

## **8 Can't Wait Recommendations**

1. Banning Chokeholds and Strangleholds - Allowing officers to choke or strangle civilians, in many cases where less lethal force could be used instead, results in the unnecessary death or serious injury of civilians.  
**501.15 (E)- Use of Force to Affect a Detention, an Arrest or to Conduct a Search**
2. Requiring de-escalation - Require officers to de-escalate situations, where possible, by communicating with subjects, maintaining distance, and otherwise eliminating the need to use force.  
**501.06 – De-Escalation of Potential Force Encounters**  
**501.07 – Assessment and De-Escalation**
3. Requiring warning before shooting - Require officers to give a verbal warning, when possible, before shooting at a civilian.  
**501.17 (B)(1) – Deadly Force Application**
4. Requiring exhausting all alternatives before shooting - Require officers to exhaust all other reasonable means before resorting to deadly force.  
**501.17(B)(3) – Deadly Force Application**
5. Duty to intervene - Require officers to intervene and stop excessive force used by other officers and report these incidents immediately to a supervisor.  
**501.05 – Duty to Intercede**
6. Ban shooting at moving vehicles - Restrict officers from shooting at moving vehicles, which is regarded as a particularly dangerous and ineffective tactic.  
**501.17(B)(2) – Deadly force Application**
7. Requiring use of force continuum - Develop a Force Continuum that limits the types of force and/or weapons that can be used to respond to specific types of resistance.  
**501.04 – Sector Model for Use of Force**
8. Require comprehensive reporting - Require officers to report each time they use force or threaten to use force against civilians.  
**501.20 – Reporting the Use of Force**



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## GO 501.00 USE OF FORCE

<b>TBP:</b> 3.02, 3.04, 6.01, 6.03, 6.06, 6.07, 6.08, 6.09, 6.10	<b>CJIS:</b>
<b>Effective Date:</b> 2-20-06	<b>Review Date:</b> 6-15-20
<b>Revised Date:</b> 9-29-09; 8-31-11, 8-21-11a; 2-14-13; 6-5-13; 9-13-13; 10-30-13; 7-1-15; 6-15-20	
<b>Issued by:</b> E. Reyes, Police Chief	

### GO 501.01 PURPOSE

This directive provides guidance regarding use of force philosophy and general justifications. (2-14-13)

### GO 501.02 POLICY

- A. All people have the right to be free from unnecessary force and unreasonable harm. Accordingly, preservation and protection of human dignity and life should be a primary concern in any case involving the use of force. (2-14-13)
- B. Voluntary compliance is the best-case scenario. However, when that option is not available, the Cedar Hill Police Department police officers may not use any more force than what is reasonably necessary to accomplish a lawful objective. (2-14-13) (TBP 6.01)
- C. All applicable written directives and training techniques shall be followed when using any weapon, force technique, or tactic. Department members must always consider the totality of the circumstances when applying the guidelines discussed in this directive. In certain situations, exigent circumstances may outweigh the recommendation of a specific guideline. Members should always be able to articulate the justification for going beyond the department's policy or training. (Added 9-29-09; 8-31-11)

### GO 501.03 DEFINITIONS

- A. Bodily Injury - Physical pain, illness or any impairment of physical condition (Tex. Penal Code § 1.07(a)(8)).
- B. Deadly force - is force that is intended or known by the officer to cause, or in the manner of its use, is capable of causing death or serious bodily injury.
- C. De-escalation - Using techniques to stabilize the situation and reduce the immediacy of the threat, so that more options and resources are available to bring about a successful resolution to an encounter with a non-compliant subject. The goal of de-escalation is to gain the voluntary compliance of subjects, when feasible, thereby eliminating the need to use force in response to resistance.
- D. De-escalation Techniques - Communicative or other actions used by officers, when safe, and without compromising law-enforcement priorities, that are designed to increase the likelihood of gaining voluntary compliance from a non-compliant subject and reduce the likelihood of using force in response to resistance.
- E. Force - Any physical contact with a subject by an officer using the body or any object, device, or weapon, not including unresisted escorting or handcuffing a subject.
- F. Reasonable belief - is what a person of ordinary prudence and intelligence—with the knowledge and in the same situation as an officer—would deem reasonable and necessary.
- G. Serious bodily injury - is 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.

