XYZ POLICE DEPARTMENT

SECTION 3.01

DEPARTMENT ROLE AND AUTHORITY

SUBJECT: Use of Force		
Issue Date:	**Effective Date:**	**Review Date:**
Amends/Rescinds GO:		**Distribution:** All Personnel
Per Order of: **Name of Police Chief/Sheriff/CEO**		**TCA:** **CALEA:** **TLEA**: 2.4; 2.4-A; 2.4-B, 2.4-C, 2.4-E, 2.4-G, 2.4-H. 2.4-I

This General Order is for departmental use only and does not apply in any criminal or civil proceeding. This General Order should not be construed as creation of a higher legal standard of safety or care in an evidentiary sense with respect to third party claims. Violations of this General Order will only form the basis for departmental administrative sanctions. Violations of law will form the basis for civil and criminal sanctions in a recognized judicial setting.

This policy was developed by the TACP and Attorney Eric Diagle and is only authorized to be shared with TN Law Enforcement agencies.

I. PURPOSE

To establish XYZ Police Department's guidelines and limitations concerning the appropriate and acceptable use of deadly and non-deadly force.

II. POLICY

It is the policy of the XYZ Police Department to value and preserve human life and to provide clear procedures to sworn officers regarding the use of force in the performance of their duties.

The main responsibility of Department officers is to protect the life and property of citizens. In compliance with applicable law, officers shall use only the amount of force necessary and reasonable to accomplish lawful objectives and to control a situation, effect an arrest, overcome resistance to arrest, or defend themselves or others from harm. When force is necessary, the degree of force employed should be in direct relationship to the amount of resistance exerted, or the immediate threat to the officers or others. There is a compelling public interest that officers authorized to exercise the use of force do so in an objectively reasonable manner and in a way that does not violate the civil rights guaranteed by our Constitution, the Tennessee Constitution, and

applicable law. Officers who use excessive or unjustified force degrade the confidence of the community that they serve, undermine the legitimacy of a police officer's authority, and hinder the Department's ability to provide effective law enforcement services to the community.

Officers who use excessive or unauthorized force shall be subject to discipline, up to and including termination, possible criminal prosecution, and/or civil liability. The use of force is only authorized when it is objectively reasonable and for a lawful purpose. Accordingly, the Department will thoroughly review and/or investigate all uses of force by officers to assure compliance with all legal requirements and this policy.

III. DEFINITIONS

Active Resistance: When a subject makes physically evasive movements to interfere with an officer's attempt to control that subject; including, but not limited to, bracing, tensing, pulling away, actual or attempted flight, or pushing.

Authorized Weapons: Weapons that meet Department specifications and officers are permitted to carry; and for which officers successfully complete proficiency and safety training.

Chokeholds: Any pressure or constriction to the neck, throat or windpipe that may inhibit breathing.

Critical Firearm Discharge: A discharge of a firearm by a XYZ Police Department officer to the extent such discharges are authorized under this policy (See General Order,3.07, Firearms Policy.) Range and training discharges, and discharges at animals are not included under this section.

Deadly Force (Also referred to as Lethal Force): Any physical force that can reasonably be expected to cause death or serious physical injury. Officers must understand that deadly physical force is an extreme measure and should only be used in accordance with the law and as stated in this policy and other policies governing the use of force.

De-escalation: A decrease in the severity of force used in an incident in direct response to a decrease in the level of resistance. De-escalation is also a tactic designed to place officers in a position of advantage when dealing with irrational, unpredictable, or suicidal persons. De-escalation helps officers stay focused and calm during crisis situation to bring chaotic moments to as peaceful a resolution as the suspect will afford without risking the safety of the officer or suspect.

Electronic Control Weapon: An incapacitating weapon used for subduing a person by administering an electric shock for the purpose of disrupting superficial voluntary muscle functions. This is an intermediate weapon and is classified as less lethal. The weapon

should only be used when an officer is met with a certain degree of resistance or aggression through either actions or words.

