



Charleston County Sheriff's Office Policy and Procedures Manual

Sheriff Carl Ritchie

7-02 Use of Deadly Force

- ☐ NEW
- ☒ REVISED
- ☒ REVIEWED

ACA Standards Reference:	5-ALDF-2B-o8
CALEA Standards Reference:	4.1.1, 4.1.2, 4.1.3, 4.1.5, 4.2.1, 4.2.2, 4.2.3, 4.2.4, 4.2.5, 4.3.1, 11.3.4,
NCCHC Standards Reference:	
SCLEA Standards Reference:	27.11
SC Minimum Standards:	1021

This policy dated 1/28/2025 replaces prior policies cited above and supersedes all previously issued directives.

I. Purpose:

To provide sworn personnel of the Charleston County Sheriff's Office with guidelines on the use of deadly force.

II. Policy:

The Charleston County Sheriff's Office recognizes and respects the value and special integrity of each human life. In vesting deputy sheriffs with the lawful authority to use force to protect the public welfare, a careful balancing of all human interests is required. Therefore, it is the policy of this agency that sworn personnel use only the force necessary to accomplish lawful objectives. (Ref: CALEA 4.1.1)

- A. Detention deputies of any county or municipal jail, prison, work camp or overnight lockup facility, while performing their officially assigned duties relating to the custody, control, transportation or recapture of any inmate or prisoner in this State, have the status of peace officers anywhere in the State in accordance with the Code of Laws of South Carolina, 1976, as amended, §23-1-145. (Ref: SC Min. 1021; 5-ALDF-2B-08)
- B. A person who uses deadly force as permitted by the provisions of this article or another applicable provision of law is justified in using deadly force and is immune from criminal prosecution and civil action for the use of deadly force, unless the person against whom deadly force was used is a law enforcement officer acting in the performance of his official duties and he identifies himself in accordance with applicable law or the person using deadly force knows or reasonably should have known that the person is a law enforcement officer. In accordance with the Code of Laws of South Carolina, 1976, as amended, §16-11-450.

III. Definitions:

- A. For purposes of this procedure, the word "deputy" applies to all agency employees with a certification classification of Class I, Class II, Class III, or Reserve Deputy as defined by the South Carolina Criminal Justice Academy.

The following terms are used interchangeably; however, they carry guidance to specific employees based on usage of the term:

- 1. Deputy, deputy sheriff, detention deputy, sworn employee, uniformed sworn employee, sworn administrative employee, and
- 2. civilian, non-sworn employee.

- B. *Employee:* When used without further clarification, the term employee is inclusive of all agency members (sworn and non-sworn).
- C. *Deadly Force:* Any use of force that is likely to cause death or serious physical injury.
- D. *Reasonable Belief:* The degree of risk that a reasonable and prudent person would consider a strong possibility to cause death or serious physical injury.
- E. *Serious Physical Injury:* Any bodily injury that creates a substantial risk of death; causes serious, permanent disfigurement; or results in long-term loss or impairment to any bodily member or organ. (Ref: CALEA 4.1.2)
- F. *Warning Shot:* A harmless gunshot intended to call attention and demand some action.
- G. *Show of Force:* Force shown by a deputy by unholstering/removing a firearm or an intermediate weapon and presenting it towards a subject; in an attempt to gain compliance or continued control of the situation at hand.

IV. Procedure:

- A. Parameters for Use of Deadly Force:
 - 1. Deputies are authorized to employ deadly force in order to:
 - a. protect the deputy or others from what is reasonably believed to be an imminent threat of death or serious physical injury; or (Ref: CALEA 4.1.2)
 - b. prevent the escape of a fleeing felon whom the deputy has probable cause to believe will pose an imminent threat to human life should escape occur.
 - 2. All deputies issued firearms will qualify with their assigned, back-up and off-duty firearms annually, as outlined in [Policy 7-05 Firearms and Accessories](#). Deputies must also adhere when using ammunition for their firearms that's also outlined in [Policy 7-05 Firearms and Accessories](#).
 - 3. Before using a firearm, deputies will identify themselves and state their intent to shoot, where feasible.
 - 4. A deputy may also discharge a firearm under the following

circumstances:

