



GREENVILLE COUNTY  
SHERIFF'S OFFICE

GO - 205

## GENERAL ORDERS

## RESPONSE TO RESISTANCE / AGGRESSION

### PURPOSE:

Response to active resistance/aggression is restricted to areas and levels authorized by statutory law, case law, and policy. A response to active resistance/aggression must be appropriate to the situation, using only the minimum control required to accomplish an enforcement duty. An unauthorized response to active resistance/aggression is the terminology applied whenever there exist an inappropriate or excessive response to active resistance/aggression. An unauthorized response is a violation of public trust, creates civil and criminal liability, damages professional image (collectively and individually), and may indicate unfitness to serve as a deputy sheriff.

### RESPONSE MODEL:

The Response Model demonstrates escalating levels of control used to compel compliance. **A deputy's control responses are to be based on:**

1. The subject's actions.
2. The deputy's perception of threat.
3. The deputy's knowledge of his/her own abilities.

**LEVELS OF RESISTANCE** – There are six (6) levels of resistance:

1. **Psychological Intimidation** - Non-verbal cues indicating subject's attitude, appearance, and physical readiness.
2. **Verbal Non-compliance** - Verbal responses indicating unwillingness or threats.
3. **Passive Resistance** - Physical actions that do not prevent an attempt to control, but make movement difficult.
4. **Defensive Resistance** - Physical actions that attempt to prevent a deputy's control, such as running away, but never attempts to harm the deputy.
5. **Active Aggression** - Physical actions of assault.
6. **Aggravated Active Aggression** - A deadly force encounter.

**LEVELS OF CONTROL** – There are five levels of control:

1. **Deputy Presence/Verbal Direction** - Verbal commands are the minimum means of halting an offense. Announcing your presence and intentions may result in the peaceful resolution of the situation. Any and all verbal commands should clearly relay exactly what, when, and how you want the individual to react. Keep all commands simple and short. This would be

appropriate if no resistance is encountered and there are no life threatening circumstances. If a verbal command/challenge alone does not stop the offense, combine the commands with one of the appropriate steps below.

2. **Soft-Empty Hand Control** - Soft-empty hand techniques, such as holding your hand up in front of the assailant, placing your hands on the assailant to physically restrain and/or control the individual or to lead the individual toward a desired location, using minimal force. It can be using joint locks and pressure point pain compliance techniques. Soft-empty hand control is appropriate when the individual is passively resisting and stronger control is not justified.
3. **Hard-Empty Hand Control** - Hard-empty hand techniques may be appropriate in situations where use of the ASP baton or other approved weapons would be inappropriate or impractical. In these incidents, the empty-hand striking of an individual who is resisting arrest, or attempting escape from lawful arrest, would be appropriate. The use of chemical agents, such as Oleoresin Capsicum, or electronic stun devices, would be appropriate to control a suspect and attempt to prevent an escalation of force. Deputies using chemical agents, electronic stun devices, and pepper balls must be properly trained and maintain current certification. The degree of control is to be in direct proportion to the amount and type of resistance encountered. The age, sex, physical size, and condition of the individual are to be taken into consideration. Proper compliance techniques are to be used to ensure the subject receives no undue injuries.
4. **Intermediate Weapons** - Use of the ASP baton, approved kinetic energy impact projectiles (bean bag rounds), and a Police Service Dog are acceptable alternatives to a deadly force response. Response to active resistance/aggression is to be in direct proportion to the degree of resistance encountered. Only the degree of response required to effect control is to be used. Proper techniques are to be used with these type weapons and it should be remembered, improper use can lead to serious injury or death of the suspect. This level of control is the last resort before a deadly force response. Deputies using intermediate weapons are to maintain current certifications and demonstrate an acceptable degree of proficiency in their use.
5. **Deadly Force Response to Aggravated Active Resistance/Aggression** - Is appropriate when imminent danger or death is

about to occur and other methods to stop the event would be impractical or impossible. When it is clear your life or another person's life is in imminent danger and there are no other practical means at your disposal, then a deadly force response would be authorized under the guidelines of Sheriff's Office policy.

