

General Order

Houston Police Department



ISSUE DATE:

September 30, 2015

NO.

600-17

REFERENCE: Supersedes all prior conflicting Circulars and Directives, and General Order 600-17, dated September 25, 2015

SUBJECT: USE OF FORCE

POLICY

The Houston Police Department places its highest value on the life and safety of its employees and members of the community.

This General Order applies to all employees. The term employee(s) applies to both classified and civilian employees within the context of the application of this General Order. This General Order does not grant civilian employees any authority beyond the authority they have under the Texas Penal Code, the Texas Code of Criminal Procedure, or City of Houston Ordinances.

Employees are authorized by law to use force to protect themselves or others, to effect an arrest, or to maintain custody of those arrested. When dealing with members of the community, suspects, or prisoners, employees must use only the amount of force reasonably necessary to protect themselves or others, to effect an arrest, or to bring an incident under control, even if under the circumstances the law would allow the use of greater force.

DEFINITIONS

Bodily Injury. An injury causing physical pain, illness, or any impairment of the function of any bodily member or organ.

Deadly Force. Force intended or known to cause or in the manner of its use or intended use is capable of causing death or serious bodily injury.

Discharge of a Conducted Energy Device (CED). For purposes of this General Order, the firing of a CED, whether intentional or accidental unless specified otherwise. This

term includes using a CED in a *drive stun* manner.

Firearm. For purposes of this General Order, any handgun, rifle, or shotgun (not including soft-impact weapon).

Force. Force is meant to describe actions taken to compel a person to comply with law enforcement objectives. *See also the definition of reportable force and section 3 of this General Order.*

Intermediate Weapons. Within the context of this General Order, intermediate weapons include:

- a. Baton
- b. Oleoresin capsicum (OC) spray
- c. Soft-impact weapon (e.g., beanbag shotgun)
- d. Conducted energy device (CED) (e.g., stun gun or TASER®)

Involved Officer. An officer (regardless of rank) who used *reportable force*.

On-Duty Supervisor. For purposes of this General Order, an on-duty supervisor is one that is on duty and who did not use *reportable force*.

Reportable Force (RF). Reportable force (RF) is force that requires specific notification and documentation of the RF incident. *See section 3 of this General Order, which describes RF.*

Serious Bodily Injury. An injury that creates a substantial risk of death or that causes death, serious permanent disfiguration,

or protracted loss or impairment of the function of any bodily member or organ.

Soft-Impact Weapon. A soft-impact weapon, which is an intermediate weapon, is a distinctly marked shotgun designated for the exclusive use of soft-impact munitions.

1 GENERAL USE OF FORCE PRINCIPLES

Use of force must be objectively reasonable based on the totality of the circumstances. The circumstances justifying the initial use of force may change during the course of an event. It is the duty of all employees to constantly assess the situation and adjust the use of force accordingly. Employees who use force against any person must detail the specific reasons for using such force.

Civilian employees are not permitted to carry any intermediate weapon or firearm in the performance of their duties.

Officers shall not display any intermediate weapon or firearm in an unprofessional or unsafe manner.

Anytime an employee uses reportable force, whether on duty, off duty, or at extra employment, a supervisor must be notified as set forth herein.

2 DUTY TO INTERVENE

Any employee present and observing another employee using force that is beyond that which is reasonable under the circumstances shall, when in a position to do so, safely intercede to prevent the use of such force. Employees shall immediately report these observations to an on-duty supervisor.

Also, refer to General Order 500-02, **Handling and Transporting Prisoners and Other Persons.**

3 REPORTABLE FORCE (RF)

Reportable force (RF) does *not include* mere police presence, including the presence of a K-9, verbal commands, handcuffing, or escorting without resistance, or when an OC device is pointed at a person.

