



HIGH POINT, NC POLICE DEPARTMENT

**GENERAL ORDER**

NO.

**3.2**

DATE OF ISSUE

**6-02-97**

EFFECTIVE DATE

**6-02-97**

SUBJECT

**Use of Force**

AMENDS

REVIEW DATE

**09-30-25**

REFERENCE

**N.C.G.S 15A-401**

RECINDS

**I. PURPOSE**

This General Order sets forth guidelines and policies on the use of force. An officer shall use that force reasonably necessary to bring an incident under control effectively.

The Fourth Amendment to the U.S. Constitution requires that an officer’s use of force be “objectively reasonable” based on the totality of the circumstances in each particular case, including the severity of the crime at issue, whether the suspect poses an immediate threat to the safety of the officers or others, and whether he or she is actively resisting arrest or attempting to evade arrest by flight (Graham v. Connor.) This General Order is not intended to define what is legally “objectively reasonable” in all circumstances but sets out what is expected of officers with the High Point Police Department, which may often go beyond the minimum standard required under federal and state law.

**II. DEFINITIONS**

**A. Chemical Munitions:**

Chemical based irritants designed to gain compliance through discomfort. Chemical munitions have short-term effects without creating an injury. They consist of Oleoresin Capsicum spray, Tear Gas, or Pelargonic Acid Vanillyl-Lamide (PAVA).

**B. Specialty Impact Munitions:**

The use of specialty-designed munitions (bean bags, 40MM Launcher, etc.), which are launched from a firearm or are otherwise similarly deployed in which the designed application of force is not intended for a lethal outcome, but which leaves the possibility of a lethal outcome in rare and unintentional instances.

**C. Lethal Force:**

Any use of force that is likely to cause death or serious bodily injury.

**D. Mere Restraint**

Empty hand physical manipulation to control a suspect who is not actively resisting.

**E. Non-Lethal Force:**

Any use of force other than that which is considered lethal.

**F. Pressure point Tactics:**

Pressure point tactics are a method of control using pain to motivate subjects to cooperate with police commands. Pain is caused by using touch pressure and certain strikes to nerve areas. Used properly, these nerve points can cause extreme discomfort, thereby allowing the officer to safely and effectively control resistant subjects with minimal potential for injuring them. (Approved pressure point control tactics are listed in Annex A)

**G. De-escalation:**

Taking action to stabilize the situation and reduce the immediacy of the threat so that more time, options, and resources are available to resolve the situation. The goal of de-escalation is to gain the voluntary compliance of subjects when feasible, and thereby reduce or eliminate the necessity to use physical force.

**III. PROCEDURE**

**A. Guidelines for Non-Lethal Force**

1. Officers will evaluate the situation to determine which available non-lethal force technique or issued equipment should be used to control the situation without compromising their safety or the safety of others.
2. Officers may use department approved non-lethal force techniques and issued equipment to:
  - a. Effect an arrest.
  - b. Protect themselves and others from physical injury (including subjects threatening suicide).
  - c. Restrain or subdue a resistant individual.
  - d. Bring an unlawful situation safely and effectively under control.
3. Following the use of non-lethal force, immediate medical attention will be provided to any individual if deemed necessary by the officer or if requested by the individual.

**B. Guidelines for Specialty Impact Munitions**

1. Specialty Impact Munitions are not intended to replace firearms, but rather offer an alternative prior to the use of lethal force in some instances.
2. It is imperative that specialty impact munitions are used properly to reduce the possibility of a lethal outcome. Results will depend upon the type of specialty impact munitions selected, whether a low or high energy round in

a rigid or soft projectile. Results will also depend on other critical factors, such as whether the munitions are used in **direct-fire** mode.

3. Specialty impact munitions are not issued as general personal equipment. Only trained personnel will deploy and utilize these weapons.

### C. **Guidelines for Lethal Force**

Officers are authorized to use lethal force in order to:

1. Protect themselves or others from what is reasonably believed to be an imminent threat of death or serious bodily injury.
2. Effect the arrest or prevent the escape from custody of a person who the officer reasonably believes is attempting to escape by means of a deadly weapon, or who by their conduct or any other means indicates that he presents an imminent threat of death or serious bodily injury to others unless apprehended without delay (G.S. 15A-401).

