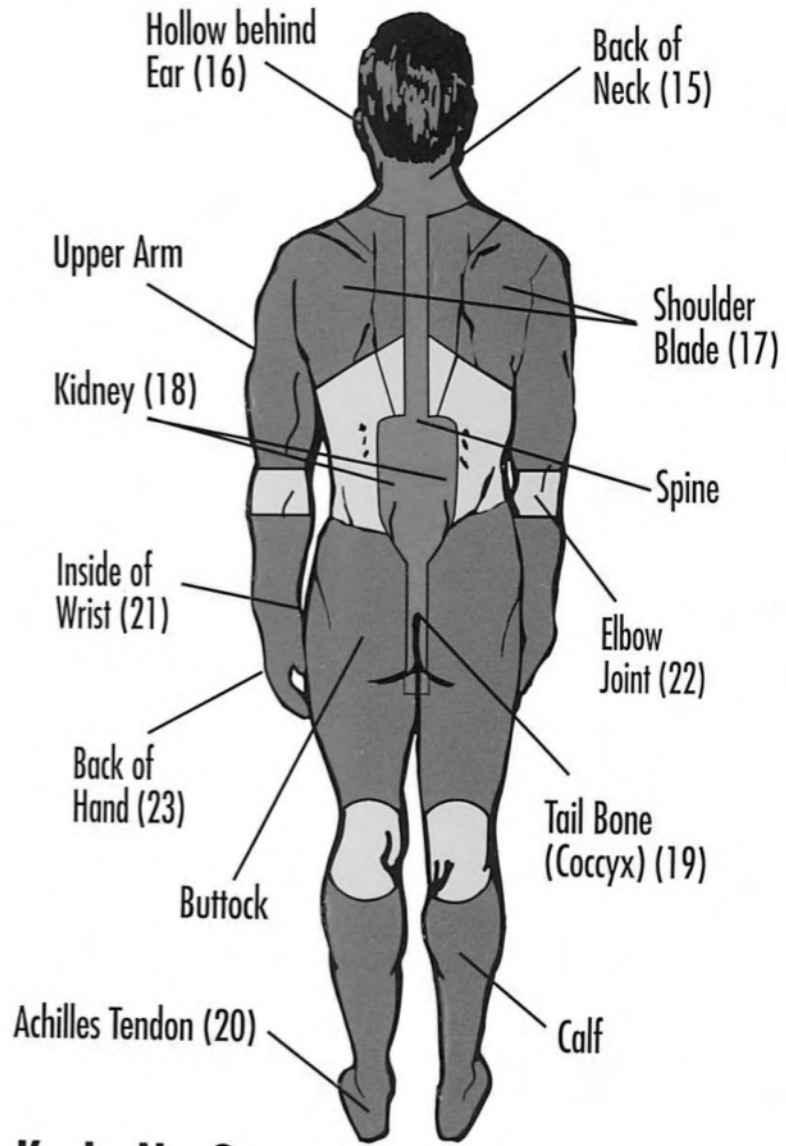
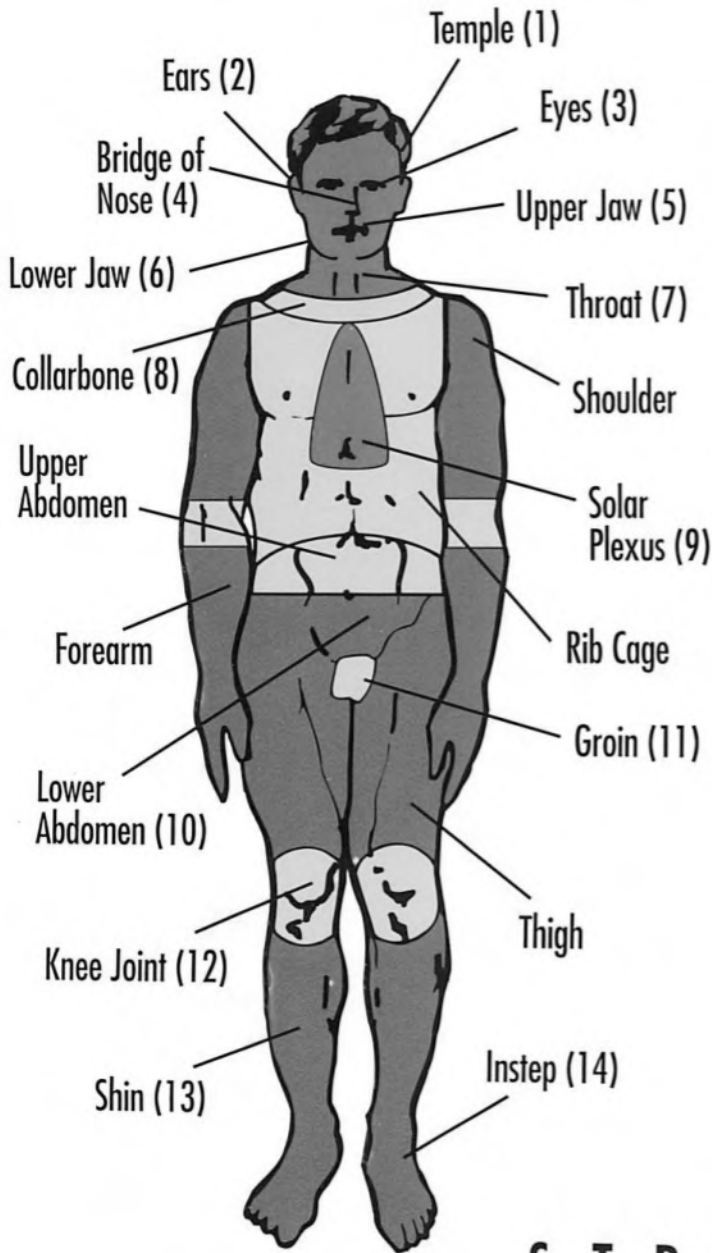