Exigent Circumstances: Those circumstances that would cause a reasonable person to believe that a particular action is necessary to prevent physical harm to an individual, the destruction of relevant evidence, the escape of a suspect, or some other consequence improperly frustrating legitimate law enforcement efforts.

Force: Any physical strike or instrumental contact with a person; any intentional attempted physical strike or instrumental contact that does not take effect; or any significant physical contact that restricts the movement of a person. The term includes the discharge of a firearm, or pointing a firearm at or in the direction of a human being, use of chemical spray, use of impact weapons, use of electronic control weapons (ECW), chokeholds or hard hands, taking of a subject to the ground, or the deployment of a canine. The term does not include escorting or handcuffing a person with minimal or no resistance. **Use of force** is lawful if it is **objectively reasonable** under the circumstances to effect an arrest, or protect the officer or other persons.

Hard Hand Control: Impact oriented techniques that include knee strikes, elbow strikes, punches, and kicks. Control strikes are used to subdue a subject and include strikes to pressure points such as: the common peroneal (side of the leg), radial nerve (top of the forearm), or brachial plexus origin (side of neck).

- Defensive strikes are used by officers to protect themselves from attack and may include strikes to other areas of the body, including the abdomen or head. Techniques in this category include pressure point controls, stunning or striking actions delivered to a subject's body with the hand, fist, forearm, legs, or feet. These techniques target the major muscle groups and are delivered to create muscle cramping, thereby inhibiting muscle action and allowing the officer to subdue the subject. In extreme cases of self-defense, the officer may need to strike more fragile areas of the body where the potential for injury is greater. The use of neck restraints, chokeholds, or other similar weaponless control techniques, however, are prohibited unless the use of deadly force is authorized.

Harm: Injury inflicted upon a person, whether visible or not.

Imminent Threat: An officer's reasonable perception of impending danger, death, or serious injury from any action or outcome that may occur during an encounter. A subject may pose an imminent or impending threat even if he or she is not pointing a weapon at the officer but has, for example, a weapon within reach, is running for cover carrying a weapon, or running to a place where the officer has reason to believe a weapon is available.

Impact Weapons: Department-approved tools that provide a method for gaining control of a subject when lethal force is not justified, but when empty-hand control techniques are not sufficient to effect control.

Less Lethal Force (Also referred to as Non-Deadly Force): Any force used by an officer that would not reasonably be expected to cause death.

Level of Control: The amount of force that an officer uses to gain control over a subject.

Level of Resistance: The amount of force used by a subject to resist compliance with the lawful order or action of an officer.

Neck Restraint/Hold (Also referred to as Vascular Neck Restraint): Refers to one of the following types of holds: (a) arm-bar control hold, which inhibits breathing by compression of the airway on the neck; (b) carotid restraint hold, which inhibits blood flow by compression of the blood vessels in the neck; (c) lateral vascular neck restraint; (d) a hold with a knee or other object to the back of a prone subject's neck. A neck restraint/hold shall be considered deadly force.

Non-Verbal and Verbal Non-Compliance: When a subject expresses his/her intentions not to comply with an officer's directive through verbal and non-verbal means. An officer may encounter statements ranging from pleading to physical threats. Such statements may also include physical gestures, stances, and subconscious mannerisms.

Objectively Reasonable Force: The degree of force used in effecting an arrest, investigatory stop, or other seizure is evaluated by using an objective, reasonable police officer standard. The reasonableness of each particular use of force will be judged from the perspective of a reasonable officer on the scene, based on the facts and circumstances known to and confronting the officer at the time. (See, *Graham v. Connor*, 490 US 388 (1989).) In determining the appropriate level of force to be used, officers shall evaluate each situation in light of the unique facts and circumstances of each case. Those factors include, but are not limited to, the seriousness of the crime or suspected offense; the level of threat or resistance presented by the subject; the risk or apparent attempt by the subject to escape; and whether the subject was posing an imminent threat to officers or others.

