

Resolution # 46 - 2020

Resolution Encouraging a Use of Force Policy (Interim Provision) for Geneva City Police Department

This resolution is to encourage a reasonable and temporary addition to the City of Geneva Police Department's Use of Force Policy (UofFP) in order to provide to our police officers more clarity on the stages of escalation and as a result a potential safer environment sooner for the citizens of Geneva.

Whereas the Use of Force policies of US Police Departments are periodically reviewed and updated by the Chief of the Department.

Whereas the current Geneva UofFP was originally written in 2003 and then periodically updated with the most recent one performed on October 21, 2019.

Whereas the current use of UofFP is divided into 16 separate sections, is thirteen pages long and arrays many conditions, factors, and circumstances that bear on where/when/how the UofFP may be exercised appropriately

Whereas in Section V. the use of Deadly Force is stipulated.

Whereas it is possible that the current UofFP may be confusing or not as helpful as more recently adopted articulations that contextualize the deadly use of force at the end of a process of gradual escalations to situations and people.

Whereas it is our view that addressing this issue even on an interim basis provides additional clarity for the City's police officers in doing their jobs and provides additional protections/assurances to the City's residents in a timely manner.

Whereas the National Institute of Justice has developed a concept known as the "Use-of-Force Continuum".

Officer Presence — No force is used. Considered the best way to resolve a situation.

- The mere presence of a law enforcement officer works to deter crime or diffuse a situation.
- Officers' attitudes are professional and nonthreatening.
- **Verbalization — Force is not-physical.**
 - Officers issue calm, nonthreatening commands, such as "Let me see your identification and registration."
 - Officers may increase their volume and shorten commands in an attempt to gain compliance. Short commands might include "Stop," or "Don't move."
- **Empty-Hand Control — Officers use bodily force to gain control of a situation.**
 - *Soft technique.* Officers use grabs, holds and joint locks to restrain an individual.
 - *Hard technique.* Officers use punches and kicks to restrain an individual.
- **Less-Lethal Methods — Officers use less-lethal technologies to gain control of a situation.**
 - *Blunt impact.* Officers may use a baton or projectile to immobilize a combative person.
 - *Chemical.* Officers may use chemical sprays or projectiles embedded with chemicals to restrain an individual (e.g., pepper spray).

- *Conducted Energy Devices (CEDs)*. Officers may use CEDs to immobilize an individual. CEDs discharge a high-voltage, low-amperage jolt of electricity at a distance.
- **Lethal Force — Officers use lethal weapons to gain control of a situation. Should only be used if a suspect poses a serious threat to the officer or another individual.**
 - Officers use deadly weapons such as firearms to stop an individual's actions.

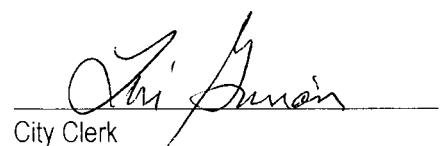
Whereas, an organization known as the Use of Force Project reviewed the use of force policies of **America's 100 largest city police departments** to determine whether they include meaningful protections against police violence which could provide a useful database and resource for defining an interim policy for Geneva.

Therefore, Now, be it Resolved, that the City of Geneva City Council encourages the Police Chief and the City Manager to modify the current Geneva UoFP to accommodate a "Continuum of Force" approach similar to the one outlined by the National Institute of Justice.

Be it Further Resolved, that the City Council understands that this adjustment may be an interim accommodation and may require further adjustment in the future as time allows for further development and a more comprehensive review of City UoFP is undertaken and with this adjustment integrated into that effort.

I, Lori Guinan, City Clerk of the City of Geneva, New York, do hereby certify the foregoing to be a true and complete copy of an original resolution on file in the City Clerk's Office, which said original was adopted at a Regular Meeting of the Geneva City Council held on September 2, 2020.

Dated: September 3, 2020



Lori Guinan

City Clerk