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CHIEF OF POLICE

GENERAL ORDER

DEFINITIONS: RESPONSE TO RESISTANCE

GENERAL ORDER - 3D

Implementation Date: October 15, 1987

Revokes: None

3D.1 INTRODUCTION

In order to centralize the definitions of similar topical subjects, this General Order was created.

3D.2 DEFINITIONS

Active Resistance – A subject's use of physically evasive movements directed toward the officer, preventing the officer from establishing control. Or attacking movements toward the officer that may cause injury but are not likely to cause death or great bodily harm to the officer or others.

Administrative Leave – Authorized absence from duty with or without pay. At the discretion of the Chief of Police or designee, during this absence from duty, members are prohibited from taking any law enforcement action. Members are to relinquish issued weapons, ammunition, keys, badge, ID/access cards, and assigned vehicle. Members are to remain available during normal business hours for administrative purposes relating to the authorized absence.

Aerosol Subject Restraint (ASR) – Defensive spray whose active ingredient is Oleoresin Capsicum. ASR is available in aerosol form.

Authorized Personally Owned Firearm – A firearm, purchased by the officer, approved for on-duty and/or off-duty carry only. The firearm must be a manufacturer, model and caliber approved by the Chief of Police. The Training Unit and Range Master will hold the current list of approved firearms.

Compliance – The verbal and/or physical yielding to an officer's authority without apparent threat of resistance or violence.

Discrete Rifle Bag – The Department approved rifle bag for the discrete carry of the tactical carbine on school grounds. The rifle bag must fully encase the tactical carbine as not to make the tactical carbine visible during transport.

Excessive Force – That amount of force, which an ordinary and prudent officer would deem greater than that necessary to overcome resistance in a similar incident under similar circumstances.

Firearm – Any handgun, shotgun, rifle, or any other weapon designed to expel a projectile(s) by the action of a propellant.

Force – An act of aggression; as one against a person who resists.

Hard Empty Hand Techniques – Distraction strikes (i.e., kicks, straight punches) used to gain compliance and control where soft empty hand techniques would fail.

Hard Intermediate Weapon – Achieving compliance by utilizing impact weapon strikes or blocks or kinetic energy impact projectiles (less lethal shotgun).

Involved Officer – An officer or supervisor, who participated in, directed or influenced the application of use of force response to resistance.

Kinetic Energy Impact/less lethal Projectiles – Flexible or non-flexible projectiles, which are intended to incapacitate a subject with a minimal potential for causing death or serious physical injury, when compared to conventional projectiles.

Less Lethal Extended Range Impact Weapon – A less lethal delivery system (12 gauge), designed to cause pain compliance and/or incapacitate a subject from a variety of distances.

Less Lethal Response – Force which is not intended to cause death or serious physical injury, or which creates a degree of risk that a reasonable and prudent person would not consider likely to cause death or serious physical injury.

Lethal Response – That force which is intended to cause death or serious physical injury or which creates a substantial degree of risk that a reasonable and prudent person would consider likely to cause death or serious physical injury.

Loaner Handgun – A handgun loaned to an officer while that officers assigned handgun is out of service (i.e. repair, evidence).

Minor Injury – Any injury of lesser severity than a "serious physical injury".

Non-Sworn Field Personnel – Police personnel not sworn as Law Enforcement Officers, who have field assignments.

Objective Reasonableness – A term the courts have used to determine appropriateness of an officer's response to a subject's resistance.

Off-Duty – Any time a member is not scheduled to work and is not receiving their full rate of compensation or overtime compensation by the City of Coral Springs.

Off-Shift Police Services – Department authorized employment conditioned on vested police powers and rendered while off duty. All off-shift employment shall be performed within the jurisdictional boundaries of the City of Coral Springs.

Officer Presence – Identification of authority.

Oleoresin Capsicum (OC) – An inflammatory agent extracted from Cayenne peppers in a non-incendiary aerosol form.

On-Duty – Any time a member is scheduled to work for their full rate of compensation or overtime compensation by the City of Coral Springs, when performing Off-Shift Police Services, or when an officer takes official police action within the realm of his authority while off-duty.

Passive Resistance – A subject's verbal and/or physical refusal to comply with an officer's lawful direction causing the officer to use physical techniques to establish control.

Physical Force – The actual touching of another for the purpose of overcoming resistance without the use of any weapon or other foreign object.

Psychological Intimidation – Non-verbal cues indicating subject's attitude, appearance, and physical readiness.

Reasonable Belief – When facts and circumstances the officer knows, or should know, are such as to cause an ordinary and prudent officer to act or think in a similar way under similar circumstances.

Resistance – The subject's attempt to evade an officer's attempts of control.

Response – The actual touching of another for the purpose of overcoming resistance.

Response to Resistance Guidelines – A framework for making decisions involving the objectively reasonable response to resistance by officers. The guidelines are based on constitutional considerations and case law and describe appropriate decision-making. The guidelines consider the relationship between subject resistance and various situational factors in determining the officer's response options.

*Such framework shall provide that once compliance is gained any response to resistance technique being utilized shall cease or be deescalated to the least amount of force required to maintain control of the subject or the scene. If prone, the detained subject should be moved into the rescue position, assessed for injury, and aid rendered if necessary. Any officer present has a duty to intervene if the officer(s) overcoming resistance does not cease the technique being utilized or deescalate once the subject complies and is no longer a threat. Officer(s) have a duty to report any excessive or unnecessary application of force to a supervisor

Rifle Safe – The Department approved safe that fully encases the tactical carbine and is securable to the floor or wall. The safe must be lockable by manual or electronic lock.

Serious Physical Injury – A bodily injury that creates a substantial risk of death; causes serious, permanent disfigurement; or results in long term loss or impairment of any bodily member or organ.

Service Firearm – Any firearm used by sworn officers when on-duty or working an off-shift detail.

Soft Empty Hand Techniques – Achieving compliance using techniques that have a minimal probability of causing injury.

Soft Intermediate Weapon – Achieving compliance using non-lethal weapons.

Taser – Electro Muscular Disruption Device used to override the motor and sensory system of the central nervous system.

Training Weapon – A weapon, which is the property of the Department, used solely for the purpose of specific training sessions.

Totality of the Circumstances – The facts and circumstances known and/or perceived by the officer on the scene at the time of the incident. *Graham v Conner*, 490 U.S. 386 (1989).

Uniformed Field Officer – A uniformed officer, the rank of Sergeant or below, who is assigned to the Field Services Component.

Verbal Direction – Commands of direction or arrest.

Verbal Non-Compliance – Verbal responses indicating unwillingness or threats.

Weapons – Any police baton, electronic weapon, chemical agent, firearm, or other weapon authorized by the Department for use by its members.

Witness Officer – An officer or supervisor who did not participate in or directly influence the application of response to resistance.

3D.3 POLICY/PROCEDURE

The definitions contained in this General Order shall be applicable for General Orders 3, 3A, 3B, 3C, 3E, and 3F.

APPROVED


Clyde H. Parry
Chief of Police