Oleoresin Capsicum (OC) Spray: An inflammatory agent that irritates the mucus membranes and eyes to cause tears and pain. It is an intermediate weapon that is classified as being less lethal. It should only be used, however, when an officer is met with a certain degree of resistance or aggression through either actions or words.

Passive Resistance: When a subject does not cooperate with an officer's commands but does not take action to prevent being taken into custody. For example, a protestor who lies down in front of a doorway and must be carried away upon arrest.

Reasonable Belief: Facts or circumstances that would cause a reasonable, similarly-trained police officer to act or think in a similar manner, under similar circumstances.

Serious Physical Bodily Harm/Injury: Serious bodily injury that creates a substantial risk of death, causes serious or permanent disfigurement, or results in long-term loss or impairment of the functioning of any bodily member or organ.

Soft Hand Control: The use of physical strength and skill in defensive tactics to control arrestees who are reluctant to be taken into custody and offer some degree of physical resistance. Such techniques are not impact oriented and include pain compliance pressure points, takedowns, joint locks, and simply grabbing a subject. Touching or escort holds may be appropriate for use against levels of passive physical resistance.

Verbal Commands: The use of advice, persuasion, warnings, and/or clear directions prior to resorting to actual physical force. In an arrest situation, officers shall, when feasible, give the arrestee simple directions with which the arrestee is encouraged to comply. Verbal commands are the most desirable method of dealing with an arrest situation.

Warning Shot: Discharging of a firearm for the purpose of compelling compliance from an individual, but not intended to cause physical injury.

IV. PROCEDURES

A. De-Escalation

1. Officers shall use advisements, warnings, verbal persuasion, and verbal instructions when possible before resorting to force.

2. The degree of force used, whether it is minimum or maxium, is dependent upon the situation facing the officer. Force shall be de-escalated immediately as resistance decreases to gain control and stabilize

3. When feasible based on the circumstances, officers will use disengagements; area containment; surveillance; waiting on a subject; summoning reinforcements; and/or calling in specialized units, in order to reduce the need for force and thereby increase officer, suspect and civilian safety.

4. Officers shall allow individuals time to submit to arrest before force is used, wherever possible.

5. When feasible, officers should practice tactical repositioning, in an attempt to lessesn the level of danger by moving to another location, increasing the distance between themselves and the suspect. By increasing the distance from the individual, an officer can greatly reduce the risk to their safety and can explore additional options before resorting to a use of force, notwishstanding the need to control the threat to others.

B. Use of Force Authorization and Limitations

Officers of the Department are authorized to use only the amount of force necessary to accomplish lawful objectives. (See, Graham v. Conner, 490 US 388 (1989). Force may be used:

1. To effect an arrest or prevent the escape from custody of a person whom the officer reasonably believes has committed an offense. (See TCA 39-11-620)
2. To defend the officer or others from the use, or imminent use, of physical force.
3. To take persons into protective custody when authorized by law, such as persons who are a danger to themselves or others, persons incapacitated by alcohol, and/or runaway children.
4. To prevent someone from committing suicide or inflicting serious physical injury upon themselves.
5. To assist a licensed physician or psychologist in providing necessary medical treatment.
6. To control a situation, and to overcome passive or active resistance to a lawful order.
7. To neutralize an unlawful assault and defend themselves or others from harm.

The authorized use of physical force ends when resistance ceases and/or the officer has accomplished the purpose necessitating the use of force. Justification for the use of force is limited to the facts known or perceived by the officer at the time such force is used, including levels of resistance, suspect's behavioral cues, the number of officers and/or offenders present, and the availability of other options.

Force shall never be used to subject a person to torture and/or other cruel or inhumane or degrading treatment or punishment.

