

# POLICY 5

## Use of Force with Youth

### PURPOSE

Provide guidance to law enforcement agencies to tailor their use of force policies and training to address interactions between officers and youth. As the level of force rises, so does the officer's duty of care to consider the short and long term impact of the use of restraints, weapons and force, in the context of the heightened duty of care to protect youth, due to youth vulnerability and immaturity.

This policy **supplements** and **complements** existing law enforcement agency use of force policies, and assumes that agencies recognize a duty of care to youth. The policy requires that, where feasible, officers must use developmentally appropriate de-escalation practices before using force, restraints, or weapons. This policy directs officers to use the least amount of physical force possible to effect a lawful law enforcement purpose, and recommends standards of use, including restricted use and prohibitions, for specific types of weapons, restraints and use of force on youth.

**This policy assumes routine and rigorous training of officers in de-escalation tactics, and the principle that use of force is a last resort.**

The policy is based on the recognition that determining whether to use force can require officers to make split-second decisions<sup>1</sup> to protect themselves and their communities, and on the view that these decisions must be made consistent with officers' duty of care to preserve and protect the life of youth. The policy requires that any use of force must be reasonable, in light of all of the circumstances involved in the officer's interaction with the youth, including characteristics of the youth, the circumstances in which the youth and officer are interacting, and any risk posed by the youth to themselves, to others, or to the officer.<sup>2</sup> This means that, wherever feasible, officers must account for a youth's age, size, development, and known or apparent disability when considering use of force tools and/or tactics.

1. Nothing in this policy precludes existing policy directives that allow officers to take quick action when faced with a life-threatening situation, such as an active shooter.

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# POLICY

As a **supplement and a complement to existing procedures dictated by the law enforcement agency's use of force policy**, this policy is based on six principles, aimed at preventing death and serious bodily injury to youth; reducing trauma, and ensuring adherence to the duty to protect youth.

**Principle #1:** Use developmentally appropriate, trauma-informed de-escalation tactics prior to use of force. This involves including by determining, as much as feasible under the circumstances, whether the youth has a disability, language barrier, or other condition that may impair their ability to understand and comply with the officer's statements and commands.

**Principle #2:** Provide warning and time to comply before using force tactics or tools.

**Principle #3:** Account for age, size and development of youth with respect to specific use of force tools/tactics.

**Principle #4:** Restrict and /or prohibit use of conducted electronic weapons, extended range impact weapons (ERIW), head strikes, impact weapons, canines and firearms on youth, unless the youth is threatening the officer or another with death or serious bodily injury.

**Principle #5:** Restrict pointing of weapons at youth.

**Principle #6:** Do not engage in unnecessary, overly aggressive, or otherwise improper actions that escalate the encounter and may create a situation where force is needed.

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2. See *Graham v. Connor*, 490 U.S. 386, 397 (1989) (the appropriate analysis to assess the constitutionality of an officer's use of force is "whether the officers' actions are 'objectively reasonable' in light of the facts and circumstances confronting them, without regard to their underlying intent or motivation." To determine objective reasonableness, one must pay "careful attention to the facts and circumstances of 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 is actively resisting arrest or attempting to evade arrest by flight." See also *id.* (This analysis asks whether the officer's conduct was reasonable under the "totality of the circumstances".) (quoting *Tennessee v. Garner*, 471 U.S. 1, 8-9 (1985)).

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# REASONS FOR YOUTH SPECIFIC POLICIES

