



**KNOXVILLE POLICE DEPARTMENT
KNOXVILLE, TENNESSEE**



General Order No. 1.6

Subject: Response to Resistance	Effective Date: August 5, 2003	Revised Date: April 27, 2015
Title: Response to Resistance	Pages: 31	Distribution: All Members
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Purpose:

The purpose of this directive is to provide specific guidelines regarding lethal and less lethal response to resistance by members of the Knoxville Police Department. This directive consists of the following sections:

- I. Policy
- II. Definitions
- III. Response to Resistance Continuum
- IV. Less Lethal Response
- V. Lethal Response
- VI. Authorized Firearms and Ammunition - On Duty
- VII. Authorized Firearms and Ammunition - Off Duty
- VIII. Storage of Authorized Firearms and Ammunition
- IX. Weapons Inspection and Maintenance
- X. Weapons Qualification and Training
- XI. Documentation and Responsibilities of Members Who Employ a Less Lethal Response
- XII. Documentation and Responsibilities of Members Who Employ a Lethal Response

Appendices - Use of Force/Response to Resistance Report and Fire Arms Use Report

I. Policy

Members of this department are routinely confronted with situations where a response to resistance must be exercised to effect an arrest and to protect the public safety. Officers should first attempt to achieve control of the subject through advice, warning, and persuasion. However, the use of other reasonable responses may be necessary in situations which a subject cannot otherwise be controlled. When resistance to police action or threat to human life is encountered and reasonable alternatives have been considered, a reasonable response to resistance may be employed. Based upon the circumstances of the situations, only a response which is reasonable to effectively bring an incident under control, while protecting the lives of the officers or another, shall be applied. A response used to gain control of a situation will be used with restraint and in proportion to the legitimate objective to be achieved.

II. Definitions

- A. Lethal Response - Any response to resistance that is likely to cause death or serious physical injury.
- B. Lethal Response Incident – All instances in which an officer uses a lethal response in the line of duty or when acting in a law enforcement capacity, whether or not the use of such response results in a fatality.
- C. Less Lethal Response - Any response to resistance which is not reasonably intended to cause death or serious physical injury. Any response to resistance other than a lethal response.
- D. Empty Hand Soft – Empty hand control that includes empty hand escort controls, pressure points and come-a-longs that have a minimal chance of inflicting injury.
- E. Empty Hand Hard – Empty hand control that includes kicks, punches, take downs, or other striking or impact techniques.
- F. Impact Weapons – Authorized department equipment for which the officer has received training in techniques for a response to an aggressive violator.
- G. Officer Presence – The level of response which includes the mere presence of an officer in uniform and/or identified by a badge, identification, police vehicle or other form of police identification such as a raid jacket.

- H. Oleoresin Capsicum (OC) Spray – Pepper based spray authorized for use by the department.
- I. Electronic Control Device (Taser) – A weapon designed to cause incapacitation by overriding the peripheral nervous system causing uncontrollable muscle contractions.
- J. Reasonable Belief - Facts and circumstances that would lead a reasonable person to believe that a response to resistance is necessary.
- K. Serious Physical Injury - Any injury that could result in disfigurement, disability or death.
- L. Use of Force/Response to Resistance Report - A departmental report of the specific actions of a suspect which resulted in either a Response to the Suspect's Resistance or a Use of Force by the officer. The report will include a complete and accurate description of the force utilized by the officer to control the suspect why such force was necessary to secure an arrest or for the safety of the suspect, officers, or other citizens. A Use of Force/Response to Resistance Report will be completed on any application of force in which any type of lethal or less lethal weapon(s) (including impact weapons and munitions, OC spray, and Electronic Control Device) was actually used (not just displayed), any physical force applied that was at the level of empty hand hard or greater, or instances in which injury to the suspect is visible or apparent.
- M. Verbal Control - The level of response in the Response to Resistance Continuum that includes instruction or direction from an officer in the form of verbal statements or commands.
- N. Vehicle Flight Termination Device - Devices that contain numerous hollow steel spikes that deflate tires at a rapid and controlled rate.

III. Response Continuum

The Response Continuum is a guide developed to capture the options available to officers when responding to calls and when dealing with resistant subjects. This guide is a written demonstration of the fluidity between response options and the level at which each may be appropriate. Not all response options constitute an application of force. The preferred outcome of an encounter with a non-compliant subject is that mere officer presence and/or verbal interaction would be successful in bringing that subject into compliance with the peaceable goal of the encounter.

