

ORDINANCE NO. BL2020-_____

An ordinance amending Chapter 2.44 of the Metropolitan Code to incorporate certain limitations on police use of force into Metro Nashville Police Department's policy.

WHEREAS, multiple national studies of use of police force and de-escalation tactics, including the Police Use of Force Project and 8 Can't Wait, have identified eight key areas of meaningful protection against police violence; and

WHEREAS, the Metro Nashville Police Department has, according to the Police Use of Force Project, addressed three of these eight areas in its current Use of Force Policy: a Use of Force Continuum, a Required Warning Before Shooting, and a Requirement to Exhaust All Other Means Before Shooting; and

WHEREAS, the Police Use of Force Project identifies five areas it says the MNPD Use of Force Policy falls short: Required De-Escalation, Ban on Chokeholds and Strangleholds, Restricted Shooting at Moving Vehicles, Duty to Intervene, and Required Comprehensive Reporting; and

WHEREAS, the current version of the MNPD Department Manual does address some of these five areas, including a prohibition on "neck restraint" in Section 11.10.020 and a prohibition against discharging a firearm at or from a moving vehicle, unless necessary to protect the life of the employee or others, in Section 11.10.150; and

WHEREAS, the MNPD Department Manual gives officers an option of choosing where to begin on the force continuum as outlined in Section 11.10.030; and

WHEREAS, the MNPD Department Manual requires officers to report and intervene in situations where they witness unlawful acts or acts that violate department policy, but does not appear to elaborate further on this reporting process; and

WHEREAS, the MNPD Department Manual Section 11.10.170 requires reporting use of force against civilians when injury or complaint of injury occurs, but does not contain clarifying language about reporting civilian complaint of pain continuing beyond the use of physical force; and

WHEREAS, in the interest of protecting civilian safety, the Metropolitan Council deems it appropriate to limit Metro Nashville Police officers' use of force.

NOW, THEREFORE, BE IT ENACTED BY THE COUNCIL OF THE METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY:

Section 1. That Chapter 2.44 of the Metropolitan Code is hereby amended by adding Section 2.44.055 containing the following provisions:

"2.44.055 - Required policies—limitations on police use of force.

The chief of police shall incorporate the following policies regarding use of force in any regulation concerning the conduct of officers:

- A. Officers shall use de-escalation tactics such as verbal warnings and advisements before resorting to force.
- B. Officers shall not use any form of chokehold nor stranglehold.
- C. Any officer who is present and observes another officer utilizing force when it is not reasonably necessary shall intervene to impede the use of unreasonable force.
- D. Officers shall report any use of force against civilians when any civilian is injured, complains of

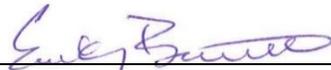
injury in the presence of officers, or complains of pain continuing beyond the use of physical force."

Section 2. This Ordinance shall take effect from and after its passage, the welfare of The Metropolitan Government of Nashville and Davidson County requiring it.

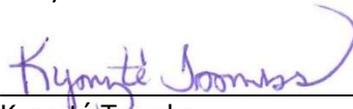
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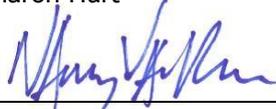
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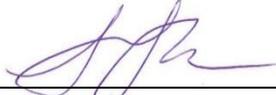
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