

## **Title: Use of Force Policy**

- **Initial Action:** 12/11/2024
- **Board Resolution:** 25-007
- **Last Revised:** New - 01/27/2025
- **Last Reviewed:** New - 01/27/2025
- **Next Review:** 01/2027
- **Responsibility:** Public Safety

### **Overview:**

Cecil College Special Police Officers are armed and commissioned by the Governor of Maryland and licensed by the Maryland State Police Licensing Division after meeting mandatory state requirements, completing the approved Special Police Officer training, and being recommended by Cecil College.

### **Purpose:**

This policy establishes procedures regarding acceptable use of force by Cecil College Special Police Officers, and non-sworn Public Safety Officers who are engaged in the lawful performance of their duties or acting in an official capacity. Promoting and maintaining a safe campus environment for our students, employees, and visitors is a primary responsibility of the Cecil College Public Safety Department. Cecil College Special Police Officers use only the amount of force necessary to achieve lawful objectives.

A Special Police Officer shall use only objectively reasonable force necessary to overcome resistance while affecting a lawful arrest, bringing an incident under control, or protecting the public in the lawful performance of their duty. This shall include force up to and including deadly force.

It is the expressed policy of the College that Special Police Officers and non-sworn Public Safety Officers may only use force which, under the totality of the circumstances, is necessary and proportional to protect against an imminent threat of physical injury to a person or effectuate a legitimate law enforcement objective. It is the level of resistance being used against the officer and the imminent potential for death or serious physical injury to the officer, innocent bystanders and/or victims upon which officers should base their decision to use force of any level. The level of force is not predicated on a strict hierarchical sequence; the officer is not bound to start at the lowest or highest levels of force. The officer must continually evaluate the immediate circumstances before and during the use of force and apply the appropriate level of force to particular and changing circumstances.

## **Definitions:**

As used in this policy, the following definitions apply:

**DEADLY FORCE:** The use of force, which is intended to or likely to cause serious bodily harm or death.

**NON-LETHAL FORCE:** All Cecil College employees, including non-sworn Public Safety Officers and armed Special Police Officers, should only use the level of force reasonably necessary to control an incident or to protect themselves or others from death or serious bodily harm. Non-lethal force is not intended to cause death.

**SERIOUS PHYSICAL INJURY:** Physical injury that creates a substantial risk of death; or causes permanent or protracted disfigurement, loss of the function of any bodily member or organ, or impairment of the function of any bodily member or organ.

**DE-ESCALATION:** The taking of action or communicating verbally or non-verbally during a potential force encounter in an attempt to stabilize the situation and reduce the immediacy of the threat so that more time, options, and resources can be called upon to resolve the situation without the use of force or with a reduction in the force necessary. De-escalation may include the use of such techniques as command presence, advisements, warnings, verbal persuasion, and tactical repositioning.

**EMPTY HAND CONTROL:** Weaponless and less than lethal use of force to restrain or take custody of an individual.

1. Soft Empty-hand Control: Use of grabs, holds, and joint locks to overcome active resistance.
2. Hard Empty-hand Control: Use of body components (*e.g.*, hands, feet, and elbows) to overcome Active Aggression, which is a threat or overt act of an assault (through physical or verbal means), coupled with the present ability to carry out the threat or assault.

## **Use of Force Options:**

1. On-Scene Presence
2. De-Escalating Verbal Commands
3. Soft Hands
4. Oleoresin Capsicum Spray
5. Hard Hands
6. Deadly Force

## **Statutory Requirements:**

Under Maryland Law a police officer may not use force against a person unless, under the totality of the circumstances, the force is necessary and proportional to:

1. Prevent an imminent threat of physical injury to a person; or
2. Effectuate a legitimate law enforcement objective.
3. When an officer has probable cause to believe that a fleeing suspect has committed an offense in which the suspect caused or attempted to cause death or serious bodily harm; and who will pose an imminent danger of death or serious bodily harm should the escape succeed; when the benefits of deadly force outweigh the risk to innocent persons; and if tactically appropriate, officers should identify themselves and state their intention to shoot before using a firearm.

