

	VOLUSIA SHERIFF'S OFFICE GENERAL ORDER GO-001-01	Distribution All Personnel	Reissue/Effective Date 06/19/2020
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Title USE OF FORCE GUIDELINES			
Section		AUTHORITY OF   MICHAEL J. CHITWOOD, SHERIFF	

To protect and serve with courage, honor and integrity by fighting crime, maintaining trust, and building community partnerships.

I. PURPOSE

This general order applies to all Volusia Sheriff's Office sworn law enforcement to include all Deputies and Reserve Deputies while acting within the scope of their lawful authority, both while on-duty and off-duty. This general order establishes Use of Force policy, definitions, procedures and guidelines pertaining to the various types of authorized force by Volusia Sheriff's Office Deputies, both Less-lethal and Deadly force.

II. DISCUSSION

>>>>The sanctity of human life is paramount to all else. It is this solemn and primary duty of law enforcement - to preserve and protect the sanctity of human life, dignity, and liberty of all persons - that ensures the ideals and very essence of a civil society. The Volusia Sheriff's Office commitment to this principle and its duty to protect human life is taken very seriously and is reflected in its core mission, "to protect and serve with courage, honor, and integrity..."<<<<<

Deputies should begin considering what might be appropriate and proportional as they approach an incident, and they should keep this consideration in their minds as they are assessing the situation and deciding how to respond. Proportionality depends on the nature and severity of the underlying events. Even though Deputies do not have a duty to retreat or desist from making an arrest, Deputies should nonetheless assess the situation utilizing the Critical Decision-Making Model (CDM) taught and re-enforced in training.

Deputies should consider the seriousness of the underlying offense, if any; consider options for de-escalation; develop back-up plans; and bring in additional resources, if necessary. In minor, low-stakes encounters, a more appropriate and proportional response may be to step back and work toward de-escalation, disengagement or tactical repositioning.

Deadly Force – The use of deadly force is a measure to be employed only in the most extreme circumstances and when lesser means of force have failed or could not be reasonably employed given the circumstances at the time. While it is preferred not to have to use force at all, the Sheriff recognizes, as do the courts, the legislature, and community, that Deputies - by the very nature of their duty and oath - will be confronted with situations that require them to use deadly force in order to defend themselves or others. It is also recognized that Deputies are often forced to make split second "use of force" judgments in circumstances that are tense, uncertain and rapidly evolving and that they must do so based on an objectively reasonable perception at the time of the threat or danger. It is from this court-recognized position established in Graham v. Connor that the actions of Deputies within *the totality of the circumstances* will be judged for propriety.

Less-lethal Force – The Volusia Sheriff's Office provides force options that are less-lethal and can be applied to various resistance levels in which deadly force is not authorized. These options include impact weapons designed to deliver less-lethal striking or leverage control techniques and less-lethal weapons to include specialty impact munitions/projectiles designed to stun, temporarily incapacitate, or cause temporary discomfort to a person for the purpose of gaining compliance and control.

III. POLICY

It is the policy of the Volusia Sheriff's Office that Deputies use only the minimal degree of force that is necessary to overcome the immediate threat and/or to effectuate an arrest. **Excessive force will not be tolerated.** Deputies shall exercise all safe and reasonable means of control and containment; the application of force shall be guided by Florida State Statutes, Volusia Sheriff's Office general orders, and agency approved training.

The Sheriff authorizes Deputies to use that amount of force that is proportional, reasonable and necessary under the circumstances to protect themselves and/or others while performing their lawful duties. When feasible and practical, Deputies shall attempt to resolve potential use of force situations with non-physical force alternatives, such as direction, persuasion, verbal warning, or time/distance tactics prior to resorting to the use of force. Deputies have a duty to intervene if they anticipate or observe the unreasonable, unnecessary, or disproportionate use of force.

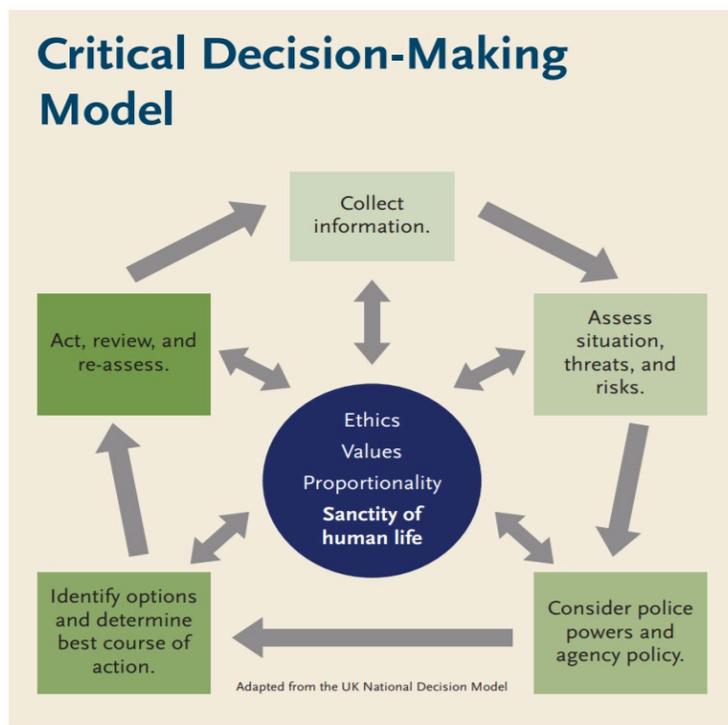
Prior to being authorized to carry any approved less-lethal weapon or firearm, it is the policy of Volusia Sheriff's Office that all sworn Deputies shall first receive copies of and documented training on the Volusia Sheriff's Office policies and procedures covered in general order 1.1 Use of Force Guidelines, and general order 1.3 Use of Less-lethal Weapons and Devices. In addition, each deputy shall receive documented training and demonstrate proficiency in all authorized use of force as defined in Volusia Sheriff's Office policy and procedures.

The use of force by Deputies shall be in compliance with the guidelines set forth in Florida Statutes and Volusia Sheriff's Office general orders and shall be documented in a use of force report as defined herein.

POLICY NOTE: *Due to the complexities involved in certain force encounters and the inherent potential for rapidly evolving/changing circumstances, the Sheriff recognizes that unique and unforeseen situations arise while in the performance of law enforcement duties requiring the immediate application of common sense, discernment and independent judgment. In these circumstances, deviation from established protocol may be required in order to affect the best possible outcome. In this case, it shall be incumbent upon the Deputy to justifiably articulate and document within the incident report the events, circumstances and required actions taken. The administrative review of all such reports shall include review by the Training Captain.*

IV. DEFINITIONS

Critical Decision-Making Model (CDM) – The CDM is a five-step critical thinking process. The five steps are built around the core values of the Volusia Sheriff's Office and the policing profession. The CDM guides deputies through a process of collecting information; assessing the situation, threats, and risks; considering police powers and agency policy; identify options and determining the best course of action; and acting, reviewing and reassessing the situation.