BATON CHART

Escalation Of Trauma By Vital
And Vulnerable Striking Areas



S T R I K I N G

GREEN TARGET AREAS

REASONING: Minimal level of resultant trauma. Injury tends to be temporary rather than long-lasting, however exceptions can occur.

Except for the HEAD, NECK, and SPINE, the whole body is a Green Target Area for the application of baton blocking and restraint skills.

YELLOW TARGET AREAS

REASONING: Moderate to serious level of resultant trauma. Injury tends to be more long-lasting, but may also be temporary.

RED TARGET AREAS

REASONING: Highest level of resultant trauma. Injury tends to range from serious to long-lasting rather than temporary and may include unconsciousness, serious bodily injury, shock or death.

MONADNOCK BATON CHART

INTRODUCTION

The use of force by officers is permissible when used to effect an arrest; to overcome resistance; to prevent escape; in self-defense; or in the defense of others. The force used must be objectively reasonable based on the facts and circumstances known to the officer at the time the force is used. Officers should take into consideration: the severity of the crime involved; the actions of the subject; whether the subject poses an immediate threat to the safety of officers or others; and officer/subject factors. Officers' decisions are often made in circumstances that are stressful and ever changing, thus officers are not required to determine the least intrusive measure of force that might resolve the situation. Officers are required to select an objectively reasonable option given the totality of the circumstances known to them at the time.

Determining whether the force used is objectively reasonable requires a careful balancing of factors including, but not limited to, the probable severity of injury to officers, subjects and others as a result of the application of force. Target selection based on medical evaluations of the vulnerability of the various parts of the human body and potential injury to subjects may assist officers in reducing injuries to subjects. In the "Monadnock Baton Chart," the potential trauma to the body has been designated by colors denoting the level of risk incurred by the application of physical force by means of the baton.

BACKGROUND

The concept of Green, Yellow and Red Target Areas was developed to assist officers in assessing the probability of injury to subjects. When time allows, officers' use of force should take into consideration escalating and de-escalating options based on threat assessment, officer/subject factors and the probable severity of injury.

THE CONCEPT IN ACTION

Green Target Areas are for confrontations where the subject is resisting an officer or another. Yellow Target Areas are for confrontations where the subject is assaulting an officer or another, or when force applied to a Green Target fails to overcome resistance or does not correspond with the threat level. Yellow Targets are areas of the body where force is directed at a joint or an area in close proximity to a prominent Red Target Area and therefore the risk of injury increases. Red Target Areas are for confrontations where the subject is attempting to cause serious bodily injury to an officer or another; or situations where force to lower level target areas fail to overcome the resistance and end the confrontation. Physical force directed at Red Target Areas pose a greater risk of injury to the subject and in certain areas may constitute deadly force because of the probability of causing death.

The Council would support an agency or instructor who finds it necessary to raise a specific target area to a higher color-code classification; for example, the collarbone from a Yellow to a Red Target area. Any agency or instructor who elects to do so must clearly document that action. The Council would not support any change whereby a specific Target Area's color-code is lowered; for example, changing the collarbone from a Yellow to a Green Target Area.

