

City of High Point

*Municipal Office Building
211 S. Hamilton Street
High Point, NC 27260*



Meeting Agenda

Wednesday, June 24, 2020

4:00 PM

3rd Floor Lobby Conference Room, #302

Public Safety Committee

*Victor Jones, Chair
Britt Moore
Tyrone Johnson
Chris Williams
Mayor Jay Wagner (Alternate)
Mayor Pro Tem (Alternate)*

Public Safety Committee - Council Member Jones, Chair**CALL TO ORDER**

- 2020-226** Discussion-Public Citizen Complaint
Staff is requested to discuss public citizen complaint
- 2020-227** Discussion-High Point Police Department's Use of Force Policy, and "8 Can't Wait" issues
The High Point Police Department is requested to discuss the Use of Force Policy, and "8 Can't Wait" issues
- 2020-228** Presentation-Crime Statistics Update
Staff is requested to give an update on Crime Statistics
- 2020-229** Discussion-Police Substations
Staff is requested to discuss Police Substations

ADJOURNMENT

Eric Watson

[REDACTED]
High Point NC 27265

336-[REDACTED]

To Whom so ever may receive this letter, I am reaching out to you about an attack by some of your officers that I witnessed outside of the WalMart on N. Main St in High Point on Friday June 5, 2020. From what I could gather officers seemed to be clearing out the scene of a fight or maybe a heated argument, as I walked towards the entrance I saw about three police officers telling a guy to leave while walking behind him, as he was leaving his back was turned away from the officers and out of no where one of them tackled this guy. He was walking away when he was tackled, and in the fashion in which he was sandwiched in between one traveling in the opposite direction! I was placed right in front of this seeming hostile and life threatening situation. I was observing an intense and heart wrenching struggle as the guy on the ground tried to roll over to keep from sliding up under the moving vehicle and it was clear from my point of view that the officer made an extreme and severe attempt to push this guy towards the wheels of the vehicle!

In the process of this cowardly officer's reckless and extremely dangerous tackling tactic he injured a man whom walked away holding the back of his head and limping. One of those officers walked over and patted him on the shoulder and told him that they apologized but they just had to do that. It is important to note that this situation only escalated because of these severely poorly trained, inept and incompetent confidence lacking officers. At times during his clear attempt to place this guy near or up under this vehicle the crowd which were the shoppers yelled at him saying that he better not grab or reach for his gun, a white women with really young kids screamed at him that he had no reason to do this guy like that. Gazing at what was going on I did notice that this officer seemed extremely uncomfortable, extremely frightened and extremely unstable, he nervously reached for his gun several times and at times I thought that he could and would pull out and just start firing into the crowd, it was clear that he was exerting and unusual, extreme and excessive use of force!

In conclusion, I was witness to what was clear to be cruel and unusual punishment, I'm sure that a fight should in no way land a person on the ground fighting for his life and fearing that he could be crushed by a moving vehicle or shot by an officer for doing as he was asked which was to leave the scene. Together the three of them acted in a gang or mob type mentality, It was clear that this man was an extreme and a severe threat to them even though they were not a part of the distress call I would gather, so it was clear that their freight was one racially driven and ingrained. The force used with this guy was severely excessive and overwhelmingly exceeded the minimum amount necessary to diffuse this situation or any such as. I believe their force was culturally void, cowardly driven and disgustingly unreasonable!

On that day I experienced one or more High Point police officers acting under Color of Law, willing to deprive or conspire to deprive a person or citizen of his rights that are protected by the Constitution and or the Law of the United States. The Chief said that he would like help from the community so use my statement as just that. Please make sure that these extremely dangerous individuals are held accountable for their sloppy actions and their will and intent to practice extreme and severe tactics and techniques that could only result in extreme and severe injury and or death. It is also clear that there are numerous patterns of these practices within our Dept and we must work together and eliminate such vile and revolting practices and behaviors!

Thanks Greatly, *EW.*

HIGH POINT POLICE DEPARTMENT

PRESENTATION TO PUBLIC SAFETY COMMITTEE

JUNE 24, 2020



PUBLICLY SHARED CITIZEN COMPLAINT

-HPPD POLICY REQUIRES THAT WE INVESTIGATE ALL COMPLAINTS, REGARDLESS OF AN INDIVIDUALS INVOLVEMENT OR LACK OF INVOLVEMENT. EVEN ANONYMOUS COMPLAINTS ARE INVESTIGATED

-HPPD POLICY REQUIRES AN INVESTIGATION INTO ALL USES OF FORCE REGARDLESS OF COMPLAINTS.



**BAN CHOKEHOLDS &
STRANGLEHOLDS**



**REQUIRE
DE-ESCALATION**



**REQUIRE WARNING
BEFORE SHOOTING**



**EXHAUST ALL OTHER
MEANS BEFORE
SHOOTING**



DUTY TO INTERVENE



**BAN SHOOTING AT
MOVING VEHICLES**



**REQUIRE USE OF
FORCE CONTINUUM**



**REQUIRE
COMPREHENSIVE
REPORTING**



<https://www.vox.com/2020/6/5/21280402/8-cant-wait-explained-policing-reforms>



#1-Below is the relevant portion of our policy that addresses choke holds:

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 air flow is prohibited unless deadly force would be authorized.



#2-Below are the portions of our existing policies that are related to De-escalation:

I. PURPOSE

This General Order sets forth guidelines and policies on the uses 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.

H. 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.

IV. SITUATIONAL FORCE MODEL

- A. Mere *police presence* often avoids the need for any force.
- B. De-escalation will be the preferred method to 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.



#3-Below are the portions of our policies related to the giving of verbal warnings prior to shooting:

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.

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 verbal commands before force is used.



#4-Regarding requests to mandate that police officers exhaust all alternatives before shooting:

Even civilians in N.C. are not required to exhaust all other alternatives before using deadly force to protect themselves from death or serious bodily injury. Officers may only use deadly force as set out by state law – G.S. 15A-401. Our policy is even more restrictive than state law as noted below.

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).

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.

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



#5-Below is the relevant portion of our policy that mandates a duty to intervene if an officer witnesses excessive 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.



#6-Below is our existing policy related to shooting into moving vehicles:

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.