Deadly Force – Any force which is likely to cause immediate death or serious bodily/physical harm including, but not limited to:

1. Use of any weapon or other force in a manner which is likely to cause death or serious bodily/physical harm.
2. Discharge of a firearm in the direction of the person to be arrested, even though no intent exists to kill or inflict great bodily harm.
3. The firing of a firearm at a vehicle in which the person to be arrested is riding.

De-Escalation – 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. De-escalation may include the use of such techniques as command presence, advisements, warnings, verbal persuasion, and tactical repositioning.

Defensive Weapon – Any readily available object or instrument used by a Deputy in a reasonable manner to defend against a violent attack in order to avoid being seriously injured or killed, and when other conventional weapons or use of force alternatives are not readily available under the exigent circumstances.

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

Imminent – Threatening, likely, and unavoidable; impending; immediate potential threat to the life and/or safety of the Deputy or another human being(s).

In-custody Death – The death of any individual while in the custody and care of the Volusia Sheriff's Office that occurs for any reason.

Less-Lethal Force – Force options applied at a level to gain/regain control of a subject including the use of less-lethal weapons not fundamentally designed to cause death or great bodily harm.

Neck Hold – One of the following types of holds: (1) arm-bar control hold, a hold that inhibits breathing by compression of the airway in the neck; (2) carotid restraint hold, a hold that inhibits blood flow by compression of the blood vessels in the neck; (3) lateral vascular neck constraint; or (4) a hold with a knee or other object to the back of a prone subject's neck. **A neck hold is considered deadly force; Volusia Sheriff's Office does not train in this restraining technique and does not authorize its use.**

Objectively Reasonable Belief – A fourth amendment standard whereby a Deputy's belief that they must protect themselves or others from imminent death or serious bodily injury is compared and weighed against what a reasonable or rational Deputy would have believed under similar circumstances. This determination is made by reviewing all relevant facts and circumstances of each particular case, including but not limited to 1) the severity of the crime at issue, 2) whether the suspect poses an immediate threat to the safety of the Deputy or others, and 3) whether the suspect is actively resisting arrest or attempting to evade arrest by flight.

Probable Cause – Facts and circumstances which would support an objectively reasonable belief that the Deputy must protect themselves and/or others from imminent death or serious bodily injury.

Proportionality – Involves directing deputies to do the following: 1) use only the level of force necessary to mitigate a threat and safely achieve lawful objectives, 2) consider, if appropriate, alternate force options that are less likely to result in injury but will allow deputies to achieve lawful objectives, and 3) consider the appropriateness of deputies' actions. Deputies should begin considering what might be appropriate and proportional as they approach an incident, and should keep this consideration in their minds as they are assessing the situation and deciding how to respond. Whether a use of force is proportional also depends on the nature and severity of the underlying events.

Subject Resistance – An act of defiance by an individual opposing a Deputy's lawful commands.

Totality of the Circumstances – The totality of circumstances are the facts and information known to the deputy at the time, or reasonably perceived by the deputy, and serve as the basis for the deputy's decision to use force.

V. PROCEDURE

A. FLORIDA STATUTES

1. Volusia Sheriff's Office Use of Force Guidelines are based on the authority of Florida Statutes § 776.05 and § 776.06:

776.05 Law enforcement officers; use of force in making an arrest. – A law enforcement officer, or any person whom the officer has summoned or directed to assist him or her, need not retreat or desist from efforts to make a lawful arrest because of resistance or threatened resistance to the arrest. The officer is justified in the use of any force:

- (1) Which he or she reasonably believes to be necessary to defend himself or herself or another from bodily harm while making the arrest;
- (2) When necessarily committed in retaking felons who have escaped; or
- (3) When necessarily committed in arresting felons fleeing from justice. However, this subsection shall not constitute a defense in any civil action for damages brought for the wrongful use of deadly force unless the use of deadly force was necessary to prevent the arrest from being defeated by such flight and, when feasible, some warning had been given, and:
 - (a) The officer reasonably believes that the fleeing felon poses a threat of death or serious physical harm to the officer or others; or
 - (b) The officer reasonably believes that the fleeing felon has committed a crime involving the infliction or threatened infliction of serious physical harm to another person.

776.06 Deadly force by a law enforcement or correctional officer. –

(1) As applied to a law enforcement officer or correctional officer acting in the performance of his or her official duties, the term “deadly force” means force that is likely to cause death or great bodily harm and includes, but is not limited to:

- (a) The firing of a firearm in the direction of the person to be arrested, even though no intent exists to kill or inflict great bodily harm; and
- (b) The firing of a firearm at a vehicle in which the person to be arrested is riding.

(2)(a) The term “deadly force” does not include the discharge of a firearm by a law enforcement officer or correctional officer during and within the scope of his or her official duties which is loaded with a less-lethal munition. As used in this subsection, the term “less-lethal munition” means a projectile that is designed to stun, temporarily incapacitate, or cause temporary discomfort to a person without penetrating the person’s body.

(b) A law enforcement officer or a correctional officer is not liable in any civil or criminal action arising out of the use of any less-lethal munition in good faith during and within the scope of his or her official duties.

NOTE: It is extremely important that all personnel know and understand the provisions of these statutes as well as Sections 241 and 242 of Title 18, U.S. Code, and Sections 1983 and 1985 of Title 42, U.S. Code.

B. FORCE GUIDELINES – GENERAL.

1. When applying Volusia Sheriff's Office force guidelines to actual situations, Deputies shall not unnecessarily or unreasonably endanger themselves or others. Deputies shall be mindful of subjects who may be physically or mentally incapable of responding to law enforcement commands due to a variety of circumstances including, but not limited to alcohol or drugs, mental impairment, medical conditions, deaf/hard of hearing, or language/cultural barriers.
2. The amount of force, the continued use of any force, and the type of equipment utilized all depends upon the situation being faced by the Deputy at the time. However, once the threat has been overcome or a subject is securely in custody, the Deputy shall de-escalate and immediately address any injuries the suspect or others may have sustained.
3. **Subject Resistance:** An act by an individual that opposes a Deputy's lawful commands is resistance. There are four levels of resistance:
 - a. Passive Resistance: A subject's verbal and/or physical refusal to comply with a Deputy's lawful direction causing the Deputy to use physical techniques to establish control. Example: Subject refuses to move at the Deputy's direction.

