


GAINESVILLE POLICE DEPARTMENT

GENERAL ORDER

	TITLE Response to Resistance <i>(formerly titled Use-of-Force)</i>		ACCREDITATION CALEA 4.1.1; 4.1.2; 4.1.5; 4.2.1(a-d); 4.2.2; 4.2.3; 4.2.4 (a-e)
	PROPOSER UNIT Training and Education Division Internal Affairs		PRIOR REVISIONS 03/17/10; 07/05/11; 05/29/18, 05/22/2020, 12/28/21, 05/31/22, 12/08/22, 01/31/24 ATTACHMENT: Attachment A: Response to Resistance Continuum/ Guidance
NUMBER 1.5	ISSUE DATE 07/01/1998	REVISION DATE 01/31/25	TOTAL PAGES 19

I. PURPOSE: The Gainesville Police Department's highest priority is safeguarding the life, dignity, and liberty of all persons. This Order establishes guidelines and procedures for the use-of-force by sworn Department members acting within their scope of employment

Police officers have the difficult and admirable job of providing crucial services to the communities they protect and serve, their job sometimes puts them in harm's way and may require the response to resistance formally known as the Use of Force. Accordingly, police officers must operate with the highest standards of professionalism and accountability. Every community resident should be able to live, work, and travel confident in an expectation that interactions with police officers will be fair, consistent with constitutional norms, and guided by public safety free from inappropriate prejudice or discrimination. Unfortunately, there are instances when officers have to utilize force to fulfil their responsibilities. Consequently, this policy serves as a reference for officers when deciding how and when to utilize force in the lawful performance of their duties. Members are cautioned to utilize the minimum force necessary to obtain control and/or compliance with lawful instructions. It is impossible for a policy to anticipate every conceivable situation or exceptional circumstance in which officers may face. In all circumstances, officers are expected to be compassionate, and exercise sound judgement when using force options. The following standards shall be maintained when deciding on any and all uses of force.

A. SAFEGUARDING HUMAN LIFE AND DIGNITY. The authority to use force is a serious responsibility given to peace officers by the people who expect them to exercise that authority judiciously and with respect for human rights, dignity and life.

B. ESTABLISH COMMUNICATION. Communication with non-compliant subjects is often most effective when officers establish rapport, use the proper voice intonation, ask questions and provide advice to defuse conflict and achieve voluntary compliance before resorting to force options.

C. DE-ESCALATION. Officers shall, when feasible, employ de-escalation techniques to decrease the likelihood of the need to use force during an incident and to increase the likelihood of voluntary compliance. Officers who act to de-escalate an incident, which can

delay taking a subject into custody, while keeping the public and officers safe, will not be found to have neglected their duty. They will be found to have fulfilled it.

D. PROPORTIONALITY. When determining the appropriate level of force, officers shall, when feasible, balance the severity of the offense committed and the level of resistance based on the totality of the circumstances known to or perceived by the officer at the time.

E. CRISIS INTERVENTION. When feasible, Crisis Intervention Team (CIT) trained officers should respond to calls for service involving individuals in mental or behavioral health crisis pursuant to [GO 1.7 Mental Health and Crisis Intervention Response](#).

F. DUTY TO INTERVENE. When in a position to do so, officers shall intervene when they know or have reason to know, that another officer is about to use, or is using, unnecessary force. Officers shall promptly report any use of unnecessary force and the efforts made to intervene to a supervisor. Refer to [GO 1.8 Duty to Intervene](#).

G. FAIR AND UNBIASED POLICING. Members shall carry out their duties, including the response to resistance, in a manner that is fair and unbiased pursuant to Department [GO 1.2 Police- Citizen Encounters, Enforcement and Bias-Based Profiling](#).

H. VULNERABLE POPULATIONS. The response to resistance against vulnerable populations - including children, elderly persons, pregnant women, people with physical and mental disabilities and people with limited English proficiency - can undermine public trust and should be used as a last resort, when all other reasonable means have been exhausted.

Considering the response to resistance when making an arrest, all individuals shall be provided an opportunity to submit to arrest before force is used. Force may be used only when verbal commands and other techniques that do not require the response to resistance would be ineffective or present a danger to the officer or others.

II. POLICY: The Gainesville Police Department's highest priority is safeguarding life, dignity, and liberty of all people. Officers shall demonstrate this principle in their daily interactions with the community they are sworn to protect and serve. The Department is committed to accomplishing this mission with respect and compassion by utilizing effective communication skills that emphasize empathy, crisis intervention and de-escalation tactics before resorting to force, whenever feasible.

[GO 1.1 Source of Police Authority and the Role of the Department](#) requires department members to abide by a Code of Ethics. In addition, GPD personnel shall follow the 3C's in the performance of their duties: Compassion, Consistency and Constitutional Policing. These are key factors in maintaining legitimacy with the community and safeguarding the public's trust.

