



AN ORGANIZATION OF TRANSPARENCY

A comprehensive look at the Clayton Police Department use-of-force policies.



Associations/Accomplishments

- Ohio Collaborative Certified
- Ohio Association of Chiefs of Police
- Montgomery County Association of Police Chiefs
- Ohio School Resource Officer Association

In 2019, the Clayton Police Department joined more than 8,100 public safety agencies and municipalities by adopting Lexipol professional policy services to reduce risk with a unified solution for content, policies and training. We continue to provide impartial, ethical, and professional law enforcement services to our community. We strive to maintain the trust and confidence of our citizens while working to improve the quality of life in our community.

Message from Chief of Police

The Clayton Police Department continues to operate with policing services to our community. We proudly honor the oath of office we solemnly swore to uphold and take pride in being transparent about our policies and procedures. After reviewing this document, I think you will find that many of the recent societal myths about policing and use of force are simply inaccurate and inconsistent with our training, policies, and procedures.

--- Chief Matthew Hamlin

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Policing in America

Policing is one of America's most noble professions. The actions of any police officer, in an instant, can impact an individual for life, and even a community for generations. Given this realization, every police officer must be centered on what is important.

Service, justice, fundamental fairness - these are the foundational principles in which every police action must be grounded. The nobility of policing demands the noblest of character.

--- Dr. Stephen R. Covey

Our Use-of-Force Policy

The use of force by law enforcement personnel is a matter of critical concern, both to the public and to the law enforcement community. Officers are involved on a daily basis in numerous and varied interactions and, when warranted, may use reasonable force in carrying out their duties.

Officers must have an understanding of, and true appreciation for, their authority and limitations. This is especially true with respect to overcoming resistance while engaged in the performance of law enforcement duties.

The Department recognizes and respects the value of all human life and dignity without prejudice to anyone. Vesting officers with the authority to use reasonable force and to protect the public welfare requires monitoring, evaluation, and a careful balancing of all interests.

--- CPD Policy 300.2



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Use-of-Force

Officers shall use only that amount of force that reasonably appears necessary given the facts and circumstances perceived by the officer at the time of the event to accomplish a legitimate law enforcement purpose.

The reasonableness of force will be judged from the perspective of a reasonable officer on the scene at the time of the incident. Any evaluation of reasonableness must allow for the fact that officers are often forced to make split-second decisions about the amount of force that reasonably appears necessary in a particular situation, with limited information and in circumstances that are tense, uncertain and rapidly evolving.

Given that no policy can realistically predict every possible situation an officer might encounter, officers are entrusted to use well-reasoned discretion in determining the appropriate use of force in each incident.

It is also recognized that circumstances may arise in which officers reasonably believe that it would be impractical or ineffective to use any of the tools, weapons or methods provided by the Department. Officers may find it more effective or reasonable to improvise their response to rapidly unfolding conditions that they are confronting. In such circumstances, the use of any improvised device or method must nonetheless be reasonable and utilized only to the degree that reasonably appears necessary to accomplish a legitimate law enforcement purpose.

While the ultimate objective of every law enforcement encounter is to avoid or minimize injury, nothing in this policy requires an officer to retreat or be exposed to possible physical injury before applying reasonable force.

--- CPD Policy 300.3



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Chokeholds

Chokeholds also known as strangle holds are not authorized for use, unless it is necessary to prevent serious injury or death to the officer or others. In the most common chokehold, referred to as an arm-bar hold, an officer places his/her forearm across the front of the individual's neck and then applies pressure for the purpose of cutting off air flow. These are extremely dangerous maneuvers that can easily result in serious bodily injury or death.

---CPD Policy 300.4(a)(1)

Duty to Intercede

The Clayton Police Department requires an officer who observes another officer using force that is clearly beyond that which is objectively reasonable under the circumstances shall, when in a position to do so, intercede to prevent the use of unreasonable force and should promptly report the observation to a supervisor

---CPD Policy 300(2)(1)

Require De-Escalation

Clayton Police Department Officers are trained in Victims with Special Needs, Autism, Other Developmental Disabilities, and Cultural Diversity. Officers are required to attend other training sessions which address at-risk populations. Officers are required to attend annual use of force training, which include practical exercises directly related to use of force scenarios, and are required to review and acknowledge department policies related to use of force. These training sessions give officers the opportunity to escalate or de-escalate a situation based on the rapidly evolving circumstances.



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Exhaust all Alternatives Before Shooting & Require Warning Before Shooting

Use of deadly force is justified in the following circumstances: An officer may use deadly force to protect him/herself or others from what he/she reasonably believes would be an imminent threat of death or serious bodily injury. An officer may use deadly force to stop a fleeing subject when the officer has probable cause to believe that the person has committed, or intends to commit, a felony involving the infliction or threatened infliction of serious bodily injury or death, and the officer reasonably believes that there is an imminent risk of serious bodily injury or death to any other person if the subject is not immediately apprehended. Under such circumstances, a verbal warning should precede the use of deadly force, where feasible. Deadly force may be used if in accordance with U.S. and Ohio Supreme Court decisions, specifically, Tennessee v. Garner and Graham v. Connor.

--- CPD Policy 300.4 (a)(b)

Shooting At/From Moving Vehicles

Clayton Police Officers are not forbidden from shooting at moving vehicles. An officer should only discharge a firearm at a moving vehicle or its occupants when the officer reasonably believes there are no other reasonable means available to avert the threat of the vehicle, or if deadly force other than the vehicle is directed at the officer or others.

---CPD Policy 300.4(1)

Require Comprehensive Reporting

Any use-of-force by a member of the Clayton Police Department shall be documented promptly, completely, and accurately in an appropriate report, depending on the nature of the incident. The officer should articulate the factors perceived and why he/she believed the use-of-force was reasonable under the circumstances. To collect data for purposes of training, resource allocation, analysis and related purposes, the Department may require the completion of additional report forms, as specified in department policy, procedure, or law.

--- CPD Policy 300.5
