

460.05 POLICY

Proposed Language

It is the policy of the Milwaukee Police Department that members hold the highest regard for the sanctity of human life, dignity, and liberty of all persons. It is the policy of the department that Officers shall use the least amount of force that is objectively reasonable, necessary, and proportional to safely achieve the legitimate law enforcement objective under the circumstances.

460.15 Objective Reasonableness

The use of force by a police member must be objectively reasonable. Police members shall use only the force necessary to effectively maintain control of a situation and protect the safety of police members and the public. Objective reasonableness is judged from the perspective of a reasonable police member facing similar circumstances and is based on the totality of the facts known to the police member at the time the force was applied, along with the member's prior training and experience, without regard to the underlying intent or motivation of the police member.

The Constitution provides a “floor” for government action. This Department aspires to go beyond Graham and its minimum requirements. Sound judgment and the appropriate exercise of discretion will always be the foundation of police officer decision making in the broad range of possible use of force situations. It is not possible to entirely replace judgment and discretion with detailed policy provisions. Nonetheless, this directive is intended to ensure that de-escalation techniques are used whenever feasible, that force is only used when necessary, and that the amount of force used is proportionate to the situation that an officer encounters.

460.20 Amount of Force

6. Officers may not use or threaten to use force for the following reasons:

- a. To resolve a situation more quickly, unless the extended delay would risk the safety of the person involved, officers, or others, or would significantly interfere with other legitimate law enforcement objectives;
- b. To punish a person or to retaliate against them for past conduct or to impose punishment;
- c. To prevent a person from resisting or fleeing in the future;
- d. Seek to communicate in non-verbal ways when a verbal warning would be inadequate (such as when the person does not speak English, or is unable to hear or understand warnings);
- e. Indicate the consequences of refusing to comply with a mandatory order, including that force will be used unless the person complies; and
- f. Give the person a reasonable amount of time to comply.

460.55

Add a member from the Community Collaborative Counsel to this committee.