## Why the Use of Force Should be Different Against Youth

- Because youth are still developing, they tend to be more impulsive and have more difficulty exercising judgment than adults. Youth often interact with law enforcement in a heightened state of anxiety, due to their perception of officers, the circumstances resulting in law enforcement's presence, and/or prior traumatic exposure. When officers lack youth-specific training and policy guidance for interactions with youth, they may unnecessarily escalate these interactions, including through the circumstances resulting in use of force.
- Although data on law enforcement use of force against youth is limited, available information indicates that:
  - When an officer-youth interaction involves force, the force is initiated by the officer 80% of the time,
  - Youth of color are the most frequently subject to use of force and are disproportionately subject to death from law enforcement shootings.
- Law enforcement use of force can lead to youth injury. For example, a search of the Centers for Disease Control Web-based Injury Statistics Query and Reporting System finds that 172,472 children aged 5 to 18 were brought to emergency rooms for nonfatal injuries resulting from legal interventions between 2001 and 2020, which is roughly 8,000 youth seeking emergency room treatment each year.
- Use of Conducted Electrical Weapons are particularly dangerous for youth, because their brains and bodies are not fully developed. The intensity of the electrical charge, the areas targeted, and the risk that the young person will freeze up and experience flatboarding (i.e. falling without being able to use their hands and arms to break the fall) when tased, make youth apt to suffer more severe injuries, potential structural damage and lasting disabilities. Any disruption or injury during this critical developmental period can halt or delay normal development, sometimes permanently.
- Youth who are subjected to force by law enforcement, or even witness it second-hand, often suffer long-term emotional trauma and psychological distress. For instance, one study found that “exposure to police violence leads to persistent decreases in GPA, increased incidence of emotional disturbance and lower rates of high school completion and college enrollment for Black and Latino students.”

Additional source and background information for this policy can be found in the [Appendix to Policy 5](#).

# DEFINITIONS

## **CHOKEHOLD & CAROTID RESTRAINTS**

Chokeholds involve pressure to the throat or windpipe and restrict an individual's ability to breathe and the blood flow to the brain causing temporary unconsciousness.

## **CONDUCTED ELECTRONIC WEAPON (CEW)**

A conducted electronic weapon sends up to 50,000 volts of electricity through two prongs or hooks that attach to a body, causing a person to contract involuntarily through "hijacking" the central nervous system. The purpose is to immobilize a person. CEWs vary in strength and their capacity constantly evolving.

## **DEVELOPMENTALLY APPROPRIATE**

Developmentally appropriate policing requires that officers understand the unique social, emotional, physical, neurological, behavioral, and moral aspects of development in a youth under 18 years of age and adjust their policing practices accordingly. This term reflects how youth experience transformative change and growth, particularly in the brain, during this phase of human development, and that these changes impact behaviors in ways that are often beyond a youth's control. As a result of their developmental process, they often interpret information, directives, and commands differently from adults. Therefore, law enforcement officers must use different practices when interacting with youth. Because youth develop at different rates, it is necessary to focus on developmental characteristics instead of age.

## **DEVELOPMENTALLY APPROPRIATE LANGUAGE**

Developmentally appropriate language uses vocabulary, syntax, and speed and complexity of communication that matches an individual's developmental level and capacity for understanding. Developmentally appropriate language is necessary to ensure meaningful communication and increases the likelihood that youth are able to understand and assert their constitutional rights.

## **DRIVE STUN**

This is when a CEW is discharged while in direct contact with skin.

## **EXTENDED RANGE IMPACT WEAPONS**

Shot at a high velocity from a firearm, bean bags, wooden dowels and rubber bullets are used to temporarily incapacitate a person because they have a lower probability than a bullet of causing serious bodily harm.

## **FEASIBLE**

State law may define what factors must be considered to make an action feasible including, as “reasonably capable of being done or carried out to achieve the arrest or lawful objective without increasing risk of harm to the officer or another person.”<sup>3</sup>

## **FLASH BANG GRENADE/NOISE FLASH DEVICE**

These devices make controlled explosions of loud noise and bright light with the intention of diverting and distracting to provide a tactical advantage to officers. Some devices reach up to 1000 degrees Fahrenheit, 175 decibels, and 1 million candlepower light flash.

## **HOG-TYING**

Placing an individual face down, in the prone position, with hands cuffed behind their back and their feet connected by an adjustable nylon belt also known as a hobble device. Sometimes a person will be suspended from a long bar placed between the handcuffs and ankle restraints.