### GO 501.04 SECTOR MODEL FOR USE OF FORCE

(Added 11-9-04; 6-5-13)



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- A. Traditional force models are vertical columns or stair-step depictions of potential force applications. Traditional models can lead one to believe that a lower level of force must be used before proceeding to the next level of force, even if policies contain a written disclaimer to the contrary.
- B. Although the sector model ([Figure 1](#)) resembles a force continuum, it is clearly intended for it to depict the officer's authority to immediately use the highest level of force needed to respond to the situation. At the epicenter of the model is the officer's sphere of influence, which is defined by the officer's capabilities, training, equipment, and resources. The smaller spheres outside the loop depict the threats against the officer's influence. The threat spheres "slide" around the loop.
- C. **Sphere of Influence** - An officer's response is based on a four-part process:
1. Observe (observation) - The officer uses visual and audio clues to assess the situation.
  2. Orient (orientation) - The officer processes the information and based on the officer's experience and knowledge, assesses the threat level.
  3. Decide (decision) - Based on the orientation, the officer decides which threat response is appropriate.
  4. Act (action) - The officer carries out the action. After the application of force, the officer once again observes, orients, decides, and acts.
- D. **Resistance Continuum**
1. Compliant - The suspect is cooperative and is complying with the officer's instructions.
  2. Verbally non-compliant - Although the suspect is not physically resisting, the suspect is argumentative or verbally escalating the threat level.
  3. Passive resistance - Physical actions that do not prevent the officer's attempt to control (i.e., a person who remains in a limp-prone position or passive demonstrators). The suspect is failing to comply with the officer's instruction, but is not physically resisting. (8-31-11)
  4. Active/defensive resistance - A subject's physical actions to defeat an officer's attempt at control and to avoid being taken into custody. Verbal statements alone do not constitute active resistance. (8-31-11)
  5. Active aggression - A threat or overt act of an assault (through physical or verbal means), coupled with the present ability to carry out the threat or assault, which reasonably indicates that an assault or injury to any person is imminent. (8-31-11)
  6. Assault with deadly weapon - The suspect is assaulting or attempting to assault the officer with a weapon.
- E. **Force Types (Cogs in Sector Model)**
1. Officer Presence - Mere presence is the most basic defensive measure that can be used to gain compliance.
  2. Dialogue/Verbal Commands - Verbalization skills that promote de-escalation of the event, direction and commands given to the subject in a manner that is clear, controlled, authoritative and reflects professionalism.
  3. Chemical Agents and Energy Conducting Devices - The application of chemical agents or conducted energy devices that cause pain compliance or incapacitation to affect the sensory system or muscular system of the body, eyes, mucous membranes, skeletal muscles, and give the sensation of impairing the breathing apparatus to gain compliance. This level of force can migrate throughout the circular continuum as needed to assist other officer response options. (8-31-11; 8-31-11a)
  4. Soft Empty-hand - Includes pressure point control techniques, joint manipulations, takedowns (e.g., leg sweeps, throws), and intermediate weapons in a control type configuration to cause pain compliance. (Use of batons may be used to promote pressure point application or joint manipulations, but are not intended for striking as a soft, empty-hand technique.) (2-14-13)
  5. Hard Empty-hand - Includes the use of hands, feet, legs, and elbows as a striking impact weapon to the muscular areas and pressure points of the body. These strikes are designed to cause disruption in behavior or incapacitation to a resistive subject through pain compliance.
  6. Less-Lethal Impact Weapons/K9 (8-31-11) (TBP 3.04)
    - a. Includes the use of:
      - 1) handheld impact weapons utilized in the striking mode;
      - 2) launchable less lethal impact rounds such as pepper ball and bean bags; (8-31-11)



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- 3) police service dogs (K-9), for the purpose of encouraging compliance, overcoming resistance or preventing serious injury.
- b. When utilized properly and in conjunction with their intended design and deployment parameters, these devices or tools may cause pain compliance without posing a significant potential of causing death.
7. Lethal Force - Includes the use of a firearm or any other force, which, by its design or use, has a reasonable likelihood of causing death or serious bodily injury.

