


GENERAL ORDER	ISSUE DATE: June 1, 2004	NO. 600 - 10
JACKSON POLICE DEPARTMENT 	REFERENCE: Supersedes all prior departmental directives on this subject.	
SUBJECT: USE OF FORCE		

I. PURPOSE:

This General Order establishes the guidelines for use of deadly and non-deadly force by officers of the Jackson Police Department acting in their official capacity.

II. DEFINITION:

- A. "Deadly force" is defined as any force which the officer uses that may result in death or serious bodily harm.
- B. "Serious bodily harm" is a bodily harm that:
 - 1. Creates a substantial risk of death.
 - 2. Causes serious or permanent disfigurement; or
 - 3. Results in long-term loss or impairment of the functioning of any bodily member or organ:
- C. "Probable cause" is reasonable cause which would induce a reasonable intelligent and prudent man to believe that a cause of action existed.
- D. A "non-deadly force" is any use of force other than deadly force.

III. NON-DEADLY FORCE:

Officers of the Jackson Police Department shall use only the amount necessary to effect an arrest or to control a person. The objective is to overcome resistance offered by an offender or violator, to secure the offender, prevent escape, effect recapture, or protect the officer or others from serious bodily harm. The amount of force used must be weighed against the totality of the circumstances in determining whether the use of force is objectively reasonable.

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A. Rules:

1. When the need for force arises, an officer should demonstrate sensitivity, sound judgment, and knowledge of the law in using that amount of force required in the discharge of his/her duties.
2. In making a lawful felony arrest, an officer may use only that amount of force necessary to overcome resistance, secure the prisoner, prevent escape, effect recapture, or protect him/herself or others from serious bodily harm.
3. In making a lawful misdemeanor arrest, the officer may use only that force necessary to consummate the arrest, short of deadly force.
4. Officers are prohibited from carrying slapjacks, sap gloves or any other offensive type of instrument, which is not department issued or authorized by the Chief of Police.
5. Officers certified to carry a Department issued impact weapon, shall use that weapon only in accordance with techniques taught in the certification course for that impact weapon.
6. Any officer who employs the use of force or takes any action that results in or is alleged to have resulted in injury or death of another person shall complete the Use of Force Report and other required reports and submit them to their immediate supervisor prior to the end of their tour of duty.

B. Use of OC Aerosol Restraint Spray

1. The current department issue OC spray shall be carried by all investigative and patrol operations personnel in a department issued carrier. The exception to this is sworn personnel assigned to staff functions, unless working a function which requires full duty gear, or officers working in an undercover capacity.
 - a. OC Aerosol Restraint Spray may be carried while off-duty and used according to the guidelines of this order.
2. OC Aerosol Restraint Spray may be employed by trained personnel in the following situations:
 - a. To effect custody during a lawful arrest of subject(s) who physically resist or threaten to physically resist, i.e., assuming an aggressive posture and does not comply with verbal requests.

- b. To defend oneself against attack.
 - c. To defend another officer or citizen from attack.
 - d. To defend an officer or citizen from an animal attack.
3. OC Aerosol Restraint Spray will not be used:
- a. Against passive demonstrators at a public demonstration.
 - b. Against individuals who are holding infants or small children.
4. Once a suspect is incapacitated or restrained, the use of OC is no longer justified.
5. An officer may use deadly force to protect himself/herself from the use or threatened use of OC when the officer reasonably believes that deadly force will be used against him if he becomes incapacitated.
6. Effects of OC and Decontamination:
- a. The effects of OC vary among individuals. Therefore, all suspects shall be handcuffed as soon as possible after being sprayed. Officers should also be prepared to employ other means to control the suspect to include, if necessary, other force options consistent with agency policy if the suspect does not respond sufficiently to the spray and cannot otherwise be subdued.
 - b. Immediately after spraying a suspect, officer shall be alert to any indications that the individual needs medical care. This includes, but is not necessarily limited to, breathing difficulties, gagging, profuse sweating and loss of consciousness. Upon observing these or other medical problems or if the suspect requests medical assistance, the officer shall immediately summon emergency medical aid.
 - c. Suspects that have been sprayed shall be monitored continuously for indications of medical problems and shall not be left alone while in police custody.
 - d. Persons coming into contact with OC Spray should be treated as soon as possible with exposure to fresh air (face into the wind, fan, etc.) or rinsing with cold water.