**Response to Active Resistance/Aggression Model Variables** - The following variables may affect a deputy's decision in escalating or de-escalating the level of control:

- Deputy and suspect size and gender.
- Environmental conditions and totality of circumstances.
- Reaction time.

**Competency Requirements** - Except when confronted with deadly aggravated active resistance/aggression, a deputy is not to intentionally use techniques and/or instruments of control he has not been trained in and certified as competent by this Office. A deputy who believes his training is deficient or not current is to notify his supervisor in writing of the perceived deficiency.

**Other Instruments/Techniques** - This agency recognizes that in exigent, tense, uncertain, and/or rapidly evolving aggravated aggressive confrontations, a deputy may need to reasonably use techniques and/or weapons not a part of this agency's formal training curricula, or not specifically addressed by this policy. Additionally, a deputy may need to use a technique or weapon in a manner inconsistent with training. It is further recognized that due to the unpredictable nature of a person's movements and/or actions under these circumstances, that defensive technique(s) and/or weapon(s) may unintentionally (on the part of the deputy) impact a body area or produce an outcome, which does not parallel training. See the Appendix to this General Order for information concerning transportation of certain high-risk detainees and suspects at risk of in-custody death.

**RESPONSE TO ACTIVE  
RESISTANCE/AGGRESSION  
PROCEDURE:**

**DEFINED** - For the purpose of this policy, a response to active resistance/aggression is actual physical contact applied directly or indirectly through the use of a weapon, causing one to submit because of pain or injury. **The pointing of a firearm at another person will be documented and reviewed as a response to active resistance/aggression.**

**The mere display of a weapon or verbal threats to use a weapon is not a response to active resistance/aggression.** These situations will be considered "a show" of response to active resistance/aggression. For example, a deputy holding a firearm or other weapon in a non-threatening manner is not a response to active resistance/aggression. Verbal threats to respond to active resistance/aggression will be documented in a Code 5 (incident report) or on a Code 4 (miscellaneous incident report card) if a Code 5 does not exist. A show of response to active resistance/aggression will not be reviewed as an actual incident of response to active resistance/aggression.

**RESPONSE TO RESISTANCE/AGGRESSION REVIEW AND ANALYSIS** – All levels of control used during a response to aggression will be fully documented in an Incident Report. Response to aggression incident reports are to be marked "RTA." A Response to Aggression Review form will be submitted when the level of control used is Hard Empty Hand Control or greater, or when Soft Empty Hand Control results in injury, or was used in an attempt to cause pain compliance. A copy of the report and a completed Response to Resistance/Aggression Review/Analysis form is to be submitted to the Division Commander who reviews the incident and submits the review to the Office of Professional Standards. Any deputy who responds to resistance/aggression or any deputy that witnesses a response to resistance/aggression is required to submit supplemental reports to the Incident Report. Response to Resistance/Aggression Review/Analysis forms are filed by the Office of Professional Standards for policy and training review. Professional Standards conducts a quarterly analysis of Response to Resistance/Aggression reports in order to identify trends, training needs, or potential patterns of abuse. The Sheriff reviews quarterly analysis reviews of Response to Resistance/Aggression incidents.

**RESPONSE TO ACTIVE AGGRAVATED RESISTANCE / AGGRESSION** - A weapon placed in the hands of a deputy is a defensive tool used to protect the public at large and the deputy himself. The use of a weapon by a deputy is to be based on demonstrated need, tempered with common sense, consistent with state law and Sheriff's Office regulations, and employed under a spur of responsibility and informed professional judgment. **A deadly force response to aggravated active resistance/aggression is to occur only** in situations presenting a grave threat to the deputy or the public at large. A deadly force response to aggravated active resistance/aggression is strictly limited to a situation where the crime involved causes or threatens death or serious bodily harm, or where there is a substantial risk that the person to be arrested will cause

death or serious bodily harm if apprehension is delayed. Serious bodily harm is defined as life threatening.