**GO 501.05 DUTY TO INTERCEDE** (added 6-15-20)

- A. Any officer who observes another officer, regardless of rank, using force shall intercede to prevent further harm if the officer knows that the force is being inappropriately applied or is no longer required.
- B. Such officers must also promptly report these observations to a supervisor.

**GO 501.06 DE-ESCALATION OF POTENTIAL FORCE ENCOUNTERS** (added 6-15-20)

When safe and reasonable under the totality of circumstances, officers shall use de-escalation techniques to reduce the likelihood for force and increase the likelihood of voluntary compliance. Nothing in this policy requires an officer to place themselves in harm's way to attempt to de-escalate a situation. Recognizing that circumstances may rapidly change, officers may need to abandon de-escalation efforts after they have commenced. Understanding that no policy can realistically predict every situation an officer might encounter, the Department recognizes that each officer must be entrusted with well-reasoned discretion in determining the reasonable de-escalation techniques to use in a situation.

**GO 501.07 ASSESSMENT AND DE-ESCALATION** (added 6-15-20)

- A. As officers arrive on the scene, observe conditions, and interact with the persons there, they should continue to gather additional relevant information and facts. These assessments, along with reasonable inferences help to develop an understanding of the totality of the circumstances of the incident.
- B. Assessing Risks and Benefits – After an officer has gathered sufficient information to ascertain anticipated threats at the scene, they shall consider whether de-escalation is appropriate. Factors that should be considered are:
  1. whether the officer believes the search, arrest or transportation must be undertaken immediately;
  2. what risks and benefits may be associated with delaying immediate action;
  3. what contingencies may arise;
  4. whether the situation requires a supervisor's response;
  5. whether other officers may be needed on the scene, including special units, such as CIT;
  6. whether other resources (e.g. less-lethal weaponry, special equipment, or other emergency professionals, interpreters or other persons) are needed; and
  7. other factor(s) relevant to assessing risks, benefits and contingencies.
- C. Having completed the above outlined assessment, the officers shall, if reasonable, identify and employ appropriate de-escalation techniques.
  1. Use of De-escalation Techniques – Employing de-escalation techniques may involve securing additional resources, tactical repositioning, and employing verbal persuasion.
  2. Securing Additional Resources -- Officers may utilize additional resources which are reasonably calculated to lessen or possibly eliminate the need to respond to resistance in a situation. To the extent possible and reasonable, in light of the totality of the circumstances, officers should avoid physical confrontation until such time as additional resources have arrived to assist. Additional resources may include:
    - a. less lethal weaponry;
    - b. additional officers;
      - 1) officers with special training, such as CIT; or



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- 2) any other persons whose presence may help de-escalate the situation (e.g., emergency medical professionals, interpreters, or supportive family members).
3. Tactical Repositioning -- To delay or avoid physical confrontation, officers may wish to employ any one or more of the following tactical repositioning measures, to the extent possible and reasonable in light of the totality of circumstances:
  - a. maintain safe physical distance from the subject;
  - b. maintain cover behind existing or assembled physical barriers; or
  - c. communicate from a location that is concealed from the subject.
4. Verbal Persuasion -- To the extent possible and reasonable under the totality of the circumstances officers may use one or more of the following verbal techniques to try to calm an agitated subject and promote rational decisions.
  - a. Treat the subject with dignity and respect, the way the officer would wish to be treated if they stood in the subject's shoes;
  - b. Listen to the subject's side of the story and permit them to express frustration;
  - c. Explain what the officer is doing, what the subject can do, and what needs to happen;
  - d. Explain why the officer is taking a specific action, again permitting the subject to respond and acknowledging their perspective;
  - e. If possible, provide the subject with alternatives, even though those alternatives may be limited;
  - f. Advise the subject of the consequences for noncompliance;
  - g. Offer reasonable, professional advice if it is expected to help; or
  - h. Provide the subject with reasonably sufficient time within which to respond to directives.