Reportable force *includes, but is not limited to*, the use of any of the following:

- a. *Empty hand tactics* (e.g., grabbing, pushing, pressure points, forcing arms behind back, taking suspect to the ground, leg sweeps)
- b. *Baton* when a person is struck
- c. *OC spray* when any one of the following occurs:
 1. Intentionally sprayed in the direction of a person whether contact is made or not
 2. Accidentally sprayed and there is contact with a person
- d. *Conducted energy device* when any one of the following occurs:
 1. It is pointed at a person
 2. Intentionally discharged and directed at a person whether contact is made or not
 3. Accidentally discharged and a person is struck
- e. *Soft-impact weapon* when any one of the following occurs:
 1. It is pointed at a person
 2. Intentionally discharged, except when the discharge is directed toward an animal and it does not result in bodily injury to any person

3. Accidentally discharged and it results in bodily injury to any person
- f. *Firearm* when any one of the following occurs:
 1. It is pointed at a person
 2. Intentionally discharged, except when the discharge is directed toward an animal and it does not result in bodily injury to any person
 3. Accidentally discharged and it results in bodily injury to any person
- g. *K-9 with bites*
- h. *Interlocking*

4 INTERMEDIATE WEAPONS

Before carrying or using any intermediate weapon, an officer must be currently certified with the intermediate weapon by the Training Division. The Training Division is responsible for maintaining a list of approved intermediate weapons and carrying devices.

Intermediate weapons shall be carried or used as issued or authorized by the department. No changes, alterations, or modifications are permitted. It is within the officer's discretion to determine when the use of an intermediate weapon is necessary and which intermediate weapon is appropriate for the situation.

Batons

Officers shall always carry a baton when:

- a. Responding to disturbance calls
- b. Working an event where there are a large number of persons

Supervisors responding to situations requir-

ing a baton are responsible for ensuring each officer at the scene complies with this policy.

Unless deadly force is warranted, baton strikes shall be made only to areas of the body below the shoulders and only with the degree of force necessary to counter resistance or establish control of the suspect. Additionally, there are circumstances that occur in which flashlights may also be used as batons. Strikes made with flashlights must be made in accordance with the same guidelines as those made with batons.

OC Spray

The department does not furnish officers with OC spray or related equipment. However, once certified for on-duty use, officers are authorized to carry OC spray and related equipment approved by the Training Division. Uniformed officers carrying OC shall store the canisters on their duty belts in an appropriate case.

Soft-Impact Weapons

On each shift, soft-impact weapons shall be assigned to, and stored in, designated patrol sergeants' vehicles. As part of their daily vehicle inspection, the patrol sergeants shall inspect the soft-impact weapon for damage. An officer may check out a soft-impact weapon if there is one available. Those officers that choose to check out a soft-impact weapon shall notify the dispatcher at the beginning of their shift.

Sergeants and officers who are assigned or who check out a soft-impact weapon shall inspect the soft-impact weapon prior to signing on duty. If the sergeant or officer observes any new damage, missing parts, or defective equipment, the sergeant or officer, as applicable, shall notify his supervisor before signing on duty.

Unless deadly force is warranted, officers shall not target soft-impact weapons for

munition impacts above a person's shoulders.

Officers in *specialized divisions* needing a soft-impact weapon shall coordinate with an appropriate district patrol sergeant.

When a division is assigned soft-impact weapons, the division commander is responsible for ensuring the weapons are properly maintained at all times.

Conducted Energy Devices (CED)

For detailed information on the policies and procedures regarding CEDs, see General Order 400-26, **Conducted Energy Devices**.

However, for a synopsis of *initial* notification and documentation requirements, see sections 9 and 10 below.

5 USE OF DEADLY FORCE

The use of deadly force shall be limited to those circumstances in which officers reasonably believe it is necessary to protect themselves or others from the imminent threat of serious bodily injury or death. Officers shall consider their immediate surroundings and the safety of uninvolved persons before using deadly force.

Officers shall not justify the use of deadly force by intentionally placing themselves in imminent danger.