- b. *Active Resistance*: A subject's use of physically evasive movements directed toward the Deputy such as bracing, tensing, pushing, or pulling to prevent the Deputy from establishing control over the subject. Examples include:
 - The subject physically anchors himself to a person or object to prevent being removed
 - The subject braces or pulls away from the Deputy when the Deputy grips the subject's arm
 - The subject attempts to run when the Deputy touches or attempts to grab the subject's arm or shoulder
 - c. *Aggressive Resistance*: Subject's active defiance through attacking movements toward a Deputy that may cause injury but are not likely to cause death or great bodily harm to the Deputy or others. Examples include:
 - The subject balls up his fist and approaches the Deputy
 - The subject pushes the Deputy back as the Deputy tries to take the subject into custody
 - The subject grabs any part of the Deputy's body
 - The subject attempts to strike the Deputy
 - d. *Deadly Force Resistance*: A subject's hostile, attacking movements, with or without a weapon, that cause a reasonable perception by the Deputy that the subject intends to cause, and had the capability of causing, death or great bodily harm to the Deputy or others.
4. **Deputy Response to Subject Resistance**: The level of force required by the Deputy to meet the subject's resistance to the point of gaining/regaining control of the subject. Response to subject resistance through physical force occurs when the subject refuses to comply with the Deputy's lawful order and verbal dialogue. There are three levels of force response: [NOTE: The mere handcuffing of compliant individuals is not considered force.]
- a. *Physical Control*: Use of restraining and/or physical force to achieve compliance or custody through the use of empty-hand or leverage-enhanced techniques, such as pain compliance, transporters, restraint devices (including Emergency Restraint Chair-E.R.C.), takedowns, and striking techniques.
 - b. *Less-Lethal Weapons*: Use of weapons that are not fundamentally designed to cause death or great bodily harm. Some examples include chemical agent sprays (e.g. FREEZE +P), Dart-Firing Stun Gun (e.g. TASER), the remote restraint device (e.g. BolaWrap), less-lethal impact weapons such as expandable batons (e.g. ASP) and 12-GA. Less-Lethal impact munitions.
 - c. *Deadly Force*: Force that is likely to cause death or great bodily harm. Some examples include use of a firearm, eye gouges, empty hand strikes to the throat, impact weapon strikes to the head or side of the neck.
5. **Situational Factors/Totality of the Circumstances**: In addition to assessing a subject's resistance level, the process of determining the threat potential a Deputy is facing also includes considering the following examples:
- a. Subject Factors:
 - Seriousness of the crime committed.
 - Size, age and weight of the subject.
 - Apparent physical ability/skill level of the subject.
 - Number of persons present who are involved or who may become involved.
 - Weapons possessed by or readily available to the person.
 - Known history of violence by the subject.
 - Presence of innocent persons or potential victims in the area.
 - Whether the subject can be captured at a later time.
 - Whether evidence is likely to be destroyed.
 - b. Deputy Factors:
 - Size, physical ability and defensive tactics expertise of the Deputy(s).
 - Number of Deputies present.
 - Immediate reaction in the case of sudden attack.

- Weapon options or restraint devices available to the Deputy.
 - Legal Justification.
 - Agency Policies and Procedures.
- c. Environmental Factors:
- Physical location.
 - General surroundings and the dynamics and dangers associated.
 - Lighting conditions.
 - Presence of other persons who may become involved as participants or victims.
 - Weather
 - Avenues of escape for the subject as well as for the Deputy.
6. **Applying Force:** It is recognized that Deputies are required to make use of force decisions based on the totality of the circumstances known or perceived by the Deputy at the time of the incident. Since most situations are fluid and dynamic, formulating a reasonable and valid response requires constant threat assessment as the situation unfolds and changes. Force guidelines do not require matching a subject's level of resistance with an exact level of response but rather gives Deputies the latitude to pick a use of force response that he or she reasonably believes is appropriate based on an assessment of the totality of the circumstances the Deputy is facing in that moment.
- a. The most serious act in which a Deputy can engage during the course of their official duties is the use of deadly force. The authority to carry and use firearms in the course of public service is an immense power, and one which comes with great responsibility.
 - b. A Deputy is not justified in using deadly force at any point in time when there is no longer probable cause to believe the suspect is dangerous, even if deadly force would have been justified at an earlier point in time.
 - c. Should use of deadly force be required, Deputies shall immediately render the appropriate medical aid and request further medical assistance for the suspect and any other injured individuals, including the Deputy, when necessary and safe to do so.
7. **Passive Resistance Demonstrations:** Deputies shall not use force to overcome passively resistance demonstrators, except that physically moving a subject is permitted when it is necessary and objectively reasonable. The decision to deploy use of force on passive resistance crowd control/demonstrations shall be determined solely by the Sheriff or Chief Deputy.
8. **Totality of the Circumstances:** While the U.S. Supreme Court identified three (3) factors that should be evaluated in determining whether a Deputy's use of force was objectively reasonable, this list was not intended to be all inclusive. The totality of the circumstances at the time that led a Deputy to believe force was needed is critical. Other factors such as whether an individual is violent, the possibility that the individual is armed, and the number of persons with whom the Deputy must contend with at the time are all relevant factors to consider. Individual factors alone would not give a reasonable officer the belief that deadly force is necessary. E.g. resisting arrest or flight alone would not justify the use of deadly force.
9. **Required Training:** All Deputies shall receive documented training and demonstrated proficiency on all Volusia Sheriff's Office authorized use of force and shall receive and be instructed on the Volusia Sheriff's Office general order 1.1 Use of Force Guidelines, general order 1.3 Use of Less-Lethal Weapons and Devices, and any pertinent Legal Bulletins prior to authorized carry and use of force. At least annually, all sworn personnel authorized to carry weapons are required to receive in-service training on Volusia Sheriff's Office use of force policies, including legal updates/bulletins, and shall demonstrate proficiency with all approved lethal weapons and electronic controlled weapon/dart firing stun gun that the Deputy is authorized to use. In-service training for other authorized less-lethal weapons and weaponless control techniques shall occur at least biennially.
- a. All weapons qualification and proficiency training must be monitored by a certified weapons or tactics instructor
 - b. Training and proficiency must be documented
 - c. It is incumbent upon every Deputy to maintain proficiency in the use of authorized firearms/weapons; Deputies unable to qualify with an authorized weapon shall receive remedial training prior to resuming official duties.

