



SPECIAL ORDER

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91-32

SUBJECT

USE OF FORCE BY DEPARTMENT MEMBERS

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All commanding officers shall personally apprise all members of their command of the contents of this order at roll calls.

Recent events have focused national attention on issues relating to the use of force by the police. This makes it appropriate to take the opportunity to reaffirm the overall policy of the Detroit Police Department and to firmly establish the responsibility of each member concerning the use of force.

Members in the law enforcement profession perform critically important responsibilities such as preventing crime, protecting the rights of persons and property, preserving public peace and order, and enforcing the laws of the state and the nation and the ordinances of the city. Police officers are not drafted into public service, and those who choose this profession implicitly agree not to engage in conduct which calls into question their ability and fitness to perform their official responsibilities.

Police officers are armed with the legal authority to use proper force necessary to lawfully arrest citizens. However, this authority is one that is strictly limited by the laws of the state and the rules and policies of the department. When these bounds are exceeded, rather than being upholders of the law, police officers become lawbreakers. While on occasion the nature of police work requires the use of force, any use of unnecessary or excessive force is never justified under any circumstances.

It must be made unmistakably clear to every member of the department that the improper use of authority and excessive or unjustified use of force undermines the legitimacy of law enforcement authority and hinders the department's ability to effectively discharge its mission. Even when the vast majority of officers follow proper procedures, a small number of unprofessional and brutal officers can create a serious lack of respect for the police and a destruction of public confidence. It is impossible for a police department with a reputation for unfairness and abuse to promote justice.

For all of these reasons, excessive and inappropriate use of force will subject members to extremely serious consequences, including discipline up to and including dismissal from the department and criminal prosecution.

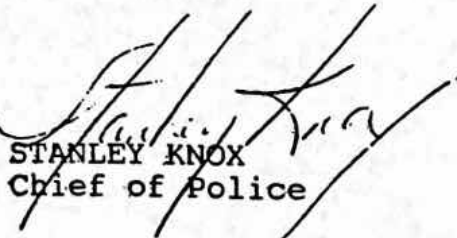
Every member of the Detroit Police Department has the duty to refrain from the use of excessive or improper force. Each member also has a responsibility to prevent and curtail excessive

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use of force by any other member and to assure that any use of force of which they have knowledge is promptly and accurately reported according to established procedures.

Commanding and supervisory officers are responsible for assuring that members properly follow department procedures and regulations, including those relating to the use of force. Commanding officers are to assure that members of their command are periodically reacquainted with regulations concerning the use of excessive force. Furthermore, commanding and supervisory officers will take necessary steps to identify members who demonstrate a propensity for the use of excessive force and take appropriate corrective action. With regard to civil liability, members are reminded that the use of unreported or excessive force is inconsistent with a finding that they were acting in the "good faith performance of duties" which is required in order to be eligible to obtain legal representation by the city or indemnification.

However, in the final analysis, the reputation and public confidence which this agency will enjoy among our citizens depends upon the honor, decency, professionalism, and restraint of the individual member. No one expects a police officer to shirk his or her duty to use necessary force. What cannot and will not be tolerated is unnecessary or excessive force by any officer, or the failure to appropriately report in a timely manner the use of any force by themselves or others. The overriding interest of the department and the community mandates the removal of such officers from their positions of trust and authority.


STANLEY KNOX
Chief of Police

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