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- e. Suspects who have been sprayed with OC will be transported to the JPD Holding Facility as soon as possible.
 - f. JPD Holding Facility personnel shall decontaminate all suspects who have been sprayed with OC. They shall also monitor the suspect(s) for one hour for adverse reactions to the spray.
 - g. Assistance shall be offered to any individuals accidentally exposed to OC spray who feel the effects of the agent. All such incidents shall be detailed in the officer's offense report.
7. Reporting
- a. Whenever OC is used on a suspect, the officer(s) shall note on the field arrest report that OC was used on the suspect. This is to notify holding/jail personnel to monitor the suspect for after effects.
 - b. Accidental discharges as well as intentional use of OC spray will be reported to the officer's immediate supervisor as soon as possible.
 - c. A Use of Force Report will be completed following all discharges of OC spray except during testing, training, malfunction or accidental discharge.
8. Certification / Re-certification
- a. Recruits will be certified on the use of OC Aerosol Restraint Spray while attending the police academy
 - b. Officers will be re-certified every two years. Certified OC Aerosol Restraint Spray Instructors will conduct re-certification during in-service training at the Police Academy. The director of the academy will schedule re-certification training. Certification Records will be maintained and updated by police academy personnel.

IV. DEADLY FORCE:

Officers of the Jackson Police Department may use deadly force only when the action is in defense of human life, including the officer's own life, or in defense of any person in immediate danger of serious bodily harm.

A. Rules:

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1. All discharge of firearm is deadly force.
2. An officer may use *deadly* force only when he/she has probable cause to believe that:
 - a. Deadly force is necessary to prevent imminent death or serious bodily harm to himself/herself or others, or
 - b. The person to be arrested is a fleeing felon who presents an imminent threat of death or the infliction of serious bodily harm to the officer or any other person.
3. Officers shall not fire at those suspected of committing misdemeanors, nor fire upon persons caught in suspicious circumstances who are not armed and who are not resisting or confronting the officer or any other person, but are merely fleeing from the officer

B. Officers shall not draw or display their weapon unless:

1. There is a threat or probable cause to believe there is a threat of serious bodily harm or death to the officer or others.
2. For qualification at the firing range.
3. For inspection.
4. For other law enforcement purposes.
5. Officers are prohibited from discharging their firearms in the following situations:
 - a. Firing into or over the heads of crowds.
 - b. As warning shots.
 - c. To subdue an escaping suspect who presents no imminent threat of death or serious bodily injury.
 - d. To fire toward the driver of a moving vehicle except when every reasonable means of defense has been exhausted and the officer's life or the life of innocent citizens would be in imminent danger if the threat is not immediately halted.
 - e. From a moving vehicle.

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- f. When doing so will injure innocent person.
 - g. Do not shoot at vehicles, including tires.
- 6. Officers are authorized to discharge their weapon at a dangerous animal when:
 - a. It is an act of self-defense.
 - b. When the animal is crating a potentially life threatening hazard to the officer or others.
 - c. When the animal is so badly injured that humanity requires its relief from further suffering.
- 7. Any officer who employs non-deadly or deadly force shall:
 - a. Immediately take all measures to render the situation safe and provide/summon medical assistance for the injured.
 - b. Notify communications of the situation.
 - c. Request additional units to assist in protecting the scene and detain witnesses.
 - d. Contact a supervisor to respond to the scene.
- 8. The Homicide Unit and the Internal Affairs Unit shall conduct simultaneous investigations in all incidents where deadly force is employed.

C. DEPARTMENT ACTION:

- 1. In any case where a Jackson Police Officer, in the line of duty, takes action, which results in serious bodily injury or death of another person ^{the} Chief of Police shall:
 - a. Place the officer on administrative leave for an appropriate period of time, if deemed appropriate.
 - b. Cause an internal affairs investigation to be made of the incident either separate from or parallel to any other investigation being made.

