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U.S.N.S.T.A. Response Continuum Manual

“Training ALL who serve our communities and our Nation while restoring trust between communities and law enforcement”



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For more than two decades, the United States National Standards of Training Association (U.S.N.S.T.A.) and its members have been safeguarding our citizens and all who serve in our communities and across the nation by establishing a standard of training that provides a common set of skills as well as a common language to communicate those skills within any use of force environment. The U.S.N.S.T.A and its members have come together to restore trust between law enforcement entities and citizens across our nation by revising inadequate or antiquated training and providing the most up-to-date, proven, innovative instruction that will establish the critical skills first responders need to protect themselves and the communities they serve.

Today, we have further expanded our focus on the tools available to enforcement personnel to communicate and deescalate enforcement situations. With valuable input from public policy makers, administrative staff, trainers, and the communities in which we serve, our expert focus is based on the minimum amount of force necessary to resolve conflict while ensuring the safety of our nation's citizens and first responders. Our subject matter experts and elite trainers offer a fresh perspective by incorporating a combination of cutting edge, cognitive communication techniques, and tactical training into the fundamentals of our communities' service providers.

Mission:

We consistently monitor the ever-evolving law enforcement environment to provide up to date, court defensible solutions, independent credentialing, standardized training and recognizable instructor certifications to our nation's first responders. We proactively respond to the needs of our first responders and their communities by adapting vital, innovative training requirements and standards that will ensure the positive implementation of effective, modern training solutions.

Vision:

To become the most respected provider of standardized training, certified training resources, program credentialing, and compliance strategies in the world. To continue to protect the lives of all citizens and maintain the essential trust between our communities and those who serve by establishing vanguard training requirements and capabilities. We maintain that the future of effective enforcement will require extensive training in the use of both mind and voice. As a result, the U.S.N.S.T.A is committed to providing training solutions that cover these obvious gaps that typical training programs in place today overlook.

This manual is designed to provide a foundation of policy and training for the use of force. Therefore, we have further expanded our focus not only on the physical aspects of use of force, but the tools available to officers and military professionals to deescalate situations. Our expert focus is based on the minimum amount of force necessary to preserve the safety of our nation's citizens, while maintaining the safety of first responders. The U.S.N.S.T.A does not condone any technique that causes airway obstruction, endangers someone in custody, or violates federal, state and local laws. Our focus remains on de-escalation, compliance of the subject, and encourages a team approach. Furthermore, our credentialing process is shaped to meet the needs of the Presidents June 16, 2020 Executive Order on Safe Policing for Safe Communities. As preserving life and liberty is our number one priority, we ensure that all instructors enforce the "all-involved" approach of immediately intervening anytime a first responder may violate policy. Finally, we ensure that all of our credentialing and training programs comply with accepted use of force policies and adhere to federal, state, and local laws.

**–Michael Jordan
Director, U.S.N.S.T.A.**



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Food for thought:

This actually happened to an Englishman in France, who was totally drunk. A French policeman stops the Englishman's car and asks if he has been drinking.

With great difficulty, the Englishman admits that he has been drinking all day, that his daughter got married that morning, and that he drank champagne and a few bottles of wine at the reception, and many single malt scotches thereafter.



Quite upset, the policeman proceeds to alcohol-test (breath test) the Englishman and verifies that he is indeed completely hammered.

He asks the Englishman if he knows why, under French Law, he is going to be arrested.

The Englishman answers with a bit of humor, "No sir, I do not! But while we're asking questions, do you realize that this is a British car and my wife is driving...on the other side?"

--The Moral of the Story is to Understand the Situation Before You Act



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Part 1 – Use of Force Defined

1a. Force Definition

Force is defined as the following:

- 1a.1. Strength or energy as an attribute of physical action or movement.
- 1a.2. Coercion or compulsion, especially with the use or threat of violence.

1b. Importance

1b.1. Police officers, corrections officers and military law enforcement/security personnel are placed in a position of authority to maintain peace and order. Therefore, it is imperative that they are fully trained and qualified to exercise force options to neutralize threats, but more importantly, to de-escalate potentially dangerous situations.

1b.2. Police officers, corrections officers and military law enforcement/security personnel must be extremely conscious when dealing with any subject today, as their actions over the last few years have come under heavy scrutiny by the public as well as the Federal Government. A percentage of the excessive force allegations come to light when a person-civilian or military-that has the authority to arrest or control makes physical contact with a subject or subjects.

1b.3. "The Department of Justice has concluded that there is reasonable cause to believe that the police department engages in a pattern or practice of use of excessive force in violation of the Fourth Amendment to the Constitution."

1b.4. You must never employ unnecessary force or use violent acts against another. You should only use the least amount of force required by a situation. Officers must learn to use force only after negotiation and verbal persuasion have proved to be ineffective or inappropriate. Although the use of force is, at times, unavoidable, you are responsible for refraining from inflicting unnecessary pain, suffering or injury. An officer must never engage in cruel, degrading, or inhumane treatment of any person. *** Always use the least amount of force necessary to de-escalate the situation!!!

1c. Ultimate Goal

1c.1. The ultimate goal is always compliance. Therefore, using the reasonable amount of force necessary to gain compliance is critical. We want the subject to be calmed and compliant or in a form of restraint to discontinue any dangerous behaviors. What we do not want, is the subject losing their life if there is ANY way that can be avoided.

1c.2. Simply, we respond to the aggression, resistance or increased resistance of the subject. We should be articulating our actions as always attempting to de-escalate the environment, both verbally and physically, whether empty hand, using less lethal defensive tools or deadly force. Officers are ***always attempting to de-escalate the environment.***

1c.3. The officer is defined as that person utilizing force. Therefore, the officer is mandated as always trying to de-escalate the subject and the environment. This is crucial to the safety of everyone.



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Part 2 – Legal Considerations

2a. Civilian Law Enforcement interactions are governed by the 4th Amendment. Which is, the right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no Warrants shall issue, but upon probable cause, supported by Oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized.

2a.1. Interactions and seizure of individuals: The Supreme Court has determined three categories of police-citizen interaction:

2a.1.a. Consensual Encounter: A consensual encounter with a police officer occurs when an officer walks up to an individual and starts a conversation, but there are no police commands, force, or lights and sirens. While the officer may ask the individual questions during a consensual encounter, the individual still has the right to walk away, and refuse to identify their self or not respond to the questions. This is the most common form of police-citizen interaction and there is no suspicion or probable cause of criminal activity.

2a.1.b. Investigative Detention: An investigative detention is a temporary seizure of a suspect for the purpose of determining, (1) whether there is probable cause to arrest him, (2) whether further investigation is necessary, or (3) whether the officer's suspicions were unfounded. The officer must be able to clearly articulate the detention through supported facts and circumstances of criminal activity, based on the officer's experience and training.