This order establishes policies and reporting procedures regarding the response to resistance. The Department shall maintain guidelines on the response to resistance tactics trained/demonstrated and the actual deployments attempted/applied in the field by all of its sworn members. The Department will abide by the *objective reasonableness* standard as defined in *Graham v. Connor, 490 U.S. 386 (1989)* as the foundation for each and every lawful application of force, up to and including deadly force when such action is warranted.

III: PROCEDURE:

A. Response to Resistance Training:

1. Sworn members shall not be permitted to carry a **department issued or approved weapon**, until they have been trained in the Department's use-of-force policy.
2. Officers shall receive response to resistance training on an annual basis. The training shall include policy review, including review of terms related to response to resistance Addendum. [CALEA 4.1.2] Failure to receive such training may result in suspension of police powers.
3. The Training and Education Division shall keep accurate and current records on sworn members' use-of-force training.
4. Department Members shall adhere to the response to resistance continuum /guidance (appendix A) when applying force. The response to resistance continuum/guidance is based upon subject resistance levels/actions and other factors which encompass the assessment of the totality of circumstances.

B. Factors for Consideration:

1. **Use of Reasonable Force:** Department members will only use reasonable force to accomplish lawful objectives [CALEA 4.1.1]. The reasonableness of any response to resistance by a member will be judged on the totality of the circumstances known to the member at the time of the use. There is a litany of factors to consider when judging the reasonableness of the response to resistance. Such factors include, but are not limited to: relative size and strength of both the member and subject, lighting, or other situational factors such as the availability of back-up, and the influence of drugs or alcohol.
2. **Immediate Medical Intervention:** Officers who utilize any force option upon a person exhibiting symptoms of a mental health crisis or drug intoxication should give particular consideration that these people may be experiencing a medical episode or are at an increased risk of suffering a mental episode. Individuals "displaying a group of symptoms, such as severe agitation, hyperactivity, confusion, intense paranoia, and hallucinations, that appear suddenly but which have short duration and require immediate attention." If you recognize these symptoms, it is important to get the patient help. Patients experiencing these symptoms need verbal calming, rapid de-escalation, and possibly medical treatment. Remove excess stimuli by turning off lights and sirens. Possible containment in a controlled and safe environment can ensure safety for everyone while the incident runs its course or prior to EMS arrival. Refer to [General Order 71.1](#).
3. **Respiratory Distress:** While taking any person into custody, for any reason, members will be alert and mindful of those claiming respiratory distress, including the phrase, "I can't breathe." Respiratory distress can be caused by numerous reasons beyond choking or other windpipe restriction, including prolonged time in the prone position, especially if weight is applied to their back during a struggle. If any person, while taking them into custody claims respiratory distress, the member if possible will tactically pause and evaluate the situation. This may include determining the position of fellow officers as they are trying to secure the prisoner or thinking of deescalating the situation by releasing some pressure on the person's body while continuing to

communicate. Once secure, the person should be immediately rolled onto their side or put in the upright sitting position. Anytime a person in custody claims respiratory distress, the member shall immediately call for EMS to evaluate once the person is secured and the scene is safe.

C. De-Escalation:

1. De-escalation is the result of a combination of communication, tact, empathy, instinct, and sound officer safety tactics. The ultimate goal is to help achieve a positive outcome by reducing the need for force.

2. When possible, officers should seek to utilize de-escalation strategies to prevent situations from deteriorating to the point where they would need to use force. Officers should attempt to gain voluntary compliance and reduce the level of force required in a situation through verbal communication efforts. When force is applied, officers will adjust the amount of force used to overcome an individual's resistance and to gain control. [CALEA 4.1.1]

D. Response to Resistance:

Applied force which causes or is alleged to have caused an injury but does not result in death or intended or likely to cause death. This includes injuries resulting from canine apprehensions (Refer to Canine Manual) and intentional vehicle crashes and/or vehicle maneuvers (Refer to GO 41.4 Vehicle Pursuits).

E. Deadly Force: Force which is intended or likely to cause death.

Sworn members may apply deadly force after exhausting all reasonable alternatives, or if the sworn member believes other alternatives would be impractical or ineffective and the sworn member believes the action is in defense of human life (including the sworn member's) or in defense of any person (including the sworn officer) in immediate danger of serious bodily injury or death. [CALEA 4.1.2]

1. Sworn members should use deadly force with the highest degree of restraint, never considering deadly force to be routine.

2. When justified in the use of deadly force, and before taking action, (time permitting) sworn members should evaluate the circumstances and consider the risk of injuring or killing persons against who deadly force is not being directed.