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c. Require the officer to attend stress counseling from a qualified, licensed professional experienced in the area of psychiatric and/or psychological evaluation. Evaluation results, comments, and recommendations made therein shall be considered by the Chief of Police before allowing the officer to return to active enforcement duties.

d. Any other action deemed appropriate for the protection of the officers, the department, or the city.

D. POST-INCIDENT ADMINISTRATIVE PROCEDURE:

1. Any officer directly involved in a *deadly force* incident, which has resulted in the loss of life, may be placed on administrative leave after investigators have determined that the officer's assistance is no longer required and he/she has completed the required reports.
2. While on administrative leave, the officer shall remain available at all times for official department interviews and statements regarding the shooting incident. The officer is subject to recall to duty at any time after being placed on administrative leave, and is subject to all orders, policies and procedures of this Department.
3. The officer should not discuss the incident with anyone except his or her attorney, departmental personnel who are assigned to the investigation, the officer's psychologist, the officer's chosen clergy, and his or her immediate family members.

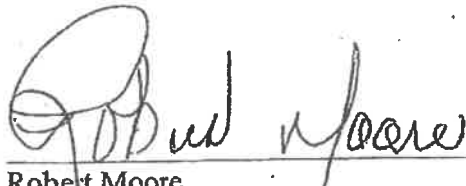
E. POST-INCIDENT DEBRIEFING/COUNSELING:

1. In all cases where any person has been injured or killed as a result of firearms discharged by a Jackson Police Officer, the officer involved will be required to undergo a debriefing with the Employee Assistance Program (EAP) Counselor as soon as possible or within 48 hours of the incident.
2. The purpose of this debriefing will be to allow the officer to express his or her feeling and to effectively deal with the moral, ethical, and/or psychological aftereffects of this incident. The debriefing shall not be related to any departmental investigation of the incident and the staff psychologist will report nothing discussed in the debriefing to this agency.


IV. REPORTING USE OF FORCE:

- A. When an officer uses force of any kind or degree that results in or is alleged to have resulted in injury of another person during the discharge of his/her duties, he/she shall immediately notify his/her immediate supervisor and request said supervisor's presence at the scene. The officer shall complete the Use of Force and submit it to his/her immediate supervisor prior to the end of the tour of duty.
- B. The supervisor shall review the officer's Use of Force Report for completeness and compliance with departmental policy and procedures. The supervisor shall then forward the report to the Internal Affairs Unit as well as copies to the Commander and Deputy Chief of the involved officer(s) and the Chief of Police
 - 1. Once notified the supervisor shall proceed, without delay, to the scene and initiate an investigation of the incident involving the use of force. The supervisor shall:
 - a) Make every possible effort to see that adequate medical attention is provided to all injured parties.
 - b) Coordinate protection of the scene and identification of the witnesses.
 - c) Secure written statements concerning the entire incident from the officer(s) involved, other participating officers, and witnesses.
 - d) View, question and photograph the subject's injuries against whom the force was used and acquire a written statement from said individual if possible.
 - e) Photograph injuries of officers involved.
 - 2. In a case of serious bodily injury or death the supervisor shall:
 - a) Summon a Homicide Unit to the scene.
 - b) Summon an Internal Affairs Unit to the scene.
 - d) Notify the Commanding Officer of the precinct in which the incident occurred.
 - e) Notify the Police Information Officer.

- f) Notify the commanding officer of the officer involved.
 - g) Make notification as required by General Order 200-11.
3. Prior to the end of the tour of duty, the investigating supervisor shall forward a preliminary report through the chain of command to the Chief of Police.
- a) Within five (5) days of the incident, the investigating supervisor shall make a thorough written report and forward it through the chain of command to the Chief of Police.
 - b) Said report shall include findings of facts, conclusions drawn from same, and any appropriate recommendations.
4. The investigating supervisor shall forward a copy of the preliminary report to the Internal Affairs Unit.
5. All Use of Force reports will be maintained and filed in the Internal Affairs Unit.