### D. **General Guidelines**

1. Normally, officers are not to strike anyone in the head with an impact weapon (e.g. baton, shotgun, handgun, etc.) in order to gain or maintain control or compliance. Such action could result in serious injury or death. Under circumstances that threaten serious injury or death to the officer or a third party, a strike to the head **may** be justified, but only as a last resort. **Any intentional strike to the head with an impact weapon should be considered a use of deadly force** (G.S. 15A-401).
2. Any compression of the neck that restricts a person's airflow is prohibited unless deadly force would be authorized. Choke holds are prohibited unless deadly force is authorized.
3. The flashlight is an instrument that is generally accessible to the officer, especially in subdued or low light conditions. Although its primary purpose is that of a lighting instrument, it can be used as an impact weapon. If used in this manner, it is to be utilized as a baton and in accordance with training received for the baton. A flashlight can be used as an impact weapon when the officer's baton cannot be safely retrieved for use.
4. Once a resistant subject is under control and handcuffed, place the subject on their side or in a seated position while awaiting transportation to a detention facility to avoid the possibility of positional asphyxiation.
5. CS and CN type tear gas are not issued as general personnel equipment. Normally, the decision to use tear gas dispensers, canisters, and

projectiles is made at the Supervisor level or higher, and in accordance with the departmental training received.

#### **E. Moving Vehicles**

1. Firearms shall not be discharged at a moving or fleeing vehicle unless deadly force is being used against the police officer or another person present by means other than the moving vehicle.
2. Officers shall exercise good judgment and not move into or remain in the path of a moving vehicle. Moving into or remaining in the path of a moving vehicle, whether deliberate or inadvertent, shall not be justification for discharging a firearm at the vehicle or any occupant. An officer in the path of a vehicle shall attempt to move to a position of safety rather than discharging a firearm at the vehicle or any of the occupants.
3. Firing at moving vehicles is prohibited except as stated in (E)(1) because the low likelihood of benefit is outweighed by the heightened risks of such an action:
  - a. It is very difficult if not impossible to disable a vehicle by firing rounds at it. Even assuming a critical part of the engine is hit or a tire is punctured, the car will not stop immediately. Shooting the driver successfully through a window or windshield will also not stop the vehicle immediately. In addition, the vehicle will now be completely uncontrolled and the driver may be unable to apply the brakes or take any evasive action.
  - b. In addition to the risks of hitting an uninvolved occupant, in many cases where the vehicle is perceived as a deadly weapon, the officer becomes completely focused on that threat and fails to take into account the backdrop he or she is shooting towards. This backdrop rapidly changes as the officer fires toward a swiftly moving target which increases the risk of harm to third parties such as bystanders or other officers.

#### **IV. SITUATIONAL FORCE MODEL**

- A.** Mere *police presence* often avoids the need for any force.
- B.** De-escalation will be the preferred method of incident resolution through voluntary offender compliance. Officers shall use de-escalation tactics and techniques when safe and in situations where time and circumstances reasonably permit. Officer safety will remain paramount and will not be compromised in an effort to de-escalate a situation. The immediacy of a threat will dictate whether de-escalation tactics or techniques can

reasonably be used.

1. Examples of de-escalation tactics and techniques can include:
  - a. Verbal communication (calm, clear, concise, listening)
  - b. Non-verbal communication (body language, posture, facial, expressions)
  - c. Decreasing officer exposure to a threat (distance, cover, concealment)
  - d. Containing a threat (isolation, positioning of barriers)
  - e. Summoning extra resources to assist (more officers, specially trained officers, equipment)
  
2. Whenever possible and when such delay will not compromise the safety of the officer or another and will not result in the destruction of evidence, escape of a suspect, or commission of a crime, an officer shall allow an individual time and opportunity to submit to verbal commands before force is used. The officer shall communicate to the subject they are being detained or are under arrest prior to any use of force beyond mere restraint, if practical. Once the subject is under arrest, as promptly as is reasonable under the circumstances, the officer will inform the subject of the cause of the arrest.

