

Use of Force Policy Assessment Tool

This checklist is designed to assess consistency with the Attorney General's Office (AGO) model policy as required by [HB 2015](#) Sec 101(3)(c). Agencies certified as consistent by CJTC are eligible for the public safety grant and sales and use tax established by HB 2015. An agency seeking both funding opportunities need only submit a single consistency checklist.

Consistent Policies

An agency policy need not be identical to the AGO model policy to be consistent with it; however, agency policy must be consistent with AGO model policy that aligns with the following criteria:

- Items with a **statutory reference** (e.g., RCW 10.120.010) must be included in the agency policy.
- Items that say “**shall**” or “**must**” are required to have that wording in the agency policy.

The items listed above will be listed in the model policy below in **bold**.

Using this Tool

The table is organized by section in the AGO [Use of Force](#) model policy. Agencies must provide the location in their policy where each item can be found. Include the page number and most precise subheading possible. For the training section, you must also provide additional documentation, as specified.

Section: Overarching Principles For this section, item 1 is required by statute. All other items are for informational purposes only.	
Policy	Location in Agency Policy
Preserve Human Life - It is the fundamental duty of law enforcement to preserve and protect all human life. (RCW 10.120.010)	
Force Impacts Trust - Proper use of force is essential to ensure impartial policing and build trust in the community.	

Section: Considerations Governing All Uses of Physical Force

Policy	Location in Agency Policy
Critical Decision Making – Plan ahead, request available resources, collect and assess information, identify options for conflict resolution, reassess as situation evolves.	
Make Tactical Decisions to Avoid Unnecessary Risk and Escalation– Do not immediately approach a person, leave insufficient space, or provide insufficient time to comply with commands.	
Duty to De-Escalate - When possible, officers <u>shall</u> use all available and appropriate de-escalation tactics prior to using physical force. (RCW 10.120.020).	
Policy <i>provides several examples</i> of de-escalation tactics, e.g., time, distance, cover, communication techniques. Using any type of physical force is <u>not</u> a de-escalation tactic.	
Duty to Use Reasonable Care - Consider people’s characteristics and conditions when determining whether and the least amount of force to use, including if they are or seem to be: (RCW 10.120.020): <ul style="list-style-type: none"> • Children/minors, or in the presence of children • Pregnant • Vulnerable adult • Impaired or disabled • Under the influence of alcohol or drugs • Limited English proficiency 	
Terminate the use of physical force as soon as the necessity for such force ends. (RCW 10.120.020)	
The same standards for using physical force apply to community caretaking situations.	
Use of Physical Force <u>Shall</u> be Necessary and for a Lawful Purpose - Necessary means a reasonably effective alternative does not appear to exist and the use of force must be a reasonable and proportional response. <ul style="list-style-type: none"> • Reasonableness shall be evaluated based on the totality of circumstances known to the officer leading up to, and at the time of, the use of physical force. • Proportionality shall be evaluated based on whether the use of physical force corresponds to the immediacy and severity of the threat or 	

<p>resistance the officer encounters, as well as the seriousness of the law enforcement objective.</p> <ul style="list-style-type: none"> • The threat or resistance may change over the course of the incident. • Proportional force does <u>not</u> require officers to use the same type or amount of physical force as the subject. • The more immediate the threat and the more likely that the threat will result in death or serious physical injury, the greater the level of force that may be proportional. 	
<p>Lawful purposes are limited to the following (no additional can be listed) (RCW 10.120.020) -</p> <ul style="list-style-type: none"> • Protect against an imminent threat of bodily injury • Protect against a criminal offense when there is probable cause • Effect an arrest • Take a person, including minors, into custody when authorized or directed by statute or court order • Take a person into custody, transport, or provide other assistance related to commitment for a behavioral health disorder • Prevent an escape from custody or a detention facility • Prevent or stop a person fleeing a lawful temporary investigative detention, provided that the person has been given notice that they are not free to leave • Execute a search warrant • Execute an oral directive issued by a judicial officer in the courtroom or a written order where the court expressly authorizes an officer to use physical force • Execute any other community caretaking function 	
<p>Identification, Warning & Opportunity to Comply Prior to the Use of Physical Force - When safe and feasible, prior to the use of physical force, officers <u>shall</u>:</p> <ul style="list-style-type: none"> • Identify themselves as law enforcement officers; • Attempt to determine whether the person has a condition that may impact their ability to understand and comply with officer commands; • Provide clear instructions and warnings, including that physical force will be used unless their resistance ceases; and • Give the person a reasonable opportunity to comply with the warning. 	

