

ORDINANCE NO. 137

USE OF DEADLY FORCE BY CITY POLICE OFFICERS

WHEREAS, it is in the best interest of the public, the City and the law enforcement officers employed by the City to set forth by Ordinance the policies of the City relative to use of deadly force by a member of the City Police Department, and

WHEREAS, the City desires to adopt a policy for use of deadly force by officers of the City which is constitutionally sound.

NOW THEREFORE, BE IT ENACTED the following Ordinance:

Use of deadly force by a member of the City of Clinton Police Department against a person is limited to the following:

- 1) To effect an arrest or to prevent the escape from custody of an arrested person who, the officer reasonably believes: (a) has committed or attempted to commit a felony, (b) which involved the use or threatened use of deadly force and (c) the felon cannot otherwise be apprehended.
- 2) To effect an arrest or to prevent the escape from custody of an arrested person who the officer reasonably believes: (a) has committed or attempted to commit a felony, (b) would use deadly force if not immediately apprehended, and (c) the felon cannot otherwise be apprehended.
- 3) To defend himself or a third person from what he reasonably believes to be the use or imminent use of deadly force.
- 4) No deadly force may be used against an escaping misdemeanor.
- 5) The use of "warning shots" is prohibited.

All officers of the department, immediately upon passage of this ordinance, or as officers are hired in the future shall sign a statement which statement shall be placed in their personnel file. The statement shall recite that the officer has read and understands the foregoing policy.

This Ordinance enacted this 8th day of August,

1985.

CHARLIE BRADLEY, Mayor

Faye Rodgers
FAYE RODGERS, Clerk

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5) The use of "warning shots" is prohibited.

I have read and understand this policy.

Officer