Officers are prohibited from using firearms in the following ways:

- a. Firing warning shots
- b. Firing at fleeing suspects who do not represent an imminent threat to the life of the officer or another person
- c. Firing at suspects whose actions are a threat to only themselves (e.g., attempted suicide)

Moving or Fleeing Vehicle

Officers must be mindful that it is very unlikely that a firearm will disable or stop a vehicle. Furthermore, disabling the driver of a moving vehicle creates unpredictable circumstances that may cause the vehicle to crash or injure other officers or uninvolved persons. Persons who may be in the vehicle or in the area who pose no threat are also placed at risk when an officer discharges a firearm at an approaching vehicle.

When confronted with a potential suspect in a moving vehicle, officers must be mindful of any available cover and concealment. Moving to a position of tactical advantage maximizes officer safety and minimizes the need to use deadly force.

Accordingly, officers shall not discharge a firearm or soft-impact weapon *at* a moving vehicle unless a person in the vehicle is immediately threatening the officer or any other person with serious bodily injury or death by means other than the vehicle itself. An officer in the path of an approaching vehicle shall attempt to move to a position of safety rather than discharging a firearm or soft-impact weapon at the vehicle or any of the vehicle's occupants.

In the rare and exigent circumstance, as viewed from the perspective of a reasonable officer, where the vehicle is being used as a deadly weapon with the apparent intent to immediately inflict or cause serious bodily injury or death, the use of deadly force would be authorized.

Also, officers shall not discharge a firearm or soft-impact weapon *from* a moving vehicle.

For additional information, see General Orders 600-04, **Motor Vehicle Pursuits** and 600-34, **High-Risk Vehicle Approaches**.

6 PROPER UTILIZATION OF INTERMEDIATE WEAPONS AND FIREARMS

Unless an officer has a reasonable belief there is an imminent threat of serious bodily injury or death to the officer or another person, the officer shall not use weapons for which the officer has not received requisite training or provide weapons to others to use when such persons have not received requisite training.

7 OTHER GENERAL ORDERS

The policies in this General Order do not negate further requirements contained in other General Orders such as:

- a. 200-16, **Firearm and Soft-Impact Weapon Discharges**
- b. 400-26, **Conducted Energy Devices**
- c. 200-10, **Emergency Management**
- d. 200-03, **Investigation of Employee Misconduct**
- e. 800-07, **Criteria for Submitting Incident Reports**

Employees shall refer to other applicable General Orders to ensure compliance with additional, requisite procedures.

8 ON-DUTY SUPERVISOR RESPONSE REQUIRED

Upon notification of an RF incident, the on-duty supervisor shall respond and proceed immediately to the scene unless one of the exceptions delineated below applies. However, an on-duty supervisor is always required to respond when interlocking is used in accordance with General Order 500-01, **Effecting Arrests and Searches**.

An on-duty supervisor is not required to respond to the scene in the following circumstances:

- a. *Pointing/Empty Hand Exception*. This is when RF solely involves an officer:
 1. Pointing a CED, soft-impact weapon, and/or firearm at a single person or multiple persons *and/or*
 2. Using empty hand tactics *and all of* the following apply:
 - a) There is no visible injury
 - b) The person does not lose consciousness
 - c) The person does not complain of any bodily injury
- b. *Extra Employment Exception*. This is when RF occurs while an involved officer is working extra employment and only if *all of* the following apply:
 1. A Houston Police Department supervisor is working extra employment at the same location
 2. The involved officer immediately notifies that supervisor
 3. That supervisor did not use reportable force
 4. The reportable force does *not* involve the discharge of a firearm or soft-impact weapon, or result in serious bodily injury to any person.
- c. *Outside City of Houston (COH) Exception*. This when an RF incident does not fall within the previous exceptions yet both of the following apply:
 1. The RF occurs *outside the city of Houston*
 2. A classified supervisor in the Crime Analysis and Command Center

(hereinafter referred to as Command Center) has determined that an on-duty supervisor does not have to respond to the scene after giving consideration to the proximity of the reportable force incident to the city of Houston and severity of injury.

9 NOTIFICATION OF REPORTABLE FORCE

Anytime an involved officer uses reportable force (RF) whether on duty or off duty including during extra employment, *an on-duty supervisor shall be notified* as set forth below. Also, see section 10 for RF documentation requirements.