3. The use of deadly force is prohibited against individuals who pose a danger only to themselves.

4. Techniques that Restrict the Intake of Oxygen and Blood Flow to the Neck/Head: Any technique restricting the intake of oxygen (i.e. chokeholds or others) and/or blood flow (i.e. lateral vascular neck restraints, shoulder pin, or others) to the head or neck for the purpose of gaining control of a subject are prohibited unless deadly force would be considered reasonable. The use of deadly force will be reviewed based on the totality of circumstances. Any use will always be considered **deadly force**. [CALEA 4.1.6 and 4.1.7]

F. Duty to Intervene: All Department Members have a duty to intervene when they observe Department Members conducting themselves in an unethical and/or unlawful manner. Refer to GO 1.8 Duty to Intervene.

G. Operational Response:

1. Member Response:

a. Response to Resistance:

[CALEA 4.2.1 a-d] Whenever a Department member discharges a firearm (except for target practice, departmental training/qualification, animal destruction, or ballistic examinations), applies force through the use of a weapon, strikes an intentional blow, otherwise employs force that causes or is alleged to have caused an injury or death or person in police custody complains of or appears to be suffering from respiratory distress the member shall:

b. Medical Treatment:

Whenever there is a response to resistance that causes injury or complaints of injury, or complaint of respiratory distress, personnel shall take the appropriate steps to obtain medical aid, in the form of first aid and/or request for EMS as quickly and reasonably possible. This should occur when the incident is at a point where the officer does not endanger themselves or others by their actions. The expectation is for aid to be rendered immediately unless other circumstances exists (ie. officer incapacitation). This includes any injury or complaint of injury during arrest or custodial detention.

c. Medical Considerations:

Appropriate medical assistance shall be summoned for any person who exhibits signs of physical distress, who has sustained visible injury, expresses a complaint of injury or continuing pain, or who was rendered unconscious without undue delay. Any individual exhibiting signs of physical distress after an encounter should be continuously monitored until he or she can be medically assessed.

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. If any such individual refuses medical attention, a refusal shall be fully documented in related reports and, whenever practicable, should be witnessed by another officer and/or medical personnel. If a recording is made of the contact or an interview with the individual, any refusal should be included in the recording, if possible.

The on-scene supervisor, or if not available, the primary officer investigating the event shall ensure that any person providing medical care or receiving custody of a person following any response to resistance is informed that the person was subjected to force. This

notification shall include a description of the force used and any other circumstances the officer reasonably believes would be potential safety or medical risks to the subject (e.g., prolonged struggle, extreme agitation, impaired respiration).

1). Persons who exhibit extreme agitation, violent irrational behavior accompanied by profuse sweating, extraordinary strength beyond their physical characteristics and imperviousness to pain (sometimes called "excited delirium"), or who require a protracted physical encounter with multiple officers to be brought under control, may be at an increased risk of sudden death. Calls involving these persons should be considered medical emergencies. Officers who reasonably suspect a medical emergency should request medical assistance as soon as practicable and have medical personnel stage away if appropriate.

d. Refer to [General Order 71.1](#). [CALEA 4.1.5]

1). When the injured person is transported to the jail (whether or not they have received medical attention by EMS or a medical receiving facility), the transporting officer shall notify jail personnel about the nature of the injury. The officer will request that jail staff medically review a person who has not received medical attention for the injury prior to transport.

2). The officer shall list in the *Incident/Investigation Report* the name of the jail staff member who was notified.

e. Notify a field supervisor immediately;

f. Remain at the scene until the arrival of the appropriate supervisor for incidents involving serious or life threatening injuries, unless exigent circumstances exist.

g. Complete an *Incident/Investigation Report* or *Supplemental Report* that includes the circumstances of the response to resistance, to include:

- 1). The suspect's actions,
- 2). The type of response used by the Officer,
- 3). The involved areas of the body,
- 4). The specific results of the particular technique used,
- 5). The type and nature of injuries, if any,
- 6). Medical review/treatment information, if any, including refusal to be treated.

7). Department Video Review;

i). The department member has the option to view any department generated video prior to completing the required incident/investigation report or supplemental report(s) that includes the circumstances of the response to resistance except deadly force.

ii). In deadly force situations, the department member has the option to view only his/her department generated video (in car video, body worn camera, or both) prior to completing the required incident/investigation report or supplemental report(s).