The Monadnock Baton Chart is an essential companion to the Monadnock Expandable Baton (MEB) and PR-24 Baton certification programs. Based on department [baton] equipment approval, the following statements are valid. The MEB program accepts Monadnock's line of AutoLock, Classic Friction Lock, MX, or SX expandable straight batons, as well as other brand name batons. Rigid plastic, aluminum or wood straight batons, as defined by the MEB program, are also accepted. The PR-24 certification program accepts Monadnock's line of expandable/rigid PR-24 control batons (including the low-profile Control Device), as well as other brand name side-handle batons.



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ICE

Use of Force Overview



U.S. Immigration
and Customs
Enforcement

ICE

Use of Force

Introduction

- **ICE employs more than 15,000 LEOs.**
- **As with all LE agencies, ICE agents/officers deal with a variety of dangerous situations.**
- **Circumstances dictate the level of force ICE agents/officers are authorized to use.**
- **Training, knowledge of policy will aid agents/officers in using the appropriate level of force.**



ICE

Use of Force

Terminal Performance Objective

Upon completion of this course, the agent/officer will be able to demonstrate an understanding of the ICE use of force policy.



U.S. Immigration
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ICE

Use of Force

Interim Performance Objectives

- **Discuss DHS / ICE legal background.**
- **Discuss precedent Use of Force US Supreme Court Decisions**
 - Graham vs. Connor
 - Tennessee vs. Garner
- **ICE Use of Force Continuum**
- **Use of Force Guidelines**
- **Reporting Requirements**
- **The Firearms and Use of Force Incident Review Committee**



Legal Background

The statutory and legal authority to carry a U.S. Immigration and Customs Enforcement (ICE) issued firearm and to utilize reasonable force is provided by the following statutes:

- **6 U.S.C. 101 - DHS Statute**
- **8 U.S.C. 1357/8 CFR pt 287 - U.S.I.N.S. statute**
- **19 U.S.C. 1589a - U.S.C.S. statute**
- **40 U.S.C. 1315 - U.S.F.P.S. statute**



Graham vs. Connor

- Graham, diabetic, asked friend to drive him to convenience store for juice.
- Ran in and ran out of store, officer observed the suspicious activity.
- Investigative stop made and Graham was handcuffed.
- Graham received multiple injuries during the encounter with police.



ICE

Use of Force

Graham vs. Connor

Landmark U.S. Supreme Court decision governing Use of Force by law enforcement officers.

- **Use of Force is a Fourth Amendment Issue in that the person is seized.** Therefore, all Use of Force **MUST** be reasonable in light of Fourth Amendment considerations.
- **Evaluated on a reasonable officer's response based on the totality of the circumstance**
- **Intent of the LEO is not a consideration in UoF issues.**



ICE

Use of Force

Graham vs. Connor

- **UoF is evaluated against the perspective of a reasonable officer on scene, not 20/20 hindsight**
- **Court considerations include:**
 - Seriousness of offense
 - Presence of an immediate threat
 - Resistance or flight attempt
 - Tense, uncertain rapidly evolving events force officers to make split second decisions
 - Was the level of force used objectively reasonable?



Tennessee vs. Garner

Landmark Supreme Court Decision regarding fleeing felons.

- **Case arose from a police shooting in Tennessee in 1974**
- **Slightly built, unarmed 15 y/o male shot and killed fleeing burglary**
- **Tennessee law allowed LEO's to use "any means necessary" to prevent escape of fleeing felons**
- **Decided by Supreme Court in 1985**
- **Using deadly force against fleeing felon not constitutional under 4th Amendment unless risk of death or serious physical injury involved.**



ICE

Use of Force

Tennessee vs. Garner

Supreme Court Decision

Deadly force may only be used against a fleeing felon when it is necessary to prevent the escape of the subject and there is probable cause to believe that the escape of the subject would pose a serious threat of death or serious physical injury to the officer or another person.



U.S. Immigration
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ICE

Use of Force

Tennessee vs. Garner

ICE POLICY

Deadly force may only be used against a fleeing felon when it is necessary to prevent the escape of the subject ***and*** there is probable cause to believe that the escape of the subject would pose AN IMMINENT THREAT of death or serious physical injury to the officer or another person.



U.S. Immigration
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Shooting at Vehicles

Firearms *may not* be used solely to disable a vehicle.