Involved Officer's Responsibilities

Requesting Medical Personnel:

Anytime an involved officer uses RF, whether on duty or off duty including during extra employment, the involved officer shall immediately request medical personnel to the scene when any of the following occurs:

- a. A person sustains any bodily injury from the discharge of a firearm
- b. A person sustains serious bodily injury
- c. A person is struck by a munition from a soft-impact weapon
- d. A person is sprayed with OC
- e. A person is darted by a CED in the head, neck, groin area, or breast (male or female) or the person sustains physical trauma indirectly associated with the CED use (e.g., injuries from falls)
- f. As otherwise needed

If the involved officer is unable to request medical personnel as set forth above, the most senior officer at the scene shall make the request.

On Duty:

If an RF occurs when the involved officer is on duty, whether inside or outside the city of Houston, the involved officer shall *immediately notify an on-duty supervisor*. The involved officer shall choose the best method of requesting an on-duty supervisor to respond to the scene (e.g., via the dispatcher, radio, mobile computing device [MCD]). If the involved officer is unable to make immediate notification to an on-duty supervisor, the most senior officer at the scene shall make such notification.

Inside the City of Houston, Off Duty Including Extra Employment:

If an RF occurs *inside the city of Houston* when the involved officer is off duty including extra employment, the involved officer shall *immediately notify the Emergency Communications Division (ECD) dispatcher or the Command Center* unless the Extra Employment exception applies. Anytime a Houston Police Department supervisor is working at the same extra employment location, the involved officer shall notify this supervisor of the RF incident. If the involved officer is unable to make immediate notification as set forth above, the most senior officer at the scene shall make such notification.

If the Pointing/Empty Hand exception applies, in addition to notifying the ECD dispatcher or Command Center, the involved officer shall *as soon as possible* notify an on-duty supervisor at the division where the involved officer is assigned. "*As soon as possible*" means at the earliest time during the operational hours of the involved officer's division when an on-duty supervisor is working.

Outside the City of Houston, Off Duty Including Extra Employment:

If the RF occurs *outside the city of Houston* when the involved officer is off duty includ-

ing extra employment, the involved officer shall *immediately* do both of the following:

- g. Contact the law enforcement agency having jurisdiction
- h. Notify the Command Center of the RF incident

The involved officer shall verify with a classified supervisor in the Command Center whether an on-duty supervisor will or will not be responding to the scene.

When the Extra Employment exception applies, the Command Center does not have to be notified; however, the involved officer shall immediately notify the Houston Police Department supervisor who is working at the same location of the RF incident.

When the Pointing/Empty Hand or Outside COH exception applies, the involved officer shall *as soon as possible* notify an on-duty supervisor at the division where the involved officer is assigned. For purposes of this subsection, *as soon as possible* means at the earliest time during the operational hours of the involved officer's division when an on-duty supervisor is working.

Other:

If an injury is not apparent at the time of arrest and the arresting officer is made aware of it later, that officer shall immediately notify an on-duty supervisor. Furthermore, the officer shall document the RF as set forth in section 10.

Emergency Communications Division's (ECD) Responsibilities

Notification to an On-Duty Supervisor:

Inside the City of Houston, On Duty

Upon receiving notification of an RF incident occurring *inside the city of Houston when the involved officer is on duty*, the

ECD dispatcher shall immediately notify an on-duty supervisor assigned to patrol or investigations, as applicable.

Inside the City of Houston, Off Duty Including Extra Employment

Upon receiving notification of an RF incident occurring *inside the city of Houston when the involved officer is off duty including extra employment*, the ECD dispatcher shall immediately notify an on-duty supervisor assigned to patrol or investigations, as applicable, unless the Pointing/Empty Hand exception applies.