### C. Use of Force

Officer response options in each Force Level are not necessarily listed in order of use, need, or preference. The option used will be left to the sound discretion of the officer based on the actions of the subject. All verbal identification and commands are used as appropriate and necessary by the officer.

1. **LEVEL I – COMPLIANT** Subject cooperative but must be given verbal instructions/directions for compliance.

**Officer Response Options:** Empty hand restraint tactics

2. **LEVEL II – PASSIVE RESISTANCE** Subject not controlled by verbal direction but is not preventing the officer from taking control.

**Officer Response Options:**

- All options included in lower levels
- Approved pressure point control tactics

3. **LEVEL III – ACTIVE RESISTANCE NON-ASSAULTIVE** Subject actively resists arrests in a defensive manner, is not assaultive toward the officer (flight, pulling away, hiding or barricaded) or subject postures, uses

language or body language clearly indicating their intent to resist or not comply in a non-assaultive manner.

**Officer Response Options:**

- All options included in lower levels
- Chemical Munitions (OC, smoke, gas, indirect PepperBall application)
- Empty hand tactics, strikes with hands / arms / legs, etc. (strikes to the head are only authorized at Level IV and Level V)
- Throws/ground tactics
- Baton
- K-9 deployment in accordance with the K-9 SOP

4. **LEVEL IV – ACTIVELY ASSAULTIVE RESISTANCE / NON-LIFE ENDANGERING ACTIONS** Subject is aggressively offensive without weapons, the intent being to assault another in a non-life threatening manner. Subject postures, uses language or body language that clearly indicates their intent to resist or not comply in an assaultive manner.

**Officer Response Options:**

- All options included in lower levels
- Specialty Impact Munitions (including direct PepperBall application and 40MM Launcher deployment).

5. **LEVEL V – ACTIVE ASSAULTIVE RESISTANCE / LIFE ENDANGERING ACTIONS** Subject possesses or threatens use of a weapon or is aggressively offensive without a weapon. The intent being to assault another in a life-threatening manner.

**Officer Response Options:**

- All options included in lower levels
- Firearms or other types of lethal force

**V. REPORT PROCEDURES**

- A.** Any use of force beyond mere restraint requires immediate notification of the Supervisor.
- B.** Duty to intervene and report excessive force. Any member who witnesses excessive force has a duty to physically intervene in an effort to stop the unreasonable action. The member must immediately report this activity to the appropriate commanding officer or the Chief through official channels.
- C.** An Officer Incident Report will be completed by the Supervisor or Commander when the officer uses any force beyond mere restraint or in calls involving injury to an officer or suspect, including a complaint of injury by suspects (Pressure Point requires a report). The officer incident preliminary report should be entered in Blue Team by the end of the shift. The preliminary report should include the officer(s) involved, the suspect, type of force used, and any injuries. The Officer Incident Report will be completed by an HPPD Supervisor or Commander that was not involved within 14 calendar days of the incident. The Assistant Chief of the Division can grant additional time if needed.
- D.** An Officer memorandum can be completed at the discretion of the Supervisor in the event of serious injury to a suspect.
- E.** A Supervisor or Commander will respond to the appropriate location when:
  - 1. A suspect requires or requests medical treatment as a result of an officer using force.
  - 2. An officer requires medical attention as a result of a suspect using force.
  - 3. A suspect complains of excessive use of force.
  - 4. An officer uses any of the following: collapsible baton, OC spray, canine bite, firearm, specialty impact munitions, or PAVA.
- F.** The Supervisor or Commander will have all officers involved download their BWC prior to the end of the shift. The Supervisor or Commander will briefly review the footage to ensure the BWC was properly working, the incident was captured in its entirety, and is labeled correctly before ending the shift. If the BWC was not working properly, exhaust all troubleshooting techniques in an attempt to recover the footage. Notify the chain of command immediately if policy was grossly violated or the use of force is a potentially impactful event that could affect department operations.

