



# CITY OF BETHLEHEM

10 East Church Street, Bethlehem, Pennsylvania 18018-6025

DEPARTMENT OF POLICE

[www.bethlehem-pa.gov](http://www.bethlehem-pa.gov)

June 15, 2020

Councilman Reynolds and Councilwoman Smith,

Thank you for your memo inquiring about the Bethlehem Police Department's Use of Force Directives and Community Engagement Initiatives. We welcome the opportunity to address the issues. We look forward to meeting with you and discussing these points in greater detail. We intend to provide more perspective on how the Department approaches the application of force and initiatives by the Department to connect with the community.

Historically, many major advancements in policing standards have resulted from regrettable events and ensuing public discussion or litigation. There have been notable transitional periods in the Bethlehem Department's history which have played a significant role in prompting advancement of the Department's standards and professionalism. One of recent prominence is the *Hirko* matter. The resulting changes are highlighted today with the Department's recent addition of Body Worn Cameras and In-car Dash Cameras, along with the continuance of accreditation through the Commission on Accreditation for Law Enforcement Agencies (CALEA) and the Pennsylvania Law Enforcement Accreditation Commission (PLEAC). The men and women of the Bethlehem Police Department are a professional group who take pride in the City, Department, and themselves.

In the midst of the national public discussion of police conduct and standards, we are proud to report that we regard the professionalism and the performance of the Bethlehem Police Department as meeting or exceeding modern standards. We do not intend this as a statement that there are no deficiencies, that every officer conforms at all times, or that untoward events do not occur – as perfection is aspired to but not achieved here or elsewhere (to our knowledge) with a force of Bethlehem's size. Regardless, we all should view this public discussion as another opportunity for one of those transitional periods leading to advancement of the Department in a positive, necessary and meaningful way toward the ultimate standard.

## **Use of Force Directives**

Categorically, the Department supports the guidelines presented in the "8 can't wait" initiative. We support the guidelines because many are already incorporated in Department Directives. As for others, we view this discussion as an opportunity to be responsive to public concern by clarifying and enhancing existing directives.

1. **Banning Chokeholds and Strangulation:** The Department does not endorse, teach or use chokeholds or strangulation as a means of control. Language expressly banning these methods except as a last resort during a life and death struggle has been added to the Use of Force Directive. Also, although the issue has been framed to ban chokeholds, this raises a broader concern which extends to prevention of asphyxiation by compression during constraint – something already disallowed under our Directives.
2. **Require De-escalation:** De-escalation is a necessary part of our officers' everyday policing. It is not a skill relied upon just for the use of force. Our training and directives address this point. Under the mayor's directive, our Department even hosted a regional police seminar on the topic

in the Town Hall with presentations by two nationally known experts. De-escalation has become a standard part of Department Use of Force training conducted annually.

3. **Require Warning before Shooting:** Verbal Commands are required when practical prior to the application of deadly force. An officer's use of a firearm is a highly developed law enforcement concept that incorporates many considerations and protocols to avoid an unnecessary shooting.
4. **Exhaust All Alternatives before Shooting:** Officers are taught to evaluate the situation and respond with force that is reasonable given the totality of the circumstances. While they may not have the ability to physically employ each step in the use of force continuum, they are mentally deciding which level of force would be appropriate given the incident they are facing and which levels of force have already been exhausted by the mere nature of the incident. (i.e., If the officer is being shot at with a rifle, it would be inappropriate to attempt to stop the offender by applying pepper spray.)
5. **Duty to Intervene:** In training, officers are taught to intervene when another officer is applying force beyond what is reasonable and they are aware it is expected. Directives also compel officers to report witnessed violations. Language has been added to our directives compelling intervention.
6. **Ban Shooting at Vehicles:** Our directives are explicitly restrictive on this subject, limiting the action to situations where there is an imminent danger of death or serious bodily injury and no other means are available to avert or eliminate the danger.
7. **Require a Use of Force Continuum:** This is incorporated in Department policy. The Department follows the Pressure Point Control Tactics, Resistance Control Continuum developed by Bruce Siddle of PPCT Management Systems. This is a commonly adopted and nationally recognized police standard.
8. **Require Comprehensive Reporting:** This practice is already policy.

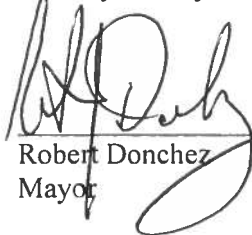
### **Request of Use of Force Policy**

We have reviewed the request to release the Department's Use of Force Policy. The Mayor has decided to authorize the release of the policy to the public.

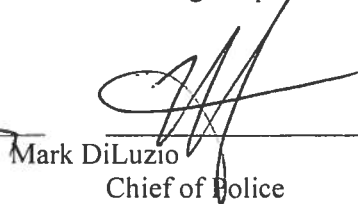
### **Community Engagement Initiative**

As you mention, the department currently engages the community through a variety of successful programs. Interacting with the community through youth programs, block-watch groups, beat officers, bicycle officers, mounted unit officers, BHA officers, school resource officers, and special programs such as the civilian police academy. We recognize that there is always room to improve the Department's outreach and efforts to build greater trust with the community. We look forward to discussing new opportunities and methods to better connect with the citizens of Bethlehem.

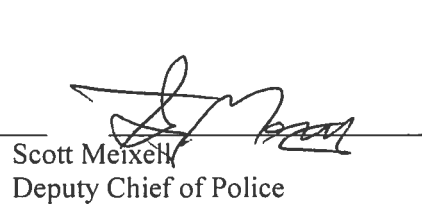
Thank you for your interest in advancing the public discussion.



Robert Donchez  
Mayor



Mark DiLuzio  
Chief of Police



Scott Meixell  
Deputy Chief of Police