10. **Required Reporting:** In addition to documenting incidents with the Volusia Sheriff's Office Incident Report, a supervisor shall be informed immediately of each incident involving the use of force by a Deputy(s):
 - a. When restraining force is simply used to gain control of a subject without injury, charging the defendant and initiating a Response to Resistance report shall be left to the discretion of the arresting Deputy and the supervisor based on the circumstances; however, any restraining force or physical force resulting in injury, or a complaint of injury (whether or not visible), shall require a Response to Resistance report and Administrative Review through the chain of command.
 - b. Each use of Freeze +P, R.E.A.C.T./BANDIT, Taser, ASP, BolaWrap, available defensive tool of convenience, or less-lethal munitions shall be documented in an Incident Report and shall require a supervisory Response to Resistance report and Administrative Review through the chain of command.
 - c. **Threat of Force:** The pointing of a firearm or Taser at an individual as a threat of force will be documented in the incident report, but does not require the completion of a response to resistance report.
11. **Required Supervisory Response to Critical Incidents:** Supervisors shall immediately respond to any scene where:
 - a. A weapon (firearms, edged weapon or other improvised weapons) is reported
 - b. Persons experiencing a mental health crisis are reported
 - c. A Telecommunicator or other member of the Volusia Sheriff's Office believes there is potential for significant force.

C. LESS-LETHAL FORCE

1. GENERAL USE GUIDELINES

- a. **Establish Control** – Establishing control assists in preventing and/or mitigating the potential for escalation of force. The primary purpose for the use of force by law enforcement is to overcome resistance and/or establish control over the subject(s) who is resisting or creating the threat of physical harm to the Deputy, themselves, or another person.
- b. **Escalation** – In the process of responding with an appropriate level or type of force to overcome a resisting subject, or detain a subject when force is justified, it is not a requirement to go step-by-step through the levels of response. Deputies are justified in responding with whatever level or type of force is deemed reasonable and necessary at the time to overcome the resistance presented by the individual and defend against assault and/or achieve control based on proportionality and the totality of the circumstances.
- c. **De-escalation of Force** – Once control has been gained in a situation, Deputies shall de-escalate their use of force as soon as practical to a point no greater than what can be reasonably expected to maintain control over the subject to accomplish lawful objectives.
- d. **Decisive and Effective** – Deputies shall attempt where feasible and practical, to resolve all potential use of force incidents with non-physical measures. However, once it is apparent to a Deputy that force is going to be required for the Deputy to safely perform their duties, then the force that is reasonable and necessary shall be delivered in a decisive and effective manner, followed up by appropriate controlling techniques in order to:
 - (1) End the confrontation as quickly as possible, thereby reducing the risk of injury to all parties, and
 - (2) Prevent the situation from escalating to higher levels of resistance and response.

2. LESS-LETHAL FORCE AUTHORIZATION

- a. Deputies are authorized to use any law enforcement less-lethal option listed in AUTHORIZED LESS-LETHAL FORCE OPTIONS below which they reasonably believe is necessary to accomplish a lawful objective such as, but not limited to, the following:
 - (1) Overcome resistance or threatened resistance to arrest, detainment or lawful commands.
 - (2) Defend themselves or someone else against physical assault or endangerment.

- (3) Take a person into protective custody, such as for a Baker Act or Marchman Act.
 - (4) Prevent the escape of an arrested person or prisoner.
 - (5) Perform official duties requiring the controlling presence of a Deputy such as during a civil unrest incident or crowd control.
 - (6) Defend themselves during the service of Court Ordered Civil Process.
 - (7) Prevent criminal damage to property or loss/destruction of evidence.
 - (8) Restrain an individual to allow medical treatment at the direction of a physician or by Court Order.
 - (9) Protect an arrestee/detainee from self-inflicted injury or death.
 - (10) Defend against animal attacks.
- b. Authorized less-lethal force options
- (1) In response to subjects who are actively resisting or threatening to actively resist, or who are otherwise a serious, credible threat to the deputy or another person while refusing to obey lawful commands, deputies are authorized to use the following less-lethal force options in accordance with general order 1.3 Use of Less-lethal Weapons and Devices:
 - (2) Physical Control force (empty-hand controls/techniques, restraints including emergency restraint chair)
 - (3) Any agency-approved less-lethal weapon for which the employee is currently trained, certified and has demonstrated proficiency in its use is authorized for carry and use to accomplish one or more lawful objectives as noted above in LESS-LETHAL FORCE AUTHORIZATION. This includes:
 - OC Spray (Freeze+ P)
 - R-E-A-C-T/BAND-IT
 - BolaWrap
 - Tasers
 - ASP baton
 - Tools of convenience in defense of self and/or others
 - Less-lethal munitions (12-GA. Drag Stabilized Munition)

3. **PROCEDURES IF A SUBJECT/ARRESTEE RECEIVES NON-LIFE THREATENING INJURIES**
- a. Deputies shall ensure prompt, appropriate medical attention is provided to and/or summoned for any injured subject/arrestee who at any time:
- (1) Has a visible or reasonably suspected injury.
 - (2) Complains of an injury even when none is visible.
 - (3) Was subdued by either:
 - OC spray (Freeze +P)
 - R.E.A.C.T./BAND-IT
 - BolaWrap
 - Taser
 - Struck with an impact or defensive weapon.
 - Struck with any less-lethal or specialty impact munitions.
 - Apprehended by a K-9 bite.
 - (4) Was rendered unconscious for any length of time.
 - (5) Displays any signs of a medical stress condition, i.e., a heart condition, diabetes, respiratory difficulty, etc.
 - (6) Appears to be under the extreme influence of drugs or alcohol.

- (7) Any other time good judgment indicates the subject should be medically checked out before proceeding with the arrest process.
- (8) **LIFE-THREATENING INJURY**, the Deputy shall immediately summon Emergency Medical Services to the scene and provide supportive medical attention to the best of their ability.

D. DEADLY FORCE

1. DEADLY FORCE AUTHORIZATION

- a. Deputies are authorized to use **Deadly Force** only when they reasonably believe it is necessary to perform one or more of the following:
 - (1) To *prevent imminent death or great bodily/physical harm* to a deputy or other person(s).
 - (2) To prevent the escape of a person arrested for a violent felony involving the use or threatened use of deadly force and an imminent danger exists to the Deputy or other person(s).
 - (3) To prevent the escape of an inmate from a detention facility or during transport to or from a detention facility when the escapee poses an imminent danger to the Deputy or other person(s).
 - (4) To apprehend a fleeing felon who the Deputy has probable cause to believe had committed a felony which involved the use or threatened use of deadly force, and an imminent danger exists to the Deputy or other person(s); and when feasible a verbal warning is given to the fleeing subject prior to the use of deadly force.
- b. Unless impractical under the circumstances, deputies shall attempt to give a verbal warning prior to the use of deadly force.
- c. Employees should take reasonable measures available under the circumstances to ensure the safety of bystanders when engaging in deadly force.
- d. Deadly Force is also authorized to put down a dangerous animal(s) that poses an immediate threat of serious bodily/physical harm to a Deputy, another person, or to neutralize the vicious attack on another animal, but only when other reasonable alternatives are unavailable and only when deadly force can be used without jeopardizing bystanders.
- e. **NOTE:** The dispatch of an injured or sick animal by the use of a firearm does not constitute a use of force, nor require a use of force report; the incident will be documented in an incident report and have supervisory review as with any other non-force incident.