2a.1.c. Arrest/Apprehension: Arrest means to stop the motion of a person, while apprehension is the legal process of taking or seizing a person. This seizure is based upon probable cause of a crime.

2a.2. Seizure considerations: A seizure of an individual is a balance between the rights of the individual and the interests of the government. The United States Supreme Court's statement on the balance is:

2a.2.a. The Supreme Court held that determining the "reasonableness" of a seizure "requires a careful balancing of the nature and quality of the intrusion on the individual's Fourth Amendment interests against the countervailing governmental interests at stake." It acknowledged, "Our Fourth Amendment jurisprudence has long recognized that the right to make an arrest or investigatory stop necessarily carries with it the right to use some degree of physical coercion or threat thereof to effect it." However, it then noted, "Because the test of reasonableness under the Fourth Amendment is not capable of precise definition or mechanical application, "the test's "proper application requires careful attention to the facts and circumstances of each particular case."

2a.2.b. A warrantless seizure of an individual is an exception to the 4th Amendment. Law Enforcement officers must understand and articulate the citizen-officer interaction they are involved with along with Federal, State and local laws concerning seizure. A seizure of an individual is not always achieved voluntarily. There are times where Law Enforcement must use force to gain subject compliance. This seizure by force must be **reasonable** under the requirements of the 4th Amendment.

2a.3. Case law that defines and establishes the 4th amendment reasonableness requirement comes from

2a.3.a. U.S. Supreme Court Tennessee v. Garner, 471 U.S. 1 (1985): The apprehension by the use of deadly force is a seizure and is subject to the Fourth Amendment's reasonableness requirement.



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To determine whether such a seizure is reasonable, the extent of the intrusion on the suspect's rights under that Amendment must be balanced against the governmental interests in effective law enforcement. This balancing process demonstrates that, notwithstanding probable cause to seize a suspect, an officer may not always do so by killing him. The use of deadly force to prevent the escape of all felony suspects, whatever the circumstances, is constitutionally unreasonable. The Supreme Court held that, under the 4th Amendment, when a law enforcement officer is pursuing a fleeing suspect, the officer may not use deadly force to prevent escape unless "the officer has probable cause to believe that the suspect poses a significant threat of death or serious physical injury to the officer or others."

2a.3.b. U.S. Supreme Court *Graham V. Connor* 490 U.S. 386 (1989) The Court determined that an objective reasonableness standard should apply to a civilian's claim that law enforcement officials used excessive force in the course of making an arrest, investigatory stop, or other "seizure" of his person.

2a.3.b.1. The Supreme Court held: The question is whether the officers' actions are 'objectively reasonable' in light of the facts and circumstances confronting them, without regard to their underlying intent or motivation." "The reasonableness of a particular use of force must be judged from the perspective of a reasonable officer on the scene, rather than with the 20/20 vision of hindsight. The calculus of reasonableness must embody allowance for the fact that police officers are often forced to make split-second judgments—in circumstances that are tense, uncertain and rapidly evolving—about the amount of force that is necessary in a particular situation. The test of reasonableness is not capable of precise definition or mechanical application."

2a.3.b.2. The Court then outlined a non-exhaustive list of factors for determining when an officer's use of force is objectively reasonable:

2a.3.b.2.a. "the severity of the crime at issue,"

2a.3.b.2.b. "whether the suspect poses an immediate threat to the safety of the officers or others,"

2a.3.b.2.c. "whether he is actively resisting arrest or attempting to evade arrest by flight."

2a.4. State Law Considerations

2a.4.a. All states in the country have some form of laws of arrest.

2a.4.b. Officers must be aware of the laws within their state of when they can and cannot make a physical arrest/apprehension.

2a.4.c. These laws are known as "Law of Arrest" and can be found on the applicable states .gov website.

2b. Civilian corrections interactions are governed by the 8th Amendment, which is the prohibition of cruel and unusual punishment for imprisoned or confined personnel.

2b.1. The Constitution "does not mandate comfortable prisons," but neither does it permit inhumane ones.¹ In its prohibition of "cruel and unusual punishments," the Eighth Amendment to the United States Constitution imposes duties on prison officials who must ensure that people in prison receive "adequate food, clothing, shelter, and medical care" and must take reasonable measures to guarantee prisoners' safety. The use of excessive physical force against a prisoner may constitute cruel and unusual punishment.



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2b.2. The Force Used Must Be “De Minimis”: The United States Supreme Court has held that not “every malevolent touch by a prison guard gives rise to a federal cause of action.” A de minimis use of force does not violate the Eighth Amendment. In other words, “[a]n inmate who complains of a ‘push or shove’ that causes no discernible injury almost certainly fails to state a valid excessive force claim.”

2b.3. Corrections officers are sworn to:

2b.3.a. Enforce rules and keep order within jails or prisons.

2b.3.b. Supervise the activities of inmates

2b.3.c. Inspect facilities to ensure they meet security and safety standards

2b.3.d. Search inmates for contraband items

2b.3.e. Report on inmate conduct

2b.3.f. Escort and transport inmates

2b.4. Therefore, civilian corrections officers must ensure the safety and security of all inmates.

2c. Military law enforcement/security operations interactions are governed by Article 7 of the Uniformed Code of Military Justice. (UCMJ) The elements consist of: Apprehension is the taking of a person into custody. Any person authorized under regulations governing the armed forces to apprehend persons subject to this chapter or to trial thereunder may do so upon reasonable belief that an offense has been committed and that the person apprehended committed it. Commissioned officers, warrant officers, petty officers, and noncommissioned officers have authority to quell quarrels, frays, and disorders among persons subject to this chapter and to apprehend persons subject to this chapter who take part therein.

2c.1. DoD Directive 5210.56, *Arming and the Use of Force*:

2c.1.a. Provides requirements, authorizations, and restrictions on carrying firearms and the use of force to protect DoD installations, property, and personnel, and to enforce law and order in accordance with DoD Instruction (DoDI) 5200.08 and DoD 5200.08-R.

2c.1.b. Implements Section 2672 of Title 10, U.S.C., Section 926A of Title 18, U.S.C., and Section 526 of Public Law 114-92 (“the National Defense Authorization Act for Fiscal Year 2016”), and authorizes DoD Components to arm DoD personnel qualified under Sections 926B and 926C of Title 18, U.S.C., when related to the performance of official duties.

2c.1.c. Establishes: Force may be used when there is probable cause to believe it is reasonable to accomplish the lawful performance of assigned duties. The amount of force used must be reasonable when assessed under the totality of the circumstances leading to the need for force.

2c.2. DoD Instruction 5200.08, Security of DoD Installations and Resources and the DoD Physical Security Review Board (PSRB) states that is DoD policy that:

2c.2.a. DoD installations, property, and personnel shall be protected and that applicable laws and regulations shall be enforced.