Notification to the Command Center:

The ECD dispatcher shall immediately notify an ECD supervisor and the ECD supervisor shall immediately notify the Command Center when any one of the following RF incidents occurs:

- a. A firearm is discharged
- b. A soft-impact weapon is discharged
- c. A CED is either of the following:
 - 1. Intentionally discharged and directed at a person whether contact is made or not
 - 2. Accidentally discharged and a person is struck
- d. A person sustains serious bodily injury
- e. The RF occurs *outside the city of Houston when the officer is on duty*

Supervisor's Responsibilities

The supervisor who responds to the scene shall first check to see if anyone is injured and shall ensure the injured are treated.

The supervisor shall *immediately* contact the Command Center when any one of the

following occurs:

- a. A firearm is discharged
- b. A soft-impact weapon is discharged
- c. A CED is discharged
- d. A person sustains serious bodily injury

In addition to the notification requirements set forth above, anytime the on-scene investigation reveals violations of department policy regarding the use of force, the supervisor shall contact the Internal Affairs Division (IAD) and speak with an IAD lieutenant for direction. However, if it is after hours, the supervisor shall contact the Command Center.

Command Center's Responsibilities

In addition to the notification requirements set forth in General Orders 200-16, **Firearm and Soft-Impact Weapon Discharges**, 400-26, **Conducted Energy Devices**, and 200-10, **Emergency Management**, the Command Center shall make the below notifications.

Notification to Homicide Division and Internal Affairs Division:

The Command Center shall immediately notify the Homicide Division and Internal Affairs Division of an RF incident when any one of the following occurs:

- a. A firearm is either of the following:
 1. Intentionally discharged, except when the discharge is directed toward an animal and it does not result in bodily injury to any person
 2. Accidentally discharged and it results in bodily injury to any person

- b. A soft-impact weapon is discharged and it causes serious bodily injury to a person
- c. A person sustains serious bodily injury

Involved Officer is On Duty:

Upon receiving notification of an RF incident occurring when the involved officer is on duty, whether inside or outside the city of Houston, the Command Center shall ensure an on-duty supervisor from patrol or investigations, as applicable, is immediately notified.

Furthermore, when the RF incident occurs outside the city of Houston and the Pointing/Empty Hand exception does not apply, a classified supervisor in the Command Center shall determine whether an on-duty patrol supervisor or on-duty supervisor from the involved officer's division should respond to the scene after giving consideration to the proximity of the RF incident to the city of Houston and the severity of the injury. The classified supervisor in the Command Center shall inform the involved officer whether an on-duty supervisor will or will not be responding to the scene.

Involved Officer is Off Duty Including Extra Employment:

Inside the City of Houston

Upon receiving notification of an RF incident occurring inside the city of Houston when the involved officer is off duty including extra employment, the Command Center shall ensure an on-duty supervisor is immediately notified of the RF incident unless the Pointing/Empty Hand or Extra Employment exception applies.

Outside the City of Houston

When the Pointing/Empty Hand or Extra Employment exception does not apply, a classified supervisor in the Command Cen-

ter shall determine whether an on-duty patrol supervisor or on-duty supervisor from the involved officer's division should respond to the scene after giving consideration to the proximity of the RF incident to the city of Houston and the severity of the injury.

The Command Center supervisor shall inform the involved officer whether an on-duty supervisor will or will not be responding to the scene.

Homicide and Internal Affairs Divisions

With regards to RF incidents occurring outside the city of Houston, depending on various factors such as the RF incident's proximity to the city of Houston, investigators from the Homicide Division or Internal Affairs Division may be sent to the scene. If Homicide investigators go to the scene, they shall conduct an investigation in cooperation with the agency having jurisdiction. Investigations by Internal Affairs shall be conducted in accordance with HPD policies and procedures.

10 DOCUMENTATION OF REPORTABLE FORCE

Involved Officer's Responsibilities

Required Documentation:

Unless the Pointed Weapons exception applies, which is noted directly below, each involved officer that uses RF shall do all of the following:

- a. Complete an original or supplement incident report, as applicable
- b. Complete the *Use of Force* form
- c. Thoroughly document the suspect's actions and the officer's response (*See also "Details Within the Incident Report" later in this subsection*).

The documentation requirements include when the involved officer uses RF while on duty or off duty including during extra employment whether inside or outside the city of Houston.