**GO 501.08 RESPONSE TO RESISTANCE** (added 6-15-20)

- A. While the type and extent of force may vary, it is the policy of this department that officers use only that amount of objectively reasonable force which appears necessary under the circumstances to successfully accomplish the legitimate law enforcement purpose in accordance with this order.
- B. Assessment shall be ongoing – As the circumstances of a situation change, the force necessary to affect a detention, arrest, search, or transportation of a subject or to protect officers or other persons from imminent harm may also change. Officers will therefore need to re-evaluate their determination of the appropriate response to resistance as circumstances change.
- C. Officer Discretion - Understanding that no order can realistically predict every situation an officer might encounter, it is recognized that each officer must be entrusted with well-reasoned discretion in determining the objectively reasonable response to resistance in each incident.
- D. Improvising Permitted - Circumstances may arise in which officers reasonably believe that it would be impracticable or ineffective to use a standard tool, weapon, or method provided by the Department. Officers may find it more effective or practicable to improvise their response to rapidly unfolding conditions they are confronting. In such circumstances, the use of any improvised device or method must still be objectively reasonable and used only to the extent which reasonably appears necessary to accomplish a legitimate law enforcement purpose.
- E. Injury to Officer Not Required - While it is the ultimate objective of every law enforcement encounter to prevent injury to everyone involved, nothing in this order requires an officer to actually sustain physical injury before applying objectively reasonable force.

**GO 501.09 DETERMINING THE OBJECTIVE REASONABLENESS OF FORCE** (added 6-15-20)

- A. Any interpretation of objective reasonableness about the amount of force that reasonably appears to be necessary in a particular situation must allow for the fact that police officers are often forced to make split-second decisions in circumstances that are tense, uncertain and rapidly evolving, and the amount of time available to evaluate and respond to changing circumstances may influence their decisions. The question is whether the officer's actions are "objectively reasonable" in light of the facts and circumstances confronting him/her.



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- B. When determining whether to apply any level of force and evaluating whether an officer has used objectively reasonable force, several factors should be taken into consideration. These factors include, but are not limited to:
1. Reasonable opportunity for the officer to engage in de-escalation;
  2. The conduct of the individual being confronted as reasonably perceived by the officer at the time;
  3. Officer and subject factors such as age, size, relative strength, skill level, injury/ level of exhaustion and number of officers versus subjects;
  4. Influence of drugs and alcohol or mental capacity;
  5. Proximity of weapons;
  6. The degree to which the subject has been effectively restrained and his ability to resist despite being restrained;
  7. Time and circumstances permitting, the reasonable availability of other resources to the officer;
  8. Seriousness of the suspected offense or reason for contact with the individual;
  9. Training and experience of the officer;
  10. Potential for injury to citizens, officers and suspects;
  11. Risk of escape;
  12. Whether the conduct of the individual being confronted no longer reasonably appears to pose an imminent threat to the officer or others; or
  13. Other exigent circumstances.

**GO 501.10 DEADLY FORCE TRAINING**

(TBP 3.02)

- A. Sworn personnel will receive annual training in the proper use of deadly force and the use of any firearm used in the course of law enforcement duties.
- B. At a minimum, the training will include a review of all written directives relating to the use of deadly force.
- C. Training in the use of the firearm is accomplished during the actual firing and qualification with the weapon.

**GO 501.11 LESS-LETHAL WEAPONS TRAINING AND CERTAIN CERTIFICATION**

(TBP 3.04, 3.06)

- A. Less-lethal training shall include instruction in and required demonstration of proficiency in the use of arrest and defensive tactics techniques. (TBP 3.06)
- B. No member is issued or authorized to carry or deploy a weapon that is discussed in this directive without the proper training and current certification in the use of that weapon. (Added 8-31-11)
- C. The method and frequency of demonstrating competency is determined by the Police Department's instructor for the respective weapon. However, unless otherwise provided by law, rule, or other directive, a valid training or certification period shall not exceed two years. (Moved, 8-31-11)

**GO 501.12 INSTRUCTORS**

(Section added 1-14-13) (TBP 3.04)

- A. No person may provide training and certification for any weapon covered by this directive or used by the Police Department, unless the person is certified at the time to provide instruction and training for that weapon.
- B. No person may provide training and certification for any defensive tactic method covered by this directive or used by the Police Department, unless the person is certified at the time to provide instruction and training for that method of defensive tactics.