2c.2.b. The authority of a DoD commander to take reasonably necessary and lawful measures to maintain law and order and to protect installation personnel and property:



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2c.2.b.1. Extends to temporarily established “National Defense Areas,” in emergency situations, such as accident sites involving Federal equipment or personnel on official business.

2c.2.b.2. Includes the removal from, or the denial of access to, an installation or site of individuals who threaten the orderly administration of the installation or site.

2c.2.b.3. Shall not be exercised in an arbitrary, unpredictable, or discriminatory manner. Removal or denial actions must be based on reasonable grounds and be judiciously applied.

2c.2.b.4. Permits prohibiting individuals from reentering an installation after they have been removed and ordered not to reenter under section 1382 of title 18, United States Code (reference (g)). If this order is violated, the commander of a DoD installation may detain individuals not subject to military law until the civil authorities may respond. Offenders may be appropriately prosecuted in accordance with the law.

2c.3. Less than deadly force: Force may be used when there is probable cause to believe it is reasonable to accomplish the lawful performance of assigned duties. The amount of force used must be reasonable when assessed under the totality of the circumstances leading to the need for force.

2c.3.a. DoD Directive 3000.03E establishes policy for the development and employment of NLWs. For the purpose of this issuance, and in the context of the use of force, the term “less than deadly force” is used as there is no guarantee that NLWs will not cause severe injury or death.

2c.3.b. Any use of force can have unforeseeable and unintended consequences, and in rare circumstances less than deadly force can cause or contribute to severe injury or death. DoD personnel using less than deadly force, including NLWs, will provide or coordinate for prompt and appropriate medical attention to the party on which the force is used should a medical need arise (e.g., asthmatic reaction to pepper spray).

2c.3.c. Less than deadly force may be used when reasonable:

2c.3.c.1. To defend oneself from actual or imminent threat of physical injury or death.

2c.3.c.2. To defend other persons from actual or imminent threat of physical injury or death.

2c.3.c.3. To overcome the active or passive resistance offered to a lawful detention, arrest, or apprehension or to accomplish the lawful performance of assigned duties.

2c.3.c.4. To prevent the escape of a prisoner.

2c.3.c.5. To prevent the destruction of DoD property.

2c.3.c.6. To control or restrain animals presenting an ongoing or imminent threat of bodily harm against oneself or others.



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Part 3 – Response Continuum

3a. Explanation:

3a.1. Officers must understand the subject and environment, so it is imperative they understand the following:

3a.1.a. Understand the level(s) of the subject's resistance

3a.1.b. Understand possible appropriate officer response options to the level of the subject's resistance and actions.

3a.1.c. Articulate the subject's actions/level of resistance and their level response utilized to gain compliance.

3a.1.d. Understand that the response continuum model is not intended to take the place of an officer's articulation of force options regarding the required articulation of Objective Reasonableness set forth by *Graham v. Connor*.

3a.1.e. Understand that the list of officer response options are not intended to be in any specific order, but reflects on the amount of resistance encountered. Officer response must always be at the appropriate level set forth by the Objective Reasonableness standard.

3a.2. Civilian Corrections considerations are deliberate, therefore force utilization falls into the following circumstances.

3a.2.a. Justifiable self-defense

3a.2.b. Protection of others

3a.2.c. Protection of property

3a.2.d. Prevention of escape

3a.2.e. Forced cell extraction

3a.2.f. Maintain or regaining control

3a.3. Critical factors of the response continuum

3a.3.a. The following factors and circumstances influence an officer's response options and should be clearly document in the report. Additionally, each factor must be clearly articulated by the officer.

3a.3.a.1. Subject's and/or Officer's Age

3a.3.a.2. Subject's and/or Officer's Gender

3a.3.a.3. Subject's and/or Officer's Size

3a.3.a.4. Subject's and/or Officer's Relative Strength

3a.3.a.5. Officer's Skill Level

3a.3.a.6. Presence of Multiple Subjects



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3a.3.a.7. Presence of Multiple Officers

3a.3.a.8. Special Circumstances

3a.3.a.8.a. Special Knowledge

3a.3.a.8.b. Injury or Exhaustion

3a.3.a.8.c. Distance of Subject

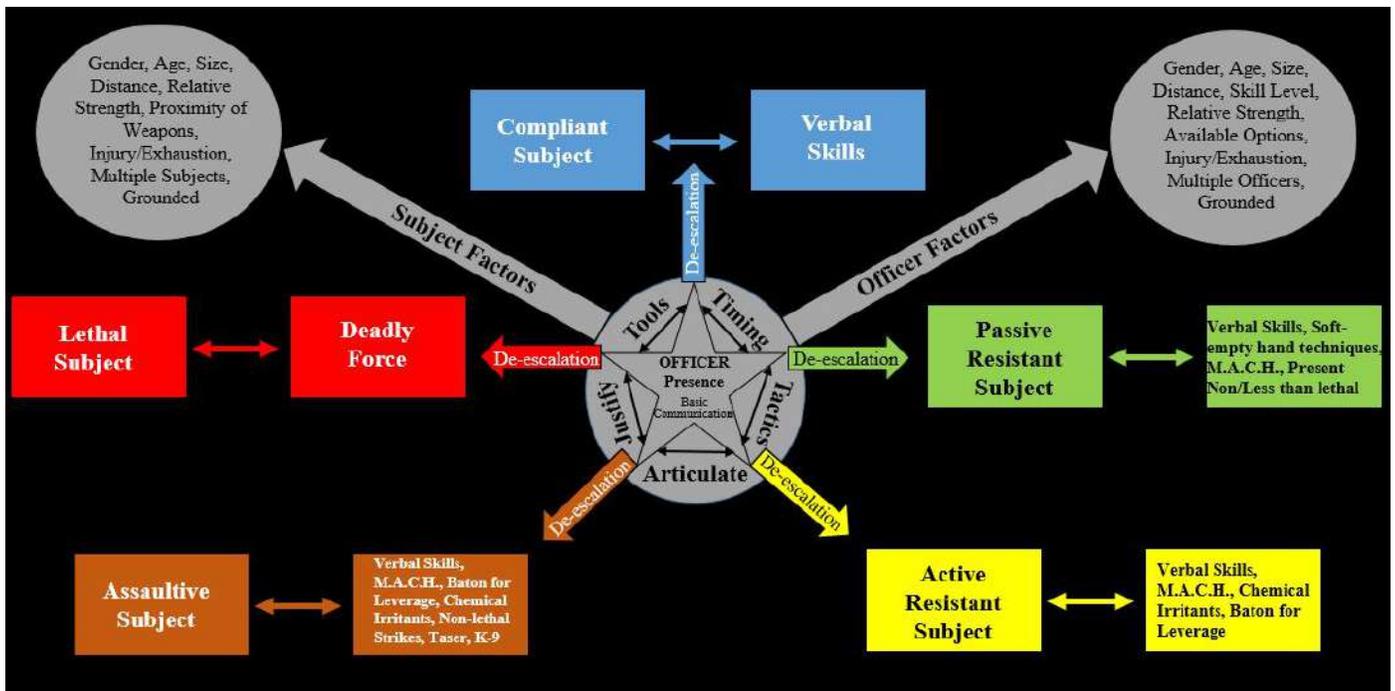
3a.3.a.8.d. Grounded Position

3a.3.a.8.e. Proximity of Weapon(s)