E. DEADLY FORCE:

1. As a general rule, Deputies shall not draw their weapons unless there is sufficient justification. In effecting the arrest of potentially dangerous suspects or in high hazard situations, Deputies may display a firearm for the purpose of obtaining and maintaining control of the situation and discourage escalation of subject resistance. The display of a firearm is not a use of force. The pointing of a firearm at an individual as a threat of force will be documented in the incident report, but does not require the completion of a response to resistance report.
2. **SPECIFIC PROHIBITIONS**
 - a. Deputies shall not discharge their firearms in defense of property.
 - b. Deputies should not use a firearm as an impact weapon.
 - c. Deputies shall not fire warning shots under any circumstances.
 - d. Deputies shall ensure their actions do not precipitate the use of deadly force by placing themselves or others in jeopardy by taking unnecessary, overly aggressive, or improper actions. It is often a tactically superior Deputy procedure to withdraw, take cover or reposition, rather than the immediate use of force.
 - e. Deputies shall not discharge their firearms to subdue a fleeing individual who presents no immediate threat of death or serious physical injury to themselves or another person.

- f. Deputies shall not discharge their firearms **FROM** a moving vehicle unless deadly force is authorized in accordance with this general order. Shooting accurately from a moving vehicle is extremely difficult and therefore, unlikely to successfully stop a threat of another person.
- g. Deputies shall not discharge their firearms **AT** a vehicle unless a person in the vehicle is immediately threatening the deputy or another person with deadly force:
 - (1) A moving vehicle alone shall not presumptively constitute a threat that justifies a Deputy's use of deadly force.
 - (2) Deputies shall not move into or remain in the path of a moving vehicle. Moving into or remaining in the path of a moving vehicle, whether deliberate or inadvertent, may not be sufficient justification for discharging a firearm at the vehicle or any of its occupants. A Deputy in the path of an approaching vehicle shall attempt to move to a position of safety when at all possible, rather than discharging a firearm at the vehicle or any of the occupants of the vehicle.
 - (3) These prohibitions regarding the discharge of a firearm at or from a moving vehicle exist for the following reasons:
 - (a) Moving to cover in order to gain and maintain a superior tactical advantage maximizes Deputy and public safety while minimizing the need for deadly or potentially deadly force.
 - (b) To avoid unnecessarily endangering innocent persons, both when inside the vehicle and in the vicinity.
 - (c) Bullets fired at a moving vehicle are extremely unlikely to disable or stop the vehicle.
 - (d) Disabling the driver of a moving vehicle creates unpredictable circumstances that may cause the vehicle to crash and injure other Deputies or innocent bystanders
 - (4) **NOTE:** Barring exigent circumstances (e.g. the driver is unconscious and the motor is still running), a Deputy shall never reach into an occupied vehicle in an attempt to shut off the engine or to recover evidence, since this has been known to result in serious injury to Deputies

F. REPORTING THE DISCHARGE OF A FIREARM

- 1. Whenever a Deputy discharges a firearm, while on duty or off-duty, for any reason other than training or recreation, he/she shall immediately report the incident to a supervisor.
- 2. The supervisor will notify the appropriate authority and the Internal Affairs Unit.
- 3. An incident report will be prepared containing the pertinent facts.

G. USE OF FORCE/FIREARM AGAINST VICIOUS ANIMALS

- 1. The killing of a vicious animal is justified:
 - a. For self defense
 - b. To prevent substantial harm to another
 - c. To prevent substantial harm or death to other animals
- 2. Deadly use of force reporting and administrative review guidelines will be followed in accordance with this general order.

VI. DEPUTY INVOLVED SHOOTING – PROCEDURE

A. GENERAL

- 1. The Sheriff directs all investigations of incidents involving the use of deadly force. The Sheriff has entered into a Memorandum of Understanding with the Florida Department of Law Enforcement (FDLE) for the purpose of facilitating all investigations of the use of deadly force resulting in great/serious bodily harm or death to a person, and/or any other in-custody death.
- 2. In all deputy involved shootings which do not result in great/serious bodily harm or death, the Sheriff directs that the Investigative Services Section Detectives shall conduct the investigation.

3. Upon notification of a deputy involved shooting where:
 - a. Use of Deadly Force resulting in great/serious bodily harm or death to a person – The Investigative Services Section Commander or designee will contact the Internal Affairs Unit Supervisor or designee and the FDLE Critical Incident Team and facilitate their contact with the on-scene ranking deputy in charge for incident assessments prior to FDLE’s arrival.
 - b. Use of Deadly Force NOT resulting in great/serious bodily harm or death to a person – The on-scene supervisor will contact the Investigative Services Commander or designee and facilitate their contact with the on-scene ranking deputy in charge for incident assessments. The Investigative Services Section Commander or designee will contact the Internal Affairs Unit Supervisor or designee.
4. All deputies involved (primary, backup and/or witness) shall remain in possession of their body worn camera (BWC) as worn at the time of the incident as uncompromised evidence. All deputies involved (primary, backup and/or witness) shall not view any recording on any device or computer. The Investigative Services Section Commander or designee will make the BWC video available to primary, backup and/or witness deputies upon their request. Viewing of the primary, backup and/or witness deputy’s BWC will be facilitated at Volusia Sheriff’s Office Operations. (Per Fla. Stat. § 943.1718(2)d), this provision to review before writing a report does not apply to an officer’s inherent duty to immediately disclose information necessary to secure an active crime scene or to identify suspects or witnesses.)

EXCEPTION: In a deadly force incident that, due to exigent circumstances (such as the deputy is incapacitated, the suspect is at large), access to the BWC video may aid in capture of the suspect, the on-scene supervisor, with approval from the watch commander, may view the footage. Required access shall be documented in the supervisor’s report.
5. Supervisors will preserve BWC chain-of-custody in accordance with SUPERVISORS RESPONSIBILITIES VI, B, 8, Secondary Supervisor VI, B, 9 and general order 41.20 Body Worn Cameras.
6. Internal Affairs will respond to Volusia Sheriff’s Office Operations and facilitate administrative responsibilities to include but not limited to; urinalysis, administrative relief of duty notification, etc.