C. Verbal Warning

When tactically feasible, an officer will identify him/herself as a police officer and issue verbal commands and warnings prior to the use of force. When feasible, an officer will allow the subject an opportunity to comply with the officer's verbal commands. A verbal warning is not required in circumstances where the officer has to make a split second decision, or if the officer reasonably believes that issuing the warning would place the safety of the officer or others in jeopardy. (See TCA 39-11-620).

D. Use of Deadly Force in Defense of Human Life

An officer is justified in using deadly physical force only when he or she reasonably believes such force is necessary to:

1. Defend the officer, or a third person, from the imminent threat of death or serious bodily injury.

2. Effect an arrest or prevent the escape from custody of a person whom they reasonably believe has committed, or attempted to commit a felony involving the infliction or threatened infliction of serious physical injury; AND the officer reasonably believes this person still poses a significant threat of death or serious physical injury to the officer or other persons. Where feasible, the officer should give warning of the intent to use deadly physical force.

   See, *Tennessee v. Garner*, 471 U.S.1, 85 (1985.) (Also see TCA 39-11-620): The United States Supreme Court ruled that the use of deadly force to prevent the escape of a suspected felon violates the Fourth Amendment prohibition against unreasonable seizure if used against an apparently unarmed, non-violent suspect (the case involved a burglary suspect). The Supreme Court further stated that deadly force may be used against an offender who has attempted or committed an offense involving the infliction or threatened infliction of great bodily harm. Deadly force may not be used against an unarmed, non-violent, property crime offender. The United States Supreme Court decision went on to state that when an officer is justified in the use of deadly force he will, if feasible, first give a verbal warning. (Example: "Police Officer, Halt").

E. Deadly Force Restrictions

1. Warning Shots ProhibitedOfficers are prohibited from discharging their firearms as a means of warning or compelling compliance from a person.

2. Shooting at or from Moving Vehicles

   XYZ Department Officers are prohibited from discharging their firearms at or from a moving vehicle, motorcycle, or bicycle (collectively, "moving vehicle") unless officers reasonably believe deadly force is necessary to defend the officer or a third person from the use, or imminent use, of deadly force. Officers shall, as policy , avoid tactics that could place them in a position where a vehicle could be used against them. When confronted with an oncoming, moving vehicle, officers should attempt to move out of its path, when possible, and should generally avoid placing themselves in situations where the use of deadly force is more likely.

3. Risk to Innocent Bystanders

   When officers are about to discharge their firearms they should be aware of their field of fire, including the backdrop, so as to avoid creating an unnecessary, substantial risk of harm to innocent persons. Officers are prohibited from discharging their firearms when, based on the totality of the circumstances, discharging a firearm would constitute a greater risk to innocent human life than the risks posed by the subject's actions. *(i.e. discharging a firearm into a crowd, or shooting into a building or through a wall, where the subject is not clearly identified and it is unknown if there are other occupants present.)*

4. Drawing and Pointing Firearms

   Officers are prohibited from drawing and pointing their firearms at or in the direction of a person, absent an objectively reasonable determination that the situation may escalate to the point where deadly force would be authorized under this policy. When it is determined that the use of deadly force is not necessary, officers shall, as soon as practicable, secure or holster their firearms. It is the policy of the XYZ Department that drawing a firearm and pointing it at a person is considered a use of force and must be documented in a report. Drawing and displaying a firearm does not constitute a use of force incident and does not require a report.

5. Use of Firearm to Euthanize Animals

   Officers may euthanize an animal that represents a threat to the officer or to public safety. Whenever possible, officers should seek the permission of their supervisor prior to euthanizing a dangerous animal.

   Euthanization may also be used as a humanitarian measure, where an animal is seriously injured and humaneness demands its immediate removal from further suffering. Officers should seek the authorization of their supervisor and, whenever practical, authorization from the animal's owner.

6. Use of Department Weapons for Training and Other Purposes

   Officers may discharge their firearms for the purpose of practice, firearms training, when on the police range or other established shooting ranges, or when authorized by the [Insert Agency CEO] to participate in law enforcement competition events.