3a.3.a.8.f. Availability of Options

3b. Response Continuum

3b.1. The following model represents the response continuum of situations an officer may encounter. Additionally, the double-sided arrows reflect the fact that any situation has the potential to escalate or de-escalate, based on a subject's actions or intent. Moreover, the overarching Compliance category identifies that this is the desired effect and outcome. Furthermore, the five-point star refers to an officer responding to a subject's actions, aggression or escalating resistance and the fact that all measures are within his/her control. Attachments 1-5 of this manual are models from other departments for reference.



3c. Factors of the Response Continuum

3c.1. Officer Factors: Represents important considerations, which drive decisions/actions.

3c.2. Subject Factors: Represents important considerations, which drive decisions/actions.

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3c.2.a. Compliant: Subject does exhibit potential for altercation.

3c.2.b. Passive Resistant: Subject is initially non-compliant via body language, verbal indicators and exhibits the potential to escalate.

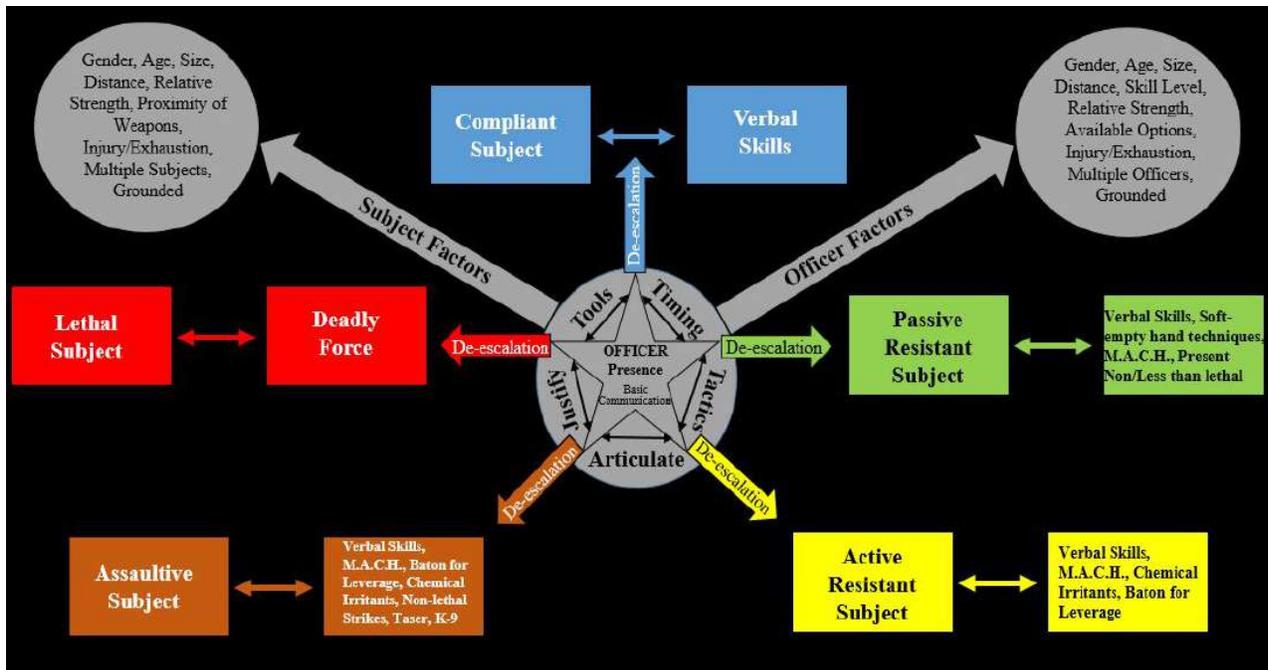
3c.2.c. Active Resistant: Subject exhibits clear physical resistance.

3c.2.d. Assaultive: Subject exhibits physical harm with non-lethal means.

3c.2.e. Lethal: Individual exhibits intent, opportunity and capability to inflict serious bodily harm or death.

3c.3. Your Center: Represents the officer and the importance of your Tools, Timing and Tactics based on the situation. *** In EVERY scenario, a de-escalation of the subject's actions is the intended goal***

3c.4. 90-95% of altercations are resolved at the Passive Resistant level. Therefore, a clear understanding of how to communicate is crucial. Refer to section 4a for this skillset known as Strategic Interview Techniques (SIT).





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Part 4 – Tools/Options/Methods

4a. Strategic Interview Techniques (SIT)

“THE DIFFERENCE BETWEEN THE RIGHT WORD AND THE ALMOST RIGHT WORD IS THE DIFFERENCE BETWEEN LIGHTNING AND A LIGHTNING BUG” ~ MARK TWAIN

4a.1. Definition: SIT is the art of persuasion for gaining compliance and/or information during encounters.

4a.2. Goals of SIT:

4a.2.a. Preserved Safety of Everyone

4a.2.b. Exhibit Professionalism

4a.2.c. Eliminate Citizen Complaints

4a.2.d. Gain Compliance and/or Vital Information

4a.3. People are different, so for SIT to be effective, you need to be familiar with the cultures you are working around and interacting with.

4a.3.a. There are three basic types of people no matter what culture, gender, age, nationality, or race. You must be skillful with all three.

4a.3.a.1. Compliant

4a.3.a.1.a. Will do what you tell them to do

4a.3.a.1.b. They have a hard time saying no

4a.3.a.1.c. Want to please and avoid escalation

4a.3.a.2. Non-Compliant

4a.3.a.2.a. Will not do exactly what you tell them the first time

4a.3.a.2.b. Love to ask “why” or “what for” 70% of the time

4a.3.a.2.c. Thrive on escalation

4a.3.a.3. Passive Resistant to Active Resistant

4a.3.a.3.a. In the middle, but can be swayed on way or the other.

4a.3.a.3.a. Sound like nice people sometimes, but are closest to difficult.

4a.4. Interrupt and still be respected using the sword of insertions, which is to interrupt without causing resistance.

4a.4.a. Gives you a chance to interject and empathize

4a.4.b. Interrupt: “Excuse me sir/ma’am, whoa, listen, or wait a second”

4a.4.c. Empathize: “Let me be sure I understand you”

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4a.4.d. Paraphrase: Why?