Robert Moore
Chief of Police

07-01-04
Date

GENERAL ORDER	ISSUE DATE: March 27, 2007 REVISED DATE: July 28, 2016	NO. 600-11
JACKSON POLICE DEPARTMENT 	REFERENCE: Supersedes all prior departmental directives on this subject.	
SUBJECT: "TASER" POLICY		1.16

I. PURPOSE

The purpose of this order is to establish policies for the use of the Taser X2 by officers of the Jackson Police Department. "TASER" is the only brand of Conducted Electricity Weapon (CEW) authorized for use by JPD officers and the uses is governed by this directive.

A. User of TASER

1. Authorized Use:

Only officers who have completed an approved CEW User course and who have demonstrated proficiency may carry or deploy the Taser X2. No other CEW brand, model or style may be carried or deployed by JPD officers.

- a. JPD personnel who are Certified Taser Instructors shall utilize the Taser® International lesson plan and accompanying PowerPoint (version 13.0) presentation to conduct an initial 6-hour class of instruction. 1.16a
- b. It is the recommendation of JPD that all officers who are certified in the use of the Taser shall be exposed.
- c. Re-certification of user shall occur annually and address, at a minimum, physical competency and device retention, change in department policy, technology changes, and reviews of locals and national trends in Taser use.
 1. Documentation of certification and recertification shall be listed in accordance with department policy 1.16b
 2. During recertification, any user that fails to demonstrate knowledge of operations and techniques is required to attend remedial training. 1.16c
 3. If the user fails to demonstrate knowledge of operations and techniques during remedial training, the Taser instructor shall confiscate the Taser until knowledge of the unit is demonstrated. 1.16d
- d. Tasers shall be regulated while officers are off-duty in the same manner as their assigned firearms (including storage, transportation, use, etc.)
- e. Officers that carry a baton and/or Oleoresin Capsicum (OC) Aerosol Restraint Spray may in addition carry a Taser. Tasers will not be the only intermediate weapon carried by officers.

2. Methods of Carry

- a. The Taser shall be carried by JPD personnel in a Taser-approved holster, on the "support side only." Support side only carry is designed to lower the risk of drawing the wrong weapon under stress.
- b. Special Weapons and Tactics (SWAT) members may carry the Taser on their tactical vest inside a zippered or Velcro case. (SWAT members may also carry the Taser as described above in Section a).
- c. Officers shall routinely demonstrate proficiency the ability to draw and re-holster the Taser from the support side.
- d. Officers shall check the condition of their assigned Taser at the beginning of every shift in accordance with Taser recommendations to ensure the device is operating properly. All maintenance issues shall be immediately reported to the officer's supervisor.
- e. Maintenance of all Tasers is the sole responsibility of Taser® International using the 1-year warranty, unless an extended warranty has been purchased with each device.

3. Probe Removal Policy

- a. JPD personnel who are certified Taser operators shall follow the below procedure when removing Taser Probes from suspects.
 - Prior to removal of probes, rubber gloves and other appropriate personal protective equipment should be worn.
 - Break wires attached to the probes, leaving approximately 7" to 9" wire.
 - Remove probes from suspect. (Note: treat probes that penetrated the body as biohazard or contaminated needles).
 - Using the expended cartridge, dispose of the probes in the small holes on the front of the expended cartridge.
 - The probes may then be secured by pulling the rubber gloves over the expended cartridge, and tying or taping the glove.
 - Place cartridge and any other contaminated material in a "Sharp-Trap" and dispose of according to biohazard policy.
 - Only medical staff will remove probes embedded in sensitive tissue areas such as neck, throat, face, breast and groin.

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4. Medical Considerations

- a. All persons who have been exposed to Taser activation should be monitored regularly while in custody, even if medical care has been administered.
- b. Following Taser activation, officers should use a restraint technique that does not impair respiration.
- c. Officers should avoid firing darts at a subject's head, neck and genitalia.
- d. Tasers should not generally be used against pregnant women, elderly persons, young children, and visibly frail persons unless exigent circumstances exist.
- e. Any individual receiving more than three (3) standard 5-second cycles from a Taser shall be transported to a medical facility for treatment and evaluation.