**GO 501.13 INSPECTION, MAINTENANCE & STANDARDS**

- A. Inspections - All weapons and less-lethal devices are inspected by the respective weapon's instructor at pre-determined intervals for the respective weapon. (Added 8-31-11; 1-14-13).
- B. Maintained According to Standards - All weapons and ammunition that are issued or provided by the Police Department must be maintained at and in accordance with factory standards. (8-31-11; 1-14-13)



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- C. Proper Working Condition Required - No weapon or ammunition may be used or deployed that is no longer in proper working condition. Such a weapon must be repaired or replaced before carrying or using it again. (Added 8-31-11)
- D. Modifications - No weapon or ammunition that is issued or provided by the Police Department may be modified in any manner without the approval of the department's instructor for the respective weapon or device and the police chief. (9-21-09; renumbered, amended 8-31-11)
- E. Performance of Repairs and Maintenance - Any repairs or maintenance that are needed for any of the Police Department's firearms or personal rifles must be performed by the department's certified armorer for the particular weapon or by an authorized armorer approved by the Police Department. (Added 9-21-09; 4-26-10; title added, renumbered 8-31-11)

#### GO 501.14 APPROVED AND PROHIBITED IMPACT WEAPONS

- A. Approved Types - The following are authorized impact weapons and are discussed in detail below:
  - 1. Baton (GO 502.00 POLICE BATON); (Moved 8-31-11; 10-30-13)
  - 2. Chemical agent (GO 503.00 CHEMICAL AGENTS); (Moved 8-31-11; 10-30-13)
  - 3. Conducted Energy Devices (GO 504.00 CONDUCTED ENERGY DEVICES); (Moved 8-31-11; 10-30-13)(TBP 3.04)
  - 4. Less lethal rounds/shotgun (GO 505.00 LESS-LETHAL SHOTGUN AND ROUNDS). (Moved 8-31-11; 10-30-13) (TBP 3.04)
  - 5. High pressure (pepperball) launcher systems (GO 506.00 PEPPERBALLS AND LAUNCHING SYSTEMS). (10-30-13) (TBP 3.04)
- B. Prohibited Impact Weapons
  - 1. Officers may not carry the following impact weapons:
    - a. Slapper;
    - b. Saps;
    - c. Weighted gloves;
    - d. Knuckles;
    - e. Other weapons not approved by the chief of police.
  - 2. The issued or approved flashlight is not intended for use as an impact weapon and shall be used as such only when no other adequate means are available and in keeping with the use of force directive.

#### GO 501.15 USE OF FORCE TO AFFECT A DETENTION, AN ARREST OR TO CONDUCT A SEARCH (amended 6-15-20)

- A. An officer is justified in using reasonable force when the officer reasonably believes the use of such force is immediately necessary (Tex. Penal Code § 9.51(a)):
- B. To make or assist in a detention or an arrest, or to conduct a search that the officer reasonably believes is lawful;
- C. To prevent or assist in preventing escape after an arrest, provided the officer reasonably believes the arrest or search is lawful; or
- D. To make an arrest or conduct a search under a warrant that the officer reasonably believes is valid.
- E. Officers will not utilize any type of neck restraint to detain or arrest or conduct a search of an individual.

#### GO 501.16 NOTIFICATION OF AUTHORITY AND IDENTITY (added 6-15-20)

If it is not already reasonably known by the subject to be searched or arrested, or it is not reasonably impracticable to do so, officers should make clear their intent to arrest or search and identify themselves as a peace officer before using force (Tex. Penal Code § 9.51(a)(2)).

#### GO 501.17 DEADLY FORCE APPLICATION (added 6-15-20)

- A. An officer has no duty to retreat and is only justified in using deadly force against another when and to the extent the officer reasonably believes the deadly force is immediately necessary to (Tex. Penal Code § 9.51(c) and (e)):



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- B. Protect himself or others from what he reasonably believes would be an imminent threat of death or serious bodily injury.
  - 1. Any Officer prior to discharging a weapon, in protection of themselves or a third party shall give a verbal warning of the imminent use of deadly force, if possible.
  - 2. Shooting at vehicles is prohibited, except when someone in the vehicle is using or threatening deadly force by means other than the vehicle itself, or the vehicle is being used as a weapon of mass destruction in an apparent act of terrorism.
  - 3. Officers shall make a reasonable effort to exhaust all lesser means of force before utilizing deadly force.
- C. Make an arrest or to prevent escape after arrest when the officer has probable cause to believe that:
  - 1. The subject has committed or intends to commit an offense involving the infliction or threatened infliction of serious bodily injury or death; or
  - 2. The officer reasonably believes that there is an imminent or potential risk of serious bodily injury or death to any other person if the subject is not immediately apprehended.