- G.** The Supervisor or Commander will have photographs made of any injury or claimed injury area on the officer or suspect where an Officer Incident Report is required. These photographs will be included with the Officer Incident Report and attached in BlueTeam.
- H.** The report will be forwarded through the chain of command to Professional Standards. The Chief of Police will be notified of all deadly force issues.
- I.** The Professional Standards Unit will be responsible for filing the reports and collecting statistical information.
- J.** No information contained in the report will be released to persons or agencies outside the department without prior approval from the Chief of Police.
- K.** If the use of lethal force results in the wounding or death of any person, the Supervisor or Commander shall secure the officer's weapon in accordance with **General Order 3.22, Officer Involved Critical Incident.**
- L.** If the use of lethal force results in the wounding or death of any person, the State Bureau of Investigation will be notified and requested to conduct an independent investigation into the shooting. The Professional Standards Unit shall serve as a liaison to the SBI.
- M.** Multi-jurisdictional shooting incidents involving High Point Police Officers shall be investigated by the SBI.

By order of:



J. Travis Stroud  
Chief of Police



# ANNEX A

## PRESSURE POINT CONTROL TACTICS

These are the only pressure point control tactics approved for use by the members of the High Point Police Department:

### 1. Mandibular angle - touch pressure.

The location of this tactic is behind the ear where the jaw and mandible meet. This juncture forms an indentation that can be felt by touch. The direction of pressure is in and toward the nose, simulating a "fish hook" motion.

### 2. Hypoglossal - touch pressure.

The location of this tactic is approximately one (1) inch from the curve of the jaw and one (1) inch in, under the jaw. The direction of pressure is straight up toward the top of the head. This tactic is primarily used to keep suspects from swallowing narcotics by producing pressure pushing the tongue toward the roof of the mouth. The suspect is able to breathe through the nose, but can't swallow.

### 3. Jugular notch - touch pressure.

The location of this tactic is the "u" shaped bone centered above the breastbone. The direction of pressure is just over the notch, straight down. When this works, it causes the suspect to reflexively tilt the head down and the body collapses to get away from pain.

### 4. Brachial plexus origin - strike.

The location of this tactic is on the side of the neck below the ear, between the ear and trapezius muscle. The strike is made with the hand, either palm or backside, or the inside or outside of the forearm. The thumb **MUST** be up, causing the arm to be in the correct position to spread out energy of the strike, lessening the possibility for injury.

### 5. Radial nerve - touch/strike pressure.

The location of this tactic will be the top of the forearm, approximately two (2) inches from the elbow toward the wrist. Touch pressure can be used, however, this area is generally a target for a strike. Striking this area will cause the thumb and forefinger to reflexively open, loosening a grip.

**6. Common peroneal – strike.**

The location of this tactic is the nerve half way between the hip and the knee, on the outside of the leg (it is also 1-2 inches toward the rear of the leg). A knee spear, shin kick, fist, elbow, ASP or other approved impact weapon will activate this nerve. Striking the nerve correctly will cause a "Charlie horse" with reflexive collapsing of support from that leg.

**7. Femoral nerve – strike.**

The location of this tactic will be between the knee and groin on the inside of the leg. The midline of the thigh is the area for striking. A knee spear, shin kick, fist, elbow, ASP, or any other approved impact weapon will activate this nerve. This also causes a "Charlie horse" and collapsing of the weight on the leg.

**8. Supra scapula – strike.**

The location of this tactic will be at the juncture where the trapezius muscle connects to the side of the neck. The strike is generally delivered with a closed fist (hammer fist) or an open "knife" hand. The direction of the strike is straight down, into the nerve. This causes intense pain and reflexive collapsing of both legs.

**9. Additional approved pressure control tactics.**

- a. Any additional pressure point control tactic that is taught in official departmental training by the appointed protective tactics instructors.
- b. Any additional pressure point control tactic that is taught in officially certified North Carolina Basic Law Enforcement Training (BLET) by the appointed protective tactics instructor.