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**ADMINISTRATIVE DIRECTIVE – 112.008  
RESPONSE TO RESISTANCE**

**EFFECTIVE DATE: October 18, 1991**

**REVISION DATE: May 29, 2019**

**AFFECTS: CSI, Jail, PSO and Sworn Personnel**

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**I. PURPOSE**

This directive outlines the response to resistance for all department employees. Response to Resistance is a term encompassing all uses of force, shows of force, and de-escalation/verbal techniques in an effort to obtain a legitimate law enforcement objective involving resisting, combative, or otherwise non-cooperative person(s).

**II. POLICY**

The response to resistance by law enforcement personnel is a matter of critical concern, both to the public and to the law enforcement community. Police officers and other department personnel are involved on a daily basis in numerous and varied interactions and, when warranted, may use reasonable force in carrying out their duties.

Police officers must have an understanding of, and true appreciation for, their authority and limitations. This is especially true with respect to overcoming resistance while engaged in the performance of law enforcement duties. The Plano Police Department recognizes and respects the value of all human life and dignity without prejudice to anyone. Vesting police officers with the authority to use reasonable force and to protect the public welfare requires monitoring, evaluation and a careful balancing of all interests.

It is the policy of the department that employees shall not use greater force than is reasonably necessary to affect their lawful duties. Furthermore, it is the policy of the Department that police officers may discharge a firearm or use other forms of deadly force only when legally justified to do so and in compliance with department policy. Department employees shall not engage in agitating, degrading, or inhuman treatment to any person. **Any police officer present and observing another police officer using force that is clearly beyond that which is objectively reasonable under the circumstances shall, when in a position to do so, intercede to prevent the use of unreasonable force. Any employee who observes another employee use force that exceeds the degree of force permitted by law shall promptly report these observations to a supervisor.**

It is the policy of the department that public safety officers and crime scene personnel are authorized and trained to carry defensive spray for defensive purposes only. They should avoid confrontation and should retreat or leave the area if situations escalate.

Newly hired police officers, detention officers and public safety officers will be instructed in and issued a copy of this directive prior to carrying any weapons.

**III. DEFINITIONS**

- A. ARC Switch – Arc display, Re-Energize and Cartridge advance switch on a Taser X2.
- B. Baton Round – an extended range impact weapon, performing the same function as a hand held baton, except at extended ranges.
- C. Crime Scene Personnel – an employee assigned to the department Crime Scene Unit as a Criminalist or Criminalist Supervisor.
- D. Employee – for the purpose of this policy the term “employee” means a Police Officer, Detention Officer, Crime Scene Personnel and / or a Public Safety Officer.
- E. De-Escalation – taking action or communicating verbally or non-verbally during a potential force encounter in an attempt to stabilize the situation and reduce the immediacy of the threat so that more time, options, and/or resources can be called upon to resolve the situation without the use of force or with a reduction in the force necessary.
- F. Detention Officer – an employee assigned to the Plano Municipal Jail having completed required training by the Department for said position.

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- G. Immediate Deadly Threat – A perceived imminent threat in which an officer reasonably believes that he may use deadly force or the threat of deadly force, in order to prevent serious bodily injury or death to himself or another, and in accordance with Chapter 9 of the Texas Penal Code.
- H. Less Lethal Force – Force that is not intended to cause the death of any individual but by its nature poses a greater likelihood that serious bodily injury or death will result. Examples of less lethal force include but are not limited to: 1) the deployment of any less lethal launcher by discharging a baton round, 2) the application of a Taser in probe-deployment or drive-stun mode.
- I. Less lethal launcher – means a Department approved weapon that launches a baton round.
- J. Objectively reasonable – with regard to the actions taken by a police officer, this term refers to the determination of reasonableness in light of the facts and circumstances confronting the officer, without regard to the underlying intent or motivation of the officer.
- K. Police Officer – a sworn employee, licensed as a peace officer by the Texas Commission on Law Enforcement.
- L. Public Safety Officer – a uniformed non-sworn employee that may be assigned to any Division in the Department.
- M. Reasonable belief – a determination that the necessity for using force and the level of force used is based upon the employee’s evaluation of the situation in light of the totality of the circumstances known to the employee at the time the force is used and upon what a reasonably prudent employee would use under the same or similar situations.
- N. Response to Resistance – a term encompassing all uses of force, shows of force, and de-escalation/verbal techniques in an effort to obtain a legitimate law enforcement objective involving resisting, combative, or otherwise non-cooperative person(s).
- O. Restraining Chair – a mobile unit designed to immobilize a violent prisoner safely in an upright position to prevent the prisoner from injuring themselves or others. The restraining chair is equipped with the following safety features: back support padding, wrists restraints, leg restraints, buckle release cover and a transportation carriage. The restraining chair is kept and used only in the jail.
- P. Safety Circle – A geographical location that represents the safest direction to point a firearm in a real world or street environment. The “safety circle” is when the muzzle is pointed at the ground and inside a circular area about a yard in diameter inside of which the officer is standing or sitting. The muzzle is not pointed at any person.
- Q. Serious Bodily Injury – bodily injury that creates a substantial risk of death or that causes death, serious permanent disfigurement, or protracted loss or impairment of the function of any bodily member or organ.
- R. TASER – the department approved Conducted Electrical Weapon that can be used in probe-deployment or drive-stun modes consistent with this Directive.