This continuum recognizes the unique nature of each encounter and the many factors that may figure into the decision making of the officer in that circumstance. The reasonable response of an individual officer may be different with each occurrence even in encounters that on their face seem similar. Factors that may be considered in a response include but are not limited to the following;

- The seriousness of the subject's actions OR potential actions (the action that would reasonably occur without police intervention)
- The perception of the threat presented by the subject's verbalization and body language. Physical cues may well convey an intended threat even with no verbalization at all
- Physical size and strength of both the subject and the officer. This does not mean that an officer that is of greater size or strength than the subject encountered is limited to lesser response levels, as physical conflicts with persons of lesser size and strength do not necessarily diminish the potential danger to an officer
- The reasonableness of a response given the options available to an individual officer (i.e.: an undercover officer will not likely have all of the tools available to him/her that a uniformed patrol officer might have)
- The presence of additional subjects that may participate in an altercation with an officer if the principal subject's actions are not stopped
- Time of day. The perception of visible threats may be diminished in nighttime/low light conditions
- Availability of backup officer(s). A backup officer who is in close proximity to the officer in an encounter may allow the principal officer enough time to delay other response options in the hope that increase officer presence would be enough to secure compliance

A. The Response Continuum recognizes, as mentioned above, that the factors that figure into an individual officer's response are many. This means that two different officers may choose different responses given similar circumstances. The litmus test of the action is the reasonableness of the officer's response given the circumstance and the officer's reasonable perception of the threat presented by the subject. An officer's

personal familiarity with the particular subject encountered may factor heavily in both the subject's subsequent actions upon arrival and the officer's gravitation to a particular response. Experience and training is a critical component when determining the reasonableness of a particular officer's response. However, the "reasonable" standard is one that shall be applied in each event, with an expectation of adherence to the Response Continuum. An officer must be able to offer reasonable explanations for the particular response chosen and this action must be within the parameters of this policy.

- B. All members of this department will be instructed on the Response Continuum and will subsequently be advised of the location of this policy (electronic or written), General Order 1.6, prior to being authorized to carry any of the response options contained here within.

IV. Less Lethal Response

All members who encounter situations in which the possibility of violence or resistance to lawful arrest is present should, if possible, attempt to remedy the situation through advice, persuasion or warning. If possible officers should attempt to de-escalate the situation by remaining calm, using active listening skills and attempting to work with a suspect if possible. If a suspect is noncompliant/passively resistant, Empty Hand Soft Techniques may be utilized, which techniques include but not limited to cooperative controls to gain compliance. If this attempt fails or if circumstances do not permit their use, then the member has the following options:

- A. Physical Restraint - This method involves the member's utilizing various weaponless control techniques such as Empty Hand (soft) techniques (pain compliance, come-alongs, handcuffing) and Empty Hand (hard) techniques (strikes, kicks, take-downs) to affect control of the resisting subject. Members will receive instruction in weaponless control techniques from a certified instructor at least biennially.
- B. Oleoresin Capsicum (OC) Spray
 - 1. The utilization of chemical agents is restricted to members authorized by the Chief of Police or Division Commander.
 - a. All members while in uniform are authorized and required to carry, while acting in an official on-duty, off-duty or extra-duty capacity, the approved OC Spray unless otherwise directed by the Chief of Police or designee.

2. Members shall use only the type and brand of aerosol OC Spray currently authorized by the Knoxville Police Department unless otherwise directed by the Chief of Police or designee.
3. The use of the departmentally approved OC Spray is left to the discretion of the officer who will be guided by the response to resistance continuum.
4. The arresting officer shall be responsible for the following:
 - a. When OC Spray is used and the suspect has been taken into custody the officer shall provide first aid in the form of fresh air exposure to the suspect's eyes and face. If water is available it may be applied to the suspect, but officers should note that water will only act as a temporary cooling agent.
 - b. Advise the detention unit that the suspect has been sprayed with an OC Spray.
 - c. Complete and submit a Use of Force / Response to Resistance Report

C. Baton/Selective Use Impact Munitions

1. Members shall use only those police batons that have been approved by the department, unless otherwise directed by the Chief of Police or designee.
 - a. All members while in Class A uniform are required to carry, while acting in an official on-duty, off-duty or extra-duty capacity, the authorized baton unless otherwise directed by the Chief of Police.
 - b. Selective use impact munitions may be utilized to draw closure to criminal or crisis occurrences with a diminished likelihood of causing death or serious physical injury.
 - c. Selective use baton and impact munitions shall be approved by the Chief of Police or their designee. An inventory of approved baton and impact munitions shall be maintained by the S.O.S. and M.F.F. Commanders.
 - d. Selective Use Weapon Qualification and Training

- 1). The Knoxville Police Department Special Operations Squad Commander or other certified instructor will be responsible for conducting training sessions on the deployment of selective use weapons.
 - (a) All S.O.S. personnel will be trained on the use of selective use weapons.
 - (b) Designated members of the Mobile Field Force will be trained on the use of selective use weapons.
 - (c) The S.O.S. Commander will designate a team member who will be responsible for the care and maintenance of all selective use weapons.
2. All members certified to use selective use weaponry shall successfully complete an annual training where proficiency is documented in order to maintain their certification.
3. Any member who utilizes a Baton or Impact Munitions against a suspect will complete and submit a Use of Force / Response to Resistance Report.

