

Management Action Recommendation Review Form

OPA Case Number:	2020OPA-0082
Closing Date:	January 5, 2021
Topic:	Vehicles as Deadly weapons
Accountability tracker Categorization:	Weapons and use of force

Case Summary:

An SPD officer used their vehicle as an improvised weapon to stop a subject from fleeing. The officer was working in plainclothes and used their unmarked police vehicle to “ram” a person who had just committed a bank robbery. The officers were also aware that the subject had just committed two bank robberies the day before and had outstanding felony warrants, including 1st Degree Armed Robbery. The officer saw the subject exiting the bank and headed towards a vehicle and used his vehicle as an “improvised weapon” to stop the subject from fleeing.

OPA Recommendations:

1. Clarify in SPD Policy 8.300-POL-6 whether vehicles may be used as an impact weapon only against other vehicles or also against a person’s body.
2. Ensure SPD Policy 8.200-Pol-5 is consistent with the modifications to 8.300-POL-6.
3. Update relevant trainings to ensure that officers are familiar with the policies of using vehicles as deadly force tools.

CPC Analysis:

Within SPD’s use of force policies, which were updated after this MAR was closed, there is no reference to using a vehicle as an impact weapon against an individual. The policy allows for vehicles to be used as an impact weapon against another vehicle but is silent on use against a person. While we believe it is obvious that a vehicle should **not** be used as an impact weapon on a person’s body perhaps it is necessary to outline that, specifically, within policy.

The named employee in this MAR claimed that their intent was not to kill the subject, however the intent of the officer in this case is immaterial. Whenever a car is used against a person it can kill them. That should be the frame of reference from which officers operate as it relates to the improvised use of a vehicle.

CPC Recommendations:

1. SPD should ensure that all policies on the use of tools (including vehicles) are aligned with the Department perspective of valuing the sanctity of human life. There should be more clarity on when it could be appropriate to use a vehicle as improvised/impact weapon. It must be explicitly clear.
2. If there is a determination made that there are situations where using a car is permissible those situations need to be clearly outlined to officers in both policy and training.

Signatures:

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