Firearms *may* be fired at the driver or other occupants of a moving vehicle when:

- **The officer has reasonable belief the subject poses an imminent danger of death or serious physical injury to the officer or another person**

AND

- **The public safety benefits of using such force outweigh the risks to the safety of the officer or other persons**



ICE

Use of Force

ICE Use of Force Continuum

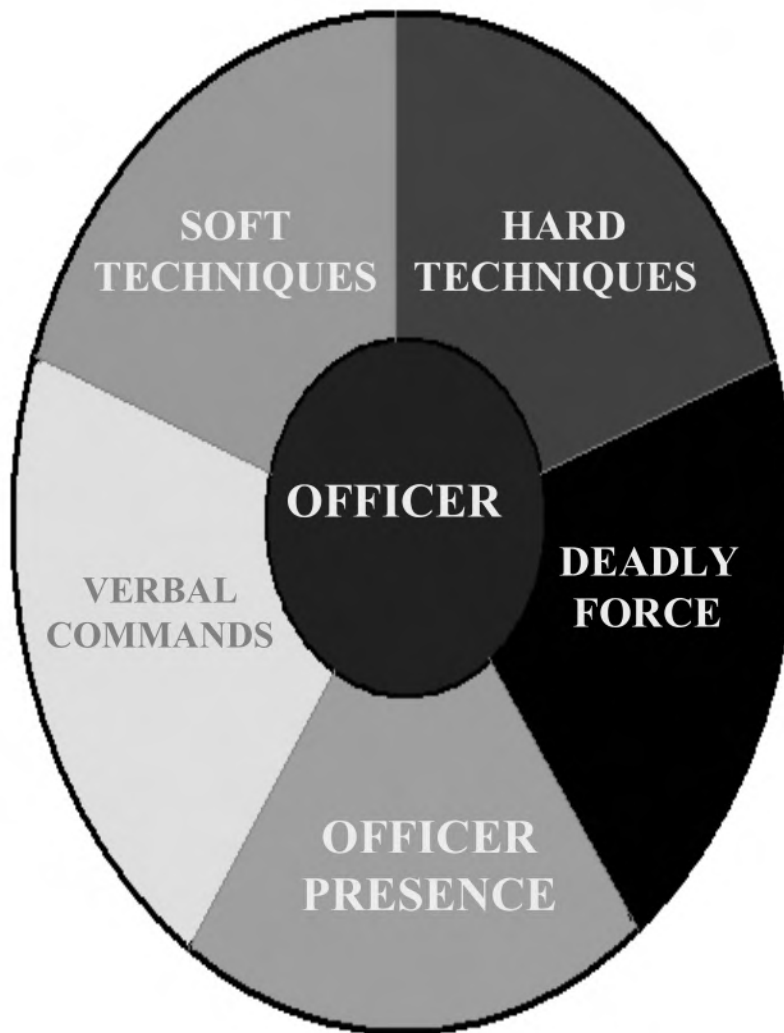


U.S. Immigration
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Enforcement

ICE

Use of Force

Canadian Model



U.S. Immigration
and Customs
Enforcement

ICE

Use of Force

Officer Presence

First and most Desirable Level of Contact

- **Professional and courteous demeanor**
- **Positive attitude**
- **Physical condition**
- **Posture and body language**
- **Neatness of uniform/attire**
- **Condition of equipment**



U.S. Immigration
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Verbal Commands

Second level of Control

- **Professional, firm voice**
- **Simple, easily understood instructions repeated as necessary**
- **Commands/instructions should be delivered by one officer only**



Soft Techniques

Third Level of Force

- **Minimal Chance of Injury**
- **Empty Hand Techniques/ Intermediate Weapon**
 - Escort Positions
 - Come-along / wristlocks
 - Pressure points
 - OC spray
 - Specified Electronic Defense Modules/Electro-Muscular Devices



Hard Techniques

Fourth Level of Force

- **Greater likelihood of injury**
- **Empty hand strikes (Palm heel strikes, front kicks, knee strikes, forearm strikes, etc)**
- **Take-downs, throws.**
- **Intermediate weapon strikes (collapsible baton / riot baton)**



ICE

Use of Force

Deadly Force

Highest Level of Force

High probability of significant bodily injury or death

- **“May be employed only when the officer has probable cause to believe that there is an imminent threat of death or serious physical injury to the officer or others.”**

***ICE Use Of Force Handbook, 2004**



U.S. Immigration
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Deadly Force *Components*

- Any use of a firearm
- Any impact weapon strike to the head, neck, sternum or spine
- Any use of a strangulation technique
- Any strike to the throat
- Any use of an edged weapon

