

# Falmouth Police Department Q&A

## Training and Use of Force Data

June 12, 2020



*Acts of violence, injustice, and police brutality against people of color are unacceptable in any community, including Falmouth. The recent death of George Floyd while in police custody has galvanized our community to look forward and inward. The Falmouth Police Department commits to thoroughly reviewing our policies and procedures with transparency and community input. Later next week, relevant Department policies will be posted on the Town's website, to enhance transparency and provide important information for the public. In the coming weeks and months, community input will be led by the Town Council. Discussions, training, and practice will focus on transforming our culture into one that encourages and nurtures social justice.*

*Falmouth citizens have begun asking important questions about the Falmouth Police Department. These questions have focused on training in use of force, Officer accountability, and statistics about use of force. These questions and the Police Department response are below.*

### **Q- Are Falmouth Officers being trained in de-escalation techniques?**

Falmouth Police Officers receive specific training about de-escalation techniques and regularly use this training in the field. Falmouth Police Officers seldom deploy restraining techniques or use force. Officers also receive annual advanced training in mental health de-escalation (crisis intervention) and other advanced de-escalation techniques.

### **Q-Are Officers forbidden from using chokeholds, strangleholds, or transporting face down in the vehicle?**

The use of a chokehold or stranglehold would be considered the use of deadly force. An Officer would only be permitted to apply this type of action if the Officer reasonably believed such force was necessary in self-defense or to defend a third person from what the Officer reasonably believed to be the imminent use of unlawful deadly force. Falmouth Police Officers are also trained on positional asphyxia and every effort is made to transport prisoners in the upright, seat-belted, position. The Department transported 112 individuals in the last 18 months and two were transported in the prone position because they were combative or refused to sit in the upright position.

### **Q-Are Officers required to intervene if they witness another Officer using excessive force?**

Falmouth Police Officers are required by policy to intervene, prevent, and stop wrongdoing by another Officer. Failure to do so would be a neglect of duty and a

violation of the Department's policy on accountability and responsibility.

### **Q-Is there a clear and enforced use-of-force continuum that details what weapons and force are acceptable in managing the public?**

The Falmouth Police Department's statutorily mandated Situational Use of Force policy is directed by the standards put forth by the Maine Criminal Justice Academy Board of Trustees. Officers are trained and directed on the application of situational use of force options and reacting reasonably to reduced and enhanced levels of threat. Officers are required by policy to use only the amount of physical force that reasonably appears necessary to effect an arrest, control a situation, or to defend the Officer or a third-party from harm.

### **Q- Are Officers required to exhaust every other possible option before using force?**

Falmouth Officers are trained to resolve conflicts peacefully. De-escalating techniques are always applied with every contact unless circumstances dictate the rapid requirement of less lethal or lethal application(s) of force.

### **Q-Are Officers required to report each time they threaten to or use force?**

Falmouth Police Officers are required to document the use of physical force through the Department's Use of Force reporting system.

When there is an incident that requires the use of force,

Officers must submit a “Use of Force” report that documents the incident information. This report will include information about the use of force, the Officer, and the person that force was used against. These reports are reviewed by the Officer’s supervisor to ensure the use of force was reasonable and appropriate per department policy. These reports are then forwarded to the Chief of Police for final review and retention. Use of force is tracked by the Department and the following demonstrates the number of occurrences each year:

Year	Use of Force Incidents
2020	2
2019*	16
2018	2
2017	5
2016	3

*\*2019 was an atypical year. Five of the 16 incidents were Officers from the Falmouth Police Department assisting neighboring law enforcement agencies on matters including robbery, motor vehicle pursuits, combative individuals, and suicidal individuals. In addition, four of the remaining 11 incidents included subjects in Falmouth displaying or threatening Falmouth Police Officers with a weapon.*

**Q-Are Falmouth Officers thoroughly vetted to ensure they do not have a history of racism, criminal activity, and biases?**

All Falmouth Officers go through an extensive pre-employment screening and hiring process. This thorough vetting requires high academic standards, physical fitness testing, polygraph examination, psychological screening, and an extensive background and character reference review. Any issues identified in any one of these categories can disqualify a candidate. Any issues related to racially biased behaviors or biases are questioned in the background and polygraph exam. Typical questions include: *Do you have any hate or biases towards any people? Are you now, or have you ever been a member or associate of a criminal enterprise, street gang, or any other group that advocates violence against individuals because of their race, religion, political affiliation, ethnic origin, nationality, gender, sexual preference, or disability?*

**Q-Are Officers trained to perform and seek necessary medical action after the deployment of force?**

Falmouth Officers are required by policy to provide emergency first aid to the injured. Furthermore, Officers are instructed to have people evaluated and treated by medical staff for any degree of injury or complaint of pain.

**Q-Is there an early intervention system to correct Officers who use excessive force?**

Use of Force reports will identify aggressive practices, non-compliance with policy and training, and opportunities for constructive feedback. Bi-monthly supervisor meetings provide command staff an opportunity to review all reports and discuss development and training opportunities for all staff.

**Q- Does the Falmouth Police Department use “No Knock” warrants?**

The Falmouth Police Department uses warrants about ten times each year. These warrants can be for searches of homes, automobiles, or electronic records. A judge must grant approval for warrants and for “No Knock” warrants. “No Knock” warrants have been utilized in the past but only when Officer safety or evidence tampering is considered a substantive concern. This type of warrant is rarely used and has not been utilized in the past three years.

**Q- Does the Falmouth Police Department obtain military equipment?**

The Falmouth Police Department has not obtained surplus military equipment, nor does it purchase equipment that is considered military-issued equipment, which is more advanced or substantively different than typical local law enforcement equipment. The term “military equipment” could mean different things to different people. Anyone who has a question about specific equipment are encouraged to contact Chief John Kilbride.

**Q- Does the Falmouth Police Department track civilian deaths within their custody from Falmouth Officers using excessive force?**

No person has died in the custody of the Falmouth Police Department by Use of Force.

**For more information, contact Falmouth Police Department at: 207-781-2300**