D. Taser

1. Authorization
 - a. Only Officers who have completed the prescribed course of instruction on the use of the Taser by a certified instructor are authorized to carry or utilize the Taser. Officers who have been issued a Taser will be required to carry the Taser when wearing a Class A uniform in an official on-duty, off duty, or extra duty capacity.
 - b. Officers shall carry only department-authorized Tasers in a cross draw holster worn on the support side of the body.
 - c. Officers shall carry the Taser with an air cartridge loaded in the weapon.
2. Usage Criteria

- a. Taser is a response option listed at the same level as OC (Pepper Spray) on the response to resistance continuum and may be used anytime Pepper Spray would be justified.
- b. The Taser may be used when verbal commands and empty hand soft techniques have failed to bring about the subject's compliance or the subject has signaled his intention to actively resist the officer's efforts to make the arrest.
- c. The Taser is programmed to give a 5-second electrical current. The operator can shorten or extend this time. The probes should not be touched during this time period.
- d. The preferred target area when deploying a Taser should be the center mass of the body. The face, neck and groin areas are to be avoided if at all possible.
- e. The device shall not be used in any of the following places and situations:
 - (1) Near flammable gases or liquids
 - (2) In drug houses where ether is suspected to be in use
 - (3) In cases of passive resistance by a person unless a lesser means of force
 - (a) Has been attempted and failed;
 - (b) Is not an option due to exigent circumstances;
or
 - (c) If attempted, will result in a significant possibility of injury to suspect or officer.
 - (4) To threaten a person in an attempt to gain information from the person.
 - (5) Against a subject already in custody unless physical resistance has to be overcome.
 - (6) To wake up a suspected intoxicated individual.
 - (7) As a form of punishment to any person.

- f. The Taser is not to be used on dogs or any other animal unless exigent circumstances exist. It is not designed for use on animals and generally is not effective.
- g. No officer shall playfully, maliciously, or intentionally misuse the unit in an improper display of power.
- h. The Taser is not to be removed from the holster unless needed. This includes demonstrations to the public, requests to see the device, or checking the readiness of the device in a public setting.

3. Officer Response

- a. A suspect shall be handcuffed as soon as possible after being exposed to the Taser. Officers shall also be prepared to employ other means to control the suspect including, if necessary, other levels of response consistent with department policy, if the suspect does not respond sufficiently to the Taser and cannot otherwise be subdued.
- b. Suspects on which the Taser has been used shall be monitored continuously for indications of medical problems and shall not be left alone while in police custody.
- c. Immediately after utilizing the Taser on a suspect and getting the suspect in custody, the officer who deployed the Taser shall immediately notify an on duty supervisor and summon medical assistance.
- d. Officers on the scene shall notify KPD Forensic personnel to respond to the scene and take photographs of Taser barbs prior to removal from a suspect.
- e. An officer shall not remove a probe if the barb shaft is imbedded in the skin or is not visible in the suspect's clothing. The officer shall request EMS to examine the person if the probes cannot be removed because of (1) the depth of penetration of the probes, or (2) a hit to the head or groin or to a woman's breast.
- f. If the probes penetrate the skin, the officer shall summon medical assistance and the puncture sites shall be brought to the attention of medical personnel, who will determine if the officer can transport the subject to a medical facility

without need for accompaniment of emergency medical personnel.

- g. In the event a person subjected to a Taser is exhibiting signs of medical distress, the person shall be taken by Emergency Medical Services to a medical facility for examination and treatment.
- h. Officers must be aware that one easily overlooked aspect of injury in shooting a subject with a Taser is that of falling from a standing position. An examination with particular emphasis on secondary injuries should be performed by the first responders' on-scene.
- i. Used probes shall be treated as a bio-hazardous substance and proper protective precautions will be utilized. Used probes shall be disposed of in an approved container designed for the disposal of sharp instruments, such as needles. Appropriate containers can be obtained from emergency medical first response personnel and ambulance personnel if in the field. When in a hospital setting, the probes may be disposed of according to hospital protocols regarding sharp instruments.

4. Testing

- a. A test of the Taser will be conducted once on each shift at the direction of a supervisor.

5. Reporting Procedures

- a. Use of the Taser against an individual in an enforcement capacity shall be reported to the Officer's immediate supervisor as soon as possible.
- b. A Use of Force / Response to Resistance Report shall be completed following any discharge of the Taser against a suspect. This includes an unintentional firing of a Taser in which a suspect is 'Tased'.