FOCUSED DETERRENCE

WITH FOCUSED DETERRENCE, THE POLICE AND REPRESENTATIVES FROM THE COMMUNITY ENGAGE WITH THOSE AT HIGH RISK OF BEING A PARTY TO VIOLENCE AND CONVEY CLEAR INCENTIVES FOR AVOIDING VIOLENCE AND DETERRENTS FOR ENGAGING IN VIOLENCE. ON THE INCENTIVE SIDE, TARGETED OFFENDERS RECEIVE INFORMATION ABOUT AND ACCESS TO VARIOUS SERVICES, SUCH AS JOB TRAINING AND DRUG TREATMENT (CENTER FOR EVIDENCE-BASED CRIME POLICY, UNDATED). ON THE DETERRENCE SIDE, THESE INDIVIDUALS RECEIVE INFORMATION ON THE ENHANCED PENALTIES THAT THEY AND THEIR PEERS WILL FACE IF THERE ARE SUBSEQUENT VIOLENT INCIDENTS. THESE PENALTIES WILL RANGE FROM FOCUSED AND ENHANCED PROSECUTION FOR THE VIOLENT CRIMES TO ARRESTS AND OTHER PENALTIES FOR ANY LOW-LEVEL OFFENSE (DRUG TRAFFICKING, ILLEGAL GAMBLING, ETC.) SUBSEQUENTLY COMMITTED BY THE PARTIES INVOLVED. BEYOND THE USE OF CARROTS AND STICKS, FOCUSED DETERRENCE INITIATIVES ATTEMPT TO DECREASE THE OPPORTUNITIES THAT INDIVIDUALS HAVE TO COMMIT VIOLENCE, MAKE THE LOCAL COMMUNITY A PARTNER IN DEFLECTING INDIVIDUALS AWAY FROM CRIME, AND IMPROVE POLICE-COMMUNITY RELATIONS (BRAGA AND WEISBURD, 2012A, P. 26). [HTTPS://WWW.RAND.ORG/PUBS/TOOLS/TL261/BETTER-POLICING-TOOLKIT/ALL-STRATEGIES/FOCUSED-DETERRENCE/IN-DEPTH.HTML](https://www.rand.org/pubs/tools/TL261/better-policing-toolkit/all-strategies/focused-deterrence/in-depth.html)



Crime Trend 2020 Through Week 25

6/21/2020 25

High Point Police Department - Crime Statistics

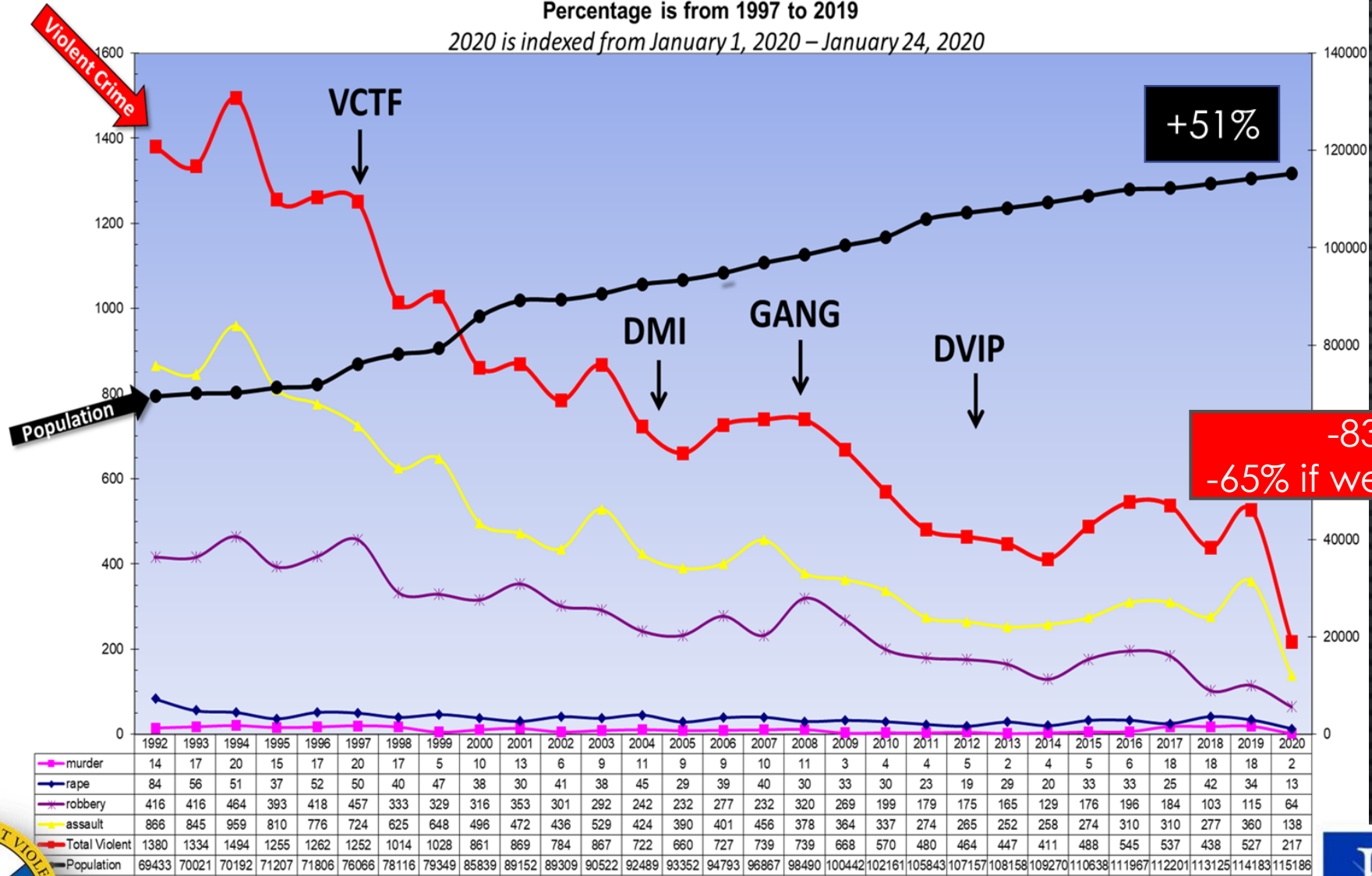
IMPACT CRIMES - PERSONS	2020 Avg Per Week	2019 Avg Per Week	WTD 2020 (Mon-Sun)	Prev Yr WTD	% Change	MTD	Prev Yr MTD	% Change	QTD	Prev Yr QTD	% Change	YTD 2020	YTD 2019	% Change
CRIMINAL HOMICIDE	0.1	0.4	0	0	0%	0	1	-100%	0	5	-100%	2	9	-78%
MANSLAUGHTER - NEGLIGENCE	0.0	0.1	0	0	0%	0	0	0%	0	2	-100%	0	2	-100%
RAPE	0.6	0.9	1	1	0%	3	5	-40%	7	16	-56%	16	23	-30%
*ROBBERY	2.9	1.8	1	1	0%	7	6	17%	30	27	11%	73	45	62%
Robbery with Firearm	1.5	0.9	0	0	0%	0	4	-100%	11	12	-8%	37	23	61%
AGGRAVATED ASSAULT	6.3	7.4	6	8	-25%	21	14	50%	78	97	-20%	158	186	-15%
ASSAULT-GUN(inc. in Agg Assault)	3.6	4.2	5	3	67%	15	8	88%	44	49	-10%	91	105	-13%
TOTAL PERSONS	10.0	10.6	8	10	-20%	31	26	19%	115	147	-22%	249	265	-6%
IMPACT CRIMES - PROPERTY	Avg Week	Pr Avg Week	Curr 7 Days	Prev Yr 7 Days	% Change	MTD	Prev Yr MTD	% Change	QTD	Prev Yr QTD	% Change	YTD 2020	YTD 2019	% Change
BURGLARY - FORCIBLE ENTRY	6.7	7.5	5	11	-55%	19	28	-32%	76	114	-33%	168	188	-11%
BURGLARY - UNLAWFUL ENTRY	2.4	3.1	4	2	100%	12	8	50%	33	37	-11%	60	78	-23%
AUTO THEFT	5.9	6.4	10	14	-29%	22	30	-27%	66	93	-29%	148	159	-7%
LARCENY-ALL OTH	45.8	51.6	55	60	-8%	131	203	-35%	521	654	-20%	1145	1289	-11%
Larceny from Auto	14.3	16.6	10	18	-44%	37	66	-44%	168	207	-19%	357	415	-14%
Larceny - Shoplifting	17.3	18.6	24	18	33%	45	63	-29%	165	211	-22%	432	464	-7%
TOTAL PROPERTY	60.8	68.6	74	123	-40%	184	269	-32%	696	898	-22%	1521	1714	-11%
TOTAL IMPACT CRIMES	70.8	79.2	82	133	-38%	215	295	-27%	811	1045	-22%	1770	1979	-11%
*ROBBERY IS COUNTED BY NIBRS AS A PROPERTY CRIME														



