

TEXARKANA, TEXAS POLICE DEPARTMENT
GENERAL ORDERS MANUAL

<i>Effective Date</i> February 1, 2008		<i>Amended Date</i>		<i>Directive</i> 6.02.1	
<i>Subject</i> Authorization of Deadly Force					
<i>Reference</i>					
<i>Distribution</i> All Personnel City Manager City Attorney		<i>TPCA Best Practices Recognition Program Reference</i> 6.02.1 Authorization of Deadly Force		<i>Review Date</i> January 1, 2017	
				<i>Pages</i> 2	

This Operations Directive is for internal use only and does not enhance an officer's civil or criminal liability in any way. It should not be construed as a creation of a higher standard of safety or care in an evidentiary sense, with respect to third party claims. Violations of this Operations Directive, if proven, may only form the basis for a complaint by this Department, and only in a non-judicial administrative setting.

SECTION 1 PURPOSE

The purpose of this policy is to regulate the use of deadly force according to all relevant state and federal statutes and in keeping with the highest standards of the police profession. The policy is also intended to regulate all subsequent reporting following a deadly force incident.

SECTION 2 POLICY

It is the policy of this Department that officers shall only use the minimum level of force that is reasonable and necessary to achieve a lawful law enforcement objective. It is the policy of the Texarkana, Texas Police Department that officers will only employ deadly force when the officer reasonably believes that his/her life is in imminent danger or there is imminent danger of serious bodily injury or a third person is in imminent danger of serious bodily injury or death.

SECTION 3 PROCEDURES

- A. Deadly force is force that is intended to cause, is known by the subject to cause, or in the manner of its use or intended use is capable of causing, death or serious bodily injury. The decision to use deadly force rests with each officer. Officers are authorized by Department policy to use deadly force in self-defense or in defense of a third party when it reasonably appears that there is imminent danger of serious bodily injury or death. Examples of deadly force are:
 - 1. Discharge of a firearm at a person.
 - 2. Carotid Hold (choke hold).
 - 3. Vehicular force.
- B. In all instances involving the use of deadly force, the officer involved shall immediately notify his supervisor, who shall then notify the Division Commander. The Division Commander will immediately notify the Chief of Police.

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C. CAROTID HOLD

The carotid hold is classified as deadly force and its use is applicable under the rules of this order. The carotid hold will not be used in subduing belligerent prisoners unless the imminent danger of death or serious bodily injury is present to the officer or a third party.

D. VEHICULAR FORCE

1. The intentional use of a police motor vehicle to ram or otherwise collide with, or block the path of, a suspect's vehicle in such a manner as to cause a collision constitutes the use of deadly force. The use of vehicular force shall conform with the same policies and legal constraints applicable to the use of other methods of force.
2. In no instance will vehicular force be used where the only known violation is of traffic laws.
3. A possible exception would be indication by the driver's behavior of intoxication to the point that his continued presence on the roadway constitutes imminent and serious hazard to others, and then only when less drastic means of apprehension have been attempted without success.
4. Vehicular force shall not be used against a motorcyclist or a pedestrian unless deadly force would be clearly justified under the circumstances.
5. The use of vehicular force is subject to the same Departmental review and investigation procedures as the use of other methods of force and shall be reported in the same manner.

E. RESPONSIBILITY

1. All members of the Department shall know and comply with all aspects of this directive.
2. All Division Commanders and supervisory personnel are responsible for ensuring compliance with the provisions and intent of this directive.