**IV. PROCEDURES**

**A. Responses to Resistance**

Employees shall use only that amount of force that reasonably appears necessary given the facts and circumstances perceived by the employee at the time of the event to accomplish a legitimate law enforcement purpose.

The reasonableness of force will be judged from the perspective of a reasonable employee on the scene at the time of the incident. Any evaluation of reasonableness must allow for the fact that employees are often forced to make split-second decisions about the amount of force that

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reasonably appears necessary in a particular situation, with limited information and in circumstances that are tense, uncertain and rapidly evolving.

Given that no policy can realistically predict every possible situation an employee might encounter, employees are entrusted to use well-reasoned discretion in determining the appropriate response to resistance in each incident.

It is also recognized that circumstances may arise in which employees reasonably believe that it would be impractical or ineffective to use any of the tools, weapons or methods provided by this department. Employees may find it more effective or reasonable to improvise their response to rapidly unfolding conditions that they are confronting. In such circumstances, the use of any improvised device or method must nonetheless be reasonable, consistent with this administrative directive, and utilized only to the degree that reasonably appears necessary to accomplish a legitimate law enforcement purpose.

While the ultimate objective of every law enforcement encounter is to avoid or minimize injury, nothing in this policy requires a police officer or detention officer to retreat or be exposed to possible physical injury before applying reasonable force.

**1. Use of Force to Affect an Arrest or Search**

Police officers and detention officers may use reasonable force to effect an arrest, search, prevent escape or overcome resistance. If it is not reasonably apparent to the person to be arrested, or it is not reasonably impracticable to do so, police officers should make clear their intent to arrest or search, and identify themselves as peace officers, before using force.

**2. Use of Force to Seize Evidence**

In general, police officers may use reasonable force to lawfully seize evidence and to prevent the destruction of evidence. However, officers are discouraged from using force solely to prevent a person from swallowing evidence or contraband. If force is used during such an incident, officers shall not intentionally use any technique that restricts blood flow to the head, restricts respiration or which creates a reasonable likelihood that blood flow to the head or respiration would be restricted.

**B. Factors Used to Determine the Reasonableness of Force**

When determining whether to apply force and evaluating whether an employee has used reasonable force, a number of factors should be taken into consideration, as time and circumstances permit. (Facts unknown to the employee, no matter how compelling, cannot be considered in later determining whether the response to resistance was justified.) These factors include, but are not limited to:

1. The severity of the crime/seriousness of the suspected offense or the reason for contact with the individual.
2. Immediacy and severity of the threat to officers or others.
3. Whether the individual appears to be resisting, attempting to evade arrest by flight or is attacking the officer.
4. The conduct of the individual being confronted, as reasonably perceived by the officer at the time.
5. Officer/subject factors (e.g., age, size, relative strength, skill level, injuries sustained, level of exhaustion or fatigue, the number of officers available vs. subjects).
6. If known to the officer, the medical condition and pregnancy status of a subject upon whom force is used.

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7. The degree to which the response to resistance may cause the subject to fall, drop an object or child, or sustain an injury due to the incapacitating effects of the force applied.
8. The effects of intoxicating substances.
9. Individual's mental state or capacity.
10. Proximity of weapons or dangerous improvised devices.
11. The degree to which the individual has been effectively restrained and their ability to resist despite being restrained.
12. The availability of other options and their possible effectiveness.
13. Training and experience of the officer.
14. Potential for injury to officers, suspects and others.
15. The risk and reasonably foreseeable consequences of escape.
16. The apparent need for immediate control of the individual or a prompt resolution of the situation.
17. Whether the conduct of the individual being confronted no longer reasonably appears to pose an imminent threat to the officer or others.
18. Prior contacts with the individual or awareness of any propensity for violence.
19. Any other exigent circumstances.