2. Supervisor Response: There is an expectation that supervisors will respond, when possible, to any incidents in which response-to-resistance is likely (dispatched or police initiated). Supervisors **WILL** respond to the scene of all response-to-resistance incidents. Supervisor will ensure an incident report is written within 24 hours. [CALEA 4.2.1]

i. Deadly Force Incidents: Whenever a member discharges a firearm or uses force that causes death intended or likely to cause death, the on-duty Shift commander (including acting) shall:

- a. Proceed immediately to the scene and secure it,
- b. Ensure that proper notifications are initiated/made and ETA's established for the appropriate Bureau Commanders, EMS, Forensics, IA, the Chief/Assistant Chief, PIO, SAO, Risk Management, Training, etc. The Operations Commander shall contact FDLE at 904-360-1700 and make a formal request for the Officer Involved Shooting Team to respond.
- c. Coordinate with FDLE supervisor and determine if FDLE will send a forensic team or if ASO Crime Scene Units will process the scene. GPD Forensic Unit members will only be utilized under the direction of FDLE or there are extenuating circumstances, like an impending weather event or other condition that would jeopardize the preservation of evidence.
- d. Initiate a preliminary field investigation in coordination with the FDLE investigation team,
Contact the CID commander and request an investigation if a crime was committed against the involved officer(s).
- e. Contact the assigned investigator(s),
- f. Assist the involved member(s),
- g. Issue a replacement firearm as soon as practical, to include before the end of shift when the involved officer is not administratively suspended.
- h. Ensure that a preliminary incident report is completed by the end of the shift, and a copy forwarded to the Chief of Police and all investigating parties.
- i. Confirm a response to resistance review is initiate

j. If you are acting in one of the following ranks, Corporal, Sergeant, Lieutenant, or Captain during the date and time of the incident, it is your responsibility to conduct a review of the incident and forwarding all completed administrative reviews in Blue Team to the appropriate member in the chain of command. If an incident occurs on your watch, it is your responsibility.

ii. Non-Deadly Force Incidents: Whenever a member applies force through the use of an intermediate weapon, or an intentional strike, kick, blow, or a maneuver that causes injury or complaint of injury to a person that does not constitute deadly force the supervisor shall:

a. Respond to the scene.

b. Ensure appropriate medical attention is received as determined by weapon used. -

c. Provide a detail of the events to an on-duty shift commander.

d. Examine the weapon and retain if necessary. A replacement will be issued as soon as practical.

e. Ensure the suspect is photographed to establish the presence or absence of any injury. In cases where the injured person receives treatment, the photographs should be taken before the treatment if the act of photographing does not unduly interfere with medical treatment.

f. Photograph injuries and/or damaged uniform/equipment incurred by any Department member.

g. Interview the subject.

h. Response to Resistance Supervisor/Administrative Review: The supervisor prior to the end of work shift, unless exigent circumstances exist, will complete an initial blue team entry with the required minimum information (first two pages of blue team entry). If an extension is required to the due dates, email notification is required to the Chief. [CALEA 4.3.3]

i. If you are acting in one of the following ranks, Corporal, Sergeant, Lieutenant, or Captain during the date and time of the incident, it is your responsibility to conduct a review of the incident and forwarding all completed administrative reviews in Blue Team to the appropriate member in the chain of command. If an incident occurs on your watch, it is your responsibility.

H. Supervisory Response to Resistance Review -Non-Deadly Force: [CALEA

4.2.2]

The responding supervisors (usually sergeants) will complete a Response-to-Resistance supervisory administrative review whenever a member applies force with an intermediate weapon or an intentional strike, kick, blow, or maneuver that causes injury or complaint of injury to a person. The responding supervisor to the response to resistance incident shall initiate the administrative review based on the incident details. Exceptions can be made with the approval of the shift commander.

Police Canine: The Canine Unit Supervisor shall be notified of use-of-force(s) involving injuries sustained or allegedly sustained as a result of a canine apprehension. A use-of- force review will be conducted by the Canine Unit Supervisor- Refer to the Canine Manual. ** [CALEA 4.2.2]

The Supervisor Shall:

1. Review the *Incident/Investigation Reports and Supplemental Reports* to ensure that all required documentation of the response to resistance occurred.
 - i. Supervisors will review all available audio and video recordings before completing a Response to Resistance Review and will document such review in Blue Team/IA Pro within 14 days.
 - ii. Supervisors that are involved in the application of force or detainment of the subject of which the force was used upon, shall not complete the Response to Resistance Review. A secondary supervisor who is not involved shall complete the review within 14 days.
2. Based upon the provided information, thoroughly review all members' actions, and then complete a Response to Resistance Supervisory Review on the appropriateness of the response to resistance and whether or not it met Department guidelines. The supervisor may elaborate with needed details or comments. This review shall be completed within 14 days.
3. Forward the Response to Resistance Supervisory Review, via chain-of-command, to the respective Bureau Captain within 14 days.
The reviewing Captain shall, after their analysis, add their comments, and forward the Response to Resistance Administrative Review to the Internal Affairs Unit within 30 days [CALEA 26.3.3]
4. If you are acting in one of the following ranks, Corporal, Sergeant, Lieutenant, or Captain during the date and time of the incident, it is your responsibility to conduct a review of the incident and forwarding all completed administrative reviews in Blue Team to the appropriate member in the chain of command. If an incident occurs on your watch, it is your responsibility.

