

WARWICK POLICE DEPARTMENT

Policy 1.01 - Use of Force

PROPOSED 2026 REVISIONS FOR SELECTBOARD REVIEW

This document shows only the proposed additions/changes recommended to bring the existing Warwick Police Department Use of Force Policy into clear alignment with the March 19, 2026 POST/MPTC Model Use of Force Policy. It is not a replacement policy and does not reproduce unchanged portions of Policy 1.01.

1. POLICY - General Principles

Add to the introductory POLICY section:

The Department values the sanctity of life and bodily integrity of all individuals and prioritizes the dignified and respectful treatment of members of the public, as well as the safety of officers. Officers shall seek to de-escalate encounters and gain voluntary compliance at all safe and feasible opportunities. When force is necessary, officers shall use only that amount of force that is necessary, proportionate, and objectively reasonable to accomplish a lawful objective.

Force shall never be used as punishment or retaliation or to subject an individual to torture or other cruel, inhumane, or degrading treatment.

2. FORCE OPTIONS - Continuous Reassessment

Add:

Officers shall continuously reassess the necessity for force throughout an encounter. The authority to use force ends when resistance ceases or when the lawful objective necessitating the use of force has been accomplished. Any force used shall remain necessary, proportionate, and objectively reasonable in relation to the resistance or threat encountered, whether that resistance or threat is increasing or decreasing.

When time and circumstances reasonably permit, officers shall attempt to resolve encounters without resorting to force. Officers shall not intentionally employ tactics that are likely to unnecessarily create the need for force or escalate the level of force necessary to resolve an encounter.

3. DE-ESCALATION - Expanded Requirements

Add:

When time and circumstances reasonably permit, officers shall attempt to de-escalate at all available and appropriate opportunities before and during an encounter and until the conclusion of the encounter. Officers should consider information available before arrival as well as circumstances encountered on scene.

In determining appropriate de-escalation tactics, officers should consider factors that may affect an individual's ability to understand, respond to, or comply with commands, including age and developmental maturity, mental or physical condition, language or communication barriers, and other relevant circumstances. Officers should remain mindful of the potential influence of implicit bias when making decisions during stressful encounters.

Officers shall document significant de-escalation efforts undertaken before a reportable use of force, or shall document when such efforts were not feasible under the circumstances.

4. NEW SECTION - Restraint and Positional Restrictions

Add a new section:

A. Except as temporarily necessary to gain, regain, or maintain control of an individual and apply restraints, an officer shall not intentionally sit, kneel, or stand on an individual's chest or spine and shall not force an individual to remain lying on their stomach.

B. An officer shall never intentionally sit, kneel, or stand on an individual's neck or head.

C. Officers shall not obstruct an individual's airway or breathing or restrict oxygen or blood flow to an individual's head or neck.

D. An individual placed on their stomach during restraint shall be moved to a recovery position or seated position as soon as practicable.

E. Force shall not be used against an individual who is restrained or handcuffed unless the force is objectively reasonable, necessary, and proportionate to prevent imminent harm, prevent escape, ensure safety, or overcome resistance where physical removal is necessary.

5. DEADLY FORCE / LETHAL FORCE

Add to the deadly-force restrictions:

Deadly force shall not be used when the circumstances no longer support an objectively reasonable belief that the individual currently and actively poses an immediate threat of death or serious bodily injury, even though deadly force may have been justified at an earlier point in the encounter.

An officer shall not use deadly force against an individual who poses a danger only to themselves.

6. PLANNED MASS DEMONSTRATIONS

Add:

The use of kettling - the confinement or corralling of demonstrators or protesters in a confined area without a means of egress - as a means of crowd control, management, or restraint is prohibited.

Where a Model Policy provision addresses equipment or capabilities the Warwick Police Department does not possess or employ, that provision may be identified as not applicable in the POST self-assessment, when appropriate.

7. DUTY TO INTERVENE / REPORT

Revise the scope of the existing duty-to-intervene language so that it applies to:

An officer present and observing another officer or law-enforcement officer, regardless of rank or agency affiliation, using or attempting to use force beyond that which is necessary or objectively reasonable based upon the totality of the circumstances shall intervene to prevent or stop the unreasonable force unless intervention would create an imminent risk of harm.

Expand the retaliation provision to state:

Harassment, intimidation, or retaliation against any officer or other agency personnel who intervenes or attempts to intervene, makes or attempts to make a required report, or provides information or testimony concerning the incident is prohibited.

8. POST-USE-OF-FORCE MEDICAL AID

Add a general medical-response provision:

Following any use of force, officers shall provide an appropriate medical response to an individual exhibiting signs of or complaining of injury or illness when safe and tactically feasible. Appropriate response may include first aid consistent with training, requesting EMS, arranging transportation to an appropriate medical facility, and monitoring the individual until transfer of care. Any refusal of offered medical treatment shall be documented.

9. DEFINITION OF FORCE

Revise/clarify the definition so the policy expressly accounts for weapon pointing and compliant handcuffing:

Force: The amount of physical effort, however slight, required by police to compel compliance by an unwilling individual. Force includes physical strikes or attempted strikes; intentional contact through the use of a weapon; significant physical contact that restricts movement; pointing a firearm, ECW/CED, or chemical weapon at an individual; and deployment of a police dog resulting in contact. **Physically escorting or handcuffing an individual who offers minimal or no resistance does not constitute force.**

10. USE OF FORCE REPORTING

Add/clarify:

The pointing of a firearm, ECW/CED, or chemical weapon at an individual and the use of OC spray on or directed toward an individual constitute reportable uses of force.

Any officer who knowingly makes an untruthful statement concerning a material fact, or knowingly omits a material fact, concerning a use of force may be subject to departmental discipline and referral to the Massachusetts Peace Officer Standards and Training Commission as required by law or regulation.

The Department shall make POST and National Use-of-Force Data Collection reports whenever required by applicable law, regulation, or Commission reporting requirements.

11. SUPERVISORY / ADMINISTRATIVE REVIEW

Add:

Administrative review of a use-of-force incident shall also consider whether officer actions mitigated or escalated the encounter and whether different reasonably available actions could have reduced the likelihood of force or injury.

Purpose of these revisions

The existing Warwick policy already contains extensive provisions governing de-escalation, objective reasonableness, necessity and proportionality, deadly force, less-lethal force, duty to intervene, reporting, supervisory review, training, and planned mass demonstrations. These proposed revisions are intended to expressly account for provisions of the 2026 POST/MPTC Model Policy that are new, broader, or more specific than the language presently contained in Policy 1.01.

Recommended action: Review and adopt the revisions as an amendment/update to Policy 1.01, subject to final departmental and legal review. Following adoption and completion of the POST self-assessment, the Department can determine whether all applicable Model Policy provisions have been accounted for.

Prepared for Selectboard review - Draft / Proposed Revisions - September 2026