5. Taser Use of Force Schedule

- a. The Taser X2 is classified as an **Intermediate Weapon** as defined by the JPD-Approved PPCT Use of Force Model. While this level directly counters "Active Aggression" by a suspect, officers may use their judgment when using the "One Plus One" Theory, which is built into the PPCT Resistance/Control Continuum, to control "Defensive Resistance" suspects.
- b. Special attention should be afforded to the principle that officers may enter the continuum at any level that represents a reasonable response to the perceived threat posed by the subject.
- c. When a subject is armed with a Taser and attacks or threatens to attack an officer, the officer may defend himself with all necessary force to avoid becoming incapacitated and risking the possibility that the subject could gain control of the officer's firearm. When possible, the officer should attempt to move outside the device's range and then employ the appropriate tactics.
- d. Officers should be aware of the limitation of Tasers and be prepared to transition to other force options as need or circumstances dictate. Officers should consider the use of a "cover officer" armed with additional force options should circumstances dictate.

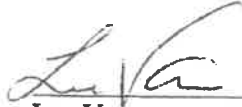
6. Tactical Considerations

- a. Tasers should not generally be used when a subject is in a location where a fall may cause substantial injury or death.

- b. Tasers should not be used in the known presence of combustible vapors and liquids or other flammable substances including but not limited to alcohol-based OC Spray carriers.
- c. Tasers should not be used against suspects in physical control of a vehicle in motion to include automobiles, trucks, motorcycles, ATVs, etc., unless exigent circumstances exist.
- d. When possible and prudent, an announcement should be made to the suspect or other officers that a Taser is going to be activated (i.e., "Taser, Taser!").
- e. Tasers may be used against aggressive animals.
- f. During the delivery of a "Drive Stun" Taser users shall not remove the Taser cartridge unless exigent circumstances exist.

7. Reporting Procedure

- a. Any time the Taser is utilized in either the Drive Stun mode or the cartridge is fired at a suspect, the officer's supervisor shall be notified as soon as possible. An accidental discharge shall also be reported immediately to the officer's supervisor.
- b. The use of the Taser shall be noted on the field arrest report, including the number of cycles and/or modes employed and any medical attention provided.
- c. A Use of Force Report along with an Offense Report shall be completed as soon as possible for all discharges of Tasers except during testing, training malfunction or accidental discharge.
- d. As necessary, JPD may interrogate any officer's usage of their Taser equipment to determine the number and types of Taser deployment.