4a.5. Deflection: the action or process of deflecting.

4a.5.a. Do not let the subject trigger you, rather keep your ego in check.

4a.5.b. Use your words and their words to your advantage.

4a.5.c. Use deflection and redirection for the subject: “man throws rock at head...move your head”.

4a.5.d. Stay positive, own up to your errors, but remain on guard.

4a.6. Empathy: the ability to understand and share the feelings of another.

4a.6.a. Use empathy within reason.

4a.6.b. You do not have to sympathize to see their point of view.

4a.7. Communication:

4a.7.a. As perceived from the receiver’s point of view.

4a.7.b. 7-10% associates the message delivered

4a.7.c. +/- 90% associates with the delivery

4a.7.c.1. 33-40% accounts for your voice

4a.7.c.2. 50-60% accounts your non-verbal

4a.7.d. Elements of the voice are critical.

4a.7.d.1. Tone: Conveys your real attitude towards people

4a.7.d.2. Pace: The speed you speak at

4a.7.d.3. Pitch: How high or low and loud or soft

4a.7.d.4. Modulation: Rhythm and inflection

4a.8. Covert communication: when the voice must lie.

4a.8.a. Harmonize your role and voice

4a.8.b. Other non-verbal’s:

4a.8.b.1. Facial expressions

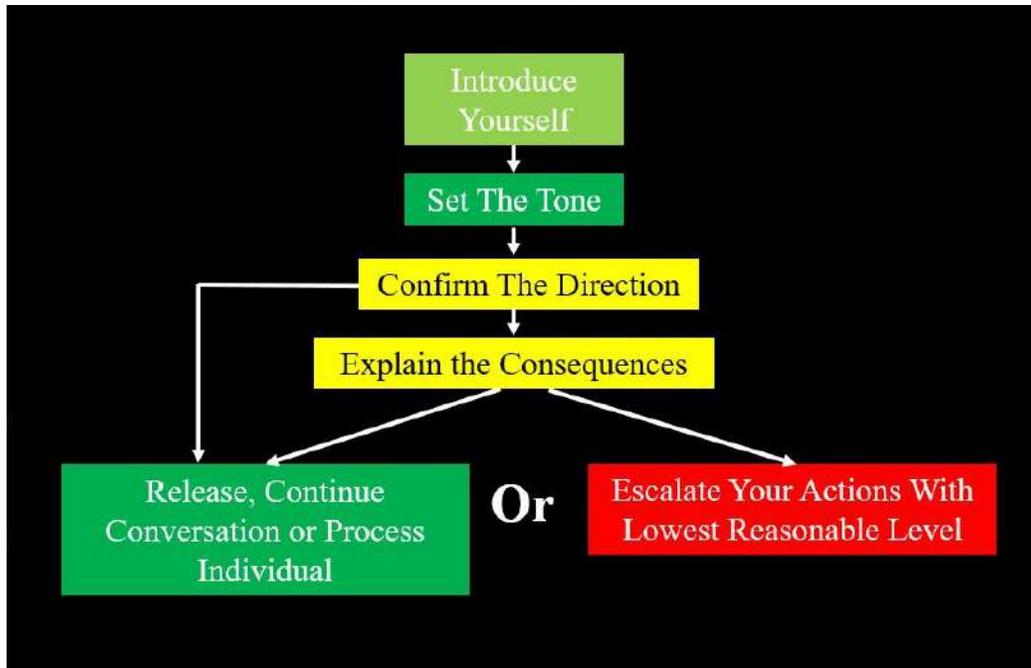
4a.8.b.2. Use of the hands

4a.8.b.3. Conducting yourself (weapon retention/interview stance)



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4a.9. The process of SIT:



4a.9.a. Step 1-Introduce yourself: be polite and professional

4a.9.b. Step 2-Set the tone: be mindful of the environment, your voice and non-verbals.

4a.9.c. Step 3-Confirm the direction: is the individual complying or escalating?

4a.9.d. Step 4-Explain the consequences: give them choices in the best interest of citizen and officer safety.

4a.9.e. Results = Compliance or Non-Compliance and your Reasonable Response.

4b. Mechanical Advantages Controls and Holds (M.A.C.H.)

4b.1. M.A.C.H. 1: Primarily used to determine which direction you will take the subject. Remember that this hold is considered a “Strength & Entry Level Hold” and is the starting point for all the Controlled F.O.R.C.E. ® holds. You should remember this because the hold requires more strength than skill to accomplish. It is recommended that once contact has been made with the opponent, you should move to a “Skill Level Hold” at the appropriate time. It is important to point out that the appropriate time is determined by the opponent and NOT by the officer.

4b.2. M.A.C.H. 2: Considered a “Strength & Entry Level Hold” and can also be used as a lead hold when the subject’s momentum is moving forward, or into the officer. This hold stays tight into the shoulder, guiding it into the direction of the opponent’s momentum. In this position you can re-direct the movement of your opponent, moving him or her in a forward direction.



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4b.3. M.A.C.H. 3: Moving into the “Skill Level,” this hold comes into play when the subject’s momentum is moving backwards. It is important that you maintain tight body positioning to avoid unintentional injury to the opponent and loss of your own balance while performing this hold. M.A.C.H. 3 is executed by controlling three areas on the resisting opponent: the shoulder, elbow, and wrist. In this position, you can direct the movement of your opponent by moving your own body around that of your opponent’s. However, during the opponent’s backward motion, it is important for you to realize the fact that your body positioning must stay tight into the opponent to avoid unintentional injury to your opponent and your own loss of balance.

4b.4. M.A.C.H. 4: This is also a “Skill Level Hold” that controls both the wrist and the area just above the elbow. This hold is often used to place the opponent into the prone position. It also enables the officer to revert back to M.A.C.H. 3 or to continue on to M.A.C.H. 5 if the opponent does not go into the prone position as desired. M.A.C.H. 4 is not an ending or final hold. In this position you can direct the momentum of your opponent (at a forty-five (45) degree angle) by using the arm as a fulcrum, slightly lifting the wrist while maintaining a hold on the area just above the elbow. Your opponent will move towards their front on an angle.

4b.5. M.A.C.H. 5: This final hold, which controls both the wrist and hand, is the maximum “Skill Level Hold.” The officer, while maintaining a strong grip, places both hands on the back of the opponent’s hand with the thumbs pointed in a V form. The object is to point the opponent’s thumb downward without twisting the wrist. Re-direction of the body and “dropping center” will place the opponent on his or her back. In this position you can direct your opponent’s momentum by simply using footwork and re-direction without twisting the wrist. This will direct your opponent to move towards their back.

4c. Less than/Non-lethal: You may only utilize the following options when trained and certified to do so.

