



# Minneapolis Police Department Policy and Procedure Manual

Number:  
5-300

## Volume Five – Code of Conduct and Use of Force

### Use of Force

#### 5-304 Use of Force Control Options

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##### I. Purpose

- A. The MPD recognizes that combative, non-compliant, armed or otherwise violent subjects cause handling and control problems that require special training and equipment.
- B. The MPD has adopted the less-lethal force philosophy to assist with the de-escalation of these potentially violent confrontations.
- C. The purpose of this policy is to cover definitions, authorizations, restrictions and prohibitions that apply to all force options.

##### II. Definitions

**Carry:** Carrying a weapon or tool means having it on one's person. This includes having it in a pocket, holster, or backpack or similar container, as well as having it slung or having it in hand.

**Deliver:** Delivering means to launch a weapon to make impact with a subject or to strike a subject with an impact weapon or bodily force.

**Discharge:** Discharging means ejecting something out of the end or nozzle of a weapon (firing, spraying, launching, etc.).

**Display:** Display means having a weapon in hand, while engaged with a subject. For a handgun, this means having it out of the holster, while engaged with a subject. For larger weapons such as rifles, this means having it in hand (slung or unslung), while engaged with a subject.

**Engaged with a Subject:** This means treating someone as a potential suspect or dealing with a person who is the focus of law enforcement attention in an incident, while using some level of reportable force (such as display or pointing). An example of a person who is the focus of law enforcement attention is a person in crisis who may not be a potential suspect.

**Point:** Pointing a weapon means directing it towards a subject, while engaged with them as a potential suspect or as a focus of law enforcement attention in an incident (such as a person in

crisis), with the intent to use or imply the use of the weapon. This includes arcing or red-dotting a CEW, pointing impact weapons and aiming firearms.

**Use:** Using a weapon or tool means activating or applying any of its mechanical functions, pointing a weapon, or making contact with a subject with the weapon or tool. This includes discharging a weapon such as a firearm, CEW, aerosol, or 40mm launcher, arcing, red-dotting or activating a CEW, applying handcuffs or restraints, making bodily contact with a subject with an impact weapon or with bodily force.

### **III. Policy**

#### **A. Authorized Control Options and Use of Unauthorized Control Options**

1. Sworn MPD employees shall only carry and use MPD approved weapons for which they are currently trained and authorized to use through the MPD Training Division, except in exigent circumstances. An authorized device is a device an officer has received permission from the MPD to carry and use in the discharge of that officer's duties, and for which the officer has:
  - a. Obtained training in the technical, mechanical and physical aspects of the device.  
and
  - b. Developed a knowledge and understanding of the MPD policy, law, rules and regulations regarding the use of such a device.
2. All use of force control options and weapons shall be in accordance with the standards and requirements in P&P 5-301.
  - a. Force control options shall only be used in a manner that would be found objectively reasonable (in accordance with P&P 5-301).
  - b. If lower levels of force are ineffective, higher levels of force may be used for control and safety, subject to any additional restrictions on specific options or limitations in P&P 5-300.
3. If an exigent circumstance exists that poses an imminent threat to the safety of the employee or the public requiring the immediate use of an improvised weapon of opportunity, the employee may use the weapon in accordance with the standards in P&P 5-301 (including, but not limited to, the section on Objectively Reasonable Force Consistent with Policy, Law and Training).
4. The use of a vehicle, less-lethal or non-lethal weapon, or other improvised weapon by an officer may constitute the use of deadly force.

5. While employees must at all times comply with the minimum legal requirements governing the use of force, they must also comply with even stricter standards set forth by MPD policy (such as P&P 5-301 policies regarding specific control options).

## **B. Limitations on the Use of Certain Restraints**

### **1. Statutory prohibition**

In accordance with MN Statute section 609.06, the following restraints shall not be used unless MN Statute section 609.066 authorizes the use of deadly force to protect the officer or another from death or great bodily harm:

- a. Securing a person in any way that results in transporting the person face down in a vehicle.
- b. Less-lethal measures must be considered by the officer prior to applying these measures.

### **2. Prohibition on neck restraints and choke holds**

Neck Restraints and choke holds are prohibited, in accordance with the section in this policy (P&P 5-302) covering neck restraints and choke holds.

### **3. Prone positioning**

- a. People in MPD custody shall not be placed in the facedown prone position or any other position that causes a breathing restriction, other than briefly when necessary to secure the person or to prevent the person from causing harm to themselves or others.
- b. If a person is in a position that causes a breathing restriction, for the purpose of securing the person or preventing the person from causing harm to self or others, the person shall be placed in a sitting position, or laying on their side, in a recovery position, as soon as safely possible for all parties. These positions allow the person to breathe freely, reducing the possibility of bodily harm or death from any part of the body respiratory system being restricted or manipulated.

## **C. Prohibited Control Options**

### **1. Maximal Restraint Technique (MRT)**

The Maximal Restraint Technique (MRT) and the Hobble Restraint Device (and related devices) are prohibited.

- The Maximal Restraint Technique (MRT) is a technique used to secure a subject's feet to their waist, through the Hobble Restraint Device or other related devices.

2. Hogtie

Hogtying a subject is prohibited.

- A hogtie involves tying the feet of the subject directly to their hands behind their back.

3. Neck Restraints and Choke Holds

Neck Restraints and choke holds are prohibited. Instructors are prohibited from teaching the use of neck restraints or choke holds.

- MN Statute section 609.06 Subd. 3 (b) defines a choke hold “as a method by which a person applies sufficient pressure to a person to make breathing difficult or impossible, and includes but is not limited to any pressure to the neck, throat, or windpipe that may prevent or hinder breathing, or reduce intake of air. Choke hold also means applying pressure to a person's neck on either side of the windpipe, but not to the windpipe itself, to stop the flow of blood to the brain via the carotid arteries.”