## **IMPACT WEAPONS**

Also known as a baton, truncheon, or asp, these weapons can be made of rubber, plastic, wood, or metal and range in size from 7 inches to 7 feet, and some can be retracted. The primary use and purpose is to control or stop actions through pain compliance by delivering a blow that stuns or immobilizes a person.

## **LOW-READY POSITION**

An unholstered gun that is out of the officer’s visual field.

## **OLEORESIN CAPSICUM (OC) SPRAY**

OC spray is a tear-producing substance that causes acute eye pain, tearing, skin irritation, and respiratory tract irritation.

## **PRESSURE POINT TACTICS**

Tactics that use pain to achieve compliance.

## **TRAUMA**

As defined by the U.S. Department of Health and Human Services, individual trauma results from an event, series of events, or set of circumstances that is experienced by an individual as physically or emotionally harmful or life threatening and that has lasting adverse effects on the individual’s functioning and mental, physical, social, emotional, or spiritual well-being.

3. See California Government Code Section 7286 (a)(3) (2022).

### **TRAUMA-INFORMED**

A trauma-informed **officer**: 1) anticipates that exposure to and experience of trauma is widespread, 2) realizes that the impacts of trauma often lead to reactive, survival behaviors; 3) recognizes hallmarks of traumatic responses, which are often shaped by a perspective of powerlessness, and 4) responds by considering the role trauma may play in a person's response while taking steps to avoid re-traumatization.

A trauma-informed law enforcement **agency** supports its officers' trauma-informed responses by promoting awareness of and training about trauma, policies that require training for trauma-informed skills with the public and among officers.

### **VIOLENCE PREVENTION INTERVENTIONS**

Community-based programs/responders to anticipate, defuse, and prevent violence.

### **YOUTH**

Any person under the age of 18.

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# PROCEDURE

## I. Duty to Use Developmentally Appropriate, Trauma-Informed De-Escalation Tactics with Youth

### A. Officer Assessment

Officers will begin the use of de-escalation practices by assessing youth:

1. characteristics, including their apparent age, body size, and strength relative to the officers' strength,<sup>4</sup>
2. capacity to communicate,
3. indicators of any disabilities or substance use that will interfere with a youth's ability to interact with officers and follow officers' instructions.<sup>5</sup>

### B. Officers Shall Avoid Escalating Situations

Officers shall not unnecessarily jeopardize their own safety or the safety of others through tactical decisions that unreasonably place themselves or others at risk, including, but not limited to:

1. Immediately approaching a youth without proper evaluation of the situation,
2. Approaching a youth with weapons drawn when the youth poses no known risk,
3. Failing to provide enough time for a youth to comply with commands, including by taking action before youth has understood the command,
4. Making verbal threats to use force against youth or their friend/family member,
5. Leaving insufficient physical space between an officer and the youth causing the youth to attempt to withdraw from the situation.
6. Escalating a situation by:
  - Multiple officers issuing multiple, contradictory commands in a short period of time,
  - Humiliating youth, by using racist, sexist or otherwise insulting language,
  - Provoking or baiting youth into proving themselves by playing on their developmental vulnerabilities (e.g. "be a man," "man up," "if you were a big man"),
  - Mirroring or mocking youth responses.

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4. See, e.g. Baltimore Police Department Policy 1115, Draft Use of Force Policy, (July 26, 2023) at 9 ("When force against a Youth is necessary, members will take into account articulable personalized factors of the Youth including: apparent age of the Youth, body size, and relative strength of the member relative to the Youth; and risk posed by the child or young person.")

5. See Policy 8: Policing Youth with Disabilities, Experiencing Mental Health Crises, or Impaired By Drugs or Alcohol.

## II. De-Escalation Strategies for Use with Youth

The ***Behavior, Language and Timing of officers' response*** to youth will affect the outcome of de-escalation efforts.<sup>6</sup>

### A. Officer Behavior

Officers must be aware that their presence may escalate situations with youth, and work to counteract this impact by, where feasible, avoiding conduct that the youth may perceive as intimidating and/or threatening. To do so, officers should:

