Volume Seven – Field Operations

Tactical Response

7-801 Critical Decision Making and Threat Assessments
(<mark>xx-xx-25</mark>)

I. Purpose

The purpose of this policy is to create a standardized process to evaluate situations that members encounter. The goal of the process is to maximize the likelihood of positive outcomes for all involved.

By training all members to this standardized process, the MPD seeks to instill the principles of critical thinking, the Duty to De-escalate (P&P 7-802), the principle of Avoiding Escalation and Unnecessary Risk (P&P 7-802), and pursue the Department's Mission, Vision, Values and Goals.

II. The Critical Decision-Making Model

A. Introduction to the Concept

The critical decision-making model (CDM) outlines a member's thought process when performing any police function. It provides structure and vocabulary to describe a natural process, so that members can better understand how they make their decisions, without jeopardizing member safety or their ability to take immediate action.

- The CDM is **not** a checklist or worksheet that members need to complete after calls or incidents. Members should see it as a visual reminder of the steps they naturally take to make decisions.
- The CDM outlines five steps that are part of the decision-making process and that are guided by a set of core values.

B. The Critical Decision-Making Model Core

The middle or "core" of the CDM represents the overall philosophy of the MPD and helps to guide the actions of members in all situations. These principles should be at the core of members' considerations and decisions in each of the five steps.

The core of the CDM includes:

- Sanctity of Life (P&P 5-301).
- Mission, Vision, Values, Goals (found in the Preface of the P&P Manual).
- Procedural Justice (P&P 5-109).

C. Steps of the Critical Decision-Making Model

1. Gather information

   - Members will continually receive and process information as they apply each step of the CDM.
   - Separating facts from assumptions is the foundation of effective decision making.
   - This includes assessment of the completeness, accuracy and credibility of information. Members should consider the information of this incident, information from previous incidents, and the sources of the information.

2. Assess risks

   - In assessing risk, the member should consider whether there is an immediate need to take action to address a threat of imminent harm (see section [III-A-3]), or if the member can slow down and stabilize the situation (see P&P 7-802).
   - Members should consider the potential risks of taking or not taking the action, including risks to members, suspects or arrestees, victims, and the public.
   - Members should consider whether the assessment suggests additional resources may be necessary to assist in handling the situation.

3. Consider authority to act

   - Members must consider how applicable policies and laws authorize or restrict their actions, based on the totality of the circumstances (including the information they have gathered).

4. Identify options

   - Members should identify what they are trying to achieve, and what options are available to facilitate that outcome.
   - Members should consider, based on the assessment of risks and consideration of their authority to act, whether tactical disengagement may be appropriate (P&P 7-802).

5. Act, review, reassess

   - After taking appropriate action, members should assess whether the action achieved the intended outcome and whether the action generated new information.

D. Spinning the Model

Information collection is ongoing. As new information becomes available, members should "spin the model," re-assessing the new information and fine-tuning their decision-making through the steps of the CDM.

III. High-Risk Threat Response

Generally, members (including non-tactical members involved in initial response) can apply the CDM and use the following strategies in addressing high-risk threats.

A. High-Risk Threat Assessment

The purpose of a high-risk threat assessment is to evaluate the nature of a volatile and potentially dangerous situation and determine the best course of action to uphold the sanctity of life.

The following categories can be generally used to evaluate the urgency of action in addressing threats:

1. Isolated

   A threat is isolated when the person or people who pose a threat of harm are known to be alone and do not currently pose an imminent threat to the public.

2. Developing

   A threat is developing when the person or people who pose a threat of harm are in the presence of others, and there is an elevated risk of harm to those nearby. The person or people who pose the threat have the present ability and opportunity to harm those nearby, but the threat is not imminent.

3. Immediate

   A threat is immediate when actions of a person or people create a threat of imminent harm to others. The person or people have the present ability, opportunity, and the apparent intent to harm those nearby. An immediate threat requires action by members without delay.

B. Resource Organization

After assessing the threat, members should consider the following tactics or actions:

- Creating or strengthening the perimeter of the incident to further isolate the person or people posing a threat.
- Identifying safe routes for moving resources to and from the scene.
- Evacuating the surrounding area of people who might be in danger, to the extent reasonably possible.
- Maintaining clear communication:
  - Between members.
  - With any additional resources on scene.
  - With the person or people posing a threat, when appropriate.

1. Building teams

   As resources arrive or become available, teams should be organized to handle a variety of tasks and functions. Teams should be formed to prepare for addressing the different categories of potential threats, including but not limited to:

   - Immediate response teams.
   - Perimeter teams.
   - Evacuation teams.

2. Task organization

   When establishing teams, functions should be assigned to account for actions and capabilities that may be needed to address the threat categories. These functions may include:

   - Primary communicator.
   - Arrest and control.
   - Intermediate weapons (P&P 5-300).
   - Ballistic shields.
   - Breaching tools.
   - Lethal cover.

3. Additional support resources

   Members should stage Emergency Medical Services (EMS).

   Members should also consider whether resources such as the following may be necessary:

   - UAS (drones) (P&P 4-226).
   - Air support (State Patrol helicopter).
   - Crisis negotiator.

C. Contingency Planning

Members should develop plans that account for a variety of behaviors or actions by the person or people posing a threat.

These contingencies may include the following:

- Compliance.
- Flight.
- Opposition.
- Barricade.
- Rescue.

IV. Definitions

Critical Decision-Making Model: The critical decision-making model is a thought organization tool that allows members to organize situational factors and inform their decisions as they respond to police incidents of all degrees of complexity. All sworn members are trained in using the critical decision-making model.

De-escalation: Techniques and tactics to reduce the intensity of a situation. These strategies serve to preserve life and promote member safety by enabling members to resolve situations without the use of force or with the lowest degree of force necessary.

Disengagement: Withdrawing from the person or situation. Disengagement can be tactical or physical.

Tactical disengagement: Tactical disengagement is a strategic decision to leave, delay contact, or delay custody of a person when there is not an immediate need to detain them.

Physical disengagement: When physically engaged with a subject, disengagement is breaking contact or physically creating space between the member and the subject to allow for reassessment of the situation.

Imminent Threat: A threat is imminent when, based on the totality of the circumstances, a reasonable officer in the same situation would believe that a person has the present ability, opportunity, and apparent intent to immediately cause harm. An imminent threat is not merely a fear of future harm, no matter how great the fear, and no matter how great the likelihood of harm.

Tactical Positioning: A member's attempts to place themselves in the best tactical position possible to reduce unnecessary risk, plan for contingencies, to de-escalate the situation, and to allow for implementation of the critical decision-making model.

Totality of the Circumstances: All facts known to the sworn member at the time, including the conduct of both the sworn member and the person leading up to the action (such as the use of force).