- a. during range practice, qualification, or competitive sporting events; or
 - b. to destroy an animal that represents a threat to public safety, or as a humanitarian measure where the animal is seriously injured.
5. Deputies will adhere to the following restrictions when their weapon is exhibited:
- a. Except for maintenance or during training, a deputy will not draw or exhibit their firearm unless circumstances create reasonable cause to believe that it may be necessary to use the weapon in conformance with this policy.
 - b. Warning shots may be fired in an effort to stop a person only when the deputy is authorized to use deadly force and only if the deputy reasonably believes a warning shot can be fired safely in light of all circumstances of the encounter.
(Ref: CALEA 4.1.3)
 - c. Decisions to discharge firearms at or from a moving vehicle will be governed by this agency's *Use of Deadly Force* policy and are prohibited if they present an unreasonable risk to the deputy or others.
 - d. If a deputy removes a firearm or an intermediate weapon from it's holster and only presents it towards a subject, in a Show of Force, the deputy will document the Show of Force on an incident/supplemental report but not on a Use of Force Report Form. A Show of Force will not be reviewed as a Use of Force.

B. Medical Treatment:

In all cases of use of force, or any law enforcement action, whether deadly or non-lethal force, medical treatment, consistent with any injury sustained by any individual, will be immediately provided in the form of immediate minor first aid, request for EMS, or other more serious response.

(Ref: CALEA 4.1.5)

C. Reporting Uses of Deadly Force:

1. A written *Incident Report* and a *Use of Force Report* ([CCSO form-311](#) or [SACDC form-352](#)) will be prepared according to agency procedures and is required in the following situations:
 - a. discharges a firearm, for other than training or recreational purposes; (Ref: CALEA 4.2.1 item a)
 - b. takes an action that results in, or is alleged to have resulted in, injury or death of another person; (Ref: CALEA 4.2.1 item b)
 - c. applies force through the use of lethal or less lethal weapons, or (Ref: CALEA 4.2.1 item c)
 - d. only an Incident Report will be completed when presenting a firearm to cause compliance of another person(s).
2. A supervisor will be immediately summoned to the scene and will comply with investigative procedures as required by this agency in the following situations:
 - a. when a firearm is discharged outside of the firing range;
 - b. when a use of force results in death or serious physical injury;
 - c. when a subject complains that an injury has been inflicted; or
 - d. when misconduct is alleged or suspected.

D. Agency Response:

1. Deadly Force Incident:
 - a. When a deputy's use of force results in a death or serious physical injury, the deputy will be placed on administrative leave pending an administrative review and until it is determined by a mental health professional that the deputy is ready to return to duty. (Ref: CALEA 4.2.2 and 4.2.3)

- b. The Sheriff's Office will ensure both a criminal and administrative investigation of the incident is conducted. The administrative investigation will be conducted subsequent or parallel to a criminal investigation and upon authorization from the Solicitor's Office to proceed with such an administrative inquiry. (Ref: CALEA 11.3.4)
 - c. Prior to returning to duty, the Training Unit will ensure that the employee has re-qualified with all issued firearms.
2. Administrative Review of Critical Incidents:
- a. All reported uses of force will be reviewed by the agency's Office of Professional Standards to determine whether:
 - 1. agency rules, policy or procedures were violated;
 - 2. the relevant policy was clearly understandable and effective to cover the situation; and
 - 3. agency training is currently adequate. (Ref: CALEA 11.3.4)
 - b. All findings of policy violations or training inadequacies will be reported to the appropriate department chief for resolution and/or discipline. (Ref: CALEA 4.2.2)
 - c. All *Use of Deadly Force Incident Reports* will be retained as required by state law.
 - d. At least annually, the Office of Professional Standards will conduct documented analysis of *use of force* incidents to determine training needs and/or policy modifications.

The analysis should identify:

- 1. day and time of incidents;
- 2. types of encounters resulting in use of force;

3. trends or patterns related to race, age and gender of subjects involved;
 4. trends or patterns resulting in injury to any person including employees; and
 5. impact of findings on policies, practices, equipment, and training. (Ref: CALEA 4.2.4 items *a-e*)
- e. Annually, the Office of Professional Standards will conduct a documented review of all assaults on deputies to determine trends or patterns, with recommendations to enhance officer safety, revise policy, or address training issues.
(Ref: CALEA 4.2.5)
- f. An annual summary report of *use of force* incidents will be published and made available to the public upon request.