

# NASI SECURITY OFFICER USE OF FORCE & ARREST POLICY

**Preface:** All NASI, security officers must read and understand the terms of this policy and acknowledge the acceptance of the requirements by signing the policy acknowledgement form at the end of this document. The acknowledgment form shall be filed in your personnel file kept at NASI.

Although NASI, security officers typically have no special use of force, arrest and/or detainment of person privileges, beyond the private person’s authority in your respective state, you still may find it necessary to draw upon the authority you do have in order to protect yourself and the client personnel you serve, from the hostile actions of another.

All states are not equal in the authority they grant to a private person or the security officer with regard to matters of use of force and a private person’s arrest authority. Therefore, you need to always act in accordance with the guidelines of your particular state laws, your state security guard licensing agency policies, and the guidelines of this policy.

**Policy:**

Security officers may become involved in situations necessitating the use of reasonable force in the lawful performance of their duties. In situations where you may be justified in using force to defend yourself and others from harm, you should always use the utmost restraint. In other words, you should utilize only that amount of force reasonably necessary to bring the situation under control to protect yourself or others.

All NASI security officers will consult with their security supervisor or trainer for clarification about their state law, their company policy and/or their client’s use of force, arrest and detainment requirements as necessary.

It is also the responsibility of all NASI security officers to report the misuse of force by other security personnel to their supervisor immediately and take any reasonable and necessary steps possible to prevent or stop any illegal or unauthorized use of force by other security officers.

NASI security officers who utilize force in the protection of themselves or others, as well as those officers who find it necessary to make an arrest or detainment, will be strongly supported by NASI, in the event their actions were justified in accordance with their respective state laws, any state security guard licensing agency policies, this policy, and their client’s directives.

Use of Force Guideline: The only time an NASI security officer may only use reasonable necessary force is when the officer is making a lawful arrest in the legal and lawful performance of their duties to overcome resistance, and or the officer believes or is afraid, he/she or another is in immediate or imminent danger of being hurt or killed by a suspect.

What is very important to understand is that every situation will be different and because each of us has different levels of skills, training and abilities, there will be various types of force used in different situations and it is the totality of circumstances that dictate the type of force used. Therefore, it is crucial to understand that reasonable necessary force used to overcome resistance in self-defense of yourselves or others will be the standard of what is reasonable and what is not.

1. **Definitions:**
   1. Non-physical Contact: Non-physical contact with a subject is just that – making contact without physically touching them in any way such as by:
      1. The officer’s presence (in uniform) with a subject;
      2. The officer’s verbal requests, commands, and warnings; gestures (i.e. holding the palm up, out and toward the subject to stop them), etc.; and/or
      3. Un-holstering pepper spray, baton or taser upon an encounter with an aggressive and/or potentially violent subject as a warning – having it at the ready.
   2. Physical Contact: Physical contact is when any part of the officer’s body or their duty equipment comes into physical contact with the subject.
   3. Physical Force: Physical force involves the use of self-defense or arrest strategies such as control holds, pain compliance techniques, take downs, wrestling, punching, kicking, baton, pepper spray and Taser use to overcome a subject’s aggressive actions toward the officer or client personnel.
   4. Deadly Force: Deadly force is that force used by a security officer with the purpose of causing, or which the officer knows would create a substantial risk of causing death or serious bodily harm.
   5. Reasonable Belief: Reasonable belief is an objective assessment by the security officer based on the facts and the totality of circumstances, whereby the conclusion(s) reached by the security officer would be similarly derived by other security personnel with similar skills and training.
   6. Arrest: An arrest is taking a person into custody in a manner authorized by law.
   7. Detainment: A detainment is holding a subject for law enforcement personnel to arrest after the security officer has observed a particular crime committed by a subject. **Note:** Some states, like North Carolina, grant private persons’ detainment authority to security officers under certain circumstances but not arrest authority.

**Note:** As a reminder, it is important to know the security guard or private person authority in your particular state and adhere to it. For instance, in CA a person who voluntarily responds to questioning and is not actually restrained (i.e., free to go at any time) is considered to be *detained.* Security guard/proprietary private security officers *do not* have the authority to detain a person against their will except under Penal Code Section 490.5 (Source: BSIS POA Manual)

* 1. Positive Control: Positive control is where the officer continuously monitors a subject who is under arrest or who is being detained, for the protection of the subject the officer and/or others, until the local authorities relieve the officer of the subject.
  2. Use of Force Continuum: A guideline for the escalation and de-escalation of force.