- Approach youth in a non-confrontational manner to diffuse tension and anxiety,
- Avoid quick movements and gestures that indicate aggression,
- Create distance/separate youth from onlookers for questioning or to investigate a situation, and/or reduce the presence of onlookers whose presence is escalating the officer-youth interaction,
- Keep as much distance as possible between officers and youth, to avoid crowding or encroaching youth,
- Anticipate that as the distance between officer and youth decreases, youth may make aggressive gestures out of a perceived need to protect themselves,
- When several officers are present, designate one officer to lead the interaction,
- Ascertain whether family or friends can assist in explaining the situation and/or de-escalating it, particularly with youth who cannot adequately communicate or comprehend the situation due to disability, mental health crises, or the adverse impact of substance use,<sup>7</sup>
- Request available resources, as needed, such as a crisis intervention team or mental health professionals,
- Once on scene, collect information, including violence interrupters, family, or others who can facilitate communication with the youth and/or aid in de-escalation.

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6. See Baltimore Police Department Policy 1202, Interactions with Youth (2022) (“**6.2.** Recognize that a Youth may not comply right away with orders and that multiple attempts may be needed without resorting to the use or threats of force. The BPD’s policy requirements governing the use of force in encounters with Youth are included in Policy 1115, Use of Force. **6.2.1.** Repeat instructions in a clear voice, and remind the Youth that the purpose of a member’s actions is to protect the safety of the Youth and others. **6.2.2.** Make efforts to slow down and not rush through interactions absent an emergency situation. For example, when safe and feasible under the circumstances, a member may walk alongside a Youth who initially refuses to stop on the member’s orders to try to get the Youth to comply as opposed to physically restraining the Youth. **6.2.3.** Repeat back what the Youth says to demonstrate understanding and give an opportunity for clarification. Answer any questions a Youth may have in order to help them understand the Member’s actions. **6.2.4.** Allow time for the Youth to vent their frustrations, and give them an opportunity to comply (consider environment and other competing stimulus – e.g., sirens, flashing lights, noise, commotion). **6.2.5.** Allow the Youth to make choices or remind them that they may request the help of a parent or guardian, when appropriate. This may include arriving at a way to resolve the situation together. **6.2.6.** Be attentive to a Youth’s actions over their words. Youth often may comply regardless of verbalizing otherwise.”)

7. See Policy 8: Policing Youth with Disabilities, Experiencing Mental Health Crises, or Impaired By Alcohol or Drugs.

**When Officers use restraint/force:**

- Designate an officer who is not restraining the youth to explain why officers are using the restraint (e.g. “keep you and others safe because of...”),
- A single officer should explain what will happen next if youth complies,
- A single officer should explain what will happen next if youth does not comply.

**Officers:**

- Shall avoid pointing guns at youth, or otherwise gesture or imply the use of a gun, unless deadly force is permitted, to obtain compliance with lawful directives,
- Shall not physically intimidate youth with threats of harm,
- Are prohibited from detaining youth in their vehicles unless officers have reasonable suspicion that the youth has committed a crime or officers have probable cause to arrest the youth.

**B. Officer Communications Strategies**

During high stress interactions, the capacity to process language is compromised; for young people this may be more pronounced. The more stimulus in their surroundings—sirens, flashing lights, observers, and speakers—the less a youth can accurately and fully process an officer’s verbal commands. Youth respond to **tone** more immediately than verbal directives.

An officer may be more effective if the officer gives the youth directives in a calm voice, and does not demean the youth. Officers interacting with youth should anticipate verbal resistance and youth who will try to draw officers into a power/authority struggle through language, or through trying to walk or run away from the encounter. In such circumstances, the officer should distinguish between verbal protests and behavioral compliance, and respond to the youth’s behavior rather than youth’s words.

1. Designate Lead Communicator

Designate one or two officers to engage the youth in conversation,

- Designate only **one** officer to issue directives to the youth,
  - Issue simple directives (e.g. avoid compound sentences) and allow youth time to process the directive and comply with each one (e.g. avoid multiple directives at a time),
  - A second officer should be prepared to assume this role if the first officer cannot engage the youth.