Use of Chokeholds and Neck Restraints Prohibited - A peace officer may not use a chokehold or neck restraint on another person in the course of his or her duties as a peace officer. (RCW 10.116.020).	
Duty to Intervene and Duty to Report Wrongdoing (RCW 10.93.190) - <ul style="list-style-type: none"> Any identifiable on-duty officer who witnesses another officer engaging or attempting to engage in the use of excessive force <u>shall</u> intervene when in a position to do so. Any identifiable on-duty officer who witnesses any wrongdoing committed by another officer <u>shall</u> report such wrongdoing to a supervisor. 	
Duty to Provide or Facilitate First Aid - All law enforcement personnel <u>must</u> provide or facilitate first aid at the earliest safe opportunity to injured persons at a scene controlled by law enforcement. (RCW 36.28A.445).	
Monitor injured and restrained persons while in law enforcement custody.	
Reduce the risk of positional and compression asphyxiation: <ul style="list-style-type: none"> Roll the person to the side and move them to an upright position that does not impede normal breathing, except if they are unconscious. Do not put prolonged pressure on the chest, neck or back, including by sitting, kneeling, or standing. Continuously monitor the person while being restrained, as death can occur suddenly. Monitoring includes assessing breathing, color, and any impairment verbalized by the individual. <i>Include at least one example of monitoring.</i> Whenever possible, designate a “Safety Officer” to monitor the health and welfare of the person. Do not transport a restrained person in the prone position. 	
First aid for particular force tools (Note: this may be in a different place than general first aid.) <i>Oleoresin Capsicum (OC) spray:</i> Flush the person’s eyes out with clean water and ventilate with fresh air, if possible.	
Electronic Control Weapon (ECW) - Remove ECW probes, unless probes are in a sensitive area, such as the head, breast, or groin. Probes in sensitive areas <u>shall</u> be removed by an EMT, paramedic or other health care professional.	
ECW probes should be treated as a biohazard.	

Section: Types of Force	
Policy	Location in Agency Policy
Use the Least Amount of Physical Force Necessary to Overcome Resistance Under the Circumstances. (RCW 10.120.020).	
Officers <u>shall only</u> use striking techniques directed at a subject's head as a means of self-defense, or in the defense of others. Striking at a person's head using fists, elbows, knees, and feet, <u>shall not</u> be used as a means of pain compliance.	
Use Deadly Force Only When Necessary to Protect Against an Immediate Threat of Serious Physical Injury or Death. (RCW 10.120.020).	
Officers <u>shall not</u> use deadly force against persons who present a danger only to themselves.	
Deadly force includes: <ul style="list-style-type: none"> • Impact weapon strikes to the head, neck, throat, or spine • Striking a person's head onto a hard, fixed object • Discharge of a firearm loaded with lethal ammunition at a person • Intentionally striking with a vehicle a person who is not inside a vehicle. 	

Section: Select Force Tools	
Identify all less lethal tools your agency makes available to officers:	
Policy	Location in Agency Policy
Whenever Possible, Use Available and Appropriate Less Lethal Alternatives Before Using Deadly Force. (RCW 10.120.020)	
Officers <u>shall</u> use all tools in accordance with training and the equipment manufacturer's instructions.	

OC Spray - After the initial application of OC spray, <u>each</u> subsequent application <u>must</u> also be justified.	
OC spray is not appropriate in an enclosed, highly populated space where there is a likelihood of impacting uninvolved persons, except where OC spray is the only available and appropriate force option.	
Impact Weapons - Officers <u>shall not</u> intentionally strike vital areas, including the head, neck, face, throat, spine, groin, or kidney <u>unless</u> deadly force is authorized.	
Officers <u>shall not</u> use an impact weapon to intimidate a person when an impact weapon warning is not justified by the threat presented.	
Officers <u>shall</u> reassess the effectiveness of impact weapon strikes as soon as safe and feasible, and if not effective, move to another appropriate target or to another tactical or physical force option.	
Projectile Impact Weapons (PIW, also known as Extended Range Impact Weapons) - Officers must be trained to use a PIW before deploying one.	
When safe and feasible, an officer about to discharge a PIW should advise other officers at the scene prior to the discharge.	
An officer should target the buttocks, thigh, calf, and large muscle groups.	
Officers deploying a PIW <u>shall</u> assess the effectiveness of the PIW after each shot.	
A PIW should not be used in the following circumstances <u>unless</u> the use of deadly force is justified: <ul style="list-style-type: none"> • Intentionally aiming a PIW at the head, neck, chest, or groin. • At ranges that are inconsistent with the PIW manufacturer's guidelines. • At a person who is situated on an elevated surface unless reasonable efforts have been made to prevent or minimize a fall-related injury. 	
ECW An approved ECW may only be used by officers who have been certified in its use and are recertified on a <u>yearly</u> basis.	
Officers issued an ECW are expected to carry them as a less lethal option.	