### **Non-Lethal Force:**

All Public Safety Officers (sworn and non-sworn), who are trained and certified, are authorized to use departmental approved non-lethal force techniques and the issued Oleoresin Capsicum spray as follows:

1. To protect themselves or others from physical harm;
2. To restrain or subdue a resistant individual;
3. To bring an unlawful situation safely and effectively under control

### **Deadly Force:**

It is the expressed policy of the College that Special Police Officers may only use force which, under the totality of the circumstances, is necessary and proportional to protect against an imminent threat of physical injury to a person or effectuate a legitimate law enforcement objective. It is the level of resistance being used against the officer and the imminent potential for death or serious physical injury to the officer, innocent bystanders and/or victims upon which officers should base their decision to use force of any level. The level of force is not predicated on a strict hierarchical sequence; the officer is not bound to start at the lowest or highest levels of force. The officer must continually evaluate the immediate circumstances before and during the use of force and apply the appropriate level of force to particular and changing circumstances.

Special Police Officers are authorized to use departmental approved deadly force with the issued agency firearm, (Smith & Wesson M&P .40 handgun), as follows:

1. In defense of his/her own life
2. In defense of another's life
3. In pursuit of a dangerous fleeing felon when an officer has probable cause to believe that a fleeing suspect has committed an offense in which the suspect caused or attempted to cause death or serious bodily harm; and who will pose an imminent danger of death or

serious bodily harm should the escape succeed; when the benefits of deadly force outweigh the risk to innocent persons; and if tactically appropriate, officers should identify themselves and state their intention to shoot before using a firearm.

### **Prohibited Use of Force:**

Special Police Officers and non-sworn Public Safety Officers may not use force against a person unless, under the totality of the circumstances, the force is necessary and proportional to: (a) prevent an imminent threat of physical injury to a person; or (b) effectuate a legitimate law enforcement objective.

It is the level of resistance being used against the officer and the imminent potential for death or serious physical injury to the officer, innocent bystanders and/or victims upon which officers should base their decision to use force of any level. The level of force is not predicated on a strict hierarchical sequence; the officer is not bound to start at the lowest or highest levels of force. The officer must continually evaluate the immediate circumstances before and during the use of force and apply the appropriate level of force to particular and changing circumstances.

The use of force shall cease as soon as the person on whom the force is used is under the Officer's control or no longer poses an imminent threat of physical injury or death to the Officer or to another person, or the Officer determines that force will no longer accomplish a legitimate law enforcement objective.

### **Medical Aid:**

Cecil College employees are responsible for obtaining aid for individuals who complain of or show signs of injury as a result of any use of force.

### **Duty to Intervene:**

Special Police Officers must intervene to prevent or stop another officer from using excessive force.

Special Police Officers and College employees who witness excessive use of force, must report any incidents of excessive force to their supervisor, dean, or vice president.

### **Training:**

All Special Police Officers shall complete training, which includes enforcement options that are less likely to cause death or serious physical injury, including scenario-based training, and de-escalation tactics and techniques. This training is completed at the Special Police Officer training academy and must be completed before being commissioned and licensed by the State of Maryland.

Each Officer shall sign an affirmative written sanctity of life pledge to respect every human life and act with compassion toward others.

The Special Police Officer initial training course approved by the Secretary of the Maryland State Police, in consultation with the Maryland Police and Correctional Training Commission, consists of at least 80 hours of instruction, including criminal law, constitutional procedural requirements relating to search, seizure, and arrests and the appropriate use of force.

An applicant for a renewal of a Special Police Officer Commission is required every three (3) years and during that three (3) year period the applicant shall complete 12 hours of in-service training approved by the Secretary of the Maryland State Police, in consultation with the Maryland Police and Correctional Training Commission. A portion of the training must include Use of Force training.

In addition to the training required for Special Police Officers, all Public Safety Officers, including non-sworn Officers, complete annual training through the Police One On-Line Academy which includes conflict resolution, community policing, responding to people with mental illness and special needs, promoting safe outcomes, de-escalation strategies and techniques, law enforcement response to active shooter situations, report writing, and written communication.

### **Reporting Uses of Force:**

Officers are required to submit a report within 24 hours when:

1. The Officer takes an action that results in, or is alleged to have resulted in, injury or death of another person.
2. An Officer applies force through the use of the College-issued chemical aerosol, Oleoresin Capsicum Spray.
3. It becomes necessary for an Officer to apply physical force due to meet resistance, which may include utilizing hands on methods such as control and restraint techniques even if no injury occurs or is evident.

The report must include:

- a. How force was applied;
- b. The effect of the use of force on the subject;
- c. Decontamination procedures used (Oleoresin Capsicum spray);
- d. Effect on third party bystanders (Oleoresin Capsicum spray);
- e. Injuries sustained by all parties;
- f. Details of de-escalation;
- g. Medical aid and assistance provided.