2. Officers' communication strategies should use developmentally appropriate, trauma-informed **approaches** including:
  - Whenever possible, in directing or warning youth, using affirmative (i.e., what the youth should do), rather than negative (i.e., what the youth should not do), language,
  - Speaking in a calm and measured tone,
  - Using short sentences,
  - Explaining the reason for the interaction or ask the youth to share their view of why officers are present,
  - Attempting to develop rapport by:
    - Communicating in a way that demonstrates respect for the youth's dignity,
    - Listening to the youth's questions and concerns and responding respectfully,
    - Explaining decisions in a neutral and fair way.
  - Repeating back what youth say to demonstrate officer's understanding of the youth's statements, offer an opportunity for clarification, and slow down the interaction while finding common ground,
  - Setting clear limits and expectations about the purpose of officer response to the interaction,
  - Waiting for answers from the youth,
  - Gaining compliance by creating a dynamic that allows, or gives the impression of, choice to the youth.
    - Use 'Situation/Alternative/Consequence' (SAC) strategy in which officer describes two options, which are equally palatable to the officer, and invites youth to choose an alternative and consequence,
    - Where possible, allow youth to make choices, even if it is only the appearance of a choice.
  - To diffuse social pressures, offer youth a "face-saving" strategy for resolving the conflict that serves the youth's needs while keeping control of the incident.

### **C. Officer Timing**

In high-stress encounters, youths' perception of time accelerates. This often has the effect of making youth feel that they are out of control of their circumstances, increasing their reactivity, and preventing them from considering ways to resolve the conflict. To the extent practical, slowing down the interaction and reducing the sense of urgency and pressure is key to effective resolutions.

Where possible, officers should:

- spend time developing rapport with the youth; the time invested providing explanations may later avoid or reduce the time spent subduing a youth who is physically resisting;
- emphasize there is no rush for resolution and that it is important to get the best outcome, not a fast one, (e.g. "We've got all the time in the world to get this right"),
- attempt to slow down or stabilize the situation to allow for the arrival and consideration of additional resources that may increase the likelihood of a safe resolution.

### **D. Officer/Supervisor involvement of Other Resources**

Officer use of mental health providers, social workers, outreach workers, violence interrupters, family, friends and others may help de-escalate officer-youth interactions and avoid use of force. Officers should consider:

- Requesting and using available support and resources, such as a crisis intervention team, a designated crisis responder, hostage negotiators, other behavioral health providers, or back-up officers, including more experienced officers or supervisors;
- Involving family, friends, or others who can assist in explaining the situation and/or de-escalating it, particularly with youth who cannot adequately communicate or comprehend the situation due to disability, mental health crises, or the adverse impact of substance use.<sup>8</sup>

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8. See Policy 8: Interactions with Youth with Disabilities, Experiencing Mental Health Crises, or Impaired By Drugs or Alcohol.

### III. **Warning, Identification & Opportunity to Comply Prior to Use of Force**

Officers shall identify themselves and warn youth before using physical force, restraints or weapons.

1. Assess youth's capacity to understand and comply with officer commands,
2. Provide clear instructions about what the youth should do,
3. Warn youth of consequences of failing to comply (e.g. drop weapon, end threat towards another),
4. Warn youth that physical force may be used unless they stop resisting the officer and comply with verbal directives,
5. Warn youth that physical force will be used unless their resistance ceases,
6. Ask youth to repeat back to the officer their understanding of the situation,
7. After warning that the officer may use physical force, give youth a reasonable time to comply.

#### **Duty to Use *Least Amount* of Force on Youth**

The use of force must be necessary, and reasonable in light of the totality of circumstances involved. No force shall be used or threatened where youth:

- Are compliant and not resisting an officer,
- Are obeying an officer's lawful order,
- Pose no risk of harm or threat to themselves, the officer or others,
- Are restrained by handcuffs or other methods,
- Have only expressed disagreement verbally or refused to speak to officers,
- Move their body in response to pain caused by an officer or make purely defensive reactions to an officer's use of force,
- Resist only by bracing, tensing or clenching their fists.