When consistent with training, officers carrying an ECW will perform a function check on the weapon and check remaining battery life prior to every shift. Officers should report any malfunction to a supervisor or other appropriate personnel.	
Officers <u>shall</u> carry an ECW on the support side of the body, and in all but extreme circumstances, shall draw, exhibit and use the device with the support (non-pistol firing) hand.	
Officers should not hold an ECW and firearm simultaneously unless exigent circumstances exist.	
Officers should target areas that do not include the head, neck, chest, or genitals.	
Officers should not intentionally deploy multiple ECWs at the same person, unless the first deployed weapon clearly fails.	
Officers should be aware that the primary use of an ECW is <u>not</u> as a pain compliance tool. Drive-stun mode should only be used when necessary to complete the incapacitation circuit where only one probe has attached to the person, where both probes attached in close proximity, or when no other less lethal options are available and appropriate.	
Officers should be aware that multiple applications of the ECW increase the risk of serious bodily injury or death.	
An ECW <u>shall</u> be used for one standard discharge cycle of five seconds or less, after which the officer <u>shall</u> reassess the situation.	
An officer <u>shall</u> use only the minimum number of cycles necessary to control the person. Officers will assume that if they have used an ECW <u>three</u> times against a person and the person continues to aggress, the ECW may not be effective and the officer <u>shall</u> consider other options.	
Officers <u>must</u> be able to clearly articulate and document the justification for <u>each</u> individual application of the ECW.	
<p>An ECW should <u>not</u> be used in the following circumstances:</p> <ul style="list-style-type: none"> • On a person who is fleeing the scene, absent other factors. • On a person who is handcuffed or otherwise restrained unless deadly force is authorized. • On a person who is situated on an elevated surface (unless reasonable efforts have been made to prevent or minimize a fall-related injury). • On an operator in physical control of a vehicle in motion, including automobiles, trucks, motorcycles, ATVs, bicycles, and scooters unless deadly force is authorized. 	

<ul style="list-style-type: none"> • In any environment where an officer knows or has reason to believe that a potentially flammable, volatile, or explosive material is present that might be ignited by an open spark. 	
Firearms Officers are only permitted to discharge a firearm at a person in situations where deadly force is authorized.	
<u>Each</u> discharge of the firearm <u>must</u> be justified.	
Officers should only point a firearm at a person when deadly force is authorized.	
Officers should only draw a firearm in the low ready position (i.e., unholstered but out of the officer's visual field) when the officer makes reasonable observations based on the totality of the circumstances that the situation may evolve to the point where deadly force would be authorized.	
When it is determined that the use of deadly force is not necessary, officers should, as soon as safe and feasible, lower, holster, or secure their firearm.	
Pointing a firearm at a person is a reportable use of force and its justification and circumstances <u>shall</u> be reported to the statewide use of force data collection program. (RCW 10.118.030).	
When feasible, officers <u>shall</u> give a verbal warning that a firearm will be discharged.	
Prior to the decision to use a firearm, officers should consider field of fire, backdrop, bystanders, potential for ricochet, and other risks of life.	
Officers <u>shall not</u> use firearms as impact weapons except when deadly force is permitted.	
Officers may not fire a weapon upon a moving vehicle unless necessary to protect against an <u>imminent threat of serious physical harm</u> resulting from the operator's or a passenger's use of a deadly weapon. A vehicle is not considered a deadly weapon unless the operator is using the vehicle as a deadly weapon and no other reasonable means to avoid potential serious harm are immediately available to the officer. (RCW 10.116.060).	
When feasible, officers <u>shall</u> attempt to move out of the path of a moving vehicle rather than discharge their weapon at the operator.	
Officers <u>shall not</u> shoot at any part of a vehicle in an attempt to disable the vehicle.	
Officers <u>shall not</u> discharge a firearm from a moving vehicle, unless a person is immediately threatening the officer or another person with deadly force.	