High Point Indexed Violent Crime: Per 100,000

Percentage is from 1997 to 2019

2020 is indexed from January 1, 2020 – January 24, 2020





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

05-01-21

REFERENCE

N.C.G.S 15A-401

RECINDS

I. PURPOSE

This General Order sets forth guidelines and policies on the uses 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, etc.), which are launched from a firearm or are otherwise similarly deployed in which the designed application of force is not intended for 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. Conductive Energy Weapon or CEW:

Conductive Energy Weapons (CEWs) are non-lethal police tools which may be used to temporarily incapacitate a resisting/assaultive person or vicious animal. CEWs use low-amperage electricity to interfere with the body's neuromuscular system, blocking the brain's signals to muscles. A CEW is a supplement to, and not a replacement for, other approved weapons such as firearms, or empty hand tactics.

H. 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 air flow is prohibited unless deadly force would be 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 to 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 verbal commands before force is used.
- 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
- Oleoresin Capsicum spray
- Pelargonic Acid Vanillyl-Lamide (PAVA).
- 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
- Conductive Energy Weapon

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 officer or suspect, including complaint of injury by suspects (Pressure Point requires a report).
- D. An Officer memorandum is required in event of serious injury to suspect, when CEW is used (probe or drive stun), or at the discretion of the Supervisor.
- E. Should the officer be injured and/or unable to complete the memorandum, the immediate Supervisor will ensure the memorandum is completed when reasonably appropriate.
- F. A Supervisor or Commander will respond to the appropriate location when:
1. A suspect requires or requests medical treatment as the 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, PAVA or CEW.

- 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 downloaded to the PSD-Photo File on the "Y" Drive.
- H. The report will be forwarded through the chain-of-command to Professional Standards. The Chief of Police will be notified on 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 Annex B (Officer Involved Shooting SOP).
- 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:



Kenneth J. Shultz
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.



