

	Morrisville Police Department	Effective: 11/21/2023
		Supersedes: N/A
	Reiteration of Policy Statements Related to Campaign Zero Research and Project “8 Can’t Wait”	Prepared By: Staff
		Approved By: Chief P. Acosta

Purpose

The purpose of this document is to reiterate specific statements contained in applicable Town of Morrisville Police Department written directives, to compile them into one document, and make them readily available for members of our police department as well as the public. As such, only select portions of the indicated written directives are included. All employees are required to comply with the provisions of all applicable written directives. To the extent expectations are clarified through this document, compliance is also required.

References

Apex Police Department *General Orders/Written Directives*

Campaign Zero

Background

Since 2013, the Morrisville Police Department has been an accredited law enforcement agency through the Commission on Accreditation for Law Enforcement Agencies (CALEA) and therefore all training, operations, and written directives are subject to review to ensure they meet or exceed the Standards. Our directives are also reviewed annually and as legislation changes to ensure that the department is maintaining a high standard of police excellence.

Campaign Zero is a not-for-profit organization that has conducted research, published in September of 2016, of 91 agencies from the top 100 agencies in the nation by size, which resulted in eight recommendations to reduce excessive use of force by police.

To put this small sample size in perspective, there are approximately 18,000 law enforcement agencies in the United States, and most are small to midsized. The Morrisville Police Department would be considered small and does not fall into the criteria as studied for this project. However, the recommendations can be applied universally, even if the situations faced (by volume and potentially type) may differ greatly in agencies of different size.

Authorized by: Chief of Police



This document will serve to compile various written directives to demonstrate that the Morrisville Police Department supports and has current measure in place to address each recommendation.

Campaign Zero's Research-Based Recommendations

1. **Ban Chokeholds and Strangleholds.** Allowing officers to choke or strangle civilians, in many cases where less lethal force could be used instead, results in the unnecessary death or serious injury of civilians.
2. **Require De-escalation.** Require officers to de-escalate situations, where possible, by communicating with subjects, maintaining distance, and otherwise eliminating the need to use force.
3. **Require Warning Before Shooting.** Require officers to give a verbal warning, when possible, before shooting at a civilian.
4. **Exhaust All Alternatives Before Shooting.** Require officers to exhaust all other reasonable means before resorting to deadly force.
5. **Duty to Intervene.** Require officers to intervene and stop excessive force used by other officers and report these incidents immediately to a supervisor.
6. **Ban Shooting at Moving Vehicles.** Restrict officers from shooting at moving vehicles, which is regarded as a particularly dangerous and ineffective tactic.
7. **Require Use of Force Continuum.** Develop a Force Continuum that limits the types of force and/or weapons that can be used to respond to specific types of resistance.
8. **Require Comprehensive Reporting.** Require officers to report each time they use force or threaten to use force against civilians.

General Order 2.01 – Oath of Office and Code of Ethics

The Chief of Police and every officer in the Morrisville Police Department will take an oath of office before assuming sworn status. All sworn and civilian personnel will adhere to the Code of Ethics adopted by the International Association of Chiefs of Police.

The following oath of office will be administered by the Mayor, Town Clerk, or other official authorized by law to administer such oaths:

I, (individual officer's name), do solemnly swear (or affirm) that I will be alert and vigilant to enforce the criminal laws of this state; that I will not be influenced in any matter on account of personal bias or prejudice; that I will support and maintain the Constitution and laws of the United States, and the Constitution and laws of North Carolina not inconsistent therewith; and that I will faithfully and impartially discharge and execute the duties of my office as a law enforcement officer according to the best of my skill, abilities, and judgment; so help me, God.

Policy Statements

General Order 8.03 R2 – Use of Force and Weapons

1. Policy

- Morrisville Police Department officers will only use force when all other means of resolving a situation have been exhausted or the situation requires immediate action to protect oneself, or defend another against unlawful violence, or to prevent suicide or self-inflicted injury, or to overcome resistance to a lawful arrest or search, or to prevent an escape from custody. Force will be used only to the degree reasonably necessary to control the situation. The extent of force, in terms of degree and level, will vary according to the situation. The nature of the offense, the physical make-up of the parties involved, actions of third parties who may be present, potential for injury to officers, citizens or suspects, the risk of escape, the availability of alternatives and other exigent circumstances are factors to be considered. Officers are required to make split second decisions in quickly evolving circumstances. As such, Officers must continuously evaluate the need for force and be prepared to respond to changing circumstances which could include the need to escalate the force used, de-escalate the force used, or to disengage from the use of force. *(Recommendation #4)*

