



## **NO. 3065      USE OF FORCE**

### **1.0      PURPOSE**

- 1.1      The purpose of this procedure is to provide security officers (employees and contract services) with guidelines on the use of deadly and non-deadly force.

### **2.0      PROCEDURE**

- 2.1      In vesting security protection personnel with the lawful authority to use force to protect the public welfare, a careful balancing of all human interests is required. It must be stressed that the decision to use force is not a subjective determination left solely to the discretion of the involved officer. Rather, the use of force must be objectively reasonable. The officer must only use that force which a reasonably prudent officer would use under the same or similar circumstances.
- 2.2      State law provides for situations within which security and law enforcement personnel may use force in the performance of their legal duties. State law does not eliminate the civil consequences from the use of excessive force. Personnel employed as Campus Armed Security Officers, contract security officers assigned to OKCCC, and /or any OK State C.L.E.E.T. certified police officer are authorized to carry a C.L.E.E.T. approved sidearm and ammunition.

### **3.0      III. DEFINITIONS**

- 3.1      Force: For the purpose of reporting requirements, force is defined as the use of physical take-downs, compliance techniques, any maximum restraint, handcuffing, or striking with a hand or foot if the subject upon whom force was applied complains of an injury or if an injury is visible. The discharge of a firearm, the use of any impact weapon, or chemical agent is considered force and is subject to reporting even if no complaint of injury or visible injury occurs.
- 3.2      Excessive force: Force that exceeds the degree permitted by law or guidelines of the college. The use of excessive force shall be presumed when an officer or contract officer continues to apply physical force to a person who has been rendered incapable of resisting arrest.
- 3.3      Deadly Force: Any force that may be reasonably expected to cause death or critical bodily injury to a person regardless of intent.
- 3.4      Non-deadly Force: Any use of force other than that which is considered deadly force.
- 3.5      Weapon: A weapon is any offensive or defensive instrument. Examples of weapons include but are not limited to firearms, impact weapons, knives, chemical agents, compliance holds, physical strength and skill, and vehicles or anything else that may be used as a weapon.
- 3.6      Objectively Reasonable: An objective analysis made by the officer(s) in light of known circumstances for determining the use of force and, if appropriate, the level of force. Officers shall evaluate each situation considering the following factors as

a minimum: the seriousness of the crime, the threat level posed by the subject, the degree of resistance encountered by the officer, and the danger to the community.

- 3.7 Probable Cause: Probable cause is a flexible common standard merely requiring facts available to an officer that would warrant a reasonable and prudent person to believe that a person is committing or has committed a crime or that some object is subject to search and/or seizure, more likely than not.

#### 4.0 IV. PROCEDURE

- 4.1 Deadly Force Officers are authorized to use deadly force against a person under the following circumstances only:

4.1.1 When the officer has probable cause to believe they or others are in danger of death or critical bodily injury, and the use of deadly force is objectively reasonable to protect themselves or others; or

4.1.2 When objectively reasonable to effect the arrest of or prevent the escape of a fleeing suspect whom the officer has probable cause to believe will pose a significant threat to human life should the escape occur, and

4.1.3 When, if feasible, a verbal warning has been given.

- 4.2 Use of Non-deadly Force In circumstances where deadly force is not justified, officers may use only that level of force that is objectively reasonable to:

4.2.1 To protect him or herself or another from physical harm.

4.2.2 To de-escalate a situation and bring it under control in a safe and effective manner;

4.2.3 To restrain or subdue a resistant individual;

4.2.4 To effect the arrest of or prevent the escape of an offender.

- 4.3 Using and Exhibiting firearms

4.3.1 General provisions for the discharge of a firearm:

4.3.1.1 Firearms may be used when it is permissible as deadly force.

4.3.1.2 Firearms may be used for purposes of firearms training, practice, qualification, ballistic examinations, or a marksmanship event/competition.

4.3.1.3 Firearms shall not be discharged when it appears likely that an innocent person may be injured.

4.3.1.4 Security personnel shall not fire warning shots.

4.3.1.5 Firearms may be used to destroy an animal that represents an immediate threat to public safety, the safety of the officer, or as a humanitarian measure in the case of a seriously injured animal. Except for exigent circumstances, supervisor approval is required before this action is taken. If time permits OKC Animal Control will be summoned to capture the animal.

4.3.1.6 Security personnel, who discharge a firearm for any purpose other than mentioned in Section A above, shall use their chain of command to notify the College President in writing of the circumstance regarding the incident.

4.3.2 Except for maintenance or during training, security officers shall not draw or exhibit their firearms unless circumstances create reasonable cause to believe it may be necessary to use the weapon in conformance with this procedure.

4.4 Reporting the Use of Force

- 4.4.1 Every security officer who uses force while actively engaged in providing service shall immediately notify his or her supervisor.
- 4.4.2 Use of force will be reported in writing as soon as practicable after the use of such force.
- 4.4.3 The report will be completed by the primary responding security officer involved in the use of force, unless circumstances make it impractical for the officer to do so. In that event a supervisor may direct another involved officer to complete the report, or the supervisor may complete it.
- 4.4.4 Any security officer who in pursuance of such duties, witnesses another officer using force in carrying out an arrest of any person, placing any person under detention, taking any person into custody, providing crowd or riot control, or providing any other security service permitted by law or college policies shall report such use of force to the on-duty supervisor without delay.
- 4.4.5 The on-duty Campus Security supervisor shall immediately respond to the location of the person upon whom force was used and assume command.
- 4.4.6 The on-duty supervisor will notify the Director of Safety and Security. If unable to contact the Director, the Vice President for Business and Finance will be contacted.
- 4.4.7 The Director of Safety and Security will perform a timely review and evaluation of each use of force to determine if force was used in accordance with College and State procedures. An after-action report will be submitted to the Vice President for Business & Finance.

Effective Date: May 12, 2003