
Use of Force Report Writing Guide

The Constitutional Standard for Use of Force

The U.S. Supreme Court case of Graham v. Connor, 491 U.S. 384 (1989), established "Objective Reasonableness" as the standard for all applications of force in United States. This guide is designed to assist officers in articulating the facts of a Use of Force incident in accordance with the guidance provided in Graham. Remember, all Use of Force applications are judged based upon:

- ☐ The totality of circumstances
- ☐ From the perspective of a reasonable officer
- ☐ On the scene
- ☐ At the point force was used
- ☐ Without 20/20 hindsight
- ☐ In circumstances that are tense, uncertain and rapidly evolving

The court specified four specific factors, sometimes referred to as the Graham factors, which assist in determining reasonableness. Although not required, nor all inclusive, articulating these factors provides a good framework for justifying a particular Use of Force. The factors are:

- ☐ The severity of the crime
- ☐ Whether the subject was an immediate threat to the officer or others
- ☐ How the subject was actively resisting arrest (seized)
- ☐ How the subject was attempting to evade arrest by flight

Other Articuable Facts

The following list represents facts, which if present, may assist in justifying a particular Use of Force. It is not intended to be all inclusive.

- ☐ The number of suspects vs. the officers involved (availability of back-up)
- ☐ The exact indicators (be specific...describe the subject's actions and statements)
- ☐ Size, age, and physical condition of the officer and suspect
- ☐ Known or perceived physical abilities of the suspect (i.e. known Mixed Martial Artist)
- ☐ Previous violent or mental history. Access to the officer at that time
- ☐ Perception of the use of alcohol or drugs by the subject
- ☐ Perception of the suspect's mental or psychiatric history based on specific actions
- ☐ The availability and proximity to weapons
- ☐ Environmental factors (night, day, snow, ice, heights, heat, terrain, etc.)
- ☐ Injury to the officer or prolonged duration of the incident
- ☐ Officer on the ground or other unfavorable position
- ☐ Characteristics of being armed (i.e. bulges, adjustment of clothing, "security touch")

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