Purpose
To provide the Indiana University Police Department (IUPD) with guidance surrounding reasonable use of force. Use of force is not limited to firearms and for this reason this order applies to all sworn officers and non-sworn personnel.

General Order (7.1.1)
The IUPD respects the sanctity of every human life and will adhere to the U.S. Supreme Court’s precedent regarding the use of force. Officers will use only the force that is necessary and reasonable to effect lawful objectives in accordance with state law. IUPD officers will use de-escalation techniques, when feasible, prior to any use of force. Non-sworn personnel are prohibited from using force unless they have a reasonable belief that they are defending themselves or another person from an assault likely to result in serious bodily injury or death, or at the direction of a sworn officer.

Definitions
Reasonable Belief – a belief that would be considered reasonable from the perspective of any sworn officer in that situation.

Imminent Danger – a risk or threat that puts any person at immediate serious risk of death or serious physical injury.

Significant Threat – a threat or action that is likely to result in death or serious physical injury.

Serious Bodily Injury – defined by Indiana Code 35-31.5-2-292 as bodily injury that creates a substantial risk of death or that causes serious permanent disfigurement, unconsciousness, extreme pain, permanent or protracted loss or impairment of the function of a bodily member or organ, or loss of a fetus.

Serious Physical Injury – bodily injury that creates a substantial risk of death or that causes serious permanent disfigurement or permanent, protracted loss or impairment of the function of a bodily member or organ, or loss of a fetus. Serious physical injury is different from serious bodily injury, as defined by Indiana Code 35-31.5-2-292, in that it does not include unconsciousness or extreme pain.

De-escalation Prior to Use of Force
IUPD officers will, when feasible, attempt to de-escalate situations with the goal of resolving encounters through voluntary compliance without the use of force. De-escalation techniques include, but are not limited to:

- Seeking opportunities to slow encounters down to allow time to summon additional resources.
- Increasing distance from the person to maximize reaction time and tactical advantage.
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- Seeking cover and concealment using natural barriers in the immediate environment or by placing barriers between the person and officer or the public.
- Using communication techniques such as:
  - Clear verbal instructions.
  - Verbal persuasion and advice.
  - Non-verbal techniques for situations where language barriers or hearing/comprehension impairments exist.

While attempting to de-escalate a situation, officers will continuously conduct threat assessments to avoid placing themselves or others in unnecessary jeopardy.

Officers will never knowingly or intentionally escalate a situation and will never use taunting, insulting, harassing or verbally abusive language that is intended or likely to provoke another person to escalate the situation.

If use of force becomes necessary, officers will, when feasible, provide verbal warning before using force.

Use of Force Objectively Reasonable and Proportionate

Officers will only use force that is objectively reasonable and proportionate to the circumstances.

Objective Reasonableness

The United States Supreme Court ruled in Graham v. Connor that “the ‘reasonableness’ of a particular use of force must be judged from the perspective of a reasonable officer on the scene, rather than with the 20/20 vision of hindsight,” and that, “the calculus of reasonableness must embody allowance for the fact that police officers are often forced to make split-second judgments — in circumstances that are tense, uncertain, and rapidly evolving — about the amount of force that is necessary in a particular situation.

Factors to be considered when determining reasonableness include:

- The severity of the crime(s).
- The immediate threat the person poses to the safety of other people, including officers.
- The risk of harm the person poses to other people, including officers.
- Active resistance or attempts to evade or flee from officers.
- The feasibility or effectiveness of de-escalation techniques.
- Known physical, medical, or mental impairments.
- Known effects of drugs and/or alcohol on the person.
- Known history of resistance or violence from the person.
- Proximity of weapons or dangerous devices.
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- Contextual factors such as number of officers and persons, skill level of the officers, known skill level of the person(s), and the relative age, size and strength of the officers and the person(s).
- Any other relevant and articulable factors.

Proportionate Force

When using force is necessary, officers will use only proportionate force. Proportionate force is the amount of force that is required, based on the circumstances known to the officer, to achieve the officer’s legitimate law enforcement objectives.

Officers will rely on their training, experience, and assessment of the situation to determine what level of force is proportionate. The list of factors contained in Objective Reasonableness above should guide this determination.

Consistent with the rule of proportionality, officers will consider the available force options, and will employ the proportionate force option that is available to them that will resolve the situation safely.

The principle of proportionate force does not require officers to use the same type or amount of force as the person. The more immediate the threat and the more likely the threat will result in death or serious physical injury, the greater the level of force that may be required to counter it.

Officers must reevaluate their response, including the use of force, as a situation develops. The use of force will be discontinued if it is no longer objectively reasonable—for example, if a suspect has ceased resistance and the incident is under control. Similarly, if some degree of force is still required but the level of force being used has become disproportionate to the need, officers will adapt a proportionate, less severe level of force.

Use of Force to Achieve Lawful Objectives

Officers may use objectively reasonable and proportionate force to:

- Protect any person, including the officer.
- Prevent resistance directed at officers.
- Prevent or terminate the commission of a crime.
- Make an arrest, detention, or conduct a lawful search.
- Prevent escape from lawful detention.
- Intervene to provide medical care.
- Any other legitimate law enforcement purpose.

Officers will not use physical force against individuals in restraints and under control. Officers may use objectively reasonable and proportionate force to prevent escape, ongoing resistance, or imminent bodily injury to the person or any other person, to include officers.
Indiana University Police Department
Chapter 7 – Use of Force
Sub-Chapter - 7.1 – Use of Force

7.1.1 Reasonable Force

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Rescinds:      G7.1.1 – 6/5/2020  Number of Pages: 4

Officers may not use or threaten physical force:

- To resolve a situation more quickly, absent factors that would make the use of force objectively reasonable and proportional.
- To punish a person or retaliate against them for past conduct.
- To force compliance with an officer’s request absent other factors that would make the use of force objectively reasonable and proportional.
- Based upon bias against a person’s race, ethnicity, nationality, religion, disability, gender, gender identity, sexual orientation, or any other protected characteristic.

Use of Deadly Force

The Indiana University Police Department respects the sanctity of human life, and the application of deadly force is a measure to be employed in only the most extreme circumstances. Officers may use deadly force only under a reasonable belief that the action is in defense of human life or in defense of any person in imminent danger or facing a significant threat of serious physical injury and in accordance with Indiana law. Indiana Code 35-41-3-3 requires officers, to give a warning, if feasible, to the person against whom the deadly force is to be used.

IUPD requires de-escalation techniques to be utilized, when feasible, prior to any use of force. Officers should exhaust all other reasonable means before resorting to deadly force.

Use of deadly force is fully addressed in G7.1.2 Use of Deadly Force.

Related Information

Indiana University Police Department
- G7.1.2 Use of Deadly Force

Indiana Code
- 35-31.5-2-292 Serious Bodily Injury
- 35-41-3-3 Use of Force Relating to Arrest or Escape

Legal Precedent

Benjamin Hunter (6/21/2022)
Superintendent for Public Safety