Due Dates for Blue Team:

Use Of Force/Response to Resistance	14 Days Corporal, Sgt., Lt.
Display of Force	14 Days Corporal, Sgt., Lt.
Pursuits	14 Days Corporal, Sgt., Lt.
AIR (Administrative Investigative Report)	14 Days Corporal, Sgt., Lt.

** All of the above investigations are routed through the chain of command to the Bureau Captain. The Captain will review them within 30 days and forward them directly to the Internal affairs Unit** SWAT and Canine will refer to their individual unit manuals.*

I. Administrative Assignment: All Members Sworn and Non-Sworn directly involved in a use of deadly force or response to resistance that results in death or any force likely to cause death, shall be considered to be on administrative assignment immediately. This includes injuries from an intentional vehicle crashes and/or vehicle maneuvers that result in death or are likely to cause death. (Refer to GO 41.4 Vehicle Pursuits). For crashes that do not meet the aforementioned criteria refer to GO 61.7 Department Traffic Crashes and Incidents and Vehicle Damage Investigations. [CALEA 4.2.3]

1. This assignment shall not be interpreted to imply or indicate that the member has acted improperly.
2. While on administrative assignment, the member shall be subject to recall and shall remain available during business hours for official Department interviews regarding the deadly force incident.
3. The member shall not discuss the incident with anyone except the appropriate Department personnel, State Attorney's Office, Department's (or other) licensed mental health professional, member's private attorney, union representative, clergy, FDLE Investigators, and member's immediate family

4. An administrative assignment shall be for a period of no less than 60 days to allow the member adequate time to mentally and emotionally recover from the traumatic event(s). During the first seven (7) calendar days of an administrative assignment, the member will be on a “no work” status. Any extension of duration in the initial 60-day assignment will require a verbal communication between the Chief of Police/his designee and the affected member. This primary postponement conference shall take place prior to the original 60 day assignment elapsing. Thereafter, any further prolonging of the administrative assignment shall occur in 30-day cycles, with verbal explanations afforded to the affected member in each situation by the Chief of Police/his designee prior to the 30-day timeframe ending.

i. The exception to the duration of this assignment would be in the event of an actual death of a person wherein the return to full duty status will only occur after a “No True Bill” determination by the Grand Jury of the 8th Judicial Circuit or if the State Attorney of the 8th Judicial Circuit finds no articulable legal concern to approach the Grand Jury and formally communicates this finding to the Chief of Police.

ii. During any administrative assignment, the Department will actively attempt to accommodate scheduling, training, and temporary placement requests from the affected member so as to minimize the impact of the disruption of the member’s normal duty responsibilities.

iii. The limitations of the administrative assignment will include

a. The member will not wear the Department uniform.

b. The member will not operate a marked Department vehicle.

c. The member shall not take proactive police action unless exigent circumstances require a duty to immediately react.

d. If an emergency response to a critical incident (weather/major catastrophe) warrants all sworn on duty members to respond. The member will work as part of a task force or response team and not act alone.

J. Counseling: When a person has been injured or killed as a result of deadly force used by a sworn member, the involved member(s) will be required to undergo a debriefing by a licensed mental health professional provided by the Department as soon as possible, usually within 24 hours of the incident.

1. The purpose of this debriefing will be to allow sworn members to express their feelings and to deal with the moral, ethical, and/or psychological aftermath of the incident.

2. The debriefing shall not be related to any Department investigation of the incident, and nothing discussed in the debriefing will be reported to the Department.

3. The debriefing session will remain protected by the privileged licensed mental health professional-patient relationship.

4. The department member may utilize the services of the Mental Health Professional contracted by the department assigned to the CISM Team, as outlined in [General Order 36.1](#).

K. Incident Review / Formal Procedure: [CALEA 4.2.2]

1. Florida Department of Law Enforcement (FDLE): FDLE will conduct a thorough investigation of every response to resistance incident that involves the intentional discharge of a firearm and/or results in death or intended to cause death.

2. Office of Internal Affairs: The Office of Internal Affairs will conduct the following:

a. An investigation (subordinate to any criminal investigation) whenever there is a use-of-force incident that may be in violation of policy. A detailed report will be submitted to the Chief of Police.

a. An administrative review of all incidents involving a discharge of firearm. A detailed report will be submitted to the Chief of Police.

L. Display of Force: Anytime a Sworn Department Member points their firearm. If the Taser is drawn and activated or a member points their Taser (activated or not) at an individual, a display of force must be completed in Blue Team.

1. Drawing/Displaying of Firearms: Sworn members are authorized to arm themselves with an issued or approved firearm during tactical situations when the circumstances indicate the employee should be prepared to immediately defend him/herself in a tactical situation; For example, while conducting a building search or compound searches, conducting searches in wooded areas, during a high risk stop, holding a perimeter position, etc.

Employees shall not, however, needlessly or recklessly draw or display any firearm in public or in the presence of others when there is no tactical necessity.

