

## City of Arlington Statement on “8 Can’t Wait” Compliance

Arlington, WA June 4, 2020

In light of several racially-charged policing incidents nationwide, local citizens have queried city officials on the City’s compliance with “8 Can’t Wait”. This is a platform for limiting use of force in police interactions. The table below details the City of Arlington’s compliance with each of the eight policies.

Chief of Police Jonathan Ventura said, “Appropriate use of force is one of the most important concepts for any law enforcement officer to respect. Most officers never pull their duty weapon. In addition to a commitment to the policies listed above, all APD officers undergo comprehensive background checks before hire. Each of them is subject to a one-year evaluation period, with review by multiple personnel to ensure that the new officer has critical thinking, situational awareness, and judgment under pressure to make appropriate decisions. All APD officers engage in training annually, including de-escalation tactics. We review use of force incidents as received, and prepare a Use of Force Analysis annually.”

Mayor Barb Tolbert stated, “The City of Arlington employs law enforcement officers who are screened heavily, well-trained, and reviewed as often as needed but not less than annually. They are trained to know, understand and use updated policies, and are expected to respond appropriately in any given situation, especially those where emotions and/or behaviors are out of control. Arlington’s citizens can feel confident that our APD officers are well-trained in modern techniques.”

Citizens may access Arlington Police Department policies at

[http://www.arlingtonwa.gov/DocumentCenter/View/4020/Arlington\\_PD\\_Policy\\_Manual?bidId](http://www.arlingtonwa.gov/DocumentCenter/View/4020/Arlington_PD_Policy_Manual?bidId)

<b>8 Can’t Wait recommended policy</b>	<b>City of Arlington Police policy</b>
Ban chokeholds and strangleholds	Yes. APD policy does not allow chokeholds or strangleholds, as such are very dangerous. However, note that officers are trained in the application of the carotid control hold, but such does not interfere with a subject’s airway. See APD policy 300.3.4
Require de-escalation before use of force	Yes, where possible. Officers receive extensive on-going training in de-escalation tactics, including that officers should consider that taking no action or passively monitoring the situation may be the most reasonable response. De-escalation is woven into our training and policies. See APD policy 427.6.

Require warning before shooting	Yes, where possible. A verbal warning should precede the use of deadly force. 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. See APD policy 300.4.
Require exhausting all other means before shooting	Yes, where possible. 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. Any evaluation of reasonableness must allow for recognition that officers may be 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. See APD policy 300.3.
Include duty to intervene by other officers	Yes. APD officers have a duty to intercede. See APD policy 300.2.1.
Restrict shooting at moving vehicles	Yes. APD policy restricts shooting at moving vehicles. Only 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, may an officer shoot at a moving vehicle. See APD policy 300.4.1.
Has "Use of Force" continuum policy	<p>APD exceeds this standard using the more current "Force Options" model in accordance with guidance from the judicial system.</p> <p>The "Force Continuum" models that had been widely adopted in the 1970s were largely phased out through the 2000s and replaced by "Force Options" models. When the continuum models were developed, the courts provided little guidance on use of force. The continuum models were not based in law and were in conflict with</p>

	<p>what would be considered “objectively reasonable” by the legal standards of today. There was no way for the continuum model to provide for an entire set of circumstances in each very unique situation. The courts have been very clear in saying:</p> <ul style="list-style-type: none"><li>1.) the test is one of reasonableness and not escalation, and</li><li>2.) officers are not required to use or try lesser alternatives to work up to reasonable force.</li></ul> <p>See APD policies 300.3 and 300.3.2</p>
Require comprehensive reporting	Yes. Any use of force by a member of the Arlington Police Department shall be documented promptly, completely and accurately in an appropriate report. See APD policy 300.5.