The original Response to Resistance Report shall be forwarded to the Internal Affairs Unit.

- c. Officers shall notify the jail staff when turning over an arrestee on whom the Taser has been used.
 - d. Any unintentional discharge of a Taser cartridge or malfunction of a Taser where no one is injured shall be documented in a Departmental Memorandum which will be forwarded to the division commander, Internal Affairs Unit, and Training Unit.
 - F. Members shall not use vehicles, flashlights, radios or any other unauthorized weapon as a means of response, except when there is reason to believe that imminent threat of death or serious bodily injury exists, and no other option is readily available.
 - G. Canines (K-9)

All department personnel, particularly the canine handler, must recognize that the use of the police canine against a person could constitute a response to resistance, or the implied threat of a response to resistance. Therefore, it is imperative that, prior to actual use of the canine, the decision to utilize the canine be made with full knowledge of the degree of response justified. The use of the canine is considered an intermediate weapon in the response to resistance continuum.
 - H. When a member uses any type of reportable non- deadly response to resistance against a subject, the member shall report such response to resistance to their immediate supervisor as soon as practical. The immediate supervisor, or another supervisor if the immediate supervisor is unavailable, shall respond to the scene at their first opportunity.
- V. Lethal Response - T.C.A. 39-11-620
 - A. Members of the Knoxville Police Department shall only use a lethal response in the following circumstances:
 - 1. To protect the member or others from what is reasonably believed to be an imminent threat of death or serious physical injury.
 - 2. To prevent the escape of a fleeing felon or suspect felon if all other means of apprehension have failed and if the member reasonably believes that the escape of the (suspect) felon will pose a significant threat to life if the escape occurs, provided that the

felony committed or attempted could have resulted in death or serious bodily injury.

3. To destroy an animal to protect the public safety or for humanitarian reasons in cases of extreme or prolonged suffering. Permission to destroy an animal for humanitarian reasons must be obtained from a first line supervisor prior to discharge of the weapon.
 - a. When notified that a lethal response on an animal may be used or has been used, a first line supervisor shall respond to the scene. The supervisor will ensure that the proper reports are filed, that the chain of command is notified and that an Internal Affairs Unit review occurs.
 - b. A Firearms Use Report must be filed in all situations involving the use of a lethal response on an animal, regardless of a shot being a hit or a miss.

B. A lethal response shall not be used in the following circumstances:

1. Discharge of a weapon as a warning. Warning shots are prohibited.
2. To fire toward or from a moving vehicle except when every reasonable means of defense has been exhausted and the member feels that their life or the life of innocent citizens would be in imminent danger if the suspect is not immediately halted. The member should be certain that no innocent persons will be injured as a result of firing at or from a vehicle.
3. In situations involving any felony case that does not involve an actual or threatened attack which the member has reasonable cause to believe could result in death or serious bodily injury to the member or innocent citizens/persons.
4. In situations involving misdemeanor offenses.

C. The lives of innocent persons must be considered and not endangered if at all possible should the officer decide to use a lethal response.

VI. Authorized Firearms and Ammunition - ON DUTY

A. Handguns

1. Members shall carry departmentally authorized duty handguns, unless specifically authorized to carry another handgun by the Chief of Police or designee.
2. A list of authorized makes and models will be kept on file in the Training Section and Division Offices.
3. Members shall furnish the Training Section with the make, model and serial number of their on duty handgun.
4. Members may carry a concealed backup weapon; however, the weapon must be an authorized make and model as approved and on file with the Training Section.

B. Shotguns and Shoulder Weapons

1. Shotguns
 - a. Members shall carry only the departmental authorized shotgun.
 - b. A list of authorized makes and models will be kept on file in the Training Section and offices of division supervisors.
2. No shoulder weapon, other than the department issued / authorized shotgun or Patrol Rifle, will be authorized without the written permission of the Chief of Police or designee.
3. KPD Patrol Rifle – Officers must receive special written authorization from the Chief of Police and must successfully complete a training course in order to carry a rifle or carbine on duty. Only the departmental approved rifle may be carried with approved ammunition while on duty.
 - a. Members shall carry only the departmental authorized .223 caliber Patrol Rifle and ammunition.
 - b. Officers selected to participate in the Patrol Rifle Officer Program will only carry the weapon with which that Officer trained and has qualified with.