**C. Response to Resistance Tactics and Options**

1. **Dialogue: Dialogue is used to persuade a person to cooperate. Whenever possible and when such delay will not compromise the safety of the employee or another and will not result in the destruction of evidence, escape of a suspect, or commission of a crime, an employee shall allow an individual time and opportunity to submit to verbal commands before force is used. The employee shall use de-escalation techniques and other reasonable alternatives to higher levels of force consistent with department training whenever possible and appropriate before resorting to force or to reduce the need for higher levels of force.**
2. **Escort Compliance & Routine Handcuffing: Officers must frequently move persons from one area to another and place handcuffs on compliant subjects. These techniques are low-level, non-threatening, and non-violent. Officers shall use the escort compliance and handcuffing techniques taught at department approved training courses.**
3. **Defensive Spray**
  - a. Employees may only carry department issued defensive spray.
  - b. Employees whose duties require them to carry defensive spray are authorized to use the spray only after successful completion of a department approved defensive spray training course. During training, the individual employee may choose to be exposed to department issued defensive spray in a controlled setting. An employee's exposure to defensive spray is not a requirement to complete the training course.
  - c. Defensive spray shall not be used against groups of people for crowd control purposes (e.g. riots, demonstrations or other civil disorders), except under the direction of a Lieutenant or a higher-ranking Commander.
  - d. Defensive spray shall not be used in the mere anticipation of violence or resistance unless the employee has articulable justification (i.e., statements by the person that they intend to resist arrest or assault the employee, the person exhibits agitated or aggressive behavior or the person's size, strength, and/or level of intoxication). Time permitting, the person

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- should be verbally advised that they will be sprayed with defensive spray if he/she resists or continues combative actions.
- e. Employees shall use only the amount of defensive spray reasonably necessary to stop a subject's physical aggression or resistance.
  - f. Employees shall be cognizant of the adverse reactions that a person may have when exposed to defensive spray. Persons exposed to defensive spray should be moved to an area that is well ventilated with fresh air, preferably outside. The person should be verbally reassured that the effects of defensive spray are temporary. The employee should encourage the person to relax and take deep breaths.
  - g. Arrested persons who are exposed to defensive spray shall be transported to the jail as soon as possible. Persons exposed to defensive spray should recover in 15-30 minutes simply by flushing the exposed areas of the body with cool water. Upon arrival at the jail, the person may be allowed to rinse affected areas of the body in the jail shower if, in the opinion of the arresting officer, it is safe to allow the person to do so. No ointment or lotions of any type should be applied to the bodily areas exposed to defensive spray since this will only trap the active ingredients. EMS personnel shall be called for persons that continue to exhibit the effects of defensive spray for more than 45 minutes after exposure.
  - h. Police Officers who have custody of an arrested person that was exposed to defensive spray shall clearly advise detention personnel, medical personnel and other employees that the person was exposed to defensive spray PRIOR to these personnel coming into physical contact with the arrested person.
  - i. Police officers of the rank of sergeant and below and public safety officers shall carry defensive spray. Police officers in the rank of lieutenant and above and crime scene personnel have the option to carry defensive spray. Detention officers will have defensive spray available for use in the Jail.
    - (1) Uniformed police officers, crime scene personnel and public safety officers shall carry the defensive spray canister on the duty belt in the issued carrier. Canisters of defensive spray shall not be left in patrol vehicles nor be exposed to extremes of temperatures that could cause the pressurized canisters to burst.
    - (2) Canisters of defensive spray shall be replaced whenever the canister will not effectively deliver the product, upon expiration of the manufacturer's recommended shelf life or upon a malfunction of the canister.
    - (3) Employees (other than detention officers) shall not carry defensive spray into the jail. The employee (other than detention officers) will place the canister in a gun locker prior to entering the jail area.
4. Empty Hand Control: A technique or tactic utilized by the employee using hands/feet without the aid of a piece of equipment or weapon. Empty hand control varies in degree depending on the potential for injury to the subject it is used upon. Empty hand control can be utilized to stop the lowest levels of resistance or the highest levels of resistance depending on the specific technique and the volume control applied by the employee. Officers shall use the empty hand control techniques taught at department approved training courses. Empty hand control is broken down into five main categories:
- a. Pressure Points – Techniques which rely upon force applied to nerve motor points or nerve pressure points causing pain for compliance or control.
  - b. Joint Manipulation/Leverage Based Technique – Techniques which utilize body mechanics and momentum to achieve compliance or control.