## IV. Prohibited Use of Restraints, Weapons & Force on Youth

**A. Officers shall not use force on youth who are compliant** and not resisting and pose no risk to another person.

Officers shall not use any weapon, restraint or force for the purposes of:

- causing pain or to inflict injury,
- punishment,
- intimidation, coercion, or harassment.

### Prohibited Uses of Weapons on Youth

- Pointing or threatening a weapon at youth, or firing warning shots to induce compliance or to intimidate,
- As a blunt force weapon,
- When the youth is causing harm solely to **property** and not putting others at risk of harm,
- When the youth poses no risk to the officer, or another person,
- When the youth presents a danger only to themselves and does not have the apparent ability, opportunity, or intent to immediately cause death or serious bodily injury to the officer or another person or themselves,
- When the youth is near other youth and/or innocent persons who may be injured by discharging the firearm.

### Prohibited Uses of Force/Tactics on Youth When Deadly Force Not Justified

- Chokehold or carotid restraint either by hand or by using a weapon such as a baton,
- Head strikes using fists or weapons including flashlight, weapon stock, or weapon handle,
- Use of fists or weapons including a flashlight, weapon stock, or weapon handle to strike youth on their neck, sternum spine, groin, or kidneys,
- Kneeing or kicking a youth in the head, neck, back, or torso,
- Placing the officer's knee onto a youth's neck or back when the youth is supine, prone, or restrained,

## Policy 5 – Procedure (cont'd)

- Sitting or other use of body weight on youth who are in a supine, prone or restrained position,
- Deployment of canines to pursue, apprehend or attack youth.<sup>9</sup>

### **Vehicle Pursuits**

Officers shall not engage in high speed pursuit of vehicles driven by a youth whose age is objectively apparent or reported to a reasonable officer. Officers shall not fire at a vehicle involved in a high speed pursuit when the officer cannot control the risks of doing so, and when other occupants of the vehicle are not engaging in behavior that would justify use of force.

### **Prohibited Uses of Restraints on Youth**

Officers shall not use:

- Hogtying,
- Handcuffs or plastic ties (flexicuffs) on the ankles, wrists and arms of youth under the age of 13.

## **V. Standards of Use & Restricted Use of Restraints & Weapons**

As the level of force rises, so does the officers' duty of care to consider the short and longterm impact of the use of restraints, weapons and force on youth, in the context of their heightened duty of care to protect youth.

Use of restraints, weapons and force, must stop when youth demonstrate that they:

- Are compliant,
- Are not resisting,
- No longer pose a risk,
- Indicate that they cannot breathe or are in pain.

### **A. Firearm Weapons**

Standard of Use of Firearms on Youth:

- The use of a firearm—drawn or pointed—at a youth is permitted only in the extremely rare and unlikely event that deadly force is used because no other alternative or less lethal option exists.

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9. Baltimore Police Department Policy 1602, Canine Policy, at 6 (2023) (“Tactical Canine Deployment shall not be used to apprehend individuals under the influence of drugs and/or alcohol, persons with behavioral health disabilities or in behavioral health crisis, youth & children, visibly pregnant women, elderly persons, or other subjects who likely pose no immediate threat of serious injury to the member or others.”)

## Policy 5 – Procedure (cont'd)

- Pointing is limited to situations where there is reasonable articulable suspicion for safely obtaining compliance and protection from youth reaching for a weapon.
- Where feasible, officers must:
  - de-escalate the situation;
  - assess the totality of the circumstances and determine whether the use of the firearm is reasonable, necessary and proportional,
  - assess whether the risk of use of the weapon in the situation (e.g. playground) puts others at risk,
- Officers shall give a verbal warning that a firearm will be discharged and repeat the warning.
- Officers may draw a firearm in the low ready position only when the officer's assessment of the totality of the circumstances suggests that the situation may evolve to where deadly force would be authorized:
  - As soon as the officer realizes deadly force is not authorized, the officer shall lower or re-holster the gun.
- Officers must report any instance in which they point and draw a firearm at a youth.