2. Documentation of Display of Force- Member's Duties: Any time a member points their firearm, a display of force must be completed in Blue Team. If the Taser is drawn and activated or a member points their Taser (activated or not) at an individual, their actions shall be documented in an Incident Report or Supplement Report. If for some reason an incident report is not warranted for the incident, a Field Interview Report (FI) will be generated utilizing a Display of Force selection, as appropriate.

3. Supervisor Review: A supervisor, primarily a Sergeant, Acting Sergeant, shift commander Lieutenant, or Acting Lieutenant, shall complete a Display of Force entry in Blue Team within 14 days from the incident. After the primary Lieutenant or acting Lieutenant reviews the display and determines that it was within policy, he/she should route their review directly to IA. (For example, an officer points their firearm at a suspect, the suspect complies, is not injured and there is no other response to resistance).

4. If the display of force escalates to an actual use of force, the Lieutenant or Acting Lieutenant must submit the review to the Captain or Acting Captain of the bureau with any comments and whether the incident with the comments are approved or disapproved within 14 days after receipt.[CALEA 4.2.2]
5. 14 days after receipt by the Captain or Acting Captain, they must submit a Response to Resistance report in Blue Team with comments and approval or disapproval to the Internal Affairs Unit and copy the Assisting Chief of their findings.
6. If you are acting in one of the following ranks, Corporal, Sergeant, Lieutenant, or Captain during the date and time of the incident, it is your responsibility to conduct a review of the incident and forwarding all completed administrative reviews in Blue Team to the appropriate member in the chain of command. If an incident occurs on your watch, it is your responsibility.
 - a). If a supervising, or acting supervisor member reviews a Response to Resistant pursuit, or display of force, where misconduct is evident the corporal, sergeant, lieutenant, or captain, identifying the misconduct will complete an AIR and submit it within 14 days.
 - b) If an AIR is completed for a Response to Resistance, Pursuit, or display of force, a Blue Team entry still needs to be completed and in the narrative an explanation needs to accompany the completed AIR and forwarded to Internal Affairs. The process needs to be completed within 14 days.
7. In circumstances where multiple officers point firearms at a subject or multiple subjects, one Display of Force entry in Blue Team will be completed and include the other involved officers in the entry.
 - a) The most common circumstance of this nature is a high-risk traffic stop where multiple officers point firearms at the vehicle occupant(s). However, if one of those officers subsequently uses additional force beyond pointing of a firearm during the course of that situation, a Response to Resistance Summary will need to be completed and the Display of force will be identified in that report. Only one Blue Team entry is needed in those circumstances under the Response to Resistance Summary and is reported within the 14 day time frame.

SWAT is exempt from this requirement as an After Action Report/Summary is completed within their operations bureau and the information is captured in their reports. **

M. Reports/Analysis: Office of Internal Affairs will conduct the following:

1. On a monthly basis the Internal Affairs Commander will submit any response to resistance incidents that result in death, serious bodily injury or involve the discharge of a firearm at or in the direction of a person into the Florida Incident Base Reporting System, (FIBRS), managed by the Florida Department of Law Enforcement. The database maintains data for all participating law enforcement agencies and compiles statistical data for qualifying events.
2. Forward administrative use-of-force reviews to the Training and Education Division.
3. A comprehensive use-of-force annual report shall be completed by the Internal Affairs Division. The report will be placed on the department's internet page for public access and review. The completed report will be published no later than the first quarter of the calendar year immediately subsequent to the year reviewed.

At the end of each year, Internal Affairs shall conduct an analysis of all use-of-force incidents that occurred during that calendar year. This process will determine if there is a pattern or trend that may indicate training needs or policy modifications, and shall be formalized into a report. The analysis shall be completed in conjunction with the Training and Education Division. The report shall be completed and submitted to the Chief of Police on an annual basis.

The analysis shall identify the following:

- i. Date and time of incidents; [CALEA 4.2.4.a]
- ii. Types of encounters resulting in response to resistance; [CALEA 4.2.4.b]
- iii. Trends or patterns related to race, age, and gender of subjects involved; [CALEA 4.2.4.c]
- iv. Trends or patterns resulting in injury to any person including employees; [CALEA 4.2.4.d] and
- v. Impact of findings on police practices, equipment, and training [CALEA 4.2.4.e].

4. Assault on Sworn Officer Review: Annually, the Professional Standards Branch shall conduct a review of all assaults on law enforcement officers to determine trends or patterns, with recommendations to enhance officer safety, revise policy or address training issues. [CALEA 4.2.5] The review shall be done in conjunction with the Training and Education Division.

Criminal Investigations Division: CID will investigate any crime that contributed to an officer's use of deadly force. The actual use of deadly force or in custody death investigation will be referred to the Florida Department of Law Enforcement (FDLE).

