

**ANCHORAGE, ALASKA
AO No. 2020-80**

AN ORDINANCE OF THE ANCHORAGE ASSEMBLY AMENDING ANCHORAGE MUNICIPAL CODE TO ENACT AND CODIFY LIMITATIONS ON THE ANCHORAGE POLICE DEPARTMENT'S USE OF FORCE POLICIES.

WHEREAS, there is great public interest across the nation in police departments' policies and procedures; and

WHEREAS, the Anchorage Police Department policies and procedures include section 3.05.025, "Response to Resistance," setting forth guidelines and limitations concerning the appropriate and acceptable use of deadly and non-deadly force by police officers in performance of their duties, with the safety of innocent persons and officers of paramount importance; and

WHEREAS, enacting restrictions and limitations on APD Officers use of force in response to resistance in the Anchorage Municipal Code will establish them as public policy vetted and supported by the Anchorage Assembly, the legislative branch of the Municipality, provide consistency and transparency of the prohibited methods of restraint and force, and require an ordinance and public hearing to modify by Code amendment; and

WHEREAS, this ordinance proposes codifying some restrictions and limitations that are substantially similar to ones in the current APD policies and procedures with the addition of a prohibition on sitting, kneeling, or standing on a person; now therefore:

THE ANCHORAGE ASSEMBLY ORDAINS:

Section 1. Anchorage Municipal Code chapter 8.100 is hereby amended and a new section added to read as follows:

**Chapter 8.100 – [FEES FOR] POLICE DEPARTMENT POLICIES
[SERVICES]**

8.100.020 Processing federal firearms forms.

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8.100.030 Police use of force in response to resistance: guidelines and limitations.

A. Law enforcement officers are prohibited from using the following tactics in response to noncompliance or resistance:

1. Warning shots.
2. Shooting at or from moving vehicles.
3. Shooting when innocent bystanders are near the line of fire so as to create a substantial risk of harm.

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- 4. Drawing and pointing weapons, unless deadly force is authorized by police department policy.
 - 5. Use of firearms to destroy animals.
 - 6. Unless deadly force is authorized, necessary, and objectively reasonable under the circumstances, and only used as long as needed to protect others and separate the arrestee from others:
 - a. Any chokeholds, with or without a device, that restricts a person's airway or flow of air.
 - b. Any vascular neck restraint that restricts the flow of blood by compressing the carotid arteries on each side of the neck.
 - c. Striking a person's head or neck with an impact weapon or object.
 - 7. Sitting, kneeling, or standing on the chest or back of a person in a manner that compresses the diaphragm for longer than reasonably necessary to restrain the person.
- B. Under no circumstances shall deadly force be authorized against a person in handcuffs or restrained to similar extent by any device. Non-deadly force may be used to prevent imminent bodily harm to officers or others, prevent escape, or physically remove an arrestee/detainee.

Section 2. This ordinance shall be effective immediately upon passage and approval by the Anchorage Assembly.

PASSED AND APPROVED by the Anchorage Assembly this _____ day of _____, 2020.

Chair

ATTEST:

Municipal Clerk