B. RESPONSIBILITIES OF PERSONNEL:

1. INVOLVED DEPUTY

- a. Whenever a Deputy is directly involved in or the target of deadly force, unless incapacitated, he/she shall immediately:
 - (1) Notify the dispatcher of the incident and location.
 - (2) Determine the physical condition of any injured person and render first aid when appropriate.
 - (3) Request necessary emergency medical aid.
 - (4) Remain at the scene (unless injured) until the arrival of the appropriate detectives. However, if the circumstances are such that the continued presence of the Deputy at the scene might cause a more hazardous situation to develop, the ranking commanding officer at the scene shall have the discretion to instruct the Deputy to move to another, more appropriate location.
 - (5) Remain in possession of their holstered firearm and duty belt until the FDLE and/or Investigative Services Section Detectives secures the weapon and ammunition. If exigent circumstances exist, the involved deputy, (or the respective supervisor if necessary), may remove his/her duty belt intact, place in large paper evidence bag and secure/lock the intact duty belt in their vehicle. Should this be required, gloves shall be worn to help preserve evidence. The Involved Deputy will be photographed prior to their holstered firearm and duty belt being removed.
 - (6) Remain in possession of their body worn camera (BWC) as worn at the time of the incident until arrival of and custody transfer to the on-scene supervisor, FDLE and/or Investigative Services Section Detectives. The Involved Deputy will be photographed prior to their BWC being removed.

- (7) Cooperate with the first supervisor arriving at the scene by relating as much basic information as possible.
- b. The Crime Scene Unit Detective will provide the involved deputy with a loaner replacement weapon, as deemed appropriate.
- c. In accordance with Fla. Stat. § 943.1718(d), and in order to ensure the safety of Law Enforcement personnel, first responders and the public, employee(s) shall answer the following specific questions as asked by the on scene supervisor utilizing the Supervisor's Firearm Discharge Checklist, VSO Form# 033017.001:
 - (1) Are you injured?
 - (2) If you know of anyone who was injured, what is his or her location?
 - (3) In what direction did you fire your weapon(s)?
 - (4) If any suspects are at large, what are their descriptions?
 - (5) What was their direction of travel?
 - (6) How long ago did they flee?
 - (7) For what crimes are they wanted?
 - (8) With what weapons are they armed?
 - (9) Does any evidence need to be preserved?
 - (10) Where is it located?
 - (11) Were you wearing a body-worn camera?
 - (12) Was the camera activated during the incident?
2. Only questions pertaining to public safety and crime scene preservation will be asked. Due to the immediate need to take action, Volusia Sheriff's Office will require employee(s) to answer these public safety questions without waiting for legal representation. This is not a formal interview and employee(s) should understand their importance and necessary limitations. Once the inquiries are answered, the employee(s) shall be cautioned not to discuss the incident further, except with legal counsel before giving a formal statement.
3. The involved deputy shall not discuss the case with anyone except:
 - a. **Supervisory and investigative personnel; limit discussion to "public safety only" questions as noted in Sections VI, B, 1, C and VI, B, 2.
 - b. *The Deputy's privately retained or Bargaining Unit attorney;
4. **A member of the Critical Incident Stress Debriefing (CISD) Team will be made available to the involved deputy(s) to address the involved Deputy's psychological and emotional needs (general order 22.13 Critical Incident Stress Debriefing Team).

NOTE:

**Usually privileged/protected communication under Florida Law.*

***Usually **NOT** privileged/protected communication under Florida Law.*

5. The involved Deputy shall not complete any incident report, or use of force report/forms at the time of the incident, as he/she is a subject of the incident. The involved Deputy shall not be continually questioned at the scene. All pertinent information shall be ascertained from the initial supervisor, or in later interviews as governed by law, department policy, and in accordance with the Florida Law Enforcement Officer's Bill of Rights.
6. **If advised of Miranda warnings**, he/she will have the right to have an attorney present before any statements or interviews are taken.
7. **BACKUP AND/OR WITNESS DEPUTY**
 - a. Backup and/or witness deputies involved in a Deputy involved shooting incident shall:
 - (1) Assist the primary Deputy as needed;
 - (2) Take steps to apprehend suspects still in the area;

- (3) Help establish perimeters and secure the incident scene;
 - (4) Help preserve all physical, photographic, video/digital or any other available evidence related to the incident, to include their respective BWC video;
 - (5) Remain in possession of their body worn camera (BWC) as worn at the time of the incident until arrival of and custody transfer to the on-scene supervisor, FDLE and/or Investigative Services Section Detectives. The backup and/or witness Deputy will be photographed prior to their BWC being removed;
 - (6) Separate and detain all witnesses, including the involved deputies and backup and/or witness Deputy(s) for the FDLE and/or Investigative Services Section Detectives ;
 - (7) Assist the FDLE and/or Investigative Services Section Detectives as directed;
 - (8) Document their individual actions taken and/or observations on a supplement report.
- b. Backup and/or witness deputies shall refrain from discussing anything related to the incident, or providing any type of advice or opinion related to the incident. **Upon arrival and assignment of the Critical Incident Stress Debriefing (CISD) Team member(s), the CISD Team member may proceed within the scope of the CISD mission to assist affected agency personnel in coping with stress related to traumatic events.
 - c. Any witness deputy(s) shall remain separated from other witnesses, including other witness deputies, until individually interviewed by FDLE and/or Investigative Services Section Detectives.

8. FIRST ON-SCENE PRIMARY SUPERVISOR

- a. The immediate supervisor will:
 - (1) Respond to the scene without delay and assume command, until relieved by a superior, or member of Investigative Services Section or the FDLE Critical Incident Team;
 - (2) Request a second supervisor respond to the scene to assist with the transfer and chain of custody of all BWC.
 - (3) Question the involved Deputy(s) pertaining to public safety and crime scene preservation; utilize VSO Form# 033017.001, Supervisor's Firearm Discharge Checklist to document questions-answers.
 - (4) Contact the Investigative Services Commander or designee for immediate notification of the FDLE Critical Incident Team;
 - (5) Once contacted by FDLE and/or Investigative Services Section Commander or designee, provide incident assessment prior to their arrival;
 - (6) Notify the Medical Examiner of the incident. The FDLE Critical Incident Team and/or Investigative Services Commander or designee will request the Medical Examiner to respond when appropriate;
 - (7) Secure incident location as a crime scene and establish a check-in post outside of the crime scene perimeter; Initiate the crime scene security log and minimize scene access to mission-essential personnel only. No personnel other than members of the Investigative Services Section and/or FDLE are permitted within the crime scene. Any personnel allowed into the crime scene other than Investigative Services Section personnel and/or FDLE personnel will be documented in a supplement report to include reason for entry. Establish the following four zones, clearly identified, to accommodate responding personnel and media:
 - (a) **Primary Crime Scene Zone** – Actual Crime Scene (Incident Location) Mission Essential Personnel Only- Investigative Services Section and/or FDLE personnel.
 - (b) **Secondary Law Enforcement Personnel Zone** – Area Adjacent to Primary Scene (CSU Truck), Investigative Services Section and/or FDLE personnel, Applicable Staff.
 - (c) **Support Personnel Zone** – Critical Incident Stress Debriefing (CISD), Support Deputies (Command Post if applicable), refreshments and Union Personnel Area.
 - (d) **Public/Media Zone** – Safe Area for Public/Media.