1. **Authorization and Limitations of Force & Arrest/Detainment:**
   1. Use of Force: The NASI security officer may only use a reasonable level of physical or mechanical force when you reasonably believe the use of such force to be immediately necessary to protect yourself or client personnel from imminent bodily harm.

When faced with an un-cooperative subject you shall attempt to achieve control or compliance through direction, forewarning, or reasonable force. You may only use that force which is necessary based on the totality of circumstances and the level of threat to yourself or others.

Use of Deadly Force: ***Deadly force may only be used when the officer believes or is afraid there is an immediate threat or imminent danger to the officer or another of death or great bodily injury and any delay in the response from the officer would result in death or serious bodily injury to the officer or another.*** B.

An example is the use of the officer’s duty weapon or other object, which could be used in a lethal manner.

C. Use of Force Continuum: From the least amount of force to the maximum, the Continuum consists of:

* + 1. Officer Presence: The visual presence of the NASI officer in uniform and identifiable as a security officer is the first step in the Continuum. Your presence is an essential step in the Continuum because in some situations this may be the only level of force required to gain control of a given situation.

NASI security officers, acting as agents or representatives of their client on company property, have authority to make non-physical contact with anyone who you believe is trespassing, or committing some other unlawful act, or who may be in violation of the client’s specific access-control or other security-related policies, which NASI officers have been retained to uphold.

In light of this authority, you shall act in accordance with your respective state law and security officer policy, when acting on behalf of your client.

* + 1. Verbal Requests, Warnings, Gestures, Commands, etc.: These and other forms of non-physical contact is the next level or step in the Continuum. If your presence or appearance is not enough to prevent or stop unauthorized activity from occurring, then it may be necessary for you to restore order and adherence to policy by requesting a subject’s compliance.

Even within this level there are steps or levels to utilize based on the nature of the circumstances at hand. For instance, if someone is not following a client’s security requirements and yet appears cooperative, then requesting their compliance would be in order.

However, if you are interacting with a somewhat uncooperative subject, then a warning and/or a command may be required in order to gain compliance for your safety and the safety of others.

And if the subject is becoming more agitated and aggressive, then you may be required to display your pepper spray, baton, or taser as both a warning and a potential deterrent against a hostile encounter with a subject. **Note:** If you are authorized to carry a firearm on duty, you may not un-holster and display a firearm in this manner as a warning unless your state law and company and client policy permit this.

* + 1. Physical Force: The next level in the Continuum is Physical Force. Physical force is either applied in self-defense or the defense of another or when your presence and other non-physical means of resolving a situation is either ineffective or the situation has evolved past their use.

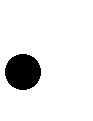
**Note:** Regarding coming to the defense of another, you will need to assess the situation, prior to becoming involved, in order to determine whether you are capable of becoming involved in the situation, without placing yourself in jeopardy.

At no time does NASI require you to intervene in a hostile situation on post requiring the use of physical force or to make a lawful arrest and/or detainment, especially if the situation is more than you are able to safely resolve given your skills/training, abilities, and/or tools available to you at the time.

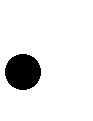
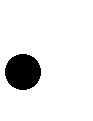
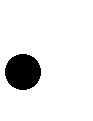
NASI does, however, request that you do come to the aid of anyone, in danger of physical harm from another, if assistance is within your skills/training, abilities, and/or tools available to you at the time, and rendering aid would not be likely to put you at risk of undue physical harm.

However, at a minimum, you are required to observe the hostile situation from a reasonable distance and report the facts of the situation to supervisory and law enforcement personnel immediately.

Examples of Physical Force are:

 Control Holds: Wrist Lock, twist lock. Control holds are used when the level of resistance by the suspect has not elevated to where the use of the baton or pepper spray, or punching would be appropriate. In this case for example, controlling force such as a rear wrist lock would be appropriate while taking a subject into custody;

Impact Weapons (i.e. baton); Pepper Spray; and Taser.



4. Deadly Force: Deadly Force is the last step in the Continuum and is only to be applied when all other defensive measures have failed and/or when you or another are in immediate or imminent danger of death or great bodily injury.

1. Use of Force Paradigm: In an immediate threat situation the use of force Paradigm enables the officer to immediately select the most reasonable level of force necessary at the time to control a specific situation based on the situation and circumstances at hand without going through every step of the Use of Force Continuum.