- c. The Department may supply and assign an authorized weapon to the Patrol Rifle Officer following successful completion of the Patrol Rifle Officers Course.
- d. Officers who personally own an authorized weapon may participate in the Patrol Rifle Officer Program. Officers who carry their personally owned weapon must meet all minimum qualifications and selection criteria. Personally owned weapons must be inspected by the department armorer prior to being carried on duty. Officers must successfully complete the Patrol Rifle Officers Course and must meet all other program requirements.
- e. Officers may attach authorized optics to their personally owned weapons. Weapons equipped with optics must also be equipped with back-up iron sites (rear and front site).
- f. Weapons must be secured in accordance with Departmental Policy. Patrol Rifles may be secured in the police vehicle if the vehicle is equipped with an authorized gun rack and lock.
- g. Departmentally owned Colt patrol rifles must be locked in an assigned departmental safe and signed in and out by the assigned Officer. All other departmentally owned weapons and personally owned and approved weapons may be stored and secured in the police vehicle as previously noted.
- h. All Patrol Rifle duty ammunition will be provided by the Firearms Training Unit and only that approved ammunition will be used.
- i. The deployment, carry, and equipping of all Patrol Rifles will meet the Patrol Rifle Officer Program training curriculum.
- j. A list of authorized makes and models will be kept on file in the Training Section and offices of division supervisors.

C. Ammunition

- 1. All ammunition carried by members of the Knoxville Police Department shall be issued by the Training Section and be authorized for carry by the Chief of Police or designee.

2. Ammunition which is expended in the line of duty shall be replaced by the member's immediate supervisor or their designee.

D. Extra Ammunition

1. All extra ammunition shall be carried in magazines with approved carrier.
2. All uniform members shall carry issued magazines in the authorized manner.
3. Magazines shall be loaded to capacity.
4. Extra ammunition shall not be carried loose in pockets.

E. Holsters

1. All holsters shall be equipped with a retaining device that has been approved by the Training Unit.
2. All holsters utilized by members must be authorized by the Training Section.
3. A list of authorized holsters shall be kept on file in the Training Section.

- F. Any exceptions to the above listed guidelines must be authorized by the Chief of Police or designee.

VII. Authorized Firearms and Ammunition - OFF DUTY

- A. All members are authorized to carry firearms while they are off duty, in accordance with Tennessee Code Annotated 39-17-1315, except that members are not authorized to carry firearms off duty when the carrying of a firearm would be in violation of applicable state or federal law, including but not limited to TCA 39-17-1306, 39-17-1309, 39-11-1311, 39-17-1315, and 39-17-1321.
- B. Members shall carry only handguns and ammunition authorized by the Chief of Police or designee for off-duty carry. Further, the Training Section must approve and qualify members with off-duty firearm prior to carry.
- C. Ammunition for off duty weapons shall be issued and authorized by the Training Section.

- D. All members will be limited to two (2) off duty handguns.
- E. The make, model and serial number of all off duty handguns shall be reported to the Training Section.
- F. While a member is in plain clothes, whether on or off duty, all weapons carried must be concealed from view of the public.

VIII. Storage of Authorized Firearms, Less-Lethal Weapons, and Ammunition

- A. Firearms, Less-Lethal Weapons, and ammunition that are stored while on-duty shall be properly secured in such a manner as to make them inaccessible to unauthorized persons.
 - 1. Shotguns shall be securely locked in a departmentally approved shotgun rack inside of the police vehicle or securely locked in the trunk.
 - 2. Rifles shall be securely locked in a departmentally approved rifle rack inside of the police vehicle.
 - 3. Firearms stored in the trunk of the police vehicle shall be stored in such a manner as to prevent moisture from accessing the weapon, which can result in damage to the firearm.
- B. All members, while off-duty, shall store departmentally issued firearms, less-lethal weapons, and ammunition in such a manner as to prevent loss or theft and prohibit children, family members, or any unauthorized person from accessing those departmentally issued firearms, less-lethal weapons, and ammunition. This is for the purpose of preventing accidental injury or death.
- C. When the off-duty member is unable to carry a firearm on his or her person due to clothing, circumstances, etc., the departmentally issued firearm shall be stored in a secured trunk of a vehicle, or placed in a secure location out of sight of the general public. In such circumstances, the departmentally issued firearm shall also not be accessible to other family members, especially children.
- D. KPD rifles will be stored in departmental gun safes.

IX. Weapons Maintenance and Inspection

- A. Prior to issuance or use of any weapon, the Armorer or the certified Firearms Instructor will inspect and test the weapon.
1. Firearms will be subjected to the following tests:
 - a. A functions dry fire test with no obvious defects; and
 - b. A live fire test will be conducted under the observation and supervision of a certified Knoxville Police Department Firearms instructor and Armorer to insure that it meets agency specifications.
 2. Firearms will be inspected for the following:
 - a. The firearm is equipped with the proper trigger weight;
 - b. The safeties are functional; and
 - c. The sights are secure.
 3. Less Lethal weapons will be inspected and tested for the following:
 - a. Less lethal weapons will be function tested and activated by Knoxville Police Department personnel certified in the operation of the weapon system, to insure that all weapons meet agency standards;
 - b. Tasers are downloaded to ensure proper software, date and time;
 - c. Batons are checked to ensure that the metal is free of burs, the power safety tip is in place, and that the positive safety lock is functioning properly; and
 - d. Inspect chemical sprays for leaks, to ensure the two stage flip top safety is operational, and ensure that label states that it is electronic control device compatible.
 4. If a firearm is found to malfunction, a certified Firearms Instructor will immediately remove the firearm from service.
 - a. During non-business hours, the Chief Firearms Instructor or a Training Unit supervisor shall be notified to replace a firearm removed from service.