Lee Vance
Chief of Police

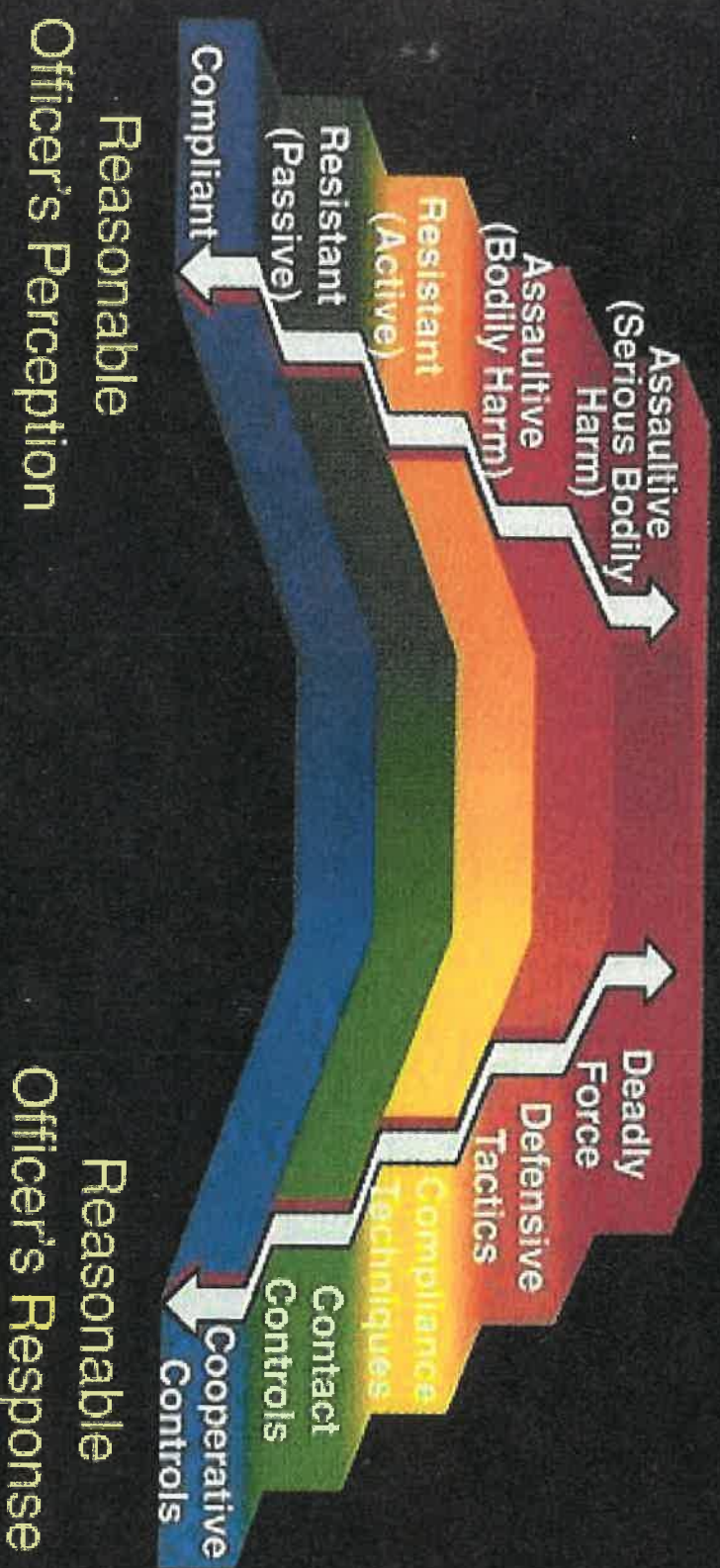
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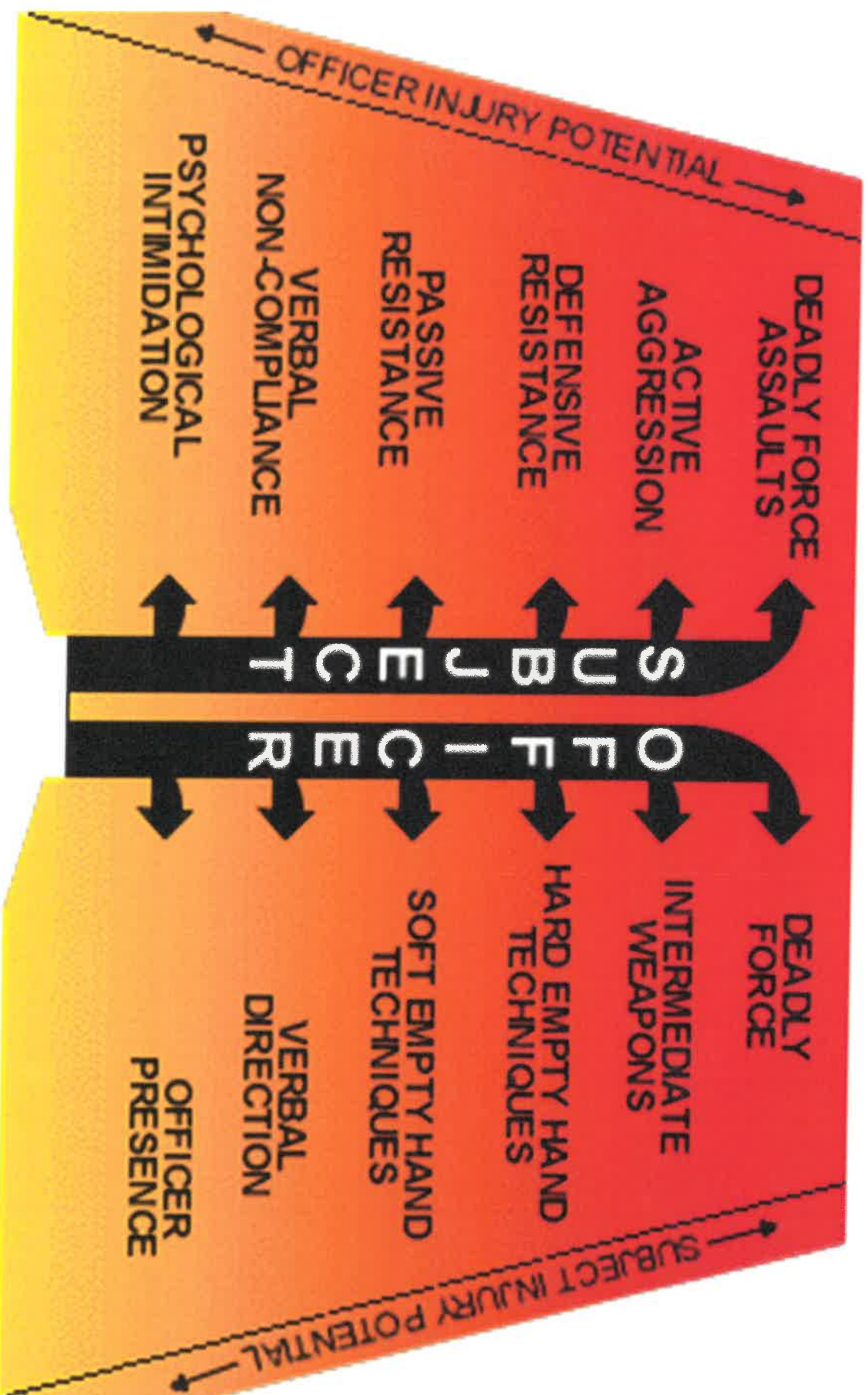
Use of Force