**ELEMENTS FOR A DEADLY FORCE RESPONSE TO AGGRAVATED ACTIVE RESISTANCE/AGGRESSION** - There are two areas in which a deadly force response to aggravated active resistance/ aggression is justified:

1. Self-defense or defense of the public.
2. Apprehension of suspects involved in certain felonies regarded as the "violent variety".

**Self-defense or defense of the public** – A deputy has reasonable cause to believe a deadly force response to aggravated active resistance/ aggression is necessary to prevent death or serious bodily harm to him (self-defense) or others (defense of the public). In making this determination, the following three elements must be present:

1. **ABILITY** - The assailant must have some means to inflict death or harm to the victim, i.e., a dangerous weapon or physical ability to overpower and inflict death or serious bodily harm by means of hands or feet.
2. **OPPORTUNITY** - The assailant must be in close enough proximity to be able to inflict death or serious bodily harm. The means by which the assailant intends to inflict the harm will determine if he has the ability and opportunity. For example, an assailant with a knife must be close enough to throw the knife and inflict death or serious bodily harm. A firearm, of course, would significantly extend the danger zone.
3. **JEOPARDY** - Not only must the assailant have both means and opportunity to inflict death or serious bodily harm, he must also be putting the intended victim in jeopardy. In other words, the assailant must be giving some tangible indication he is about to use the means at his disposal to inflict death or serious bodily harm. A mere verbal threat with no observable action to use a weapon is usually not enough to constitute jeopardy.

**USE OF DEADLY FORCE AS LAST RESORT** - A deputy is to use every means at his disposal to prevent an assailant from committing assault before resorting to a deadly force response to aggravated active resistance/aggression. A voice command, "Police—don't move!" is the minimum means of halting an offense. Physical intrusion, use of a baton, and chemical agents are acceptable

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responses to stop an assault, with a deadly force response used only as a last resort.

The discharge of a weapon (warning shot) for the purpose of warning someone presents a serious hazard to all concerned and to innocent bystanders. If a situation does not warrant the use of a deadly force response to aggravated resistance/aggression then no shots are warranted, warning or otherwise. Warning shots may be used as a deadly force response in self-defense or defense of the public.

**APPREHENSION OF A FLEEING FELON** - Possible escape of a suspect wanted for a crime, even a violent crime, **does not** in itself authorize a deadly force response. Instead, escape of a violent suspect **must** pose a clearly recognizable threat to human life; such as through a demonstrated threat to, or wanton disregard for, human life.

**Conditions justifying a deadly force response to apprehend a fleeing felon would include the following circumstances:**

1. A crime endangering human life, such as murder, armed robbery or other serious offenses where human life is threatened.
2. Other means of apprehending the person reasonably believed to have committed the life threatening crime are not available, and the deputy has a reasonable belief that such an escape would result in the commission of further violent crimes endangering human life.

**RESPONSE TO  
RESISTANCE/  
AGGRESSION  
INVOLVING  
MOVING VEHICLES:**

Past incidents at the Sheriff's Office have proven it is not reasonable to believe a moving vehicle will stop when fired upon. Likewise, unless a deputy is at point blank range, it is improbable that the driver will be disabled and the threat removed. A bullet will not stop a moving vehicle.

As a law enforcement officer, a deputy is charged with the duty to protect life and property, including his own life. Ideally, an evaluation of the incident, his surroundings, and his options should allow the deputy to determine proper tactic or procedure to place him in the best possible position to protect citizens and himself. Time is always critical and time at the deputy's disposal should be spent avoiding or evading the threat.

Since every situation is different, it would be unwise to completely remove the option of firing at a moving vehicle; however, the discharge of a weapon at or into a moving vehicle will be closely scrutinized. The use of deadly force, after a deputy recklessly or carelessly places himself in danger, will be subject to serious review.

**REPORTING FIREARMS  
DISCHARGE:**

It is the responsibility of every deputy to immediately report to a supervisor any incident, involving him or another deputy, when shots are fired, accidentally or intentionally. The supervisor is to immediately notify the Office of Professional Standards.