Pointed Weapons Exception to Completing an Incident Report and *Use of Force* Form:

When the RF *solely* involves pointing a CED, soft-impact weapon, and/or firearm at a single person or multiple persons *and* there are *multiple involved officers* on the same call, the RF that involves pointing a CED, soft-impact weapon, and/or firearm at a single person or multiple persons may be documented in one incident report and one *Use of Force* form by the primary officer or one of the involved officers (hereinafter referred to as Pointed Weapons exception). When the Pointed Weapons exception applies and one officer completes the documentation, this officer shall complete both the *Standard Use of Force* form and the *Multi-Weapons Drawn* form.

Additionally, when the Pointed Weapons exception involves pointing any of the aforementioned weapons at multiple persons, the officer completing the documentation (i.e., incident report and *Use of Force* forms) shall do all of the following:

- d. List identifying information of one person (e.g., suspect) on the *Multi-Weapons Drawn* form
- e. List all officers who used this type of RF on the *Multi-Weapons Drawn* form
- f. Document the other persons' (e.g., suspects) identifying information within the narrative of the incident report

For clarification regarding the Pointed Weapons exception, see the following examples:

Example 1: Two officers are dispatched

and respond to the same call. While on the same call, one officer (Officer A) points a firearm at one person (Person 1) and another officer (Officer B) points a soft-impact weapon at a different person (Person 2). Only one incident report, one *Standard Use of Force* form, and one *Multi-Weapons Drawn* form needs to be completed by one of the involved officers. If the officer completing the documentation provides the information of Person 1 on the *Multi-Weapons Drawn* form, the officer then must also document the information of Person 2 within the narrative of the incident report.

Example 2: Multiple officers respond to the same call in which one officer (Officer A) points a firearm at a person and another officer (Officer B) uses RF other than pointing a CED, soft-impact weapon, or firearm at a person. Officer B must document his RF in an incident report and a *Standard Use of Force* form. Furthermore, Officer B may also document Officer A's use of RF in the same incident report. Since the Pointed Weapons exception applies, Officer B would also have to complete the *Multi-Weapons Drawn* form.

Example 3: Three officers are on a scene attempting to apprehend a suspect subsequent to a fresh pursuit. Officer A is the primary unit and the secondary unit consists of Officers B and C, who are riding together. All three officers maintain a position of advantage and point their firearms in the direction of the suspect. Officer A establishes verbal communication with the suspect. Eventually, the suspect complies with Officer A's verbal commands, exits the vehicle, and is taken into custody. The primary unit (Officer A) is responsible for completing the original incident report and *Standard Use of Force* form. The use of RF (i.e., pointing a firearm at a person) by Officers B and C may be documented in Officer A's original incident report and in the *Multi-Weapons Drawn* form.

When the Pointed Weapons exception ap-

plies, each involved officer who solely pointed a CED, soft-impact weapon, or firearm at any person shall provide his name, employee number, and assigned division to the officer who will be completing the incident report and *Use of Force* form.

Furthermore, when the Pointed Weapons exception applies, the officer completing the incident report and *Use of Force* form shall list the names, employee numbers, and assigned divisions of all involved officers who pointed their CED, soft-impact weapon, or firearm at any person. The officer shall also thoroughly document the suspect's actions and officers' response as well as document which on-duty supervisor was notified of the RF.

Time Frame to Complete the Incident Report and *Use of Force* Form:

On Duty

If an RF occurs when the involved officer is on duty, the incident report and *Use of Force* form shall be completed prior to the end of the involved officer's shift.

Off Duty Including Extra Employment

If an RF occurs when the involved officer is off duty including during extra employment, the involved officer shall do *one of the following*:

- g. Immediately complete an incident report and *Use of Force* form
- h. Immediately provide the requisite information to the department by any method approved by the department so that an incident report and *Use of Force* form can be completed immediately. When the involved officer provides the requisite information using this option, at the first opportunity upon returning to duty the involved officer shall review the incident report and *Use of Force* form and make any necessary corrections.