USE OF FORCE CONTINUUM:

- ☐ The purpose of any force use is to gain compliance
- ☐ Pain cannot be used to punish
- ☐ Police are allowed to use a higher level of force than the suspect

Use of Force





Subject may enter the continuum at any level.

Officer may enter at any level that represents a reasonable response to the perceived threat posed by the subject.

Resistance Control Continuum

Variables Affecting the Resistance Control Continuum

- Size and gender of officer and subject
- Totality of Circumstance
 - Danger to officer / others
 - Environmental conditions
- Reaction Time

Use of Force

Factors:

- Degree/extent of force
- Location/place
- Part of official duty
- Totality of circumstance

Factors:

- Severity of crime
- Was suspect immediate threat to officer/others
- Suspect resistance
- Evasion/fleeing

Use of Force

- **SEC. 11-46-9. Exemption of governmental entity from liability on claims based on specified circumstances.**
- (1) A governmental entity and its employees acting within the course and scope of their employment or duties shall not be liable for any claim:
- (a) Arising out of a legislative or judicial action or inaction, or administrative action or inaction of a legislative or judicial nature;
- (b) Arising out of any act or omission of an employee of a governmental entity exercising ordinary care in reliance upon, or in the execution or performance of, or in the failure to execute or perform, a statute, ordinance or regulation, whether or not the statute, ordinance or regulation be valid;
- (c) Arising out of any act or omission of an employee of a governmental entity engaged in the performance or execution of duties or activities relating to police or fire protection unless the employee acted in reckless disregard of the safety and well-being of any person not engaged in criminal activity at the time of injury;

THIS HINDERS YOU FROM SUING THE DEPARTMENT AND THE CITY OF JACKSON.

Use of Force

- **Assault (simple) on a Police Officer** **FELONY/Up to \$1000 Fine &/or Up to 5 Yrs in Pen**
97-3-7

Use of Force

- **Assault on Police Officer or Prosecutors (aggravated)**
97-3-7 **FELONY/Up to \$5000 Fine &/or Up to 30 Years Pen**