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- c. Takedown/Tackle – Techniques designed to force a subject to the ground for compliance or control.
  - d. Body Weight Control – Techniques designed to keep a subject on the ground to prevent escape or exhaust the subject into compliance or control.
  - e. Strikes – Hitting the subject with the hand, foot or any other part of the body for mental stunning or motor point dysfunction.
5. Police Impact Weapons
- a. Uniformed police officers of the rank of sergeant and below shall carry the department approved baton or department approved alternate baton, after completion of the department sanctioned course of training, unless they need additional room on their belt for the Taser. In that circumstance, the baton shall be accessible to the officer while on-duty and the Taser must be carried on the officer's duty belt.
  - b. Police officers shall not use the baton to strike a person's head, neck/throat, back/spinal area or groin unless the use of lethal force is justified by department policy.
  - c. Employees are prohibited from carrying the following impact weapons:
    - (1) Slapper
    - (2) Saps
    - (3) Weighted Gloves
    - (4) Knuckles
    - (5) Other similar type weapons
  - d. The department issued or approved flashlight may be used as an impact weapon when the standard baton is not readily available. When a police officer uses the flashlight as an impact weapon, the officer shall adhere to the department's response to resistance policy. Police officers shall be trained in the appropriate use of the flashlight as an impact weapon.
6. Less Lethal Options
- a. Less lethal force options are permitted only in situations where a person has the immediate ability and means to escalate a confrontation which will place an officer, a citizen, or the subject at risk of serious bodily injury or death.
  - b. Taser – A Taser is a conducted energy weapon (CEW) and less lethal force option designed to temporarily incapacitate a person from a safer distance than some other force options, while reducing the likelihood of death or serious injury. However, the use of a Taser, involves risks that a person may get hurt or die due to the effects of the CEW, physical incapacitation, physical exertion, unforeseen circumstances or individual susceptibilities.
    - (1) Only police officers who have successfully completed the department approved Taser X2 training course are authorized to carry and use the Taser X2. Officers must successfully complete the Axon prescribed recertification course annually. Police officers shall only carry and use department issued Tasers. All uniformed personnel shall be issued the X-2 Taser. School Resource Officers shall carry their issued Taser on their duty belt while on duty. All other officers may choose whether or not to carry the Taser on their duty belt, however it must still be accessible while on duty (unless the officer has chosen not to carry the baton, and then it must be carried on their duty belt).

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- (a) Plano police Taser instructors will not provide a Taser exposure to any person for training or demonstration purposes.
- (b) Plano police employees are not authorized to receive a voluntary Taser exposure for training or demonstration purposes. *Taser exposure* includes the use of probes, alligator clips, affixing probes to the skin, and drive stuns.
- (2) The deployment of a Taser cartridge upon a person is designed to cause neuromuscular incapacitation (NMI). NMI is caused by the passing of electrical impulses through the body that stimulate motor nerves causing uncontrollable muscle contractions that inhibit the subject from being able to perform coordinated movement. However, the person may maintain muscle control (particularly in the extremities) or may lose control from muscle contraction, incapacitation, or startle response.
- (3) When deciding to deploy Taser cartridges, officers must consider that NMI could cause a person to depress a trigger, button, switch, or actuator of a firearm, bomb, or other device. Officers must also consider that a Taser application could cause a person to fall on a sharp object or surface (e.g., holding a knife, falling on glass). Taser applications on persons operating or riding any mode of transportation (e.g., vehicle, bus, bicycle, motorcycle, or train), conveyance (e.g., escalator, moving walkway, elevator, skateboard, rollerblades), or machinery may be inappropriate based on situational factors. In every instance, officers must consider the totality of all circumstances when choosing to deploy Taser cartridges including situational factors that may make the use of the Taser inappropriate.
- (4) When deploying the Taser, do not aim at the chest. The aiming point on the front of the body is below the chest, center mass between the sternum and waistline. It is understood that in dynamic situations, unintentional impacts to the chest could occur but efforts must be made to avoid chest impacts.
- (5) Use of a cover officer during Taser deployment should be considered for officer safety purposes.
- (6) The Taser may be used as a touch-stun device. When used in this mode, the use of the TASER is subject to the same guidelines and restrictions when used during cartridge deployment.
- (7) A Taser application shall not exceed five (5) seconds.**
- (8) Officers utilizing the Taser shall activate it for one standard cycle (5 seconds) and immediately attempt to control and restrain the subject to minimize the necessity of an additional cycle. Officers may activate an additional cycle (up to a maximum of two) only if the person continues to be an immediate threat to himself or others and a lesser force option would be ineffective or unsafe. The Taser shall not be activated more than two times on any single subject unless the person continues to be an immediate threat to himself or others and the person has the means to commit serious bodily injury or death to himself or others.
  - (a) After deploying the Taser on an individual, assess their condition and re-evaluate the threat before actuating the Taser again.
  - (b) It is imperative that each activation of the Taser (i.e. each trigger pull) must be justified independently under this policy and the actions of the violator must rise to the level of force justifying the use of the Taser upon each individual activation.