4c.1. Riot or Expandable Baton – Leverage Tool/Non-Lethal Strikes

4c.2. Oleoresin Capsicum Spray (Pepper Spray) – Small/Large Canisters Chemical Irritants

4c.3. Taser - Electroschock Weapon

4c.4. Less than Lethal Rounds – Shotguns/M203 Grenade Launcher/FN 303/Rubber Ball Claymore Mines have the capability of individual contact and/or crowd dispersal



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Part 5 – Deadly Force

5a. Civilian Law Enforcement

5a.1. Used only as a last resort.

5a.2. Must meet the objective reasonableness standard.

5a.3. When all means have failed or serious bodily harm or death is imminent to the officer or others.

5a.4. To defend against an imminent threat of death or serious bodily injury to the Officer or to another person; or

5a.5. To apprehend a Fleeing person for any felony that threatened or resulted in death or serious bodily injury, if the officer reasonably believes that the person will cause death or serious bodily injury to another unless immediately apprehended.

5a.6. Departments will specify definitions of Imminence and Necessary pursuant to applicable penal codes and local laws.

5b. Civilian Corrections

5b.1. Deadly force may only be used to prevent serious life-threatening injury to a person or to prevent an escape when such response is specifically authorized by contract agreement.

5b.2. Deadly force may be used when necessary:

5b.2.a. To quell a rebellion

5b.2.b. To quell a riot or disturbance in which loss of life or serious life-threatening injury to any person or escape is imminent

5b.2.c. Where previous lesser means of major force have proved ineffective

5b.3. Authorization for the use of deadly force shall be made by the senior officer on duty at the facility, or higher authority.

5c. Military Law Enforcement/Security Operations

5c.1. Each member of the Department of Defense (DoD) will use deadly force in accordance with the 8 legal pre-conditions identified in DoD Directive 5210.56 (*Arming and Use of Force*):

5c.1.a. Inherent Right of Self Defense

5c.1.b. Defense of others

5c.1.c. Protect assets Vital to National Security

5c.1.d. Protect Inherently Dangerous Property

5c.1.e. Protection of National Critical Infrastructure

5c.1.f. Performing and Arrest or Apprehension, or Preventing Escape



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5c.1.f.1. The subject has committed an offense involving the infliction or threatened infliction of serious physical injury or death; and

5c.1.f.2. The escape of the subject would pose an imminent threat of death or serious bodily harm to DoD personnel or others in the vicinity.

5c.1.g. Defending against Animals

5c.2. Deadly force must meet the objective reasonableness standard and include the elements of intent, opportunity and capability.

5c.3. Ensure you follow the directives and instructions established by your specific service branch.

5c.4. Ensure you follow all rules of engagement established by applicable combatant commanders.

Part 6 – After Actions

6a. In Custody Management: Upon gaining compliance and securing with handcuffs or other restraints:

6a.1. You are ultimately responsible for the subject's safety and well-being.

6a.2. You must ensure the subject remains in a position that does not:

6a.2.a. Restrict breathing

6a.2.b. Seriously restricts circulation

6a.2.c. Further aggravates existing or creates injury

6a.2.d. Endangers the officer or others, especially during transport

6a.3. Transported subjects require safety restraints to prevent injuring during transport.

6a.3.a. Original seatbelts, if no prisoner cage is installed

6a.3.b. If prisoner cage is installed, then use the safety belt attached

6a.4. Handcuffs and restraints are restraining and leverage tools, but **not a tool for inflicting injury.**

6b. Civilian Law Enforcement

6b.1. First and foremost, render aid to the suspect and get medical assistance.

6b.2. A bodycam can be your best friend. Ensure it is charged and on anytime you come into contact with someone. This is your evidence for your actions.

6b.3. After utilizing force, take the first opportunity to complete a statement, or at least field notes for a recollection of the events that took place.

6b.4. Understanding of, and the ability to articulate policy is critical.

6b.5. Statements from those present is critical to assist in justifying your actions.



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6b.6. Ensure your statement and incident report clearly articulates the justification of your actions.

6c. Civilian Corrections

6c.1. All authorized use of force incidents will be videotaped, if there is a reasonable opportunity to planned strategy in dealing with disruptive or violent inmates/detainees.

6c.2. Videotaping will continue until the inmate/ detainee is returned to secure housing, and when all restraints have been removed.

6c.3. The video camera is one of the most important tools for a corrections officer.

6c.4. It is a record that is irrefutable evidence of the event if used correctly.

6c.5. Inmates/detainees know this and understand that they cannot change the story that a video camera shows:

6c.5.a. The video camera is one of the most important tools for a corrections officer.

6c.5.b. It is a record that is irrefutable evidence of the event if used correctly.

6c.5.c. Inmates/detainees know this and understand that they cannot change the story that a video camera shows.

6c.6. Immediately get the inmate medical assistance. If it is impractical to take an inmate/detainee to the unit infirmary, or if he refuses to go, then medical staff will go to where he is located and conduct a physical examination.

6c.7. Record the actions via reports and statements.

6c.7.a. Any employee who uses or observes the Use of Force must report the incident to his/her supervisor immediately.

6c.7.b. It is the security supervisor's responsibility to provide forms to all persons (employees and inmates/detainees) required to report a use of force.

6d. Military Law Enforcement/Security Operations

6d.1. If assets are involved, ensure security is maintained on those assets. *Nuclear asset security takes precedence over medical assistance*.

6d.2. Render aid or get medical assistance as the situation deems necessary.

6d.3. Like Civilian LE, and if available, a bodycam can be your best friend. Ensure it is charged and on anytime you come into contact with someone. This is your evidence of your actions.

6d.4. After utilizing force, take the first opportunity to complete a statement, or at least field notes for a recollection of the events that took place.

6d.5. Understanding of and the ability to articulate policy is critical.

6d.6. Statements from those present is critical to assist in defending your actions.

6d.7. Ensure your statement and incident report clearly articulates the justification of your actions.



