

# Columbia Police Department's Detailed Response to "8 Can't Wait"



## 1. BAN CHOKEHOLDS AND STRANGLEHOLDS

### Use of Force Policy, Section 5.1

The department's updated policy went into effect on June 16, 2020. Although chokeholds and strangleholds were not previously permitted, the Use of Force policy was updated to expressly prohibit their use.

The department prohibits the use of chokeholds and strangleholds unless deadly force is authorized. (Use of Force Policy, Section 5.1) Deadly force (defined as force that carries a substantial risk of causing serious physical injury or death) is only justified under limited conditions of extreme necessity. In 99% of police encounters, current policy prohibits officers from using vascular neck restraints. However, one clear exception to that general rule is when human life is at stake. In very limited life-and-death circumstances, officers must be allowed to use whatever force necessary to ensure the safety of themselves and the citizens they serve.



## 2. REQUIRE OFFICERS TO USE DE-ESCALATION TECHNIQUES

### Recognizing the Mentally Ill Policy, Section 5.0

Where time, distance, communication, and circumstance permit, and considering the safety of officers and the public, officers shall attempt to de-escalate situations through verbal dialogue and other de-escalation techniques. The goal of de-escalation techniques is to slow down or stabilize the situation so that additional time and resources can be used to resolve the situation with a minimal amount of control, when possible.

Since 2015, CPD has collaborated with the National Alliance on Mental Illness to deliver Crisis Intervention Team (CIT) training. CPD has trained approximately 157 officers on the CIT model.

Additionally, in 2018 the department began hosting the training to allow officers from other law enforcement agencies to attend.

In 2015, CPD's tactical teams (SWAT) training incorporated de-escalation tactics which became a core element of their training. In 2017, CPD began conducting mandatory yearly in-service de-escalation training for all police officers, including an emphasis on scenario-based components. In addition to this training, officers receive annual training in ethics, profiling, unconscious bias, and interacting with mentally ill citizens.

In 2018, CPD began training officers in the Department of Justice's VALOR Officer Safety and Wellness Program.

Since 2018, CPD has partnered with the South Carolina Department of Mental Health's Community Crisis Response and Intervention team (CCRI) to utilize de-escalation techniques when interacting with members of the public who may experience a wide range of mental health crises.

In 2020, CPD began teaching Police Executive Research Forum-certified (PERF) de-escalation classes to all new hires. Additionally, CPD requires officers to use de-escalation techniques when dealing with individuals who may be emotionally disturbed or mentally ill. (Recognizing the Mentally Ill Policy, Section 5.0)





### 3. REQUIRE OFFICERS TO GIVE A WARNING BEFORE SHOOTING

#### Use of Force Policy, Section 5.3 (Proposed New Language)

Where time, distance, communication, and circumstance permit, and considering the safety of officers and the public, officers shall attempt to de-escalate situations through verbal dialogue and other de-escalation techniques. The goal of de-escalation techniques is to slow down or stabilize the situation so that additional time and resources can be used to resolve the situation with a minimal amount of control, when possible.

If reasonable, an officer will identify him or herself as a police officer and issue a verbal warning before using any control methods. A verbal warning, dialogue, or commands are not required in a split-second situation or if the officer reasonably believes that it would place the safety of the officer or another person in jeopardy. (Use of Force Policy, Section 5.3)



### 4. REQUIRE OFFICERS TO EXHAUST ALL OTHER REASONABLE ALTERNATIVES BEFORE SHOOTING

#### Use of Force Policy, Section 1.0, 5.0 & 7.0

The City of Columbia Police Department recognizes and respects the value and sanctity of each human life and therefore, emphasizes the importance of treating all persons with dignity and respect. Vesting officers with the lawful authority to use force to protect the public welfare requires a careful balancing of all human interests. Therefore, it is the policy of the City that officers will only use the minimum amount of force necessary to accomplish lawful objectives. (Use of Force Policy, Section 1.0)

An officer must increase or decrease the degree of control utilized based on the circumstances confronting him or her. Police officers will evaluate the totality of the circumstances in order to determine which approved techniques may most reasonably de-escalate the incident and bring the situation under control in a safe manner. (Use of Force Policy, Section 7.0)

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Under CPD's Use of Force Policy, "The application of deadly force is a measure to be employed only in the **most extreme circumstances** if other lesser means of force have failed or could not be reasonably employed under the totality of the circumstances."

#### A police officer may only use deadly force when:

- He/she believes the force is objectively reasonable under the totality of the circumstances or that such force is necessary to protect him/her or others from the imminent danger of serious physical injury or death.

OR

- To prevent the escape of a fleeing felon who the police officer reasonably believes based upon the totality of the circumstances is attempting to escape by means of a deadly weapon or who, by conduct or other means, indicates that he presents an imminent threat of serious physical injury or death to others unless apprehended without delay. (Use of Force Policy, Section 5.0)



## 5. INSTITUTE A DUTY TO INTERVENE

Use of Force Policy, Section 1.0

Since at least 2017, CPD officers have a duty to intervene “to prevent another officer who is about to use excessive or unnecessary force or engage in other misconduct.” (Use of Force Policy, Section 1.0)

## 6. BAN OFFICERS FROM SHOOTING AT MOVING VEHICLES

Use of Force Policy, Section 5.2

Since at least 2017, CPD has had such a policy in place.

An officer will not discharge his or her firearm at a moving vehicle unless deadly force is being used against the officer or another person and the officer reasonably believes that no other option is reasonably available.

Discharging a firearm in this circumstance is never authorized when it is reasonable to believe that the vehicle may contain an innocent passenger, or it is reasonably apparent that the vehicle may careen out of control and injure an innocent bystander. When confronted with an oncoming vehicle, an officer will not position himself or herself into the path of the vehicle but will take all reasonable steps to move out of the way. (Use of Force Policy, Section 5.2)

## 7. ESTABLISH A USE OF FORCE CONTINUUM

Use of Force Policy, Section 1.0, 5.0 - 5.2, 7.0 & 8.0 - 8.5

The department implemented a Use of Force Continuum decades ago. Officers are continuously trained on the continuum and follow it. The continuum is reflected in the department’s Use of Force Policy, which categorizes types of forces and/or weapons to use based on specific types of resistance. (Use of Force Policy, Sections 1.0, 5.0-5.2, 7.0, 8.0-8.5)

The Use of Force Continuum is also contained in the department’s yearly Internal Affairs Report, available on the department’s website and accessible at: [www.ColumbiaPD.net/publications/](http://www.ColumbiaPD.net/publications/)

## 8. REQUIRE OFFICERS TO REPORT ALL USES OF FORCE

Use of Force Policy, Section 11.2

CPD Officers have a duty to document and report every time they use force. (Use of Force Policy, Section 11.0)

Since 2017, officers have been required to report any time they:

Point or present any weapons, lethal or nonlethal, for the purposes of gaining compliance;

- Discharge a firearm for purposes other than training or recreation;
- Apply use of force using lethal or nonlethal weapons;
- Deploy a police canine to apprehend or secure suspects; and
- Use weaponless force that results in injury.