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- (9) Certain individuals may be more susceptible to serious injury from a Taser application; therefore, the Taser shall not be used against the following persons unless the person is an **immediate** deadly threat to themselves or others.
    - (a) Females known or suspected of being pregnant.
    - (b) Persons holding or carrying an infant.
    - (c) Children known, or who appear to be younger than twelve (12) years of age.
    - (d) Persons known, or who appear to be older than 70 years of age.
    - (e) Persons known or suspected of wearing a pacemaker.
    - (f) Persons in handcuffs.
  - (10) The Taser shall not be used in the presence of flammable liquids, vapors or sensitive explosives.
  - (11) In every instance where the Taser is used, including the touch-stun mode, EMS personnel shall transport the person to a hospital for medical evaluation and removal of probes.
  - (12) Photographs shall be taken of persons who are exposed to a Taser charge as soon as possible. The photographs should show the person's injuries, or the lack thereof, and the point of contact of the Taser probes. If possible, photographs should be taken before the removal of the probes. The photographs shall be placed into evidence.
  - (13) The expended Taser cartridge and probes shall be collected and placed in evidence.
  - (14) Professional Standards Unit personnel shall download the Taser data port after each use and forward the Taser usage report with the Use of Force Report during the review process.
  - (15) Police officers assigned a Taser are responsible for inspection of the Taser at the beginning of their shift. Police officers are required to wear the Taser in a department issued or approved holster on the opposite side of the body that the duty firearm is worn.
  - (16) Under no circumstances shall any employee tamper with or alter in any manner any department issued Tasers or Taser cartridges. Police Officers shall use Taser International brand cartridges only with department issued Tasers.
- c. Less lethal launcher – Less lethal launchers are a less lethal force option that can be used with greater accuracy and at a greater distance to incapacitate individuals, control crowds and in mobile field force situations with less risk to the police officer's personal safety. The use of less lethal ordnance and ammunition is decisive action that can assist in protecting life, restoring order, enabling an arrest and reducing the risk of more serious injury.
- (1) Only personnel who have successfully completed a departmentally approved training course in the proper use and deployment of the less lethal launcher shall be authorized to use the less lethal launcher during actual police operations. Police officers are required to qualify with the less lethal launcher on an annual basis.
  - (2) Use of a cover officer during less lethal launcher deployment should be considered for officer safety purposes.
  - (3) When any person is struck with a baton round that has been launched from the a less lethal launcher, EMS Personnel will be called to the scene to evaluate injuries.

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- (4) Under no circumstances shall any person tamper with or alter in any manner any less lethal impact projectiles. Only factory-loaded rounds will be used during actual police operations. Reloads will only be used for training and qualification purposes.
7. Lethal Force Applications: Lethal force is force that, by design or under the circumstances in which it is used, is readily capable of causing serious bodily injury or death. The phrase “deadly force” has the same meaning as lethal force.
  - a. Police officers are permitted to discharge a firearm only under the following circumstances:
    - (1) At an approved target at an approved shooting range.
    - (2) For target practice or recreational shooting in areas where shooting a firearm is safe and it is not in violation of any statute or ordinance.
    - (3) At any animal that is obviously mad or vicious and otherwise cannot be stopped from killing or seriously injuring a person.
    - (4) To euthanize a critically injured animal. Prior to euthanizing the animal the police officer shall make every reasonable attempt to locate and receive permission from the animal's owner, seek and receive supervisory approval and ensure that the discharge of the firearm will not endanger any person or other property.
    - (5) In self-defense or in the defense of another person from what reasonably appears to be the use or imminent use of deadly force or the immediate danger of serious bodily injury.
    - (6) At another person to effect an arrest or to prevent the escape from custody a person who the police officer has probable cause to believe committed a felony involving the use of a deadly weapon, **and**
      - (a) The person is attempting to escape by using a deadly weapon, or the person otherwise poses an imminent threat of death or serious bodily injury to another person; **and**
      - (b) The use of deadly force is necessary to prevent the escape and all other means of apprehension have been exhausted or would obviously be unsuccessful if attempted; **and**
      - (c) A verbal warning, where practical, was given to the escapee.
  - b. In the extreme stresses of a shooting decision, a police officer may not have the opportunity or ability to direct the shots to a non-fatal area. To require the officer to do so could increase the risk of harm to the officer or others.
  - c. **Police officers are NOT permitted to discharge a firearm in the following circumstances:**
    - (1) As a warning shot to induce the surrender of any person or for any other reason.
    - (2) At persons who have committed only a misdemeanor or traffic violation.
    - (3) Merely to prevent the destruction or theft of property.
    - (4) To halt any person who simply runs away to avoid arrest.
    - (5) When it appears reasonably possible that an innocent person could be shot.
    - (6) On the mere suspicion that a person committed a crime, no matter how serious.
    - (7) **At moving vehicles. Exception: As a last resort and only when deadly force is justified by department policy.**