- (8) Stabilize the crime scene, but do not start processing prior to FDLE/Investigative Services Section Detectives arrival; minimize photographs;
- (9) Ensure the BWC affixed to the Deputy in the manner it was found, and that the BWC data remains uncompromised until custody transfer of the BWC to Evidence.com in accordance with general order 41.20 Body Worn Cameras;
- (10) Ensure that all witnesses, including involved deputies, are separated and detained;
- (11) Ensure that a CISD Team member is called out and assigned to assist the involved Deputy, or other members as needed.
- (12) Check on the well-being of the deputy(s) involved. The immediate supervisor or designee shall also ensure:
 - The Deputy Involved Shooting/Use of Deadly Force Guidelines (ATTACHMENT A) are followed; and
 - The Deputy Involved Shooting/Use of Deadly Force Information Handout (ATTACHMENT B) is given to the affected employee(s).
- (13) Ensure Union members who respond to a scene in a union capacity are identified as union representatives and remain outside the crime scene area.

9. SECONDARY SUPERVISOR

- a. The secondary supervisor on-scene will:
 - (1) Arrange for the transport of the involved deputy(s) and witness deputy(s) to Volusia Sheriff's Office Operations. The involved deputy(s) and witness deputy(s) will be separated and will not discuss the incident.
 - (2) Separate all involved deputy(s) and witness deputy(s).
 - (3) Photograph all involved deputy(s) and witness deputy(s) at the scene to depict the location of the BWC.
 - (4) Respond to Volusia Sheriff's Office Operations and place all involved deputy(s)' and witness deputy(s)' BWC into the docking station and monitor the docking station to secure the chain of custody.
 - (5) Notify the Volusia Sheriff's Office IT Director or designee that BWC evidence related to a deputy involved shooting is being uploaded to Evidence.com and is required to be placed into the OIS restricted group. Involved deputy(s) and witness deputy(s) names DID and BWC serial numbers will be provided to the Volusia Sheriff's Office IT Director and/or designee immediately by email for documentation purposes.
 - (6) If Air One recorded any video evidence, the secondary supervisor will arrange for an Investigative Services Section Detective to respond to aviation and ensure all data remains uncompromised until chain of custody transfer is completed. The Detective will obtain the original video evidence and transfer to Volusia Sheriff's Office IT Director or designee for transfer to OIS restricted viewing group.
 - (7) Complete a supplement report documenting their actions to include:
 - Photographing involved deputy(s) and witness deputy(s);
 - Preserving the chain of custody of BWC(s); and Air One video evidence.
 - Separation of involved deputy(s) and witness deputy(s)
 - Contact with Volusia Sheriff's Office IT Director and/or designee; and
 - Any other pertinent information.

10. IT DIRECTOR

- a. During an incident of Use of Deadly Force resulting in great/serious bodily harm or death to a person or Use of Deadly Force NOT resulting in great/serious bodily harm or death to a person, the IT Director and/or designee will:
 - (1) Coordinate and monitor the upload of involved deputy(s) and witness deputy(s) BWC(s) and placement into the Deputy Involved Shooting restricted group.

- (2) Transfer any applicable Air One video evidence to the Deputy Involved Shooting restricted group.

11. DISTRICT CAPTAIN (OR EQUIVALENT)/WATCH COMMANDER

- a. Based on incident time-of-day/day-of-the-week, the respective District Captain (or equivalent), or the on-duty Watch Commander shall:
 - (1) Assign personnel to assist the involved deputy(s) and witness deputy(s);
 - (2) Confirm a second supervisor has been requested to the scene;
 - (3) Proceed immediately to the scene;
 - (4) Ensure the scene is secured;
 - (5) Ensure that the Sheriff, Chief Deputy, District Captain, Legal Advisor, Investigative Services Captain and all other appropriate persons have been notified;
 - (6) Ensure CISD Team member has been called out and assigned to assist involved personnel;
 - (7) Render assistance to the assigned detective(s) until Command Staff arrives;

12. COMMUNICATIONS

- a. The notified dispatcher shall dispatch requested medical aid and initiate notification to:
 - The involved Deputy's immediate supervisor
 - The on-duty Commander
 - The Communications Director
 - The Public Information Officer
 - Investigative Services Section Captain
 - Internal Affairs
 - Division Chiefs
 - Chief Deputy
 - Sheriff
 - The on-call Critical Incident Stress Debriefing (CISD) Team Member
- b. The dispatcher shall dispatch additional resources and/or make any additional notifications, as requested by field supervisors.

13. BARGAINING UNIT REPRESENTATIVE

- a. Volusia Sheriff's Office personnel who respond in the role of Bargaining Unit Representative (Representative) shall respond accordingly:
 - (1) On-Duty Representatives are permitted to respond in their assigned vehicle in routine-response mode and shall wear a shirt/vest pre-approved by the Sheriff that clearly identifies them as a Representative.
 - (2) Off-Duty Representatives are permitted to respond in their assigned vehicle in routine-response mode; Representatives shall not be in Volusia Sheriff's Office uniform.
 - (3) Representatives shall not display their Volusia Sheriff's Office badge and/or credentials and upon arrival, shall immediately notify the on-scene supervisor of their presence and their union role. The Representative shall be authorized access specifically limited to the designated Support Personnel Zone.
 - (4) Bargaining Unit Representatives shall not enter any crime scenes, shall not be present for any de-briefings, interviews, BWC viewing, firearm and/or crime scene processing.

14. INTERNAL AFFAIRS UNIT

- a. The Internal Affairs Unit Supervisor and/or designee will respond to Volusia Sheriff's Office Operations and is responsible for coordinating administrative responsibilities to include but not limited to; urinalysis, administrative relief of duty notification, etc.

C. REPORTING THE USE OF DEADLY FORCE OR IN CUSTODY DEATH

1. Any in-custody death or use of deadly force resulting in great/serious bodily harm or death to a person shall be immediately reported to the Communications Center for notification of proper authority.
2. All incidents involving an in-custody death, or the use of deadly force in which a Deputy takes an action that results in, or is alleged to have resulted in, great/serious bodily harm, or death of a person, will be documented by a written report. The report will provide the preliminary information necessary to capture the basic elements of the encounter, but will not require specific details until such time that assigned detectives can properly determine such details during the ensuing investigation.
3. Due to the complexities involved in scenarios that lead to the use of deadly force, the action/reaction of the deputy, and the physiological responses resulting from life and death scenarios, specific details are more accurately captured during follow-up investigation by the assigned detective(s).