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Attachment 1 – Federal Law Enforcement Training Center Use of Force Model



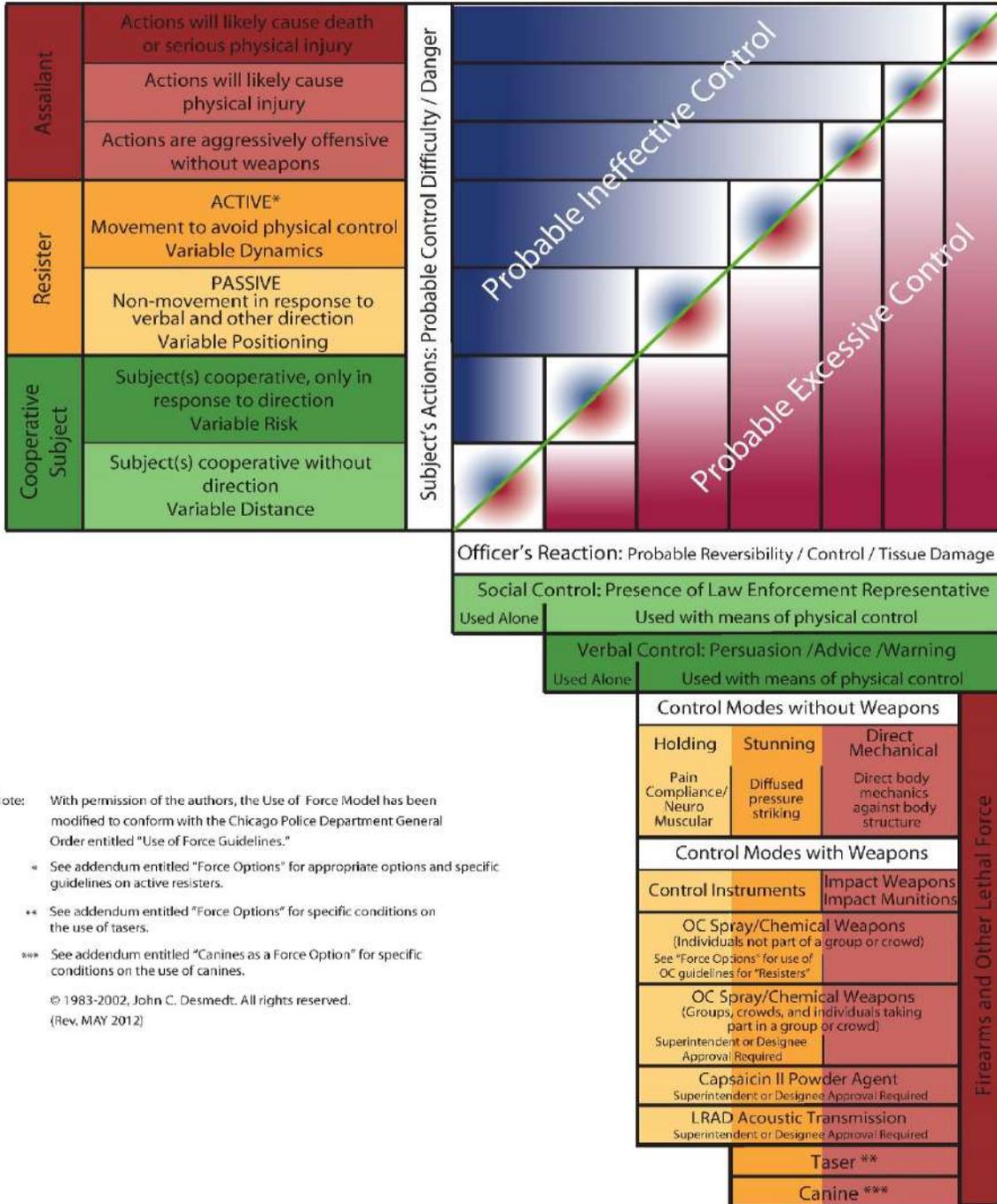


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Attachment 2 – Chicago Police Department Use of Force Model



USE OF FORCE MODEL CHICAGO POLICE DEPARTMENT



Note: With permission of the authors, the Use of Force Model has been modified to conform with the Chicago Police Department General Order entitled "Use of Force Guidelines."

- * See addendum entitled "Force Options" for appropriate options and specific guidelines on active resisters.
- ** See addendum entitled "Force Options" for specific conditions on the use of tasers.
- *** See addendum entitled "Canines as a Force Option" for specific conditions on the use of canines.

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Attachment 3 – Los Angeles Police Department Situational Use of Force Options

SITUATIONAL USE OF FORCE OPTIONS



VERBALIZATION SHOULD BE CONTINUED IN ORDER TO DE-ESCALATE A USE OF FORCE SITUATION.

POLICY FORCE MUST BE:
 A LAST RESORT
 REASONABLE
 KNOWN FACTS AT THE TIME

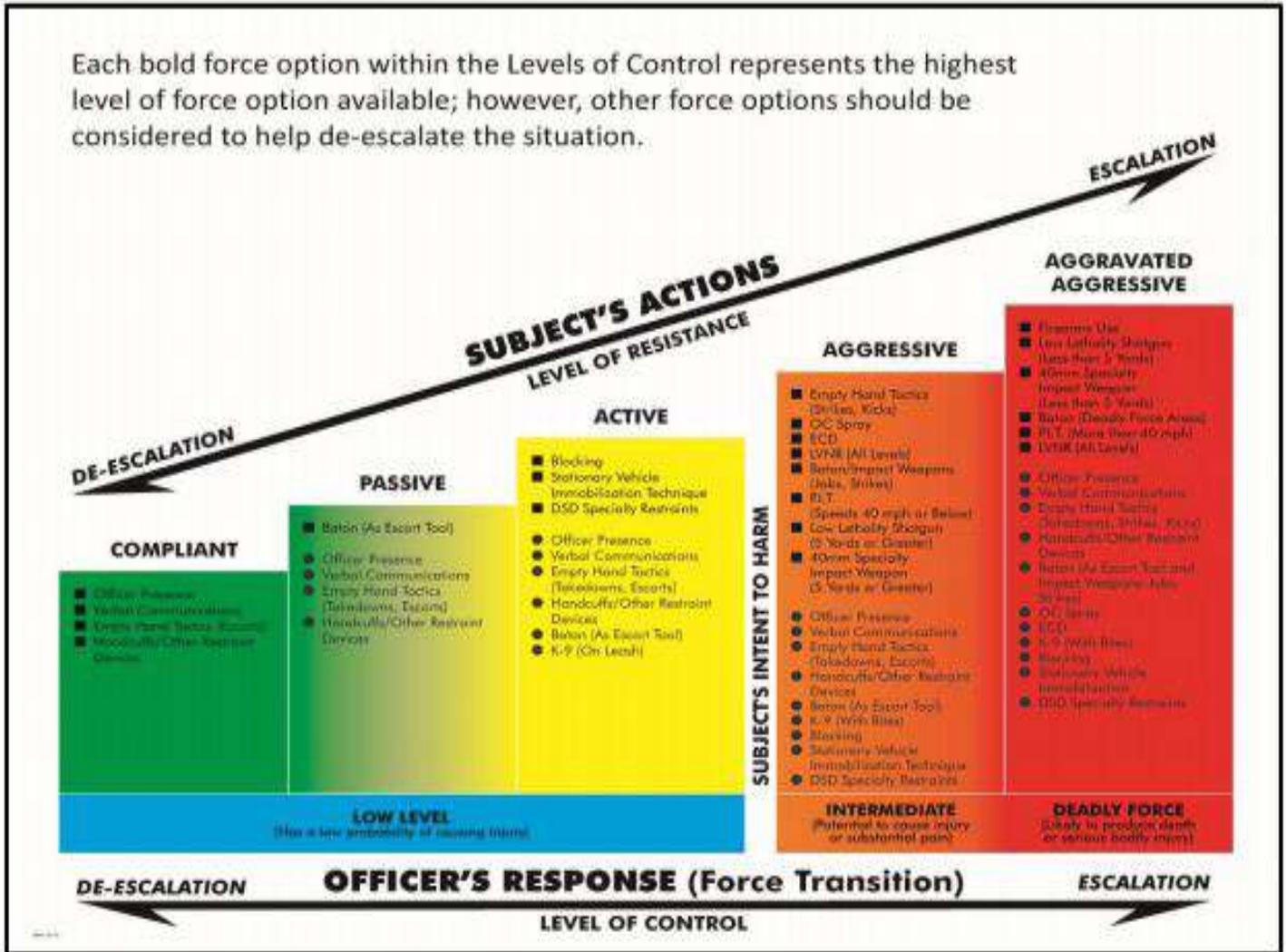
LAW 835(a)PC FORCE CAN ONLY BE USED TO:
 EFFECT AN ARREST
 PREVENT ESCAPE
 OVERCOME RESISTANCE