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- (a) The mere assumption that a fleeing vehicle is a deadly weapon and may cause injury to an officer or citizen is NOT justification for a police officer to discharge a firearm toward the vehicle, at the driver, or the occupants.
- (b) When justified by departmental policy to shoot at a moving vehicle, police officers shall consider all risks before doing so.
- d. Police officers shall not use a police vehicle as a roadblock, to ram or to force another vehicle off the roadway, except as a last resort and only when deadly force is authorized by department policy. When a police officer is authorized by department policy to collide with or pull in front of a vehicle, the officer shall consider all risks before doing so.
- e. Employees of the department are prohibited from using neck restraints unless the use of lethal force is justified by department policy.
- f. In the event any use of force by a police Officer results in the death of or serious bodily injury to an individual, that officer will be reassigned from line duty assignment pending the completion of an administrative review of the incident. However, if there is sufficient information to show that the use of force was justified and complied with department policy, the Chief of Police may make the decision to return the officer to full duty before the completion of the administrative review.

**D. Medical Considerations & Excited Delirium**

Anytime force is used and the person is injured, complains of injury, or an injury is suspected, appropriate medical assistance shall be provided to the injured person. The employee should continue to render first aid to the best of their ability and ensure that Emergency Medical Services (EMS) personnel are called to the incident scene or to the jail.

- 1. Combative persons who have died in police custody exhibit “common characteristics” including: intoxication (alcohol and drugs), violent or bizarre behavior, upper body obesity, profuse sweating, disrobing and other indicators of elevated body temperatures, and/or restraint in a prone position.
- 2. Upon recognition of a person exhibiting these traits, the police officer shall ensure that EMS personnel are called to the scene. While awaiting arrival of EMS personnel the Police Officer shall closely monitor the person and not leave the person unattended.
- 3. Persons restrained with their hands behind their back may be at a higher risk of death when kept in a prone position; therefore, it is the policy of the department to avoid keeping a person in a prone position. Police Officers shall sit the person in an upright position as soon as it is safe to do so. If it is necessary to leave a restrained person on the ground, **immediately** position the person so he/she lay on their left side.
- 4. The arresting officer will notify detention personnel of any abnormal behavior and/or traits that the person is/was exhibiting when the person is released to detention personnel.
- 5. After a high-risk prisoner is released to the Jail, the detention personnel shall closely monitor the person. Detention personnel shall call for EMS to respond to the jail should the person’s behavior re-manifest.

**E. Jail Restraint Options**

- 1. Occasionally a prisoner must be prevented from harming themselves or others. This can be accomplished by limiting the prisoner living space or by restricting their capacity for physical movement. The process of booking a person into the jail will be delayed until the person is cooperative.

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2. Limited Living Space

For certain kinds of harmful or disruptive behavior, confining the prisoner to a single cell for a short period may be all that is necessary. A prisoner who has an emotional outburst and physically threatens another prisoner or a detention officer may often be effectively handled simply by securing the prisoner in a single cell until they calm down.

3. Psychological Holding Area

This holding area is fully padded with a toilet and in full view of the Central Control Station for monitoring. A combative prisoner, who is out of control, should be placed in this area until they become cooperative and can be removed without causing injury to themselves or others.

4. Restraining Chair

The restraining chair will be used only as a means of restraint when handling prisoners who display violent behavior toward themselves or other and Psychological holding has not been effective. Under no circumstances will the chair be used as a means of punishment. The prisoner is to remain confined in the restraint chair only until they have calmed, is willing to cooperate and poses no threat to themselves or others.