**GO 501.18 DUTY TO GIVE AID AND MEDICAL CARE** (amended 6-15-20)

(TBP 6.07)

Medical attention is required whenever:

- 1. Prior to booking or release, medical assistance shall be obtained for any subject who has sustained visible injury, expressed a complaint of injury or continuing pain or who has been rendered unconscious. Based upon the officer's initial assessment of the nature and extent of the subject's injuries, medical assistance may consist of examination by fire personnel, paramedics, hospital staff or medical staff at the jail.
  - a. Any subject with visible injuries or open wounds must receive a medical clearance from a hospital prior to booking into the jail.
- 2. A subject who exhibits extreme agitation, violent irrational behavior accompanied by profuse sweating, extraordinary strength beyond their physical characteristics and impervious to pain, or who requires a protracted physical encounter with multiple officers to be brought under control, may be at an increased risk of sudden death and shall be examined by qualified medical personnel as soon practicable. Any individual exhibiting signs of distress after such an encounter shall be medically cleared prior to booking.
- 3. Someone complains of being or is injured as a result from the use of force;
- 4. If any individual refuses medical attention, such a refusal shall be fully documented in related reports and, whenever practicable, should be witnessed by another officer and/or medical personnel. If an audio recording is made of the contact or an interview with the individual, any refusal should be included, if possible.

**GO 501.19 SUPERVISORY NOTIFICATION AND RESPONSIBILITIES REQUIRED AFTER USE OF FORCE OR INJURY** (added 8-31-11, amended 6-15-20)

- A. The on-duty supervisor shall be notified without unnecessary delay when a force that is required to be reported is used; or the subject was injured as a result of the use of force.
- B. The supervisor, after being notified of a use of force (or a particular level of force), shall immediately respond to the scene and conduct a preliminary investigation into the application of force.
- C. The supervisor, after being notified of a Level 1 use of force, will immediately notify the chain of command, by direct contact, up to the Assistant Chief of Police.
- D. While at the scene of a use of force the supervisor shall:
  - 1. Visibly inspect the subject(s) for injuries;
  - 2. Interview the subject for complaints of pain;
  - 3. Ensure that the subject receives needed medical attention;
  - 4. Identify and interview witnesses other than officers
- E. While at the scene of a use of force the supervisor will photograph or video tape all claimed or visible injuries and all areas where the officer reports striking the subject. Photographs of the subject shall be taken even when there are no signs of injury.





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## GO 501.20 REPORTING USE OF FORCE

(Moved 8-31-11) (TBP 6.03, 6.06)