By Order of

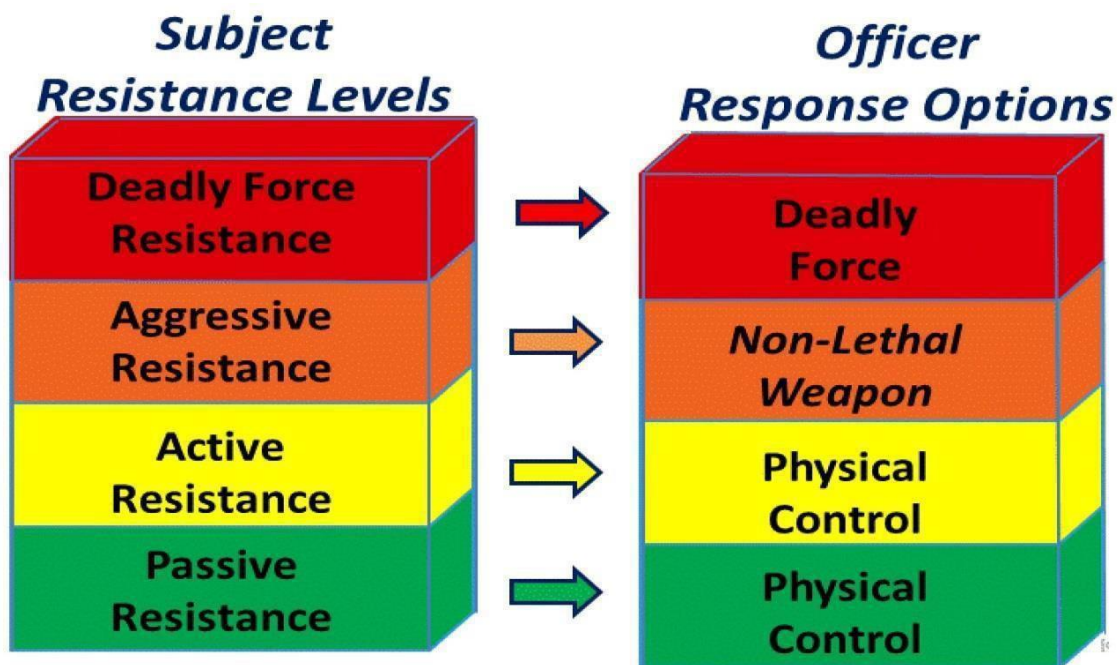
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Accreditation Section

Nelson Moya
Chief of Police

Attachment A

General Order 1.5 Response to Resistance Addendum

**There are four categorized Subject Resistance Levels with three corresponding Officer Response Options.



Graham v. Connor is still the standard against which we are measured

Subject Resistance Levels

Resistance levels are not intended to be matched with response options. They are descriptions of behavior that suggest a particular threat level.

Passive Resistance is a subject's verbal or physical refusal to comply with an officer's lawful direction

Active Resistance is a subject's use of physically evasive movements directed toward the officer such as bracing, tensing, pushing, or pulling, to prevent the officer from establishing control over the subject.

*Generally a non-personal threat where the subject intends to overcome the officer's authority

Aggressive Resistance is a subject's attacking movements directed toward an officer that may cause injury but are not likely to cause death or great bodily harm to the officer or others.

*A personal threat where an officer perceives the subject intends to harm the officer or another person

Deadly Force Resistance is a subject's hostile, attacking movements with or without a weapon that create a reasonable perception by the officer that the subject intends to cause and has the capability of causing death or great bodily harm to the officer or others.

Officer Response Options

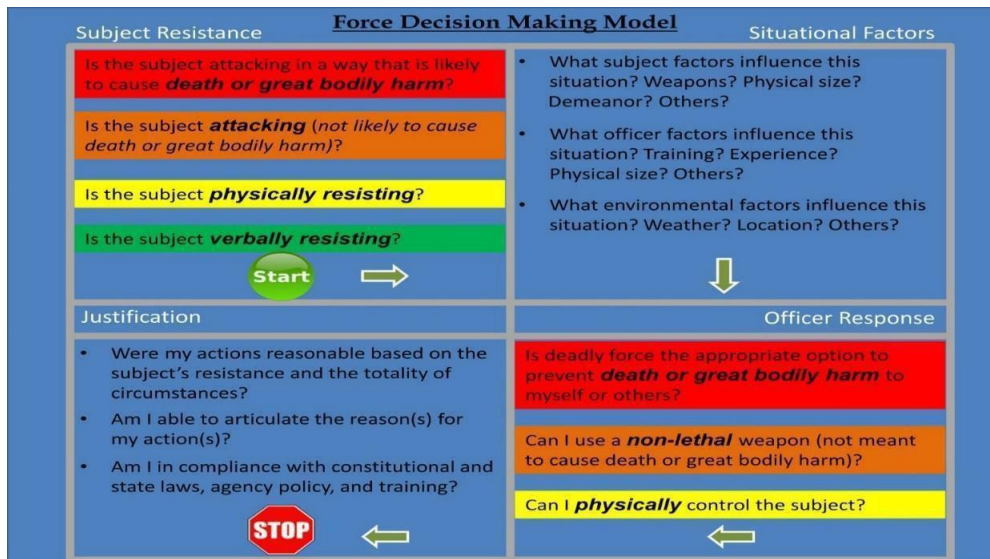
There may be more than one officer response option in dealing with perceived resistance. Officers need not apply force in gradually increasing steps to justify physical control or even deadly force. Instead, officers should base their decisions on the totality of the circumstances.