***ROBBERY IS COUNTED BY NIBRS AS A PROPERTY CRIME**

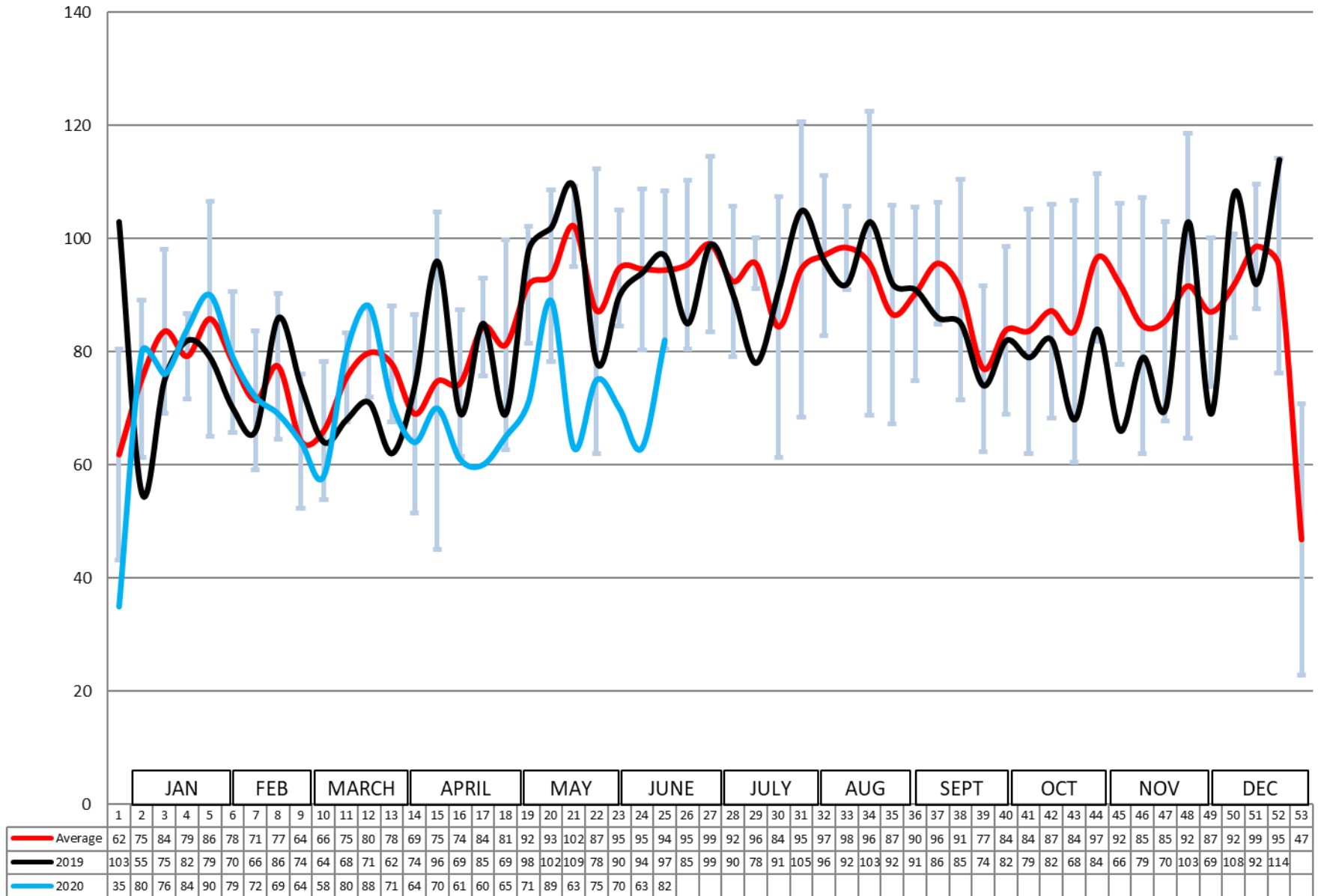
COMMUNITY RELATED / CASINGS / GUNS & INCIDENTS

COMMUNITY RELATED CALLS FOR SERVICE					
			WK TOTAL	AVG TIME AT SCENE IN MINS	TOTAL YTD
COUNT			23	56.5	701
GUNS CONFISCATED, SEIZED, & FOUND FOR WEEK AND YEAR TO DATE					
CONFISCATED	EVIDENCE	FOUND	WK TOTAL		TOTAL YTD
COUNT	0	3	1	4	197
*Note: Guns Confiscated, Seized, Found YTD Total does not include the 21 guns entered on 1/24/20 from Homicide CR# 2017-04844					

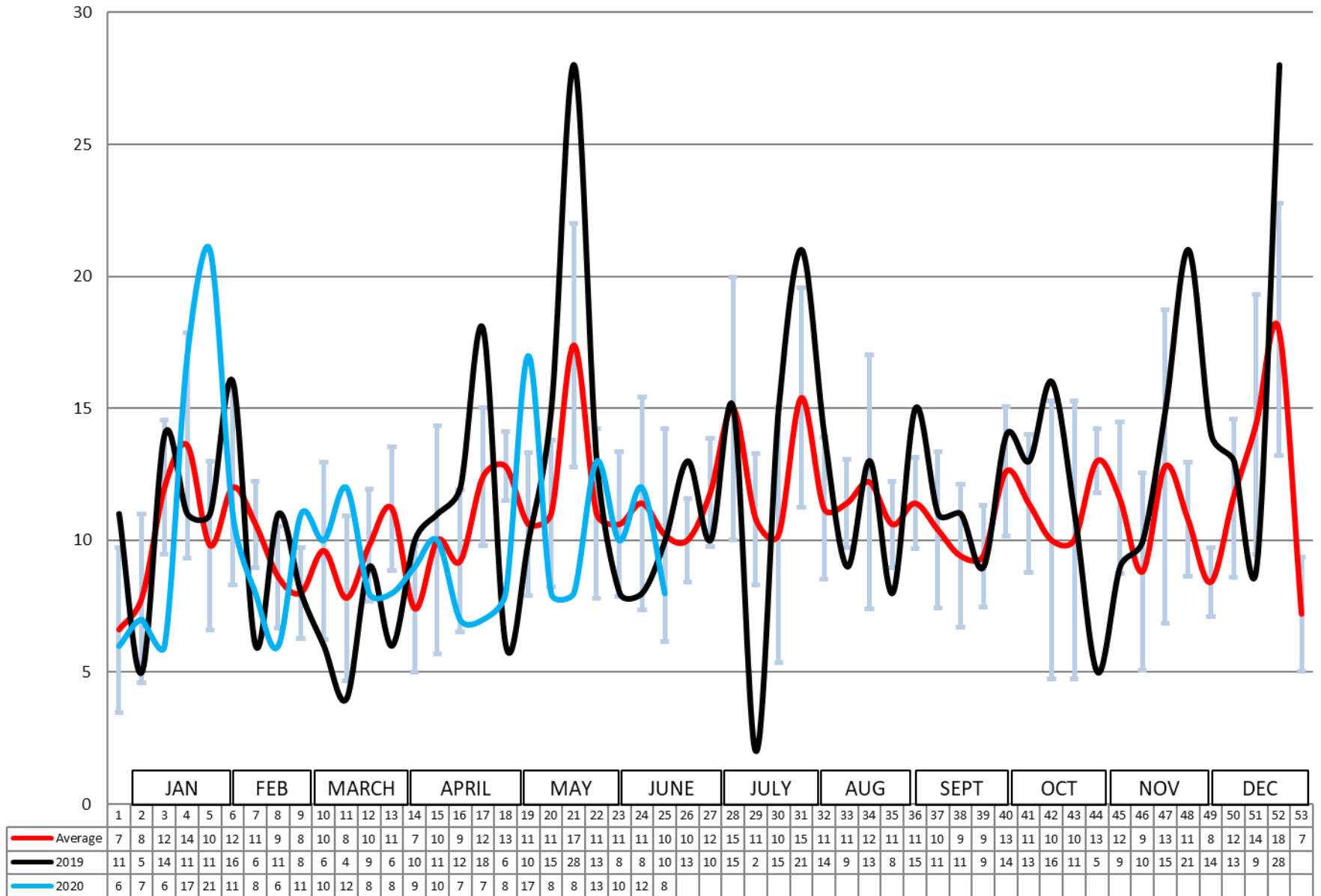
COUNT OF CASINGS BY CALIBER ENTERED FOR WEEK																					
CALIBER	10	25	22	223	270	.30-06	32	308	357	380	5.56	652	40	44	45	38	762	9MM	UNK	WK TOTAL	YR TO DATE
COUNT										7			4		14			23	2	50	961

