

	SUBJECT: USE OF FORCE			
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DISCUSSION:

This Order defines appropriate personnel conduct and establishes guidelines for the use of force when encountering resistance to lawful commands, detainment and/or arrest; and establishes reporting requirements for the use of force by PBSO personnel.

The most important purpose of law enforcement is the protection of human life. To be consistent with that purpose, the use of force must be limited to situations involving resistance to arrest, defense against physical assault or in the defense of others or force necessary to perform official duties. While exercising law enforcement authority, sworn personnel are prohibited from carrying weapons not authorized or with which they have not proven proficiency. Civilian personnel are prohibited from using force except in self-defense and are prohibited from carrying any weapon unless authorized by GO 551.00 Authorized Weapons and Ammunition.

This Order applies to all PBSO personnel.

DEFINITION:

CHOKEHOLDS - A physical maneuver that restricts an individual’s ability to breathe for the purposes of incapacitation.

DEADLY FORCE – Force which is likely to cause death or great bodily harm.

DE-ESCALATION TECHNIQUES - Taking action or communicating verbally or non-verbally during a potential force encounter in an attempt to stabilize the situation and reduce the immediacy of the threat so that more time, options and resources can be called upon to resolve the situation without the use of force or with a reduction in the force necessary.

FACTORS USED TO DETERMINE REASONABLENESS - In determining the appropriate level of force, employees will evaluate the totality of the facts and circumstances presented to them at the time the use of force was used. Those factors may include but are not limited to:

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- The seriousness of the crime or offense.
- The level of threat or resistance presented by the subject.
- Whether the subject was posing an imminent threat to employees or a danger to the community.
- The potential for injury to citizens, employees or subjects.
- The risk or apparent attempt by the subject to escape.
- The conduct of the subject being confronted (as reasonably perceived by the employee at the time).
- The time available to an employee to make a decision.
- The availability of other resources.
- The training and experience of the employee.
- The proximity or access of weapons by the subject.
- Employee versus subject factors such as age, size, relative strength, skill level, injury/exhaustion and number of employees versus subjects.
- The environmental factors and/or other exigent circumstances.

GREAT BODILY HARM - Bodily injury that involves a substantial risk of death, serious permanent disfigurement or protracted loss or impairment of function of any part or organ of the body.

OBJECTIVELY REASONABLE - The determination that the necessity for using force and the level of force used is based upon the officer's evaluation of the situation in light of the totality of the circumstances known to the officer at the time the force is used and upon what a reasonably prudent officer would use under the same or similar situations.

USE OF FORCE – Any action by a deputy to physically control a subject who is non-compliant, which goes beyond mere handcuffing. A defensive or offensive controlling physical response by a deputy to overcome a subject's threatened or actual physical resistance to a deputy's performance of a legal duty.

PROCEDURES:

I. USE OF FORCE

- A. All employees will act in good faith when using force and will conform to the provisions of Florida Statutes and this General Order.
 1. Employees will, where possible, attempt to de-escalate and stabilize situations to reduce the need to use force.
 2. Employees will only use the amount of force reasonable and necessary to effect lawful objectives.
 3. Once a subject has been properly restrained and is no longer resistant, de-escalation of force will occur.

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4. Any deputy present and observing another deputy using force that is clearly beyond what is objectively reasonable under the circumstances or suspects that another employee is about to use unnecessary force, will safely intervene immediately to prevent the use of such excessive force.
- B. Only agency issued or approved weapons are authorized for on or off-duty use.
- C. Absent exigent circumstances, employees are required to utilize weapons systems and/or weaponless control techniques which have been issued or authorized by PBSO and which the employee has received official training or certification to deploy.
1. Nothing in this Order will restrict an authorized employee from utilizing any readily available object as a substitute weapon during an emergency.
 2. The vascular neck restraint (VNR) can be utilized only when deadly force is authorized and all other reasonable means of defense have been exhausted.
 3. Chokeholds are prohibited unless deadly force is authorized and all other reasonable methods of defense have been exhausted or a citizen or deputy is in immediate peril and it is impractical to access any other defensive measure.
- D. Employees will be provided with a copy of and instructed in the agency's use of force policy before they are authorized to carry a weapon.
- E. Employees are authorized to use deadly force when there is reasonable belief that such force is necessary to:
1. Prevent imminent death or great bodily harm to the employee or another individual; or
 2. Apprehend the perpetrator of a felony, which involved the use or threatened use of deadly force and the individual who is sought poses an immediate danger to the life of an employee or another individual(s).
- F. A verbal warning should be given before deadly force is used, if feasible.
- G. In effecting the arrest of potentially dangerous suspects or in dangerous situations, deputies may display a firearm for the purpose of obtaining and maintaining control of the situation and ensuring the safety of self and others.
- H. Restrictions on the use of deadly force:
1. Warning shots are prohibited under any circumstances.

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2. Firing a weapon at a moving vehicle is prohibited, unless the occupant of a vehicle is using or threatening to use deadly force by means other than the vehicle itself and the employee reasonably believes there is an imminent threat to life.
3. An employee will not create circumstances where the use of deadly force becomes necessary by intentionally standing and/or stepping into the path of a suspect's vehicle.
4. An employee will not create circumstances where the use of deadly force becomes necessary by intentionally placing his vehicle in the path of a suspect's moving vehicle, absent exigent circumstances.
5. Sworn members in specialty units (SWAT, Tactical Unit, Narcotics, South Florida Task Force, Gang and Warrants) who are trained in vehicle suppression techniques approved by the Training Division are authorized to utilize those techniques with the approval of a supervisor from the specialty unit.
6. Employees will not use deadly force to apprehend perpetrators of non-violent crimes against property.
7. Employees will not use deadly force to apprehend persons suspected of having committed a forcible felony unless there is an imminent threat of death or great bodily harm to themselves or others.