There is a very real application to the Use of Force Paradigm. In real life situations it may be impossible for an officer to use the Use of Force Continuum at its starting point (i.e. officer’s presence) as not all situations allow the luxury of starting with point 1 and working their way to point 4 if/as required. This is not a safe way to deal with all situations.

1. Manner of Arrest: If an NASI security officer needs to make an arrest, you will observe the following:
   1. Make the arrest based on the authority given you in accordance with your state law, state security guard licensing policy, NASI security officer policy, and client policy.
   2. Notify the person to be arrested of your arrest authority and the reason for the arrest. Handcuff the subject immediately upon arrest, if they pose a physical threat or harm to the officer or others, do not block their path, leave them an avenue of escape and call the police. If the arrest is made monitor the subject’s circulation and leave the cuffs in place until the police remove them.

**Note:** If the subject is in the commission of an offense and you are unable to inform the subject of their arrest authority and reason for the arrest at the time, then you will inform the subject of this information at the earliest possible time.

* 1. Immediately notify local law enforcement personnel and turn the arrested subject over to the local police at the earliest time possible.
  2. Maintain positive control of the subject, until the local authorities take custody or release the subject.
  3. Retrieve all information from law enforcement such as: Agency info, officer’s unit number and name, and department report number.
  4. Notify security supervision for the information to be forwarded up the company and client’s chain of command at the earliest possible time, if they are not already aware.
  5. Complete any and all required paperwork (affidavit, report, etc) as soon as possible.

1. Manner of Detainment: In states that authorize you to detain (only – no arrest authority) a subject, you will observe the following:
   1. Detain a subject based on the authority given you in accordance with your respective state law, state security guard licensing policy, NASI security officer policy and client policy.

b.

* 1. Notify the person to be detained of your authority to detain and the reason for the detainment.

**Note:** If the subject is in the commission of the offense and you are unable to inform the subject of your detainment authority and reason for the detainment at the time, you will inform the subject of this information at the earliest possible time.

* 1. Notify local law enforcement personnel and turn the detained subject over to the local police at the earliest time possible.
  2. Maintain positive control of the subject, until the local authorities take custody or release the subject.
  3. Notify security supervision for the information to be forwarded up the company and client’s chain of command at the earliest possible time, if they are not already aware.
  4. Complete any and all required paperwork (affidavit, report, etc) as soon as possible.

1. **Training Requirements:**

You will receive any and all applicable state guard-card licensing training in use of force and powers to arrest or detainment, from certified/authorized instructors in your respective state.

Where there is no mandated state training, similar training will be provided by security supervision or management.

Additionally, state-certified and/or NASI-certified training in any tool (i.e. firearm, baton, OC, handcuffs, etc.) are required to use in the performance of your duties will also be required to be completed by you.

1. **Notifications:**

In the event you had to utilize any type of force on a subject as a result of any contact, you shall immediately inform the following:

1. Law enforcement (911)
2. Emergency Medical Services if needed
3. Supervisor
4. Dispatch
5. **Supervisor Responsibilities:** Security supervisors and managers will:
   1. Determine the status of the security officer(s) and subject(s);
      1. If there is no injury to the officer or subject, notify the Operations Manager.
      2. If there is any injury to the officer or subject, all notifications shall be made to the Operations Manager, Vice President, & CEO.
      3. If suspect is injured, request information as to which hospital they will be taken to.
      4. Take pictures of suspect and officer – injuries or lack of injuries;
   2. Get witness statements;
   3. Obtain law enforcement information: Officers names, unit number, departmental report number,
   4. Complete and file required paperwork
6. **Reports & Reporting:**

You will be required to immediately report all of the facts leading up to the incident, actions taken during the incident, resolve of the incident and all action and notification times to your supervisor for CASE Global report purposes.

Supervisors will forward all information and updates to company and client management in a timely manner.

1. **Policy Enforcement:**

Any violation of this policy will result in discipline, up to and including termination.

# NASISECURITY OFFICER USE OF FORCE & ARREST POLICY ACKNOWLEDGMENT OF UNDERSTANDING & COMPLIANCE

I have read and understand the **NASI SECURITY OFFICER USE OF FORCE & ARREST POLICY** and will comply with all requirements. Additionally, I have been given a chance to ask any questions I have on the policy and have had them answered satisfactorily. Furthermore,

I understand that should I have any questions about the policy in the future, I may ask my

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| supervisor for clarification at any time. |  |
| Officer Name: (Print legibly) | Officer Signature: |

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| Date\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ |  |
| Supervisor Name (Print) | Supervisor Signature |

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October 2016

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