uses of Force

FCC security officers, notwithstanding any provision of this procedure to the contrary, shall not knowingly or intentionally use deadly force in the performance of their duties. Absent the reasonable apprehension of an imminent threat of death or serious physical injury, FCC security officers, when employing physical force in accordance with this policy, shall not intentionally give direct blows to the head or other vital areas of the body. FCC security officers shall not employ chokeholds that restrict an individual's ability to breath or the flow of blood to the brain.

6. Wearing, Carrying, Possession, or Use of Weapons

Security personnel who have received College approved training and endorsement by the College to employ College supplies and authorized weapons. These weapons or tools are explicitly limited to: handcuffs, baton, and Oleoresin capsicum (OC) spray.

D. Report Requirements

All incidents involving the employment of physical force by a FCC security officer shall be thoroughly examined to determine whether the use of force was authorized and justified under the circumstances.

See Administrative Report Guidelines in this procedure.

E. Responsibilities

1. Security Officer Responsibilities

- a. FCC security officers will immediately report and provide written documentation of any incident involving the use of physical force to supervisors and Chief of Security. A Use of Force Report documenting any incident involving the use of force shall be completed and submitted prior to the conclusion of a security officer's shift in which the use of force occurred. A Use of Force Report shall

be separate from the standard incident report produced in reference to an incident. A Use of Force Report shall specifically address the circumstances which led the security officer employing physical force to conclude an imminent threat existed which required the use of physical force, a description of the physical force employed, and a description of any injuries sustained by the security officer, third parties, or the individual(s) against whom physical force was employed.

- b. If the use of physical force results in injury, the security officer shall, if appropriate:
 - (1) Render first aid to the injured;
 - (2) Alert dispatch to the situation and request medical assistance and additional personnel as necessary;
 - (3) Request that local law enforcement authorities respond to the scene of the incident;
 - (4) Secure and protect the scene of the incident, including but not limited to, preserving all physical evidence;
 - (5) Identify witnesses and obtain written statements; and
 - (6) Remain on the scene until supervisory personnel arrive, unless there are hazardous conditions, which require evacuation of the immediate area.

2. Supervisor Responsibilities

- a. An FCC Campus Security Supervisor shall immediately respond to the scene of any incident where a FCC security officer has employed the use of physical force. The responding FCC Campus Security Supervisor shall:
 - (1) Ensure the welfare of the security officers involved in the incident;
 - (2) Ensure that anyone injured in the incident receives immediate medical treatment;
 - (3) Interview all parties involved in the incident;
 - (4) Interview all witnesses;
 - (5) Coordinate with any local law enforcement officers responding to the scene;
 - (6) Complete an initial review of the incident to determine whether physical force was employed in compliance with this

procedure and make recommendations to the Chief of Security;

- (7) Notify the Executive Director of Risk Management and Public Services. In the absence of the Executive Director of Risk Management and Public Services, the responding supervisor shall notify the Assistant Director of Risk Management and Public Services and the Vice President for Administration.
- (8) An on-duty supervisor must respond to the scene and take digital photographs of all parties involved in the Use of Force incident at the time the incident occurs.

F. Guidelines for Administrative Reports

1. Use of Force Reports shall include, but not be limited to, the following principles:
 - a. Report the facts accurately; guesses, theories, and editorial comments have no place in Use of Force Reports.
 - b. Use of Force Reports shall not be written solely to supply justification for the physical force employed in an incident. A fair, accurate, impartial reporting of the facts will determine if the force employed in a given incident was justified and complied with the requirements of this procedure. A statement of the security officer's state of mind at the time physical force was employed is often useful and, to the extent known, should be included in a Use of Force Report.
 - c. Note any property which was damaged as a result of the incident.
 - d. Note any evidence recovered at the scene of incident.
 - e. Note any witnesses interviewed.
 - f. Note any physical injuries sustained as a result of the incident and any resulting medical treatment.
 - g. If a drawing or diagram of the scene would be helpful in understanding what occurred, one should be attached to the Use of Force Report.
 - h. Attach any photographs relevant to the incident, including but not limited to, photographs of injured individuals, property damage, and the scene of the incident.
 - i. Note any involvement of local law enforcement authorities either during the incident or after the fact.
 - j. Explain why alternatives to the use of physical force were not used to resolve the incident.

- k. Explain why the level of physical force employed during the incident was appropriate.
- l. Include any statements obtained from other security officers who were present at the time of the incident.
- m. Describe, if any, previous incidents in which the security officer has employed physical force in the performance of his or her duties.

G. Certification of Review and Understanding

All FCC Campus Security Officers shall within thirty (30) days of the effective of this procedure be supplied with a copy of this procedure and certify in writing that they have reviewed and understand its requirements. Thereafter each FCC Campus Security Officer shall be required to certify in writing that they have reviewed and understand this procedure on annual basis. A copy of each security officer's initial and annual certifications of review and understanding of this procedure shall be maintained in each security officer's respective personnel file.