- a. The booking floor will be cleared of all activity when the restraint chair is in use. The chair will be placed in an area where the prisoner can be closely monitored by jail personnel and is not in plain view of other prisoners.
- b. When the prisoner can be released from the chair, the detention officer will examine them for injuries sustained while in custody. The detention officer will be responsible for acquiring any needed medical attention including transportation to a medical facility. If the prisoner can be assigned a cell, the Detention officer should follow through with standard jail procedures and complete the book-in process.

F. Chemical Munitions

1. The SWAT Team has access to a variety of hand tossed and launched chemical rounds consisting of OC, CS gas and combination OC/CS for use during civil disturbance and Emergency Services Unit (ESU) callouts. An incident commander in the rank of Deputy Chief or higher shall make the decision to deploy these weapons during civil disturbances. If a Deputy Chief is not available, an incident commander in the rank of Lieutenant is authorized to make the decision to deploy chemical munitions during civil disturbances and ESU callouts.
2. The SWAT Team will designate team personnel to receive external training on the specific munitions in the department's inventory. A sufficient number of team members shall be trained on each team so that personnel familiar with the use, capabilities, and hazards of these

G. Weapons Positions

1. Philosophy:

- a. The two pillars of firearms safety are trigger control and muzzle control. The Plano Police Department stresses the importance of trigger and muzzle control through identifying and defining the four (4) weapon positions below, consistency in training, and the reporting of Use/Show of Force incidents. These pillars are consistent with the four (4) firing range safety rules (AD 105.009). The muzzle of an officer's weapon should never be intentionally pointed at any person unless the officer reasonably perceives the person to be an immediate deadly threat. An officer's finger should never be in the trigger guard unless the officer is intending to immediately fire his weapon.

3. Positions:

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- a. **Holstered/Secured** – Handgun is secured within the officer’s holster and under the officer’s immediate control. Rifle/Shotgun is locked into the patrol vehicle’s rifle rack or it is placed inside of a case and secured with a cable.
  - b. **Un-holstered/Safety Circle** – Handgun is held by the officer in a fashion described as the “safety circle.” The safety is on and the trigger finger is outside of the trigger guard. The officer should maintain at least one hand on the weapon at all times. This position includes the slinging and “hanging” of long guns (shotguns and rifles) when the officer is at rest.
  - c. **Ready** – Handgun is held so that the muzzle is pointed outside of the “safety circle,” but the muzzle is not intentionally pointed at any person. The safety is on and the trigger finger is outside of the trigger guard. There is no immediate deadly threat but an officer reasonably believes they may encounter an immediate deadly threat. Ready position is also used after an immediate deadly threat is over (scanning) or when the officer is relatively sure the immediate deadly threat has passed. This position reduces reaction time and the officer is prepared to instantly respond to an immediate deadly threat.
  - d. **On-Threat** – Weapon is held so that the muzzle is purposely pointed at a person reasonably perceived to be an immediate deadly threat. The safety remains on while the trigger finger is outside the trigger guard unless the officer is intending to immediately fire his weapon. For shotguns, the safety can be off.
- H. Documenting Use of Force and Show of Force incidents
1. A Use/Show of Force Report shall be completed for each incident listed below. All appropriate reports will be attached. Each employee that uses/shows force will be listed as an involved officer in the appropriate report. Each witnessing officer will be listed as a witness. Each employee using/showing force or witnessing the incident shall complete a report documenting his or her actions and observations. In the event of an ESU response or Narcotics Operation, the ESU Tactical Report or Narcotics Debriefing Report (as applicable) will suffice in lieu of individual supplemental reports. In the event of an ESU response, a Use/Show of Force report shall be completed as required by the circumstances listed below. All reports shall be completed as soon as possible after the incident, but in all cases prior to the end of the shift. This applies to incidents that occur during an employee’s tour of duty or when an employee is off duty utilizing his/her law enforcement authority. The involved employee shall be responsible for notifying an on-duty supervisor immediately after using force. The supervisor shall complete the Use/Show of Force report prior to the end of his or her shift.
  2. A Show of Force Report shall be completed in the following circumstances:
    - a. When a Police Officer points a TASER. Activating the ARC Switch while the TASER is pointed in a safe direction does not require a Show of Force Report to be completed.
    - b. When a Police Officer points the less lethal launcher.
    - c. When a Police Officer presents a firearm in the “ready” or “on-threat” position in the presence of a suspect or the public within the scope of their law enforcement authority.
    - d. When a Police Officer presents a firearm in the “un-holstered/safety circle,” “ready,” or “on-threat” position while not in uniform or “approved departmental attire” but in the presence of a suspect or the public. “Approved department attire” is defined in this section as a shirt, vest, or jacket that is designed to clearly identify the wearer as a police officer by the word “POLICE” being prominently visible on the front and back.
    - e. When a Police Officer threatens a person with deadly force. Merely placing a hand on the firearm does not require a Show of Force Report.