7. Use of Firearms While Under the Influence of Alcohol and/or Drugs

   Officers shall not carry or use any firearms or weapons while impaired by alcohol, drugs, or any other medical condition that might interfere with their judgment or proficiency.

8. Security, Storage, and Safe Handling of Firearms

   Officers shall be trained in accordance with Department guidelines and shall obey all safety rules when handling any firearm or any other weapon. No person other than XYZ Police Department Officers shall be permitted access to any Department-owned firearm, with the exception of; police officers from other jurisdictions in the official performance of their duty; for repair or maintenance as approved by the Department; or other circumstances with the express permission of the [Insert Agency CEO]

   Officers will secure and store firearms, both on and off duty, in such a way as to ensure that no unauthorized person will have access to or gain control over the firearm. All Department firearms kept at home must be secured in a safe place inaccessible to family members, especially children.

   Whenever an officer is in the Department and removes his/her handgun or other weapon, the item must not be left in the open and must be secured so that it is not readily accessible to civilians, suspects, victims, or witnesses.

F. Use of Non-Deadly Force

Officers shall only use weapons and control techniques that are issued and/or approved for use by the Department. The use of non-deadly force shall be limited to defensive and control purposes. Officers shall use only the reasonable amount of force necessary to overcome resistance or accomplish the police task. The use of non-deadly force shall conform to applicable Department Standards of Conduct, policies, procedures, and training. Officers shall not carry any less lethal weapons, or employ any less lethal techniques, prior to successfully completing the relevant Department-approved training for each weapon or technique.

1. Authorization to Use Non-Deadly Force

   Officers are authorized to use Department approved, non-deadly force techniques and authorized weapons to:

   a. Prevent the escape from custody, or to effect a lawful arrest, of a person whom the officer reasonably believes has committed an offense; or

   b. Protect or defend the officer or others from what he/she reasonably believes to be active resistance while effecting or attempting to effect an arrest, or while preventing or attempting to prevent an escape.

2. Non-Deadly Force Restrictions

   The following tactics of non-deadly force may be permitted in circumstances only when deadly force is authorized by this policy:

   a. The intentional use of a chokehold (See TCA 38-3-121 and TCA 38-8-113) or other method of restraint applied to the neck area of another person is prohibited, unless the use of deadly force is authorized. This includes, but is not limited to: (1) arm bar hold; (2) carotid artery hold; (3) vascular neck restraint; and (4) neck restraint or hold with a knee or other object;

   b. Any strike with an impact weapon or object to a person's head or neck; and/or

   c. Any use of flashlights, radios, or any other items not issued or trained specifically as defensive weapons.

      In limited circumstances when a confrontation escalates suddenly and unpredictably, however, an officer may use any means or device at hand to defend themselves, another person,

or to bring a situation under control. This decision should be based on the circumstances surrounding the officer at the time, if the officer determines it was reasonably necessary to do so, as long as the level of defensive action is objectively reasonable given the existing circumstances.

d. Force shall not be used against persons in handcuffs, except as objectively reasonable to prevent imminent bodily harm to the officer or another person or persons, to prevent attempted escape, or, as objectively reasonable, where physical removal is necessary to overcome passive resistance.

3. Duty to Intervene

a. An officer who directly observes an unreasonable, excessive, or illegal use of force, in violation of the Department's use of force policy and/or state or federal law, shall:

1) act to intervene and stop the use of force by another officer; and
2) contact a supervisor as soon as practical.

b. An officer who has knowledge of excessive, unreasonable, or illegal use of force against a person shall:

1) notify a supervisor; and
2) submit a written incident report to a supervisor as soon as practical.

c. Retaliation against any officer who intervenes against excessive use of force, reports misconduct, or cooperates in an internal investigation is prohibited.