WEEK 25						
202017367	ASSAULT - GUN	600 RICHARDSON AV	06/16/2020	GUN	ROAD/STREET	VICTIM TREVOR RICHBURG BM 10/10/68 SHOT 3 TIMES. SUSPECT VEH RED 4 DOOR SEDAN
202017593	ASSAULT - OTHER DANGEROUS WEAPON	1804 DREW AV	06/18/2020	FIST/ROCKS	RESIDENCE	JUVENILES FIGHTING
202017602	ASSAULT - GUN	624 E STATE AV	06/18/2020	GUN	RESIDENCE	VICTIM JEREMIAH WILLIAMSON WAS SHOT. MAY HAVE BEEN OVER A STOLEN VEHICLE & A REWARD FOR ITS RETURN. SUS VEH SILVER MUSTANG BLK TOP
202017720	ALL OTHER SHOOTING (CHANCE OF INJURY) INTO OCCUPIED PROPERTY	1206 VERNON PL	06/19/2020	GUN	RESIDENCE	SHOTS FIRED INTO RESIDENCE
202017709	ALL OTHER SHOOTING (CHANCE OF INJURY) INTO OCCUPIED PROPERTY	713 PARK ST	06/19/2020	GUN	RESIDENCE	SHOTS FIRED INTO RESIDENCE - VIDEO SHOWS A POSSIBLE HEAVY SET FEMALE SUSPECT
202017685	ASSAULT - GUN	2511 AMBASSADOR CT	06/20/2020	BAT & GUN	RESIDENCE	DOMESTIC RELATED - ROBERT MUNGO ARRESTED FOR FIREARM BY FELON
202017796	ROBBERY - STRONGARM NO WEAPON	404 VAIL AV	06/21/2020	FIST/ROCKS	ROAD/STREET	VICTIM WAS EXTREMELY INTOXICATED HARD TO GATHER INFO

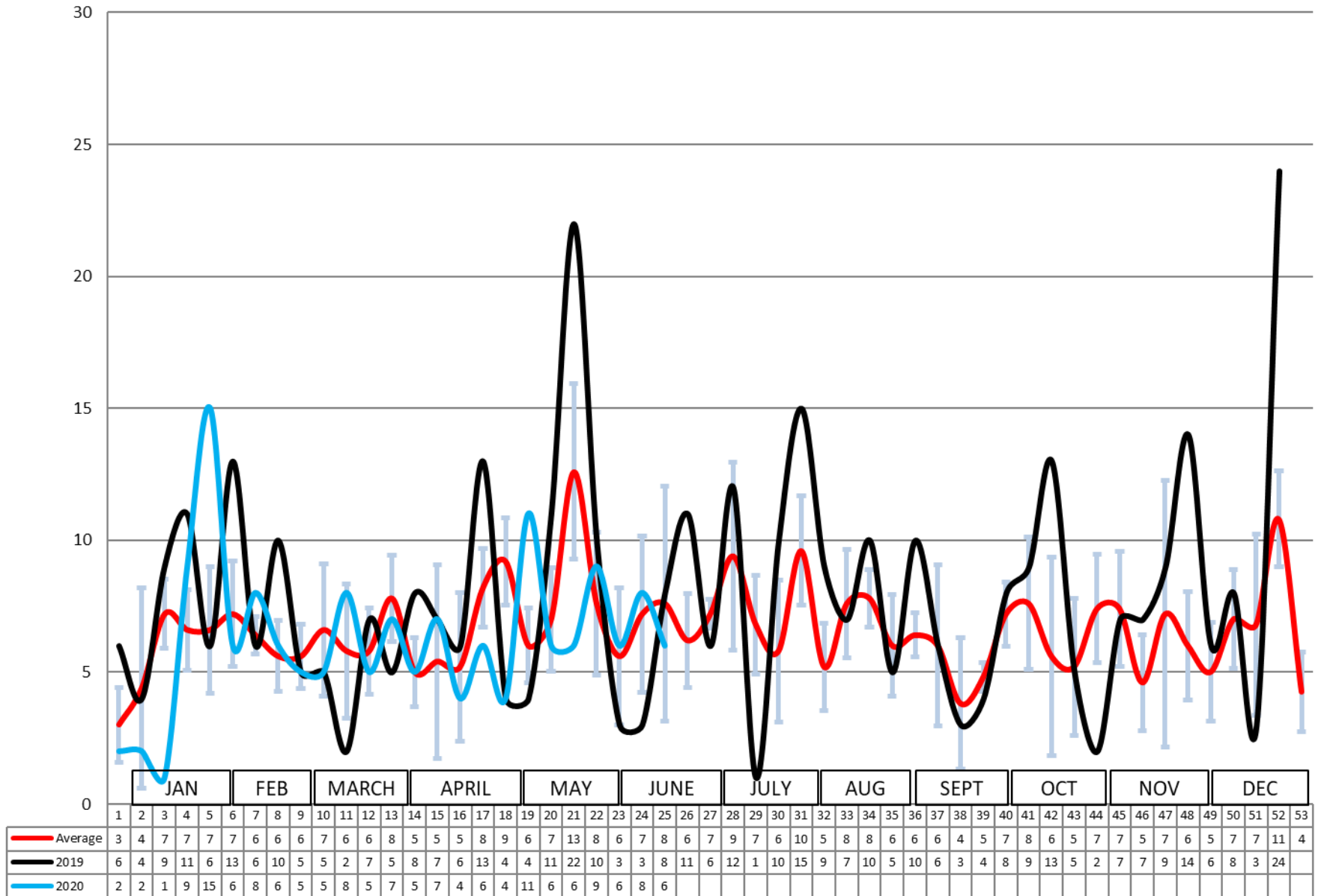
2020 IMPACT CRIMES TREND WITH ACTUAL 2019 AND 2020



