USE OF FORCE

General Order # 10.22
Issued: August 10, 1976
Revised: April 13, 2008
Reviewed: March 2008

I. PURPOSE

The purpose of this order is to provide members of this department with guidelines for the use of deadly and non-deadly force.

In accordance with state and federal law, members of this department shall use only that force that is objectively reasonable in light of the facts and circumstances confronting them. The reasonableness of a particular use of force must be judged from the perspective of a reasonable officer (or member of this department) on the scene. As indicated by the United States Supreme Court in Graham v. Connor, “the calculus of reasonableness must embody allowance for the fact that police officers are often forced to make split-second judgments—in circumstances that are tense, uncertain, and rapidly evolving—about the amount of force that is necessary in a particular situation.”

II. DEFINITIONS

A. Deadly Force: Force that is intended or known by the actor to cause, or in the manner of its use or intended use is capable of causing, death or serious bodily injury.

B. Non-Deadly Force: Any use of force other than that which is considered deadly force. This includes any physical effort used to control or restrain another, or to overcome the resistance of another.

C. Objectively Reasonable: In determining the necessity for force and the appropriate level of force, members shall evaluate each situation in light of the known circumstances including, but not limited to, the seriousness of the crime, the level of threat or resistance presented by the subject, and the danger to the community or members of this department.

III. PROCEDURES

A. Use of Deadly Force
1. In accordance with state and federal law, members of this department are authorized to use deadly force against persons when one or both of the following apply:
   a. To protect the officer or others from what is reasonably believed to be a threat of death or serious bodily injury
   b. To prevent the escape of a fleeing violent felon who the officer has probable cause to believe will pose a significant threat of death or serious bodily injury to the officers or others.

2. When feasible, a police officer shall give some warning regarding the possible use of deadly force prior to use of deadly force.

B. Use of Non-Deadly Force

Where deadly force is not authorized, officers may use only that level of force that is objectively reasonable to bring an incident under control.

IV. DOCUMENTATION OF USE OF FORCE

A. All uses of force by officers, both deadly and non-deadly force, shall be documented in the arrest and/or offense reports.

B. Members of this department shall complete a Use of Force Report under the following circumstances:
   1. Any use of deadly force
   2. Any use of a weapon
   3. Any use of the Lateral Vascular Neck Restraint (LVNR)
   4. Any use of non-deadly force that results in physical injury other than simply physical pain.

C. Members of the Detention Center shall complete the Detention Center Incident Report when force is used on a subject who is in-custody in the Garland Detention Center.

D. If force was used by more than one member of this department against the same subject, each member who utilized force is responsible for notifying the member completing the Use of Force Report or Detention Center Incident Report of that force utilized so that all uses of force in the incident will be documented.

E. The Use of Force Report or Detention Center Incident Report will be reviewed by the member’s supervisor, if available. If not available, another supervisor with current responsibility for that member’s unit or division shall do so.
   1. The supervisor shall review the elements of the incident to ascertain if the level of force appeared to be appropriate. The supervisor will forward the report to the Assistant Chief of the appropriate division via the Chain of Command for additional review by the Captain and Assistant Chief.
2. If any level of supervision feels that further review of the use of force may be warranted, the supervisor shall forward the Use of Force Report or Detention Center Incident Report and his/her recommendation for further investigation via the Chain of Command to the Chief of Police. The Chief of Police will determine whether or not further investigation is warranted by the Internal Affairs Unit.

XVII. PRIOR ORDERS

From and after the effective date of issuance of this order, it shall be in full force and shall govern the operations of this department with regard to its subject matter. Former orders, policies, directives and memoranda relating to the subject matter are hereby specifically revoked and they shall be of no force and effect from and after the date of issuance of this order.

Mitchel L. Bates
Chief of Police

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