

Pending Administrative Review

Use of Force – GO 130-10

I. Policy

It is the policy of the New York State University Police Department at Purchase College that officers use only that level of force that is reasonable to control an incident, to affect an arrest, or to protect themselves or others from personal harm or death. The degree of force used by the officer should be within the limits established by Article 35 of the New York State Penal Law, and consistent with the training given by the New York State University Police at Purchase College. If circumstances dictate the officer may bypass lower levels of force and immediately respond with a higher level.

II. Definitions

1. **Non-Deadly Force:** The use of force which is applied to affect an arrest or protect the officer or others from attack, physical resistance, harm, or death but is not intended or expected to cause death.

III. Guidelines

1. This policy directs officers to:
 - a. Report to their immediate supervisor any use of force by an officer.
 - b. Complete a departmental Use of Force Report whenever force is used by an officer and witnessing officers.
 1. A Use of Force Report is to be completed whenever force is used by any officer(s). Witnessing officer(s) should also complete the Use of Force Report. A Use of Force Report can document uses of force by up to three police officers or against up to three subjects. Involvement of more officers or subjects requires additional forms.
 2. In any circumstance where a subject is placed in handcuffs by the use of force and subsequently not arrested, a Use of Force Report should be completed to document the incident.
 - c. The officer will forward a copy of the report prior to the end of shift to the supervisor for; review, comments, and recommendations.
 - d. After review for accuracy and completeness the shift lieutenant on duty at the time of the incident will record comments and recommendations prior to the end of shift and forward same to the Deputy Chief.
2. By law, an officer need not retreat in performance of their lawful duties but a tactical retreat in the face of overwhelming odds may be a prudent choice.

3. Only issued or approved equipment will be carried on duty and used when applying physical force, except in emergency situations when an officer must use any resources at his disposal. Officers shall use less-than-lethal substances and devices such as self- defense spray, pursuant to departmental policy and training. The use of an active countermeasure, the baton, or self- defense spray is considered a use of force.
4. Use of restraining devices is mandatory on all prisoners, unless in the officer's judgment, unusual circumstances exist which make the use of restraining devices impossible or unnecessary (e.g. prisoner is very elderly or handicapped, etc.) The mere placing of handcuffs on a prisoner will not be construed to be a use of physical force. When the handcuffs become an appliance to exert force necessary to further subdue a prisoner or where the suspect physically resists the application of handcuffs, a use of physical force has occurred.
5. After physical force is used, an officer shall immediately evaluate the need for medical attention or treatment for that person upon whom the physical force was used and arrange for such treatment when: that person has a visible injury, complains of injury or discomfort, or requests medical attention.