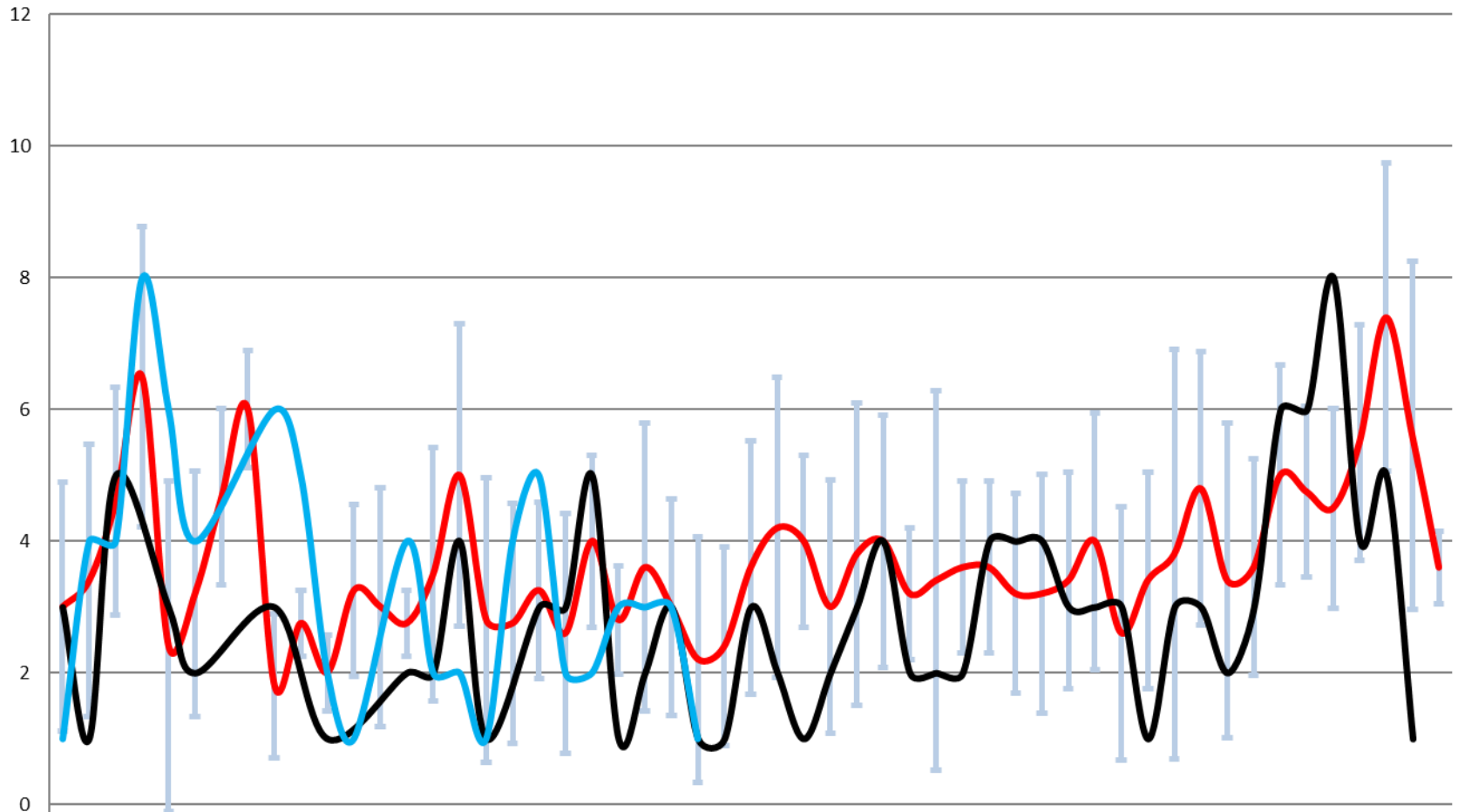
2020 VIOLENT IMPACT CRIMES TREND WITH ACTUAL 2019 AND 2020



2020 AGGRAVATED ASSAULT TREND WITH ACTUAL 2019 AND 2020

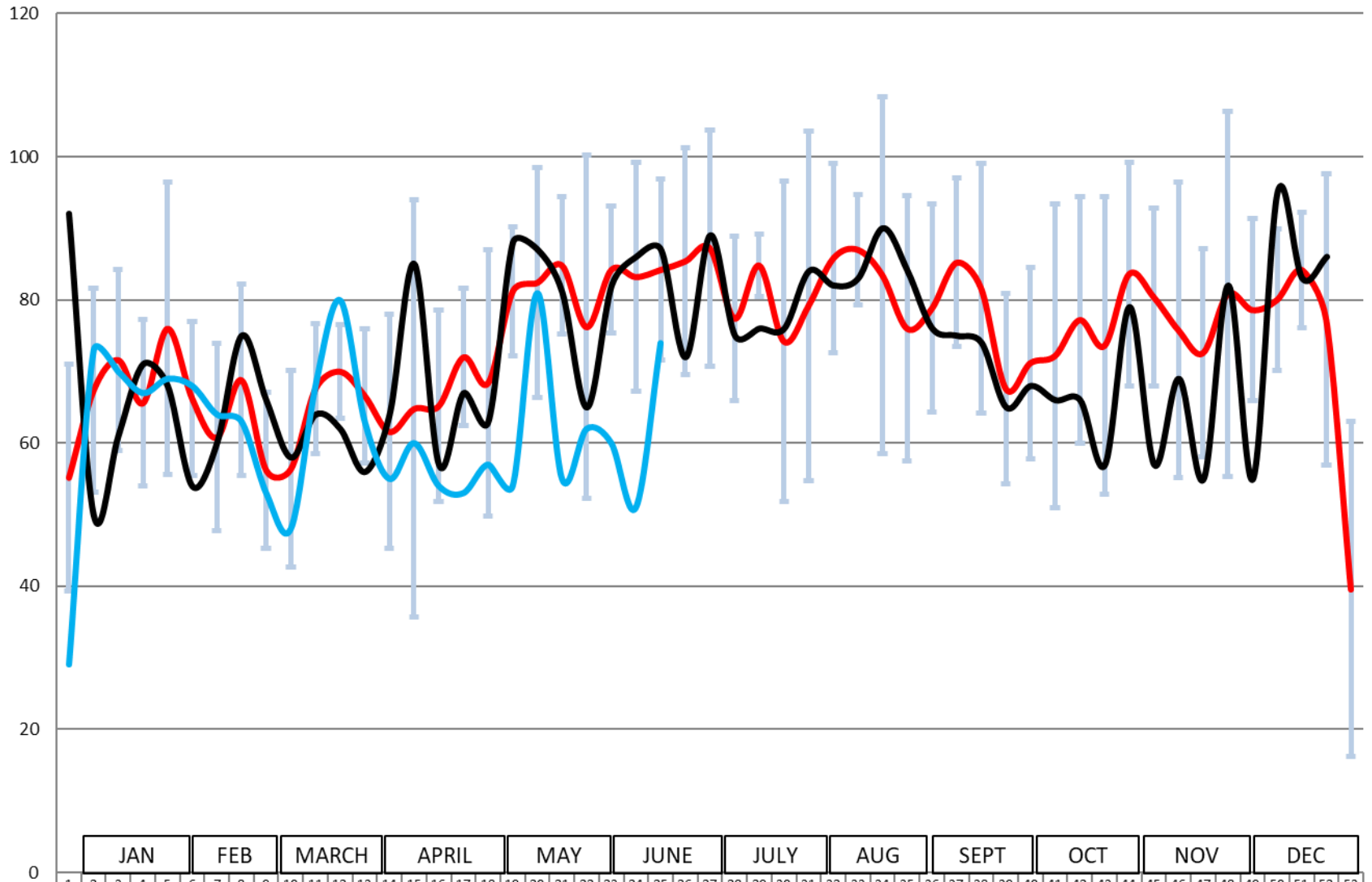


2020 ROBBERY CRIMES TREND WITH ACTUAL 2019 AND 2020



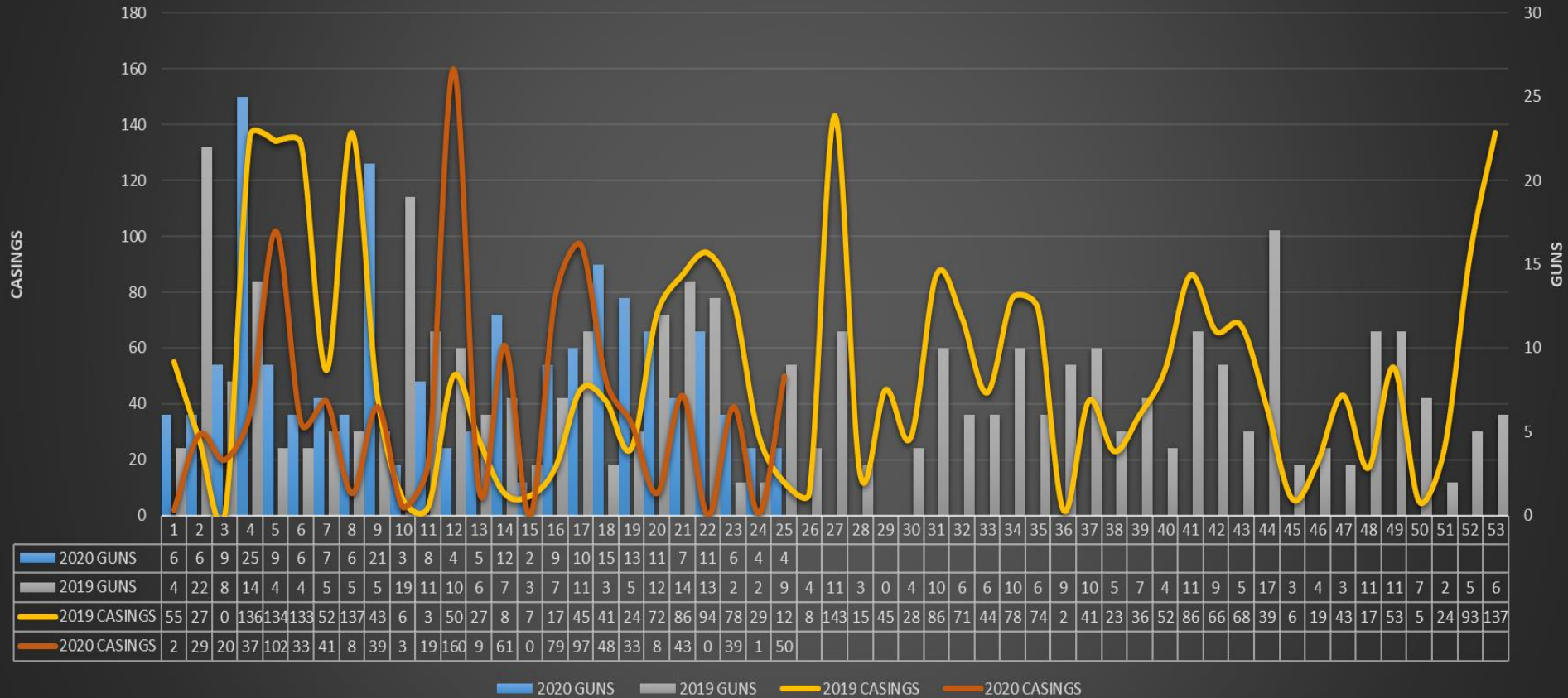
-2		JAN					FEB			MARCH					APRIL					MAY					JUNE					JULY					AUG					SEPT					OCT					NOV					DEC				
		1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45	46	47	48	49	50	51	52	53					
Average	3	3	5	7	2	3	5	6	2	3	2	3	3	3	4	5	3	3	3	3	4	3	4	3	2	2	4	4	4	3	4	4	3	3	4	4	3	3	3	4	3	3	4	5	3	4	5	5	5	6	7	6	4						
2019	3	1	5		3	2			3		1			2	2	4	1		3	3	5	1	2	3	1	1	3	2	1	2	3	4	2	2	2	4	4	4	3	3	3	1	3	3	2	3	6	6	8	4	5	1							
2020	1	4	4	8	6	4				6	5	2	1		4	2	2	1	4	5	2	2	3	3	3	1																																	