2. Members must successfully qualify on all required firearms courses as designated by the Chief of Police.
3. Annual qualification shall be held at an approved range.
4. Additional firearms training sessions may be conducted at the discretion of the Training Director, the Chief of Police or designee.
5. All information regarding the firearms qualifications, including scores, type of course, lighting conditions and other pertinent facts will be kept on file at the Training Section.

B. Failure to Qualify - Firearms

1. Any member who fails to qualify with their firearm after two (2) attempts at designated in-service firearms training shall be prohibited from carrying a firearm until successful qualification is achieved.
2. The Director of training or designee will immediately take the firearm of the member and refer the member to their Division supervisor for assignment to a position in which carrying a firearm is not necessary.
3. Upon failure to qualify, a member will have thirty (30) days in which to successfully qualify.
4. In addition, during this period the member is required to seek additional firearms training from the Training Section or approved Firearms Instructor. The length and type of instruction will be determined by the Training Section.
5. Failure to qualify in this thirty-day period will result in a Class B violation as per Code of Conduct Section 1.22. The violation will be reported to member's immediate supervisor and disciplinary action taken.
6. At the conclusion of the disciplinary action, an additional thirty-day period will begin for the member to achieve the qualification standards.
7. If the member fails to qualify during this second thirty-day period, the matter will be presented to the Training Director for review.

C. Recertification of Less Lethal Weapons

1. Prior to carrying any Less Lethal weapon, all members shall successfully complete a training course instructed by a certified instructor in the use of the specific less lethal weapon system.
2. All members shall receive training and recertify with each less lethal weapon as follows.
 - a. Taser recertification annually
 - b. OC Spray and Baton biennially
3. Members must successfully complete the required training, in addition to courses designated by the Training Director.
4. All information regarding the qualification/recertification will be kept on file in the Training Section.

D. Failure to Qualify – Less Lethal Weapons

1. Any member who fails to successfully complete the recertification training of any less lethal weapon, or who attempts, but cannot successfully pass recertification shall be prohibited from carrying that less lethal weapon until recertification is achieved.
2. Upon failure to qualify, a member will have thirty (30) days in which to successfully qualify.
3. In addition, during this period, the member is required to seek additional training from the Training Section. The length and type of instruction will be determined by the Training Section.
4. Failure to qualify in this thirty-day period will result in a Class B violation as per Code of Conduct Section 1.22. The violation will be reported to member's immediate supervisor and disciplinary action taken.
5. At the conclusion of the disciplinary action, an additional thirty-day period will begin for the member to achieve the qualification standards.
6. If the member fails to qualify during this second thirty-day period, the matter will be presented to the Training Director for review.

E. Training

1. All officers will receive training by a certified firearms instructor and qualify with their assigned weapon, prior to issuance and annually thereafter.
2. A written test will be given to all members concerning firearms safety and response to resistance guidelines.
3. The department offers a wide range of initiatives to enlighten, enrich and improve employee competence and reduce response to resistance complaints. These include:
 - a. Thorough and rigid recruit training;
 - b. A strong Field Training Officer Program;
 - c. Quarterly firearms training;
 - d. Ongoing in-service training;
 - e. Roll call training, both verbal and video;
 - f. Formal and flexible remedial training in indicated areas;
 - g. Stress awareness and control;
 - h. Crisis intervention training;
 - i. Cultural diversity training;
 - j. Supervisory training.

XI. Documentation and Responsibilities of Members Who Employ a Less Lethal Response

- A. Any member who applies force to a suspect in which any type of less lethal weapon(s) (including impact weapons and munitions, OC spray and Electronic Control Devices) was actually used (not merely displayed), any physical force applied that was at the level of empty hand hard or greater, or instances where injury to the suspect is visible or apparent, shall take all appropriate measures to render the situation safe and provide / summon medical assistance to the injured. The member shall immediately notify the on duty supervisor and request he respond to the scene. The

member shall complete a Use of Force / Response to Resistance Report. The report shall be a complete and accurate description of the suspect's actions, the circumstances of the incident, and the action of the officer(s). The member shall complete and submit the report to their immediate supervisor as soon as practical after proper review. The supervisor shall ensure that the Use of Force/Response to Resistance Report is submitted at the appropriate time.

