

Summary

Board Bill Number 63

Primary Sponsor: President Lewis E. Reed

June 12, 2020

The overall purpose and/or reasons for the bill is to direct the Commissioner of the St. Louis Metropolitan Police Department to provide updates to the St. Louis Metropolitan Police Department's Use of Force Policy.

The bill will require the Commissioner of Police to update the Use of Force Policy to include:

1. Ban officers from using chokeholds or strangleholds as a use of force method;
2. Require officers to use de-escalation tactics when appropriate and possible in place of use of force tactics;
3. Establish a duty to intervene policy, which would require officers to either stop or attempt to stop another sworn employee when force is being inappropriately applied or is no longer required; and
4. Edit the current use of force reporting policy to include comprehensive reporting and require officers to complete a report if a weapon is drawn and pointed at a civilian(s) regardless if the weapon was discharged or not.

The bill will improve the current use of force policy enacted by the St. Louis Metropolitan Police Department, which could lead a better relationship between the police and the communities they serve. As the Ferguson Commission report states, "The regular use of force has led many citizens to view the police as an occupying force in their neighborhoods, damaging community trust and making community safety even more difficult." According to the report, efforts to repair the relationship between police and the communities they serve "must begin through changes in use-of-force policies."

BOARD BILL NUMBER 63 INTRODUCED BY: PRESIDENT LEWIS E. REED

1 An ordinance directing the Commissioner of Police to amend the St. Louis Metropolitan Police
2 Department Use of Force Policy Special Order, SO 1 - 01 issued April 16, 2014 to include: a ban
3 on officers from using chokeholds or strangleholds as a use of force method; a requirement for
4 officers to use de-escalation tactics when appropriate and possible in place of use of force tactics;
5 to establish a duty to intervene policy; and include comprehensive reporting requirements; and
6 containing a severability and an emergency clause.

7 **BE IT ORDAINED BY THE CITY OF ST. LOUIS AS FOLLOWS:**

8 **SECTION ONE. Ban on chokeholds and strangleholds**

9 Section one of this ordinance directs the Commissioner of Police to amend Section III of SO 1-
10 01, USE OF NON-DEADLY FORCE GENERAL, issued April 16, 2014, to include a restriction
11 to specifically ban the use of chokeholds or strangleholds by officers. A chokehold or
12 stranglehold shall include, but is not limited to, any pressure to the throat or windpipe, which
13 may prevent or hinder breathing or reduce intake of air.

14 **SECTION TWO. Requirement for de-escalation tactics**

15 Section two of this ordinance directs the Commissioner of Police to amend the St. Louis
16 Metropolitan Police Department Use of Force Policy Special Order, SO 1 - 01 issued April 16,
17 2014, to include a new section requiring the use of de-escalation tactics. When it is safe under
18 the totality of the situation and time and circumstances permit, officers shall be required to use
19 de-escalation techniques and tactics in order to reduce any threat or to gain compliance to lawful
20 commands without the use of force or with the lowest level of force possible. De-escalation may
21 take the form of scene management, team tactics, and/or individual engagement. Even when

1 individual engagement is not feasible, de-escalation techniques including scene management and
2 team tactics such as time, distance, and shielding, should still be used unless doing so would
3 create undue risk of harm to any person due to the exigency/threat of a situation.

4 **SECTION THREE. Duty to Intervene Policy**

5 Section three of this ordinance directs the Commissioner of Police to amend Section III of SO 1-
6 01, issued April 16, 2014, to include a Duty to Intervene Policy that requires officers to either
7 stop or attempt to stop another sworn employee when force is being inappropriately applied or is
8 no longer required.

9 It shall further include that officers who use force or observe the use of force shall notify their
10 supervisors immediately following any use-of-force incident. Officers shall notify their
11 supervisors upon receipt of an allegation of unreasonable or unreported use of force by an
12 officer. Officers who observe force and fail to report it shall be subject to disciplinary action, up
13 to and including termination.

14 **SECTION FOUR. Comprehensive reporting requirements.**

15 Section four of this ordinance directs the Commissioner of Police to amend Section VIIA.
16 FIREARM DISCHARGED/OTHER DEADLY FORCE (1.3.6.a) to include reporting
17 requirements when a firearm is withdrawn and pointed at a civilian regardless if the weapon is
18 discharged or not.

19 **SECTION FIVE. Severability clause.**

20 If any section, subsection, sentence, clause, phrase or portion of this Ordinance is held to be
21 invalid or unconstitutional, or unlawful for any reason, by any court of competent jurisdiction,
22 such portion shall be deemed and is hereby declared to be a separate, distinct and independent

1 provision of this Ordinance, and such holding or holdings shall not affect the validity of the
2 remaining portions of this Ordinance.

3 **SECTION SIX. Emergency clause.**

4 The Board of Aldermen hereby finds and determines that this Ordinance constitutes an
5 “emergency measure” pursuant to Article IV, Section 20 of the City Charter because this
6 Ordinance establishes the District, which is a taxing district. Accordingly, this Ordinance shall
7 take effect immediately upon its approval by the Mayor as provided in Article 12 IV, Section 20
8 of the City Charter.