### **B. Electronic Control Weapons/Conducted Energy Weapons (CEW)s**

#### Standard of Use with Youth:

- Have not committed an offense,
- CEWs shall not be used on youth under the age of 14,
- A CEW shall be used for one standard discharge cycle of five seconds or less, after which the officer shall reassess the situation,
- Only one officer at a time shall deploy a CEW on a youth; unless the first deployed weapon fails, officers should not intentionally deploy multiple CEWs on the same youth,
- If officers see other officers using a CEW on the youth, they shall immediately stop use of their own CEW.

#### Restricted Uses With Youth

- CEWs should not be used in circumstances that would not otherwise justify intermediate levels of force.

## Policy 5 – Procedure (cont'd)

- A CEW should not be used in the following circumstances, where youth:
  - Have not committed an offense,
  - Are suspects fleeing the scene,
  - Are handcuffed or otherwise restrained,
  - Are on an elevated surface (e.g., a ledge, scaffold, near a precipice, etc.) and are at risk of falling, unless reasonable efforts have been made to prevent or minimize a fall-related injury (e.g., deploying a safety net),
  - Are operating a car, scooter, bicycle, ATV, motorized bike, or other moving vehicle.

### Prohibited Uses

- For expediency (e.g. to avoid running after a suspect),
- CEWs shall not be used on youth under the age of 14,
- Officers shall not target the head, neck, chest, or genitals of youth,
- Multiple deployments of a CEW on a youth, e.g. 3 times in less than 30 seconds, and/or 3 or more deployments of the CEW where exposure exceeds 15 seconds, due to the significantly increased risk of serious bodily injury or death to youth,
- Officers shall not apply a CEW in drive stun mode, by which an officer discharges the CEW by directly placing it against the skin of a youth.

### **C. Extended Range Impact Weapons (ERIW):**

#### Standard of Use on Youth

- Push, jab, poke or hit; maintain distance.

#### Restricted Use of Youth:

- Applying leverage using ERW to stop movement.

#### Prohibited use on Youth:

- On youth's face, head, neck, throat, spine, groin, or heart area,
- Use of an ERIW with such force that severe bruising, internal bleeding, damage to internal organs and head injuries is foreseeably likely,
- Use in neck-holds that restrict breathing and risk injury or death when the airway is compressed, as well as damage to the larynx, trachea and thyroid bone,
- Use of a baton on a youth who is already restrained or otherwise not resisting.

#### **D. Impact Weapons (IW)**

##### Standard of Use on Youth

- Use on the buttocks, thigh, calf, and large muscle groups,
- After firing an IW, the officer shall assess the effectiveness of the IW after each shot,

##### Restricted Use on Youth

- IWs should only be used at ranges consistent with the IW's manufacturer guidelines,
- At a person who is situated on an elevated surface (e.g., a ledge, scaffold, near a precipice, etc.) unless reasonable efforts have been made to prevent or minimize a fall-related injury (e.g., deploying a safety net),
- Aiming a IW at the face, head, chest, groin or neck of a youth, unless there is an immediate risk to officer's or other's safety.

#### **E. Handcuffs**

##### Standard of Use

- Officers will only use handcuffs or other restraints as part of the arrest process when necessary to ensure the safety of the youth or others,
- Officers shall consider the totality of circumstances when determining whether to use handcuffs or other restraints, as they may trigger a traumatic response in a young person,
- There is a presumption against using restraints for arrested youth who are:
  - Under 13 years old, unless the youth presents a danger to themselves or others, or
  - Charged with non-violent offenses, or
  - Complying with officers' instructions.
- When officers have adhered to the use of handcuffs set forth in the arrest policies in [Policy 3: Arrest, Transport, Booking, and Temporary Custody](#), they are permitted to restrain youth whose wrists are too small for handcuffs using plastic flexcuffs so long as they do not impinge on the circulation and nerves and do not rip or otherwise harm the youth's skin. Since these youth are likely to be young and pose a reduced level of threat, the reasons for the use of flexicuffs should be clearly articulable,

## Policy 5 – Procedure (cont'd)

- The reason for use of handcuffs shall be explained to the youth being handcuffed and to the parent/family member,
- Handcuffs shall be removed as soon as practical.