- A. When Report Required (Title added 8-31-11)
1. A Use of Force Report and incident report/supplements shall be completed in any of the following circumstances: (Edited 7-1-15)
    - 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. The officer purposely strikes with either a personal weapon or an impact weapon, uses a chemical agent or conducted energy device, during the performance of the officer's duties, regardless of whether on or off duty; (8-31-11; 8-31-11)
    - c. When an officer causes bodily injury or a complaint of bodily injury resulting from any type of police action involving a physical confrontation;
    - d. When an employee discharges a firearm for other than training or recreational purposes;
    - e. When the only force used was the threat of using deadly force (pointing a firearm at a person.) (Added 8-31-11)
  2. If a question arises as to whether a Use of Force Report should be completed, the final decision shall be made by the commanding officer or supervisor on duty.
- B. Report Not Required. (Title added 8-31-11) The following situations will not require the completion of a Use of Force Report:
1. When no force is employed;
  2. When no greater force other than mere guiding, holding, or handcuffing is employed and the subject is not injured; (8-31-11)
  3. When the subject was injured prior to the arrest and/or confrontation and complains of an aggravation of a pre-existing injury resulting from the mere guiding, holding or handcuffing. These circumstances shall be fully explained in the incident reports; (8-31-11)
  4. When the subject is accidentally injured after the arrest or confrontation, i.e., trips, falls, etc. These circumstances shall be fully explained in the incident reports; (8-31-11)
  5. When the subject intentionally injures himself. These circumstances shall be fully explained in detail in the incident reports; (8-31-11)
  6. When an employee discharges a firearm for training or recreational purposes.
- C. Who Must Complete Report(s) (Title added 8-31-11)
1. A Use of Force Report shall be completed by each officer who applied force or used the threat of deadly force. The report shall list the names of each officer who was present at the scene of the force incident. (8-31-11)
  2. Each officer who was present at the force scene but did not use force shall complete a supplemental report or incident report for primary officer, detailing the officer's involvement and observations. Officers who applied force shall notify their supervisor as soon as possible after using force. (8-31-11; edited 7-1-15)
  3. The primary officer on the scene must complete an incident report detailing the events at the scene in addition to a Use of Force report, if applicable. (Added 7-1-15)
- D. Form of Report and Attachments (Subsection added 8-31-11)
1. The Use of Force module, in BlueTeam, is the preferred method for reporting use of force and threat of deadly force incidents. (edited 7-1-15)
  2. When the Use of Force module is used and related documents that are not already accessible within the module can be scanned and attached to the entry, paper copies of those documents do not need to be submitted. (Edited 7-1-15)
  3. A separate Use of Force Report will be completed for each officer who applies force and each subject of that force. (Added 7-1-15)
  4. For Threat of Force only, a separate report is needed for each officer who used the Threat of Force, but not each subject of the threat. The additional subjects should be added to the names record and indicate if the threat of force was used. (Added 7-1-15)
- E. Submitting Reports: Time Restrictions (Title added 8-31-11)



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1. The Use of Force Report and all documents related to the incident are to be completed by the involved officer(s) by the end of the shift with the exception of an officer involved shooting or if the officer(s) sustained injuries that would preclude them from completing the documents. (Added 7-1-15)
2. Supervisory reviews must be completed and submitted to the Lieutenant by all supervisors on the next duty day following the incident unless otherwise directed by department administration. (Added 7-1-15)
3. If the Use of Force Report cannot be completed by the end of the shift on which the force incident occurred, the supervisor shall submit an email to the Assistant Chief that a Use of Force Report is pending. The correspondence shall include: (Subdivision 8-31-11) (Edited 7-1-15)
  - a. a brief description of the event;
  - b. the names of the officers involved;
  - c. the type(s) of force that was used;
  - d. the extent of any injuries; and
  - e. the expected date that the completed report will be submitted to the Assistant Chief.

#### GO 501.21 REVIEW USE OF FORCE INCIDENTS

(Section added 8-31-11) (TBP 6.03, 6.06)

- A. Each use of force incident, other than a threat of using deadly force, is reviewed and critiqued by: (9-13-13)
  1. the involved member(s)' supervisors as applicable (Corporal, Sergeant, Lieutenant); (Edited 7-1-15)
  2. Department Defensive Tactics Instructor(s), if requested;
  3. Assistant Chief;
- B. Each reviewer will:
  1. Determine whether:
    - a. The force was justified;
    - b. All procedures and directives were followed;
    - c. Additional training is needed; and
    - d. Any procedure or directive needs to be amended.
- C. Each person shall document their opinion about the use of force in the Use of Force Report. The first-line supervisor conducting the initial review will make the documentation in the Supervisors Review section. All subsequent supervisory and command reviews will be done in the Command Level Review section. (Edited 7-1-15)
- D. The Assistant Chief of Police shall notify the Police Chief that the Use of Force Report is completed. (Edited 7-1-15).
- E. The Chief of Police is only required to review Level 1 and 2 incidents but may review any Use of Force. (added 6-15-20)

#### GO 501.22 USE OF FORCE LEVELS (added 6-15-20)

- F. Force levels are broken up into four types: Level 1, Level 2, Level 3, and Level 4. Each level is defined below by the response to resistance used in the incident. These levels are established for review purposes only. If there is uncertainty about which level to designate a particular incident then the higher level shall be used.
  1. LEVEL 1 FORCE INCIDENTS AND IN-CUSTODY DEATHS
    - a. Any force resulting in death.
    - b. Any force that resulted in a substantial risk of death.
    - c. Any intentional firearm discharge at a person, vehicle, or structure regardless of injury.
    - d. Any intentional firearm discharge at an animal that results in injury to another person.
    - e. Any unintentional firearms discharge resulting in another person's injury or death.
    - f. Any force that resulted in serious bodily injury requiring admittance to the hospital, beyond emergency room treatment and release (e.g., serious disfigurement, disability, or protracted loss or impairment of the functioning of any body part or organ).
    - g. Use of any impact weapon and improvised weapons, that strikes the head or neck of a subject.