II. REPORTING USE OF FORCE/DISCHARGING OF FIREARMS

- A. Employees who use deadly force whether or not personal injury, death or property damage occurred, while on or off-duty, will immediately report the incident to an on-duty supervisor.
 1. The supervisor will make notifications to the proper authorities, to include Communications.
 2. The Watch Commander will complete a Blue Team Use of Force Report and promptly report ALL incidents involving the discharge of a firearm to the commander of the Internal Affairs Division, the Department of Legal Affairs and the Training Division.
 - a. Exceptions to this requirement include employees actively engaged in sanctioned training exercises, an accidental discharge resulting in no injury or property damage or incidents which involve the use of a firearm to euthanize an animal.
 - b. These exceptions require a supervisor to complete a Blue Team Agency Information entry.

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3. Investigations of incidents involving the use of deadly force or accidental discharge of a firearm, resulting in or alleged to have resulted in personal injury or death will be directed by the Violent Crimes Division commander who will assign a Critical Incident Team to conduct the investigation in accordance with GO 522.00 Critical Incident Investigations. Notification will be made in accordance with call-out procedures as outlined in GO 429.01, Staff Notification.
- B. Deputies are authorized to use deadly force against an animal under the following circumstances:
1. Aggressive Animals – Deputies may use deadly force on an aggressive animal that is a threat to deputies and/or others.
 2. Euthanasia
 - a. Sick or Injured Animals: Whenever any animal is so injured or diseased, suffering and imminently near death and the deputy has made a reasonable and concerted but unsuccessful effort to locate the owner, the owner’s agent or contact Animal Control, then the deputy, acting in good faith and upon reasonable belief, may, with the authorization of a supervisor, immediately destroy such animal utilizing the following procedure:
 - b. For small animals, the deputy will shoot the animal with his authorized handgun in the middle of the forehead for maximum effect.
 - c. For larger animals the deputy will shoot the animal using his authorized shotgun with a slug round in the middle of the forehead for maximum effect.
 3. A supervisor will complete a Blue Team Agency Information noting the deputy(s) involvement as well as all information concerning the firearm utilized (i.e., make, model, serial number, number of rounds fired, number of rounds that impacted the animal).
 - a. The deputy(ies) will complete an offense report.
 - b. All completed reports will be forwarded through the supervisor’s administrative chain-of-command for review.

III. EMPLOYEE’S RESPONSIBILITIES

- A. Should a person subjected to any use of force complain of any injury, any injury is observed or there is any indication of injury, EMS will be immediately requested.

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- B. After a deputy has used deadly force on an individual resulting in injury and when it is reasonably safe to do so, the deputy will administer first aid to the injured, and EMS will be immediately requested.
- C. Employees will immediately inform the on-duty supervisor of each incident involving the use of force and document the incident and any medical response in the offense report.
- D. Watch Commanders will complete a Blue Team Use of Force report whenever the use of handcuffs or other types of supplemental restraints result in ANY complaint of injury and/or ANY visible injury to the individual.
- E. The primary employee assigned to the incident will complete an offense report prior to the end of his shift.
- F. Each employee assisting in an arrest or incident requiring force will submit an offense report supplement describing the incident prior to the end of his shift.

IV. WATCH COMMANDER'S RESPONSIBILITIES

- A. Respond to the scene, investigate and photograph all use of force incidents involving an employee.
- B. Ensure that medical attention has been requested when necessary. Staff notifications will be made by Communications in accordance with GO 429.01.
- C. A Watch Commander's Blue Team Use of Force Report is required if a deputy used force as defined in this General Order.
- D. Watch Commanders will complete a Blue Team Use of Force report whenever a leather body strap and/or restraint chair is used on a non-compliant person. If the person offers no resistance and no force is used, a Blue Team Protective Restraint report will be completed.
- E. Prior to the Watch Commander's end of shift, the Blue Team Use of Force Report will be forwarded through the operational chain-of-command.
- F. Notification to Internal Affairs will be made if the subject sustained life-threatening injuries as a result of the use of force.

V. INTERNAL AFFAIRS' RESPONSIBILITY

- A. Review the incident to determine if the force applied was within agency guidelines. After completion of the review, the Internal Affairs commander may request additional information.

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- B. Provide the Sheriff with a quarterly and a yearly review and analysis, documenting the Blue Team Use of Force Reports that were filed during that time period.

VI. ADMINISTRATIVE LEAVE (NON-DISCIPLINARY)

- A. In every instance in which an employee's action results in or is alleged to have resulted in death or great bodily harm to another person, the employee will be immediately relieved of normal duties pending internal review.
- B. Employees involved in a shooting incident where no individual was hit or injured may be placed on administrative leave at the discretion of the Internal Affairs commander with approval of the Sheriff or his designee, pending internal review.
- C. Assignment to administrative leave status will be non-disciplinary with no loss of pay or benefits.
- D. Employees relieved from duty will remain on an administrative leave status during the initial 24-hour period following the incident, after which the employee may be reassigned to duty status at the discretion of the Internal Affairs commander with approval of the Sheriff or his designee.
- E. Employees relieved from duty will ensure their availability to PBSO investigators until the incident investigation is concluded.

VII. TRAINING DIVISION'S RESPONSIBILITY

- A. The Training Division will review the findings of the Internal Affairs reports and evaluate all training methods and procedures. The Training Division will determine and document if any revisions or corrective actions need to be taken.
- B. The Training Division will maintain a record of all agency approved weapons and restraints.