### Prohibited Use of Handcuffs on Youth

- For purposes of attaching youth to a fixed or stationary object (e.g. pole, fence, radiator, banister),
- When the youth is unsupervised by an officer, or
- When the youth has a medical condition where restraints could interfere with the condition or the youth's breathing,
- By an officer who does not have keys to release a youth from handcuffs,
- When handcuffs do not fit, officers shall not:
  - Place both wrists in one cuff,
  - Apply the handcuffs to a youth's upper arms/shoulder area.

## F. Oleoresin Capsicum (OC) Spray

### Standard of Use with Youth

- Sole use is to stop interactions and cause youth to disengage,
- Officers must avoid or minimize use of OC spray that causes incidental exposure to non-involved persons,
- Officers are obligated to assist youth to remove the OC spray from their system by providing access to clear water to rinse eyes and face, and/or bringing the youth to an emergency room or another provider of urgent care.

### Restricted Uses

- Where feasible, officers should avoid deploying OC spray in an enclosed, highly populated space (e.g. a school) where there is a likelihood of impacting uninvolved persons.

### Prohibited Uses

- Use on a youth under the age of 13,
- Use on a youth who is in restraints,
- Application directly in the face, nose or eyes,
- Application with youth known to have asthma.

### **G. Noise Flash Diversionary Devices (NFDD)**

#### Standard of Use When Youth May Be in a Targeted Area

- Officer should avoid use of the NFDD when youth are in the targeted area,
- Officers should evacuate any youth in the vicinity of an NFDD being used,
- When officers cannot evacuate a youth in the proximity of the NFDD they should arrange for an ambulance to be available to provide medical services if necessary.

#### Restricted Use When Youth May Be Nearby

- Use of the NFDD in a home or building where youth are likely to be present should be a choice of last resort,
- When the youth might pick up the device.

## **VI. Obligation to Render Care to Youth After Use of Force, Restraint or Weapon:**

**A. As part of officers' obligation to preserve and protect the life of youth,** officers must immediately render medical aid or ensure access to emergency medical treatment for any youth who is injured as a result of officers' use of force, weapons and restraints.

**B. Following any use of force, officers must assess whether the youth is hurt.**

1. If an officer perceives the use of force has resulted in an injury, the officer shall directly provide medical assistance, immediately request emergency medical response, or bring the youth to a hospital prior to booking the youth.
2. The officer shall notify a supervisory officer where the youth is being transported and why.
3. A member of the team or a supervisor will immediately notify the parent of the youth about the injury and the facility to which the youth is being brought.
4. If a youth claims injury or requests medical attention the officers shall immediately render medical assistance or request an emergency medical response.

**C. Officers have an affirmative obligation to render aid** after use of these weapons:

## Policy 5 – Procedure (cont'd)

### 1. Oleoresin Capsicum (OC) spray

Officers shall personally assist or make available a health care professional to any youth on whom OC has been used by flushing out their eyes with clean water, ventilating the area, and removing any clothing that may continue to trigger reaction.

### 2. Conducted Electronic Weapons (CEWs)

- Officers shall first ensure that the youth is conscious.
- Officers shall immediately arrange for a paramedic or EMT to remove CEW probes.

## VII. Routine, Rigorous, Regular Training

All officers and supervisors shall attend training on use of restraints, weapons and force policies and practices on youth as part of the agency's defensive tactics training. Training should include:

- A review of all policies,
- Scenario-based examples and role plays in which youth of various ages and sizes are considered,
- A role for community partners, such as youth on whom force has been used,
- Where possible, the participation of emergency room doctors, pediatricians, or psychologists to discuss the physical and psychological impacts of use of force on youth,
- Cultural competency in training design and implementation, with the goal of increasing officers' understanding of disproportionately impacted communities, and how racialized experiences of policing and the criminal legal system may impact youth interactions with law enforcement.