

Governor Carney Signs Executive Order on Law Enforcement Policy

Order bans chokeholds at state law enforcement agencies, requires additional de-escalation training, and additional transparency around use-of-force policies

WILMINGTON, Del. – Governor John Carney on Thursday signed Executive Order #41, which bans the use of chokeholds by State of Delaware law enforcement agencies, including Delaware State Police and Capitol Police; increases community engagement; requires additional de-escalation and implicit bias training; and increases the availability of crisis intervention services for law enforcement officers.

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Governor Carney's order also will formally prohibit executive branch law enforcement agencies from sharing mugshots of minors, except when public safety is at risk; require transparency around use-of-force protocols; and mandate participation in the national use-of-force database.

Agencies subject to this order include Delaware State Police, Capitol Police, Department of Correction, Natural Resources Police, and Delaware Alcohol and Tobacco Enforcement.

[Click here](#) to read Governor Carney's Executive Order #41.

*"Talk is cheap. It's on us to make progress," said **Governor Carney**. "As I said last week, these are first steps that we can take administratively to improve the relationship between law enforcement agencies and communities of color in Delaware. I know that the General Assembly will build on these steps, and I thank legislators for their partnership. Thank you to Colonel McQueen and the law enforcement officers of the Delaware State Police for their leadership on this important issue. I know law enforcement in Delaware. The vast majority of officers here and across our country serve for the right reasons – to protect and strengthen their communities. They want meaningful change. Let's keep working together to move forward."*

Governor Carney's [Executive Order #41](#) will make the following changes:

- 1. Use of Chokeholds:** No law enforcement officer in the Executive Branch shall knowingly or intentionally use a chokehold, kneehold or other similar acts of applying force or pressure against the trachea, windpipe, carotid artery, side of the neck, or jugular vein of another person unless that officer reasonably believes that the use of such force is necessary to protect the life of a civilian or a law enforcement officer and other applicable control methods have been exhausted.
- 2. Availability of policies and protocols:** Any use of force policies and protocols for law enforcement officers shall be posted on the agency's website, subject to redactions necessary for the limited purpose of avoiding disclosure of tactical information that may jeopardize officer or public safety.
- 3. Publication of Photos:** A photo or mugshot of a child 17 years of age or younger arrested or suspected of committing a crime shall not be released or published by

law enforcement on a publicly maintained social media page or website unless that child is charged with a violent felony, as that term is defined in Title 11 of the Delaware Code, and release of the photo or mugshot is necessary to protect the public's safety. Law enforcement may release the photo of a child 17 years of age or younger if required to do so by applicable state law.

4. **Community Engagement:** At the direction of the Secretary of the Department of Safety and Homeland Security for the State of Delaware (DSHS), DSP shall increase its community outreach unit by designating and training troopers as community outreach liaisons so that each Troop throughout the state will have a community outreach officer assigned to it. The community outreach troopers shall receive training on building relationships with residents and community-based organizations and meet with residents and organizations regularly to discuss how to better serve their communities and make it easier for those residents and organizations to communicate with law enforcement.
5. **Participation and Utilization of National Databases:** DSHS law enforcement officers shall continue to participate in the National Use of Force Data Collection effort in order to assist law enforcement and the community to identify and understand the totality of, and trends associated with, use-of-force incidents. In addition, DSHS law enforcement officers, working with the Council on Police Training, shall participate in the Police Officer Decertification Database to aid law enforcement agencies in making informed hiring decisions to prevent officers who have been terminated for cause from being hired in Delaware.
6. **Training Requirements:** The following trainings shall be conducted for law enforcement officers on at least an annual basis:
 - a. Implicit bias training, including scenario based

training and other methods of evidence-based experiential training, engaging community members with special expertise, to address implicit bias and its role in the criminal justice system; and

- b. De-escalation training, including a use-of-force continuum or matrix, to demonstrate the use of less or more force in an arrest situation, and reinforce exhausting all other reasonable alternatives before resorting to deadly force.

8. **Increase crisis intervention services:** In collaboration with the Behavioral Health Consortium of Delaware, all law enforcement officers shall have access to crisis intervention training and services to improve appropriate response to individuals suffering from a behavioral health crisis.

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