2020 PROPERTY CRIME TREND WITH ACTUAL 2019 AND 2020

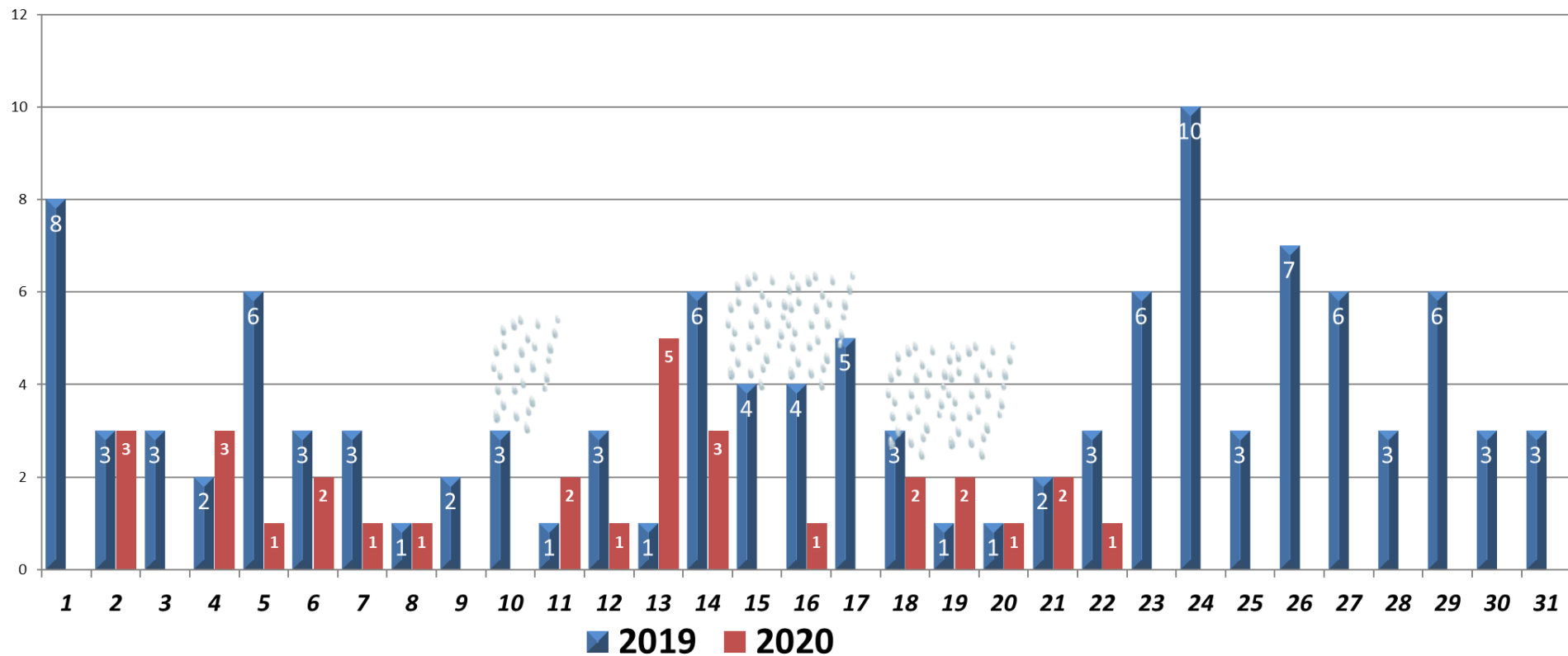


0		JAN					FEB				MARCH					APRIL					MAY					JUNE					JULY					AUG					SEPT					OCT					NOV					DEC				
		1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45	46	47	48	49	50	51	52	53						
Average	55	67	72	66	76	66	61	69	56	56	68	70	67	62	65	65	72	68	81	82	85	76	84	83	84	85	87	77	85	74	79	86	87	83	76	79	85	82	68	71	72	77	74	84	80	76	73	81	79	80	84	77	40							
2019	92	50	61	71	68	54	60	75	66	58	64	62	56	64	85	57	67	63	88	87	81	65	82	86	87	72	89	75	76	76	84	82	83	90	84	76	75	74	65	68	66	66	57	79	57	69	55	82	55	95	83	86								
2020	29	73	70	67	69	68	64	63	53	48	68	80	63	55	60	54	53	57	54	81	55	62	60	51	74																																			

2019/2020 Guns (Seized, Confiscated, Found) & Casings Collected Comparison



June 2019 and 2020 Violent Crime Comparison by Day
Average Tempature for Month 2020, High of 81.1° and Low 64°
Precipitation is counted if more than 0.10"



#1-Below is the relevant portion of our policy that addresses choke holds:

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 air flow is prohibited unless deadly force would be authorized.

High Point Police Department Use of Force Policy
Response to 8 Can't Wait Proposal
Kenneth J. Shultz, Chief of Police
Public Safety Committee 6/24/2020

#2-Below are the portions of our existing policies that are related to De-escalation:

I. PURPOSE

This General Order sets forth guidelines and policies on the uses 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.

H. 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.

IV. SITUATIONAL FORCE MODEL

A. Mere *police presence* often avoids the need for any force.

B. De-escalation will be the preferred method to 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.

#3-Below are the portions of our policies related to the giving of verbal warnings prior to shooting:

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.

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 verbal commands before force is used.

#4-Regarding requests to mandate that police officers exhaust all alternatives before shooting:

Even civilians in N.C. are not required to exhaust all other alternatives before using deadly force to protect themselves from death or serious bodily injury. Officers may only use deadly force as set out by state law – G.S. 15A-401. Our policy is even more restrictive than state law as noted below.

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).

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.

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

#5-Below is the relevant portion of our policy that mandates a duty to intervene if an officer witnesses excessive 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.

#6-Below is our existing policy related to shooting into moving vehicles:

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.

#8-Below are our Use of Force Reporting Mandates:

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 officer or suspect, including complaint of injury by suspects (Pressure Point requires a report).
- D. An Officer memorandum is required in event of serious injury to suspect, when CEW is used (probe or drive stun), or at the discretion of the Supervisor.
- E. Should the officer be injured and/or unable to complete the memorandum, the immediate Supervisor will ensure the memorandum is completed when reasonably appropriate.
- F. A Supervisor or Commander will respond to the appropriate location when:
 - 1. A suspect requires or requests medical treatment as the 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, PAVA or CEW.
- 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 downloaded to the PSD-Photo File on the "Y" Drive.
- H. The report will be forwarded through the chain-of-command to Professional Standards. The Chief of Police will be notified on 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 Annex B (Officer Involved Shooting SOP).
- 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.