Physical Control is achieving compliance or custody by using empty-hand or leverage-enhanced techniques, such as pain compliance, transporters, restraint devices, takedowns, and striking techniques.

Non-Lethal Weapon is a weapon not fundamentally designed to cause death or great bodily harm.

Deadly Force is an action likely to cause death or great bodily harm.

* Deadly Force may be an officer's first and only appropriate response to a perceived threat. Deadly force does not necessarily mean that someone died from the force used. It can cause great bodily harm or no harm at all.

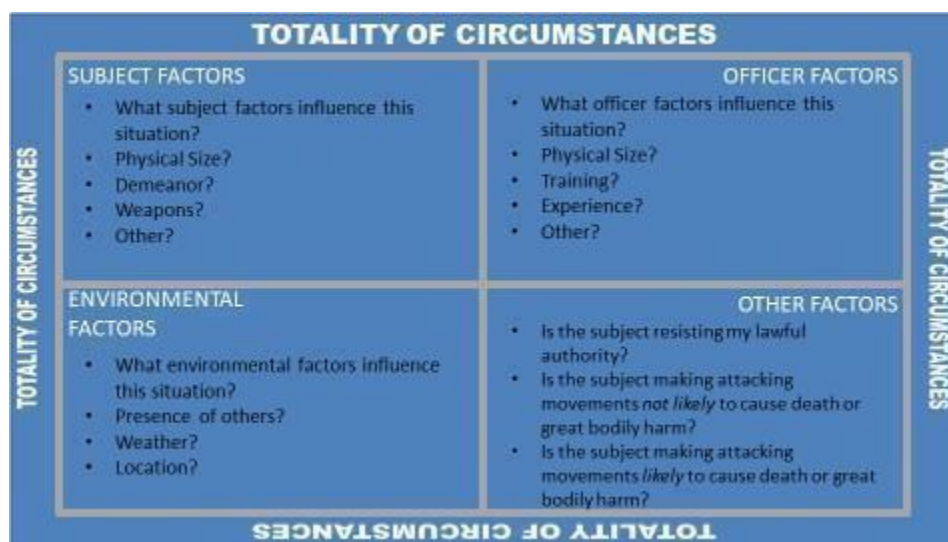


Applying the Force Guidelines Decision Making Model

The Force Guidelines provide a framework for making decisions involving the **reasonable** response to resistance by criminal justice officers. The structure of the Force Guidelines is based on constitutional considerations and case law and describes appropriate decision making in a fluid and dynamic situation.

The Guidelines consider the relationship between the resistance and various situational factors in determining the officer's response options.

The above model does not require matching a subject's level of resistance with an exact response option; but rather gives officers the latitude to choose a force response that he or she reasonably believes is appropriate based on an assessment of the **totality of the circumstances** the officer is facing.



Methods of Application

Officers are expected to take decisive and effective action. When feasible, practical, and tactically sound, officers should attempt to resolve all potential response to resistance incidents with non-physical measures.

However, once it is apparent to an officer that force is going to be required for the officer to safely perform their duties, then the force that is **reasonable** and **necessary** should be delivered in a decisive and effective manner, followed up by appropriate controlling techniques in order to:

- End the confrontation as quickly as possible
- Reduce the risk of injury to all parties

- Prevent the situation from escalating to higher levels of resistance and response
- **Establish Control** – The primary purpose for the response to resistance by law enforcement is to overcome resistance and/or establish control over the subject(s) who is resisting or creating the threat of physical harm to the officer or another person.
- **Escalation** – In the process of responding with an appropriate level or type of force to overcome a resisting subject, or detain a subject when force is justified, ***it is not a requirement to go step-by-step through the levels of response.*** Officers are justified in responding with force that is deemed reasonable and necessary at the time to overcome resistance, defend against assault and/or achieve control.
- **De-escalation of Force** – Once control has been gained in a situation, officers shall de-escalate their response to resistance as soon as practical to a point no greater than what can be reasonably be expected to maintain control over the subject to accomplish lawful objectives.
 - When resistance de-escalates, so must the officer's response
 - De-escalation is every officer's responsibility