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- h. In-Custody Deaths shall be treated as Level 1 incidents and require concurrent inquiries conducted by IA, regardless of whether force was used on the subject.
- 2. LEVEL 2 FORCE INCIDENTS
  - a. Any strike to the head or neck by an employee with any weaponless technique.
  - b. Use of any impact weapons and improvised weapons, to strike a subject and contact is made, regardless of injury. (A strike to the head is a Level 1), includes, but not limited to:
    - 1) handheld impact weapons utilized in the striking mode;
    - 2) launchable less lethal impact rounds such as pepper ball and bean bags;
  - c. Any deployment of a police canine resulting in a bite to a subject's clothing or skin, or which results in any injury to a subject.
  - d. Use of Oleoresin Capsicum (OC/Pepper Spray).
  - e. Any Taser application.
- 3. LEVEL 3 FORCE INCIDENTS
  - a. Use of any impact weapon, including kinetic energy projectiles or any other similar object, in an attempt to strike a subject but no contact is made.
  - b. Use of a baton for a non-striking purpose (e.g., prying limbs, moving, joint manipulation, or pressure point application.)
  - c. Any force resulting in injury or a continued complaint of pain, but not rising to a Level 1 or 2 incident.
  - d. Any weaponless technique that causes an impact to the body with or without a complaint of injury or pain. (A weaponless strike to the head is a Level 2). Examples of weaponless techniques include:
    - 1) Hand/palm/elbow strikes.
    - 2) Kicks or leg sweeps.
    - 3) Take-downs.
- 4. LEVEL 4 FORCE INCIDENTS
  - a. A level of force utilizing empty hand control techniques that does not result in injury or continued complaint of pain and does not rise to a Level 3 response to resistance. Examples include, but are not limited to:
    - 1) Restricting a subject's movement by strength or body weight (to include resisted escorting or handcuffing of a subject who is actively resisting arrest beyond the initial or reflexive stiffening or pulling away of a person's arm(s) that officers commonly encounter during handcuffing).
    - 2) Using leverage or strength to bring a subject's arms or legs together for the purposes of controlling, handcuffing, or hobbling the subject (to include resisted control, handcuffing, hobbling when the subject is actively resisting arrest beyond the initial or reflexive stiffening or pulling away of the subject's arm(s) or leg(s) that officers commonly encounter during efforts to control, handcuff, or hobble a subject).
    - 3) Pressure point control tactics.
    - 4) Threat of using Deadly Force

#### GO 501.23 ANNUAL USE OF FORCE REPORT

(TBP 6.10)

- A. At the end of the calendar year, the Office of the Chief of Police prepares a report summarizing the use of force incidents for the year.
- B. The report is an analysis and not merely a statistical count of the events. The report leads to conclusions about the agency's use of force and whether any:
  - 1. Policies need to be revised;
  - 2. Additional training is needed;
  - 3. Changes are needed in equipment, methods of operation, or response.
- C. The police chief determines what information is reported, but the report minimally includes:
  - 1. Incident types;
  - 2. Type of force initially used and whether it was effective;

3. If the initial force was not effective, what other level(s) of force were used and at which level was the force effective;
  4. The number of officers involved in applying force for each incident;
  5. The numbers and types of injuries inflicted to actors, officers, and others.
- D. Prior to the report being published, the Police Department's use-of-force-related instructor(s) shall review the draft report to: (Added 9-13-13)
1. Determine training needs;
  2. Identify the need for policy and/or practice revisions;
  3. Analyze the need for alternative or additional tactics and/or weapons;
  4. Identify abuses or patterns of abuse.

Figure 1. Sector Model Force Continuum.



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