2. Use of Force

- Officers of the Morrisville Police Department will have a working knowledge of North Carolina General Statutes relating to Use of Force, specifically 15a-401, Use of Force.
- Officers will comply with NCGS 15A-401 and this order in all instances where force is to be used by an officer.
- In all instances, officers will seek to employ the minimum amount of force required to successfully overcome physical resistance, prevent escapes, and effect arrests.

3. Use of Force Continuum

- The Use of Force Continuum as taught by the North Carolina Justice Academy is incorporated into policy. *(Recommendation #7)*
- Officers' use of force is a response to the subject's behavior and does not specifically follow a preset order of escalation. Officers must continually assess a subject's behavior to allow for appropriate escalation/de-escalation in the use of force. *(Recommendation #2)*
- Verbal Commands - Conversation, advice, commands, or instructions utilized by the officer to control or de-escalate a confrontation. Verbal communication, when applicable, should accompany officer actions, including the officer's identification and announcement of arrest as outlined in NCGS 15A-401(c)(2) *(Recommendations #2 & #3)*

4. Deadly Force

- Strangle or choke holds are banned unless the circumstances would justify deadly force and there is no other alternative to protect the officer or another person. (*Recommendation #1*) NOTE: Training Lesson Plans as approved by the North Carolina Justice Academy **do not** include strangle or choke holds as an approved method of using force.

5. Firearm Guidelines

- Due to the risks and considering that firearms are not generally effective in bringing a moving vehicle to a rapid halt, officers shall not fire at a moving vehicle unless the officer reasonably believes:
 - The use or imminent use of deadly force other than the vehicle is being used against the officer or another person; or
 - There exists an imminent risk of death or serious bodily injury to the officer or another person by an on-coming vehicle and no other means are available at that time to avoid or eliminate the danger because the vehicle is driving directly toward the officer or third person and there is no avenue of escape. An officer shall not intentionally position himself or herself in the path of an oncoming vehicle. (*Recommendation #6*)

6. Actions and Reporting Use of Force

- All uses of force will be documented in the following manner:
 - An incident report will be completed with a detailed narrative about the incident
 - *Use of Force Report/Complaint of Injury Report* will be completed with a detailed narrative about the use of force
 - Supplemental reports will be completed by each involved officer.
 - The on-duty supervisor will complete the supervisor portion of the form
 - If the use of force involved discharging a firearm a - *Firearms Discharge Report* will be completed
 - In Car Camera and Body Worn Camera footage will be locked and preserved.
 - All paperwork will be completed and forwarded to the Support Services Captain or the Patrol Operations Captain before the officer and supervisor complete his/her tour of duty
 - The appropriate Division Captain will review the paperwork, complete the review and forward a complete *Use of Force Documentation Package* to the Chief of Police (*Recommendation #8*)

General Order 1.02 – Duty to Intervene/Duty to Report

1. Policy

- Members of the Town of Morrisville Police Department (sworn and non-sworn) have duty and obligation to protect the public as well as other employees within the scope of their overall duties. The duty to intervene also applies when present at a scene where unreasonable physical force is being applied. This duty also extends when the

Morrisville Police Department is called to assist, or is assisting, any other law enforcement agency.

- Officers will either stop, or make a direct attempt to stop another employee when:
 - The force being used is not in compliance with this or other applicable written directives (i.e., North Carolina Justice Academy training, etc.);
 - The force being used is no longer required to affect a function of public safety;
 - The force being used can reasonably be determined to be unnecessary or inappropriate based upon the circumstances of the situation.

Members of the Town of Morrisville Police Department (sworn and non-sworn) have a duty and obligation to report incidents of unprofessional conduct against the public and/or excessive use of force that may not have resulted in injury.

(Recommendation #5)

- Discussion
 - In review of the written directives system, it was identified that, although the Duty to Intervene was clearly understood by officers and had already been a part of department training and expectations, it was not specifically stated in any General Order. To clearly and thoroughly identify this duty, the above statement was added to policy.