Details Within the Incident Report:

In addition to the below specifications, involved officers shall also comply with all applicable documentation requirements contained in General Orders 400-26, **Conducted Energy Devices** and 200-16, **Firearm and Soft-Impact Weapon Discharges**.

Incident reports involving RF shall contain the following information:

- i. The name and employee numbers of:
 1. All employees on the scene at any time during the use of force incident.
 2. The on-duty supervisor who responded to the RF incident or the on-duty supervisor who was notified when an on-scene response is not required.
 3. The supervisor in the lockup or detention facility where the prisoner was booked.
- j. The unit number of responding medical personnel, if applicable.
- k. The employee's specific reasons for using force. The documentation shall thoroughly explain what force was used and why it was used. This shall include a detailed description of all actions taken by the officer and by the person against whom the force was used. When describing the suspect's actions, the report shall not be simplified to conclusory statements (e.g., the suspect was acting crazy, resisting, combative, making a furtive gesture). Rather, a detailed description of the suspect's specific action(s) that led to the amount of force used shall be included (e.g., the suspect was punching, kicking, pushing, twisting/pulling away).
- l. The part of the person's body receiving the strike, hit, spray, or injury.

- m. Location on the person's body of any known injury, even if the injury was not obtained as part of the incident.
- n. Any other pertinent information related to any offense committed.

In an event that necessitates the use of force by more than one officer on a single suspect, each officer who used force shall write his own supplement report to the primary officer's original incident report unless the Pointed Weapons exception applies. The supplement report shall include, but is not limited to:

- o. The specific reason(s) for using force as described directly above in item "k."
- p. The part of the person's body receiving the force.

Supervisor's Responsibilities**When an On-Scene Response is Required:**

When an on-duty supervisor is notified and required to respond to an RF incident as provided herein, the on-duty supervisor shall do all of the following:

- a. Review each involved officer's incident and/or supplement report
- b. Review all applicable *Use of Force* form(s)
- c. Complete a supplement to the original incident report
- d. Complete the *Use of Force After-Action Report*.

When an On-Scene Response is Not Required:

If an on-duty supervisor is not required to make the scene of an RF incident as specifically provided in this General Order (i.e., the Pointing/Empty Hand, Extra Employ-

ment, or Outside COH exception applies) yet an on-duty supervisor does respond to the scene, the on-duty supervisor is *not* required to complete a supplement to the original incident report.

When an on-duty supervisor is notified of RF that falls within the Pointing/Empty Hand exception or Outside COH exception, the on-duty supervisor that is notified by the involved officer shall do all of the following:

- e. Review each involved officer's incident and/or supplement report
- f. Review all applicable *Use of Force* form(s)
- g. Complete the *Use of Force After-Action Report*.

The review and documentation requirements under the "Supervisor's Responsibilities" subsection are not the responsibility of the on-duty supervisor assigned to the Command Center, but are the responsibility of any other on-duty supervisor notified of the RF (e.g., the on-duty supervisor at the division where the involved officer is assigned).

Supervisor Working Extra Employment with an Involved Officer:

When the Extra Employment exception applies, the Houston Police Department supervisor who is working extra employment with the involved officer and who is notified of the RF shall do all of the following:

- h. Review each involved officer's incident and/or supplement report
- i. Review all applicable *Use of Force* form(s)
- j. Complete the *Use of Force After-Action Report*
- k. Complete a supplement to the original incident report. However, a supplement

report does not have to be completed by the supervisor if the RF solely involves:

1. The involved officer pointing a CED, soft-impact weapon, and/or firearm at a single person or multiple persons *and/or*
2. The involved officer using empty hand tactics when *all* of the following apply:
 - a) There is no visible injury
 - b) The person does not lose consciousness
 - c) The person does not complain of any bodily injury

Details Within the Supplemental Incident Report:

Supervisor's supplements shall include, but are not limited to, whether or not the suspect has sustained any visible injuries, the identity of such injuries, injuries complained of by the suspect that are not visible, and whether or not the suspect refused medical transport.