<p>Officers <u>shall not</u> use a firearm in the following circumstances:</p> <ul style="list-style-type: none"> • When it appears likely that an innocent person may be injured. • Firing a “When warning shot.” • Discharging or pointing a firearm at a person who presents a danger only to themselves and does not have the apparent ability, opportunity, and intent to immediately cause death or serious bodily injury to the officer or another person. • Discharging or pointing a firearm at a person who presents a danger only to property. 	
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Section: Select Restraint Devices	
Policy	Location in Agency Policy
Use of a restraint device is physical force and all considerations governing uses of physical force apply to their use.	
<p>Spit Guards <i>Agency uses spit guards:</i> Yes <input type="checkbox"/> No <input type="checkbox"/></p>	
An officer may apply a spit guard when lawfully restraining or attempting to restrain an individual <u>who is spitting or biting</u> .	
If applied, the officer <u>shall</u> remove the spit guard as soon as the threat of spitting or biting has ended, or the officer observes that the spit guard is no longer necessary.	
Officers applying spit guards <u>must</u> ensure that the spit guard is fastened properly according to the manufacturer’s instructions to allow for adequate ventilation so that the person can breathe normally.	
Only officers who have successfully completed agency-approved training on application of a spit guard are authorized to use one.	
Officers <u>shall</u> only use agency-issued spit guards.	
Persons who have been sprayed with OC spray should be decontaminated so their breathing is not distressed prior to application of a spit guard.	

For individuals in mental health crisis, application of a spit guard may provoke an elevated level of distress. Officers should provide verbal reassurance and dynamically assess the situation to remove the spit guard as soon as appropriate.	
<p>Officers <u>shall not</u> apply spit guards in the following situations because of higher risks:</p> <ul style="list-style-type: none"> • Where the restrained person is bleeding profusely from the area around the mouth or nose. • On an individual who is actively vomiting. If a person vomits while wearing a spit guard, the spit guard should be promptly removed and discarded. • On an individual who states that they have a medical condition that affects their breathing, or who demonstrates symptoms of labored or distressed breathing. 	
In the event of a medical emergency, spit guards should be removed immediately.	
Prior to application of a spit guard, an officer <u>shall</u> warn the individual and provide a reasonable time for the person to comply with the officer's commands.	
After application of a spit guard and when safe to do so, officers <u>shall</u> move the individual into a seated or side recovery position and <u>shall</u> monitor the individual until the spit guard is removed.	
Officers <u>shall</u> assist when escorting the individual due to the potential for impaired or distorted vision.	
Application of a spit guard <u>must</u> be documented.	
Spit guards <u>shall</u> be discarded after each use.	
<p>Hobble Restraints <i>Agency uses hobble restraints:</i> Yes <input type="checkbox"/> No <input type="checkbox"/></p>	
Officers <u>shall</u> only use agency-issued hobble restraints.	
Officers <u>shall not</u> "hog tie" an individual (i.e., connect a hobble restraint to handcuffs or other types of restraints).	
Once a hobble restraint is applied, officers <u>shall not</u> place the person face down.	
Officers <u>shall</u> monitor individuals who have been placed in a hobble restraint and take immediate action, if necessary, to protect the person's health and safety.	

Officers <u>shall</u> discontinue use of a hobble restraint once the necessity for its use ceases.	
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Section: Training	
Policy	Location in Agency Policy
<u>All officers and supervisors shall receive training consistent with this policy <u>at least annually</u>.</u>	

Policy	Supplemental Documentation
<u>All officers and supervisors shall receive training consistent with this policy <u>at least annually</u></u>	<ul style="list-style-type: none"> • <i>Training roster within the last year</i> • <i>Agency staffing information</i>
Training should: <ul style="list-style-type: none"> • Be a combination of classroom and scenario-based learning • Include community partners, when relevant and feasible • Incorporate cultural competency to understand disproportionately impacted communities, and how racialized experiences of policing and the criminal justice system may impact interactions with police. 	<i>Curriculum</i>
This policy should be incorporated into defensive tactics curricula.	<i>Curriculum</i>

Agency Certification of Consistency

I certify that to the best of my knowledge the information in this form is accurate and that my agency policy is consistent with the AGO Use of Force model policy.

Law Enforcement Agency Leader (Name): _____

Signature: _____ Date: ____/____/____

If Authorizing Public Safety Sales and Use Tax

Mayor/County Executive (Name): _____

Signature: _____ Date: ____/____/____