4. Impact Weapons

Authorized impact weapons may be used only when an officer is confronted with actual or imminent active aggression against him/herself or another person. (Refer to Policy 3.04 for specifics regarding the authorized use of an Impact Weapon.)

The use of a baton or similar instrument to strike a blow to a subject's arms or legs will be considered use of non-deadly force. The use of any such items to intentionally strike a subject's head or neck is prohibited except where deadly force is authorized by this policy.

5. Oleoresin Capsicum (OC Spray)

   Authorized OC spray is an alternative to physical control techniques and the use of other intermediate weapons. As with any other use of force, however, OC spray must not be used indiscriminately or without justification. Officers must be able to articulate the reason(s) the subject was sprayed with OC spray.

   OC spray shall be utilized as issued and authorized to prevent injury to the subject(s), officers and others. (Refer to Policy 3.03 for specifics regarding the authorized use of an OC spray.)

6. Electronic Control Weapon (ECW)

   An Electronic Control Weapon (i.e., TASER®) is authorized for use when other less lethal options have been ineffective, or when it reasonably appears that such options will be ineffective in subduing the subject. Electronic Control Weapons shall only be used in situations where the subject is actively resisting or attempting to avoid arrest by escape and poses an imminent threat to the safety of him/herself, another person, or the officer. (Refer to Policy 3.02 for specifics regarding the authorized use of an electronic control weapon)

G. Rendering Medical Aid

1. Any time a person has visible injuries or complains of being injured as a result of force used against him/her by an officer, the officer must take appropriate actions to provide medical care for the injured person. This includes providing first aid, requesting emergency medical services, and/or arranging for other transportation to a hospital or emergency medical facility.

2. Officers trained in proper treatment procedures for persons exposed to chemical sprays and the effects of other non-deadly force shall render appropriate medical aid. If the person is offered and/or refuses treatment, this refusal shall be recorded in the police report, along with all relevant information. In addition, the officer will also notify their supervisor as soon as practical. If warranted, the supervisor will arrange to have photographs taken of the person's injuries and those photographs will be attached to the report.

H. Maintenance and Accountability For Weapons:

1. The Department Armorer will maintain a list of all authorized weapons and ammunition that will be made available to all employees. The armorer will also maintain inventory reports for all weapons authorized

by the agency and update inventories annually to include the location of all firearms.

2. All weapons will be inspected by a qualified armorer or weapons instructor for proper functionality prior to issuance to an officer. Only weapons and ammunition authorized by the agency may be used by agency personnel in the performance of law enforcement duties.

3. At each training session for lethal or less lethal weapons, the armorer or instructor will conduct an inspection of all weapons assigned to each officer present and confirm that:
    a. The weapons are properly assigned to the officer carrying the weapon.
    b. That the weapons (lethal and less lethal) are in working order; and
    c. That inventory records accurately reflect weapons assigned to individual officers.
4. The procedures listed above will also apply to any weapons authorized by the agency for off-duty carry.
5. Whenever a Department weapon is found to be unsafe or not functioning properly, it will be immediately turned in by the officer and the officer will be issued a replacement. The Firearms Unit will maintain an inventory of replacement firearms and assure such firearms are available for issuance when needed.

V. USE OF FORCE REPORTING AND INVESTIGATION

The Department shall establish a use of force reporting system that allows for the effective review and analysis of all Department use of force incidents. The reporting system shall be designed to help identify trends, improve training and officer safety, and provide timely and accurate information to the Department. Employees shall complete the appropriate Departmental *Use of Force Report Form* whenever they use force against a subject above un-resisted handcuffing. This includes the discharge of a firearm, including accidental discharge of a firearm, or any action that results in or is alleged to have resulted in, injury to or the death of another person. This requirement shall not apply when an officer simply draws or transports any weapon while on scene.