- B. The supervisor shall immediately respond to the scene of the incident.
 - C. Upon the member completing the Use of Force / Response to Resistance Report, the supervisor shall review the report for completeness and compliance with department's policy and procedure.
 - D. The supervisor shall then forward the report to the next level in the chain of command that will review it and then forward it to their supervision for review. Each supervisory level will review the Use of Force/Response to Resistance Report and review the in-car video of the incident, if applicable. The last reviewing supervisory level will submit the original report to the Internal Affairs Unit.
 - E. The Internal Affairs Unit will review all Use of Force/Response to Resistance reports and assume responsibility for any follow-up investigation that is deemed necessary.
 - F. Copies of all Use of Force/Response to Resistance Reports will be forwarded to the Division Commander of the involved member, the Training Director, and the Chief of Police.
 - G. All Use of Force/Response to Resistance original reports will be maintained and filed in Internal Affairs.
 - H. In a situation where a canine bites a subject, a K-9 Use/Apprehension Report shall be completed to document the bite. If other force is employed during the incident that would normally require a Use of Force/Response to Resistance Report, then that report will be completed detailing the force used along with the K-9 Use/Apprehension Report explaining the force used by the canine.
- XII. Documentation and Responsibilities of Members Who Employ a Lethal Response.
- A. All employees who employ a lethal response shall:

1. Immediately take all measures to render the situation safe and provide/summon medical assistance for the injured.
 2. Notify Communications of the situation.
 3. Request additional units to assist in protecting the scene and detain witnesses.
 4. Contact immediate supervisor to respond to the scene.
- B. Upon arrival at the scene, the supervisor shall:
1. Confirm that appropriate medical assistance has been provided/summoned.
 2. Coordinate protection of scene and detainment of witnesses.
 3. Summon Violent Crimes Unit to scene.
 4. Summon Internal Affairs Unit to scene.
 5. Notify Division Commanding Officer.
 6. Notify Public Information Officer.
- C. Any member who employs a lethal response or takes any action that results in or is alleged to have resulted in serious bodily injury or death of another person, to include a physical response, lethal weapons, or use of a vehicle, shall complete the Use of Force/ Response to Resistance Report and any other reports and submit it to their immediate supervisor as soon as practical after proper review as described in Section XI of this general order.
1. If a firearm was used, a Firearms Use Report will also be completed as soon as practical after proper review. The supervisor shall ensure that the Firearms Use Report is submitted at the appropriate time. Distribution shall be as follows:
 - a. Division Commander
 - b. Internal Affairs
 - c. Deputy Chief of Patrol

- d. Chief of Police
- 2. A Firearms Use report will be completed in all situations in which a firearm is discharged for any reason other than training or recreation purposes and shall be an official document of any investigation.
- D. The Violent Crimes Unit and the Internal Affairs Unit shall conduct simultaneous investigations in all incidents where a lethal response is employed.
- E. Reports and investigative findings will be reviewed by the Critical Incident Review Board, upon request of the Chief of Police.
- F. Any member, or employee, whose use of force/response to resistance results in a death or serious bodily injury shall be removed from line-duty assignment or placed on Administrative Leave at the discretion of the Chief of Police or at the request of the member, subject to approval of the Chief of Police, pending Administrative Review.
- G. Any member, or employee, whose use of force/response to resistance results in a death will be required to attend an initial counseling session with the Employee Assistance Program (EAP) representative. Future sessions to be decided by Employee Assistance Program staff in conjunction with the Chief of Police.
- H. Any member, or employee, whose use of force/response to resistance results in serious physical injury may be required to attend one session with Employee Assistance Program at the discretion of the Chief of Police or at the request of the member.

**Knoxville Police Department
Firearms Use Report**

Date of Incident: _____ Location: _____

Indoors Outdoors Beat: _____ Name of Officer: _____

ID #: _____ Division: _____ Time: _____ Rank: _____

In Uniform Civilian Clothing Duty Status: On Off

Working Alone With Other Officers Type of Assignment: _____

Type of Incident: _____ Type of Premises: _____

Lighting Conditions		Weather Conditions	
Indoors	Good Artificial	Clear	Cloudy
Outdoors	Poor Artificial	Rain	Snow
Daylight	Dusk Dark	Fog	Other

Officers Weapons		
Make: _____	Model: _____	Serial #: _____
Make: _____	Model: _____	Serial #: _____

Did the situation require you to immediately draw and fire? Yes No

If no, was the firearm in the low ready position? Yes No If no, describe in narrative

Number of shots you fired: _____ Do you recall using your sights: Yes No

Did your firearm function properly? Yes No If no describe in narrative

Approximate distance between you and the suspect when you fired your first shot: _____ ft.

Approximate distance when you fired your last shot (if more than one shot fired): _____ ft.