D. NON-DISCIPLINARY RELIEF FROM DUTY

1. All incidents involving an in-custody death or the use of deadly force, in which a Deputy takes an action that results in, or is alleged to have resulted in, great/serious bodily harm, or death of a person, the Deputy shall be relieved of normal operational duty and placed on administrative leave with pay. This shall follow the initial on scene investigation.
2. The intended purpose of this relief from duty serves two purposes:
 - a. To address the emotional and personal needs of the Deputy involved in the use of deadly force; and
 - b. To assure the community that verification of all the facts surrounding such incidents are fully and professionally explored.
3. Prior to returning to duty, the involved Deputy shall be required to see a Sheriff's Office furnished Psychologist.
4. Deputies returned to duty following *Administrative Leave with pay* may be placed in a temporary assignment until completion of the FDLE Investigation, State's Attorney's Office review, Grand Jury findings, Administrative Investigation and/or completion of policy review.

E. INTERNAL AFFAIRS UNIT ADMINISTRATIVE INVESTIGATION

1. The Internal Affairs Unit shall administratively investigate and/or review every incident involving in-custody death, the use of deadly force and/or discharge of a firearm and shall present investigative findings to the Command Staff for review.
2. The Deputy(s) involved shall be the subject of an *Administrative Investigation* and shall be served in a timely manner. The *Administrative Investigation* will be tolled during the course of the criminal investigation by FDLE and review by the State Attorney's Office and/or Grand Jury findings.
3. The *Administrative Investigation* will begin upon completion of the FDLE criminal investigation and review/finding by the State Attorney's Office. **Exception:** When an administrative investigation clearly would show the incident involves a policy violation so evident and egregious that it requires immediate dismissal, an administrative investigation may be conducted concurrently with the criminal investigation. The concurrent investigation permits the Sheriff's Office to complete the administrative process and to act on the recommendation promptly rather than waiting on the criminal investigation and court process, including appeals, which can continue long after the administrative outcome is final.
4. Reports involving the accidental discharge of a firearm where there is no injury or property damage require supervisory review only with documented oversight by the Internal Affairs Unit. Unless determined necessary by the Internal Affairs Commander, such reports do not require full Command Staff review.

F. CRITICAL INCIDENT REVIEW PANEL [CIRP]

1. The Critical Incident Review Panel (CIRP) is a forum where attendees can analyze and discuss matters related to tactical decision-making, proportionality and de-escalation techniques, adherence to agency policy and procedures, training issues, quality of supervision during the incident and the quality of investigations related to the incident.

2. CIRP shall consist of senior command staff, the involved deputy's captain, representation from the Sheriff's Office training staff, and members of the Internal Affairs Unit.
3. CIRP will convene at the conclusion of any investigated incident involving the use of deadly force and/or the intended use of deadly force.
4. Prior to CIRP assembling, attendees will be supplied copies of all reports associated with the upcoming review. The Internal Affairs Unit case agent will brief the CIRP members at the beginning of each review.
5. The review will be non-punitive and used as a guideline to improve the agency's performance and safety during future use of deadly force events through training, education, enhanced policies, and/or equipment.
6. The review shall be documented in a memo to the Sheriff for review and potential implementation. In addition, the review shall be documented in IAPro as part of the agency's Early Warning System (EWS).

G. RETURN OF AGENCY-ISSUED FIREARM

1. Upon the return of the Deputy's firearm from FDLE to Evidence, the Evidence Section shall notify the Investigative Services Commander or designee that the weapon has been returned. The firearm will remain in the custody of Evidence Section until a Release of Evidence is provided to Evidence from the Investigative Services Section Commander or designee after a release is received from FDLE and/or the Office of the State Attorney.
2. When a Release of Evidence is received, a certified armorer shall disassemble, clean, inspect, reassemble and test fire the weapon prior to returning to the deputy to ensure that the weapon is returned in good working order. In addition, any ammo in the magazines will be replaced with new ammo.
3. The certified armorer shall then make arrangements for the Deputy to return the loaner weapon to Training and pick up his inspected firearm at that time. The certified armorer shall disassemble, clean, inspect, reassemble and test fire the weapon and then return to the Crime Scene Unit by notifying the Major Case Unit Supervisor.

H. ADMINISTRATIVE REVIEW: RESPONSE TO RESISTANCE REPORTS

1. Any restraining force or physical force resulting in injury, or a complaint of injury (whether or not visible), shall require a Response to Resistance report and Administrative Review through the chain of command.
2. Each use of Freeze +P, R.E.A.C.T./BAND-IT, Taser, ASP, BolaWrap, available defensive tool of convenience, or less-lethal munitions shall be documented in an Incident Report and shall require a supervisory Response to Resistance report and Administrative Review through the chain of command to the Sheriff.
3. The Sheriff may call his Command Staff for a final review. All completed reviews will be forwarded to the Internal Affairs Section for inclusion in the administrative information management database as part of the agency's administrative review tracking and analysis process and Personnel Early Warning System.
4. Command Staff Review shall include the Sheriff and the following members of his Command Staff:
 - a. Chief Deputy
 - b. Law Enforcement Operations Division Chief
 - c. Support Operations Division Chief
 - d. District Captains
 - e. Investigative Services Captain
 - f. Narcotics Investigations Captain
 - g. Training Captain
 - h. Internal Affairs Commander
 - i. Sheriff's Office Legal Advisor

5. The Command Staff may call detectives, specialists or technicians required to present evidence and facts concerning any shooting incident.
6. The Command Staff shall review any facts and pertinent testimony, and forward findings and recommendations to the Sheriff for final disposition. The report shall include the relevant facts and circumstances surrounding the incident and a conclusion as to whether the use of force violates department general orders.
7. In those incidents resulting from the exercise of poor judgment, where no violations of law or policy or procedures are involved, Command Staff may note the exercise of poor judgment and make recommendations for remedial training or corrective action.
8. In those instances where exceptional judgment and exemplary action is involved, Command Staff may recommend a commendation be issued.
9. The Professional Standards Section shall complete an annual analysis of all use of force to include use of deadly force and less-lethal force policies and practices; this analysis shall also include any in-custody deaths. The analysis will be used to address any training or policy deficiencies, use of force trends among Deputies, and for protection of the Deputy, the Sheriff's Office, and the community.

VII. REFERENCES

- [Deputy Involved Shooting/Use of Deadly Force Incident Guidelines](#)
- [Deputy Involved Shooting/Use of Deadly Force Information Handout](#)

VIII. FORMS

- [Supervisor's Firearm Discharge Checklist, VSO Form # 033017.001](#)