1. Officer's Responsibilities:
    a. When an officer finds it necessary to use force to affect an arrest, or for any other law enforcement purpose, whether on

duty or off-duty, that officer shall:

1) Notify a Shift Supervisor of the incident as soon as circumstances allow.
2) Complete a *Use of Force Report Form*, which shall list all other employees involved in or witnessing the incident
3) All Use of Force Reports must be completed and forwarded to the Shift Supervisor, or designee, as soon as practical after the incident.

The Shift Supervisor will be held responsible to see that this form is completed prior to the Officer leaving their tour of duty. However, when special circumstances exist, such as those incidents resulting in the death or serious injury of a person, the [Insert Agency CEO] may grant an extension, on a case-by-case basis, and assign an alternate date and time for use of force reports to be completed and submitted.

2. Shift Supervisor's Responsibilities

a. When a use of force incident occurs, the Shift Supervisor r, or designee, has the primary responsibility to make certain that all necessary Use of Force Report Forms are properly completed, reviewed for accuracy, and submitted as required by officers under their command. The Shift Supervisor will sign the report and forward it to the [Insert Agency Designee].

b. If the use of force involves an officer who did not report to a Patrol Supervisor at that time, the officer's Unit Supervisor shall review and sign the Supervisory portion of the report. Supervisors involved in a use of force incident will forward the *Use of Force Report Form* to the next level of command not involved in the incident.

c. When an on-duty or off-duty employee has been involved in a use of force incident, which has resulted in death or serious injury to any person, the Shift Supervisor will immediately report the incident to the [Insert Agency CEO], via the chain of command. This also includes those cases where any firearm is accidentally or purposefully discharged which results in injury or death to any person.

d. All uses of force which result in death, serious bodily injury, and/or involve suspected excessive force shall be reported and investigated.

3. Office of the [Insert Agency CEO]

   a. The [Insert Agency Designee] will review the *Use of Force Report Form* to determine:

      1) Whether the action was consistent with policy and procedure;

      2) Whether the action warrants further administrative review/investigation; and

      3) Recommendations on equipment upgrades, training, and/or policy issues, if applicable.

   b. The [Insert Agency Designee] may confer with Department instructors/trainers who specialize in the field of force used, as needed. The [Insert Agency CEO] will be informed about any incident that may not be consistent with policy and procedure or indicates the action warrants further administrative review/investigation.

   c. In all cases where an officer's action is determined to be a violation of this General Order but *not* a violation of state law, this distinction shall be made clear in all public discussion of such incidents and in any disciplinary action which may result.

   d. Annually, the [Insert Agency Designee] will conduct an annual analysis of all "Use of Force" incidents and annually review the policy while providing a comprehensive report to the [Insert Agency CEO].

VI. TRAINING AND QUALIFICATIONS

In addition to training required for firearms qualification (Refer to the Firearms Policy 3.07), officers shall receive Department authorized training designed to simulate actual situations and conditions, and, as otherwise necessary, to enhance officers' discretion and judgment in using deadly and non-deadly force in accordance with this policy.

1. All training, including remedial training, will be documented.

2. All officers shall, at least annually, receive in-service training for all lethal weapons, Department's Use of Force Policy, related case law, and vascular neck restraints; if authorized.

3. All officers qualified in the use of impact weapons, OC spray, electronic control weapons, and control techniques shall, at least every two years, re-qualify on such weapons or techniques under the instruction of a certified instructor.

4. Training and proficiency results for any authorized weapon will be documented in the training files. Officers must demonstrate proficiency with weapons in compliance with TN POST requirements.

5. All officers who fail to demonstrate the required proficiency with Department issued weapons shall receive remedial training. Remedial instruction for Department issued firearms shall follow the Department's Firearms Policy. (See Firearms Policy 3.07)

6. An officer failing to demonstrate proficiency with a weapon shall not return to duty with that weapon until such time as proficiency is demonstrated and documented.

7. Only officers demonstrating proficiency in the use of Department authorized weapons shall be approved to carry such weapons. (See Firearms Policy 3.07)