Firing positions used: Standing Kneeling Prone Sitting Other

Weapon was fired using: Weapon 1: One Hand Two Hands

Weapon 2: One Hand Two Hands

Injuries to suspect(s):

#1: Not wounded Superficially wounded Critical Killed

#2: Not wounded Superficially wounded Critical Killed

What did bullet(s) strike other than suspect? _____

Did you have prior knowledge that the situation involved a person with a weapon? Yes No

<p>Suspect Description:</p> <p>Name: _____ Address: _____</p> <p>DOB: _____ DL #: _____ State: _____</p> <p>Hgt: _____ Wgt: _____ Hair: _____ Sex: _____ Race: _____</p> <p>Scars/Marks/Tattoos: _____</p> <p>Name: _____ Address: _____</p> <p>DOB: _____ DL #: _____ State: _____</p> <p>Hgt: _____ Wgt: _____ Hair: _____ Sex: _____ Race: _____</p> <p>Scars/Marks/Tattoos: _____</p>
--

<p>Suspect Weapon:</p> <p>Make: _____ Model: _____ Serial #: _____</p> <p>Make: _____ Model: _____ Serial #: _____</p> <p>Other: _____</p>

Did the suspect(s) attempt to disarm you: Yes No

Number of shots fired at you: _____

Distance from suspect to you at time he initially attacked you (if applicable): _____

Injuries to officer: Not Wounded Superficially Wounded Critical Killed

Narrative (describe in detail all pertinent facts involving the use of officers firearm(s):

Narrative continued: Yes No

Officers Signature: _____ ID #: _____ Date: _____

Supervisors Signature: _____ ID #: _____ Date: _____

Narrative:

Distribution: Chief of Police Training Unit Internal Affairs Unit

Appendix B

**Knoxville Police Department
USE OF FORCE/RESPONSE TO RESISTANCE REPORT**

(Name of officer completing report) _____ DATE _____ TIME OF REPORT _____

Last _____ First _____ ID# _____

Name of subject: Last _____ First _____ Middle _____

Address: _____

Date of birth: _____ Sex: _____ Race: _____ Height: _____ Weight: _____

Location of arrest: _____

Location of incident: _____

Date of incident: _____ Time of incident: _____ Beat/Grid: _____

Arresting officers: _____ ID # _____ ; _____ ID # _____

Witnessing officers: _____ ID # _____ ; _____ ID # _____

Witnessing officers: _____ ID # _____ ; _____ ID # _____

Original Charge(s): _____ Warrant #: _____

Additional Charge(s): _____ Warrant #: _____

Witness: _____ Phone #: _____

Address: _____

Witness: _____ Phone #: _____

Address: _____

Explain in detail the resistance and the response:

Describe any apparent visible injuries to the prisoner:

Prisoner treated at: Scene Hospital

If treated at hospital, name of facility: _____ Physician: _____

Injuries to officer(s)? Yes No If yes, describe: _____

Officer treated at: Scene Hospital

If treated at hospital, name of facility: _____ Physician: _____

Was chemical agent used: Yes No

Number and duration of chemical agent dispersions: _____

Was baton used: Yes No

If yes, which type of baton was used: PR24 PR24X Other device: _____

Was a Taser used: Yes No If yes, which type of Taser: M26 X26

Number and duration of Electro-Muscular Disruptions: _____

Were multiple Taser's used: Yes No Serial Number(s) of Taser's: _____

Was the prisoner handcuffed prior to resistance: Yes No

If yes, were handcuffs placed in the: Front Back

Was the response effective: Yes No Explain: _____

Number of police vehicles on scene: _____

Car number(s) of vehicle(s) on scene with video/audio capability: _____

Did response to resistance take place within range of video/audio units: Yes No

If yes, list car number(s): _____

SUPERVISOR REVIEW

Video/Audio reviewed by:

Sergeant _____ Lieutenant _____ Captain _____

Policies and procedures followed? Yes No Explain: _____

Supervisor Narrative:

SIGNATURE OF OFFICER MAKING REPORT: _____ I.D. #: _____

SIGNATURE OF APPROVING SUPERVISOR: _____ I.D. #: _____

SIGNATURE OF APPROVING MANAGER: _____ I.D. #: _____

SIGNATURE OF APPROVING COMMANDER: _____ I.D. #: _____

TO BE COMPLETED BY INTERNAL AFFAIRS UNIT

CHECK BOXES TO INDICATE AREAS THAT NEED TO BE ADDRESSED

POLICY EQUIPMENT TRAINING DISCIPLINARY ISSUES VIDEO/AUDIO TAPE REQUESTED

OTHER, EXPLAIN: _____

ADMINISTRATIVE REVIEW COMPLETED BY INTERNAL AFFAIRS UNIT

SIGNATURE: _____ I.D. #: _____