In addition to the above specifications, supervisors shall also comply with further documentation requirements contained in General Orders 400-26, **Conducted Energy Devices** and 200-16, **Firearm and Soft-Impact Weapon Discharges**.

Review and Completion of Reports:

Within five *calendar* days after an RF incident, the supervisor, as indicated in the "Supervisor's Responsibilities" subsection, shall:

- l. Review the incident report and *Use of Force* form to ensure the incident was properly documented and in compliance with department policy
- m. Complete the *Use of Force After-Action Report*

Upon completion of the above requirements, the supervisor shall forward the documentation through the supervisor's chain of command up to the concerned assistant chief.

Lieutenant's and Captain's Responsibilities

The lieutenant and captain of the supervisor who completed a *Use of Force After-Action Report* shall complete a review of the *After-Action Report* within five calendar days after the time of receipt.

Assistant Chief's Responsibilities

The assistant chief of the supervisor who completed a *Use of Force After-Action Report* shall review the documentation to ensure that appropriate action is taken if deemed necessary (e.g., additional training for the involved officer).

Furthermore, if training opportunities are noted on the *Use of Force After-Action Report* or attachment, the assistant chief shall ensure a copy of the *Use of Force After-Action Report* and/or attachment is submitted to the division commander of the Training Division.

11 JAIL BOOKING OR POLICE STATION LOCKUP FACILITY

Officers shall notify an on-duty jail supervisor or on-duty supervisor at the police station lockup facility, whichever is applicable, before booking a prisoner who has been injured, struck, hit, or sprayed by any weapon or other form of force causing bodily injury. Such prisoners shall not be booked into any City jail or police station lockup facility unless approved by that supervisor.

12 USE OF FORCE BY CIVILIAN EMPLOYEES

If a civilian employee while on duty uses force against a person, the civilian employee shall immediately notify the civilian employee's supervisor or other divisional supervisor. If the use of force occurs in a jail facility, an on-duty jail supervisor shall be notified immediately.

If the on-scene investigation reveals violations of department policy regarding the use of force, the supervisor shall contact the Internal Affairs Division and speak with an IAD lieutenant for direction. However, if it is after hours, the supervisor shall contact the Command Center.

Civilian employees using any form of force shall document the incident according to divisional procedures. The on-duty supervisor notified of a use of force incident by a civilian employee shall ensure an incident report or other divisional documentation is completed as required.

13 ADDITIONAL REQUIREMENTS WHEN SERIOUS BODILY INJURY OCCURS

The criminal and administrative investigations resulting from use of RF in which serious bodily injury occurs, as defined in this General Order, shall be conducted in accordance with General Order 200-03, **Investigation of Employee Misconduct**, General Order 200-16, **Firearm and Soft-Impact Weapon Discharges**, and General Order 400-26, **Conducted Energy Devices**.

Additionally, employees who inflict serious bodily injury on another person, or who suffer serious bodily injury during the performance of their duties are responsible for compliance with General Order 200-04, **Assistance to Employees Involved in Critical Incidents**.

14 SYNOPSIS OF USE OF FORCE PROCEDURES

Attached to this General Order is the *Synopsis of Use of Force Procedures* chart, which consists of a synopsis of some notification and documentation procedures outlined in this General Order.

The chart may be used as a reference only and shall *not* supersede any information contained in this General Order.

15 RELATED GENERAL ORDERS

- 200-03, **Investigation of Employee Misconduct**
- 200-04, **Assistance to Employees Involved in Critical Incidents**
- 200-10, **Emergency Management**
- 200-16, **Firearm and Soft-Impact Weapon Discharges**
- 400-26, **Conducted Energy Devices**
- 500-01, **Effecting Arrests and Searches**
- 500-02, **Handling and Transporting Prisoners and Other Persons**
- 600-04, **Motor Vehicle Pursuits**
- 600-34, **High-Risk Vehicle Approaches**
- 700-01, **Property/Evidence Control Regulations**
- 800-07, **Criteria for Submitting Incident Reports**



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Chief of Police**