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3. A Use of Force Report shall be completed in the following circumstances:
  - a. When using any degree of force or physical restraint which, by the nature of its use, causes, or has the likelihood to cause bodily injury, serious bodily injury, or death.
  - b. When an employee purposely strikes a person either with personal weapons or impact weapons.
  - c. When an employee uses defensive spray or a chemical agent.
  - d. When a Police Officer uses a TASER. Activating the ARC Switch while the TASER is pointed in a safe direction does not require a Use of Force Report to be completed.
  - e. When a Police Officer uses the less lethal launcher.
  - f. When a Police Officer discharges a firearm in his/her law enforcement authority, for other than training or recreational purposes.
  - g. When a Police Officer causes bodily injury to a person.
  - h. When a person complains of bodily injury resulting from any type of police action involving a physical confrontation.
  - i. When a canine is used to physically subdue a person.
  - j. When a prisoner is restrained in the Restraint Chair.
  - k. For any reason not listed above, that a supervisor deems necessary, a review should be done.

Note: The Watch Commander or supervisor on duty shall make the final decision as to the appropriateness of completion of the Use/Show of Force report.

4. Supervisory Responsibilities
  - a. Once any initial medical assessment has been completed or first aid has been rendered, ensure that photographs have been taken of any areas involving visible injury or complaint of pain, as well as overall photographs of uninjured areas. These photographs should be attached to the Use/Show of Force Report and/or submitted as evidence.
  - b. Identify any witnesses not already included in related reports.
  - c. Review and process all related reports.
  - d. Evaluate the circumstances surrounding the incident and initiate an administrative investigation if there is a question of policy noncompliance or if for any reason further investigation may be appropriate.
  - e. In the event that a supervisor is unable to respond to the scene of an incident involving the reported application of force, the supervisor is still expected to complete as many of the above items as circumstances permit.
  - f. Supervisors should obtain a recorded interview from the individual upon whom force was applied when the individual alleges their civil rights were violated, that excessive force was used against them, an employee violated this administrative directive and the individual wishes to file a formal complaint, or in any other situation where the circumstances suggest having a recorded statement from the individual would assist with follow-up investigation. If no interview is conducted, supervisors shall document the extenuating circumstances that prevented the interview from being conducted. If this interview is conducted without the individual having voluntarily waived their Miranda rights, the following shall apply:

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- (1) The content of the interview should not be summarized or included in any related criminal charges.
  - (2) The fact that a recorded interview was conducted should be documented in the Use/Show of Force Report only.
  - (3) The recording of the interview should be distinctly marked for retention until all potential for civil litigation has expired.
5. The Chief of Police may require a review of an incident where force was used at their discretion.
6. The Use/Show of Force Report, all official reports and recordings shall be reviewed by the employee's chain-of-command to determine whether the response to resistance complied with department policy.
7. Upon review of a use/show of force incident, the employee's chain of command will report its findings, relevant to the following aspects of the incident.
  - a. Whether the force used was:
    - (1) Within policy
    - (2) Out of policy
    - (3) Accidental
  - b. Any relevant tactical considerations:
    - (1) Drawing and exhibiting firearms, if applicable
    - (2) Firing of weapon or application of force
    - (3) Tactics prior to the response to resistance
    - (4) Tactics during and following the response to resistance
    - (5) Any relevant training considerations
  - c. The quality of supervision prior to, during and after the incident
  - d. Any relevant discipline considerations
  - e. The post-incident investigative processes and quality
8. The Division Commander will determine whether the response to resistance occurred in a manner consistent with policy and, where appropriate, disciplinary action. The Chief of Police will have final review of all Use/Show of Force incidents involving death or serious bodily injury.
9. The Division Commander will notify the involved employee and their chain of command of the disposition of the review and forward the completed Use/Show of Force report including any original documentation to the Professional Standards Unit.
10. The Professional Standards Unit shall maintain a file on completed Use/Show of Force reviews. The Professional Standards Unit Sergeant shall submit a quarterly and cumulative statistical report regarding Use/Show of Force incidents to the Office of the Chief of Police. The annual report will include analysis of any problem areas identified, which indicate a need for further training or an adjustment of written directives or procedures.