FIVE ELEMENTS OF TACTICS
 PLANNING
 COMMUNICATING
 OBSERVING
 APPROACHING
 FLEXIBILITY

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Attachment 4 – Las Vegas Metropolitan Police Department Use of Force Model

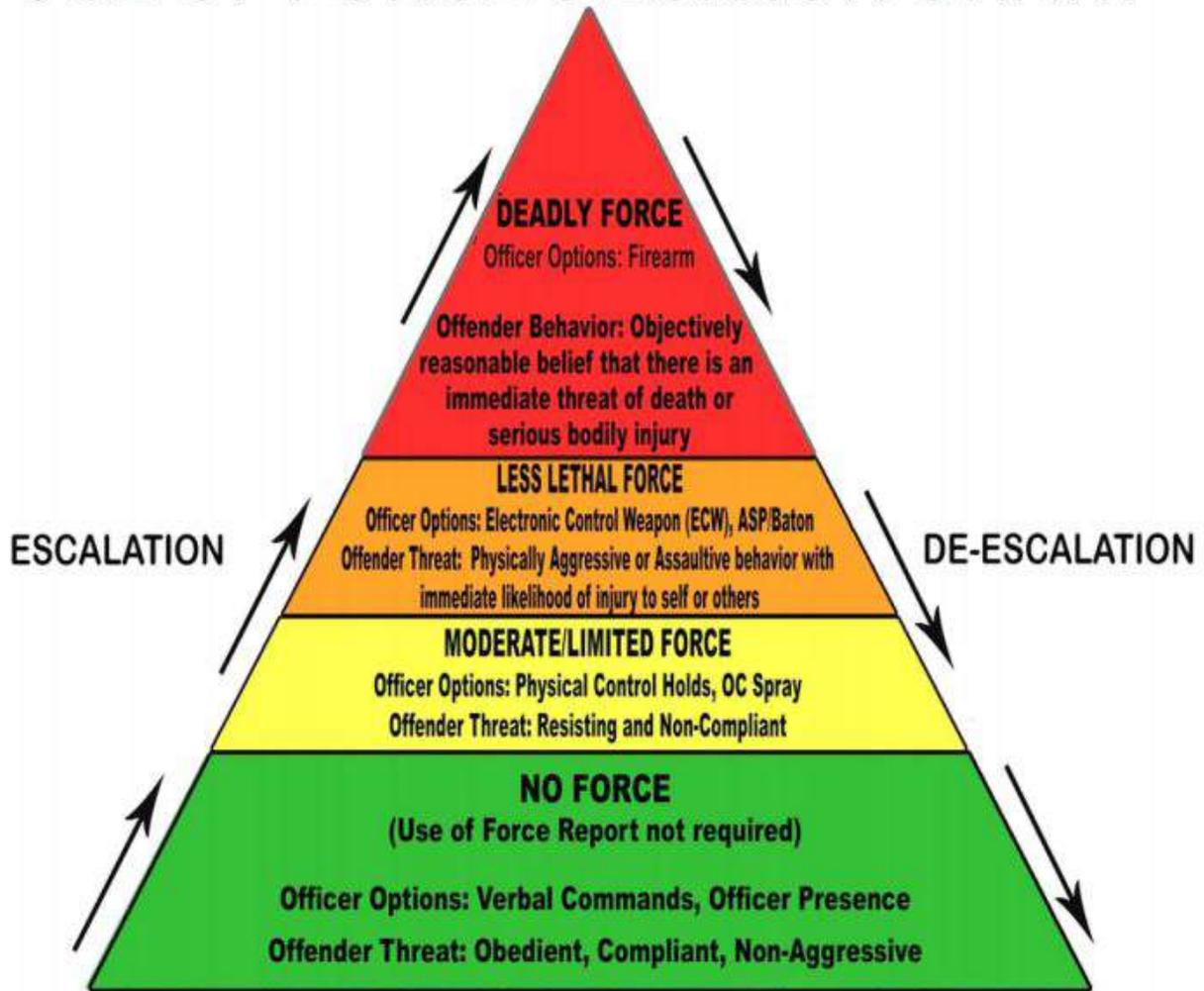
Each bold force option within the Levels of Control represents the highest level of force option available; however, other force options should be considered to help de-escalate the situation.



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Attachment 5 – Philadelphia Police Department Use of Force Decision Chart

USE OF FORCE DECISION CHART



Use the option that represents the minimal amount of force necessary to reduce the immediate threat.



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Attachment 6 –Response Considerations; Officer, Subject and Environmental Factors

OFFICER CONSIDERATIONS

Size Strength / overall fitness Skills Experience Age Gender
Sight, vision Stress symptoms Number of officers Availability of back up
Reasonable perception of subject’s ability and willingness to resist
Reasonable perception of imminent threat to public, self, or subject
Proximity to firearm Position, distance, reaction time Disengagement
Exhaustion, injury or disability

SUBJECT CONSIDERATIONS

Size Strength Skills (when demonstrated or known) Age Gender
Weapon(s) Multiple Assailants History of violence Drug-induced Goal-oriented
Mental state Language barrier Previous history, reputation

ENVIRONMENTAL CONSIDERATIONS

Friendly or hostile territory Availability of physical cover Proximity of back-up officers
One subject facing one officer One subject facing two or more officers
Multiple subjects facing one officer Multiple subjects facing multiple officers
Disengagement Terrain (footing, effectiveness of force options)
Weather (footing, rain, snow, wind, visibility, effectiveness of force options)
Lighting (visibility, daylight, darkness, effectiveness of force options)
Physical position (rooftop, roadside, stairwell, cell area)
Cover, concealment Other hazards