**LOSS OF LIFE, INJURY  
OR PROPERTY  
DAMAGE:**

A response to resistance/aggression incident resulting in personal injury or property damage is to be factually detailed in writing. **Any employee whose action(s) or response to resistance/aggression in an official capacity results in serious injury or death is to be removed from a line duty assignment pending administrative review by the Sheriff.**

**PROCEDURE FOR LOSS OF LIFE OR INJURY:**

1. When a response to resistance/aggression results in injury, first aid is to be rendered and/or EMS called as soon as feasible. In any circumstance where response to resistance/aggression results in loss of life, bodily injury, or property damage, the Uniform Patrol shift supervisor is to immediately respond to the scene. The Sheriff, Division Commander, and Office of Professional Standards are to be immediately notified.
2. The supervisor of the CID Violent Crimes Unit, or his designee, is to coordinate and direct the activities of investigative teams to assure a comprehensive investigation of the incident. Additional team members may be assigned as required by the investigation itself.
3. The investigative team has the full responsibility for obtaining complete written reports, statements and documentation from the deputies, witnesses and other personnel present at the scene of the incident. All investigative reports, including material evidence and information when appropriate, are to be thorough and complete.
4. The platoon commander or section supervisor is to present reports of the incident, with comments, to the deputy's

Division Commander no later than twenty-four (24) hours after the incident. The Division Commander forwards all documentation to the Sheriff.

5. No later than forty-eight (48) hours after the incident, the Conduct and Procedures Review Board convenes to review the complete investigation. After review, the Board forwards formal recommendations to the Sheriff, who makes final administrative disposition of the case.

**Whenever a deputy employs any physical means to affect control (including with the use of less-lethal and lethal weapons), unless physically incapacitated, the deputy is to:**

1. Ensure arrestee is properly restrained or no longer poses an immediate threat to the safety of others.
2. Ensure restrained subjects are placed in upright position.
3. Ensure handcuffed, heavyset persons are not required to remain in a prone (lying on chest) position.
4. Determine physical condition of the person(s) subjected to physical control.
5. Ensure first aid and emergency medical assistance, if needed.

**PROCEDURE FOR USE OF  
OC (OLEORESIN  
CAPSICUM):**

1. Reassure subject that effects of the pepper product are temporary.
2. Decontaminate subject with water.
3. Monitor subject for physical conditions indicating the possible onset of a medical emergency.

**SYMPTOMS INDICATING ONSET OF A MEDICAL  
EMERGENCY INCLUDE -**

- Profuse sweating.
- Chest/neck pain.
- Shallow or restricted breathing.
- Loss of consciousness.
- Manifestations of paranoia/panic.
- Sudden tranquility after an outburst of bizarre or aggressive behavior.

**PROCEDURES FOR USE  
OF THE TASER:**

**General Requirements:**



1. Tasers should be deployed at a distance not greater than 21 feet from the deputy to the subject. The recommended distance from the deputy to the subject is 7-15 feet. When deploying the Taser, deputies should aim for center mass of the body.
  2. A single application from the Taser with a full 5-second cycle will be used. If the subject is not compliant, additional 5-second cycles will be used until the subject is incapacitated or compliant and restrained. If the subject is not incapacitated or compliant after three (3) 5-second cycles, the deputy should consider whether another form of less-lethal force should be used to obtain compliance. Policy **does not** limit the number of discharges, but suggests that if the desired effect is not achieved with three (3) cycles the deputy should move to a different or higher level of force.
  3. The Taser **should not** be used under the following circumstances:
    - a. When the deputy cannot approach the subject within the effective range;
    - b. On subjects who appear to weigh less than 100 pounds, which include most children, unless the use of deadly force is warranted;
    - c. On women known to be pregnant unless the use of deadly force is warranted;
    - d. In proximity to flammable liquids, gases, or any other highly combustible materials which may be ignited by the arc of the Taser;
    - e. In any situation where the subject or their clothing may be contaminated with combustible liquid, gas, or other highly combustible material;
    - f. On subjects in control of a motor vehicle, unless the use of deadly force is warranted.
  4. Use of the Taser should be avoided if possible in the following situations:
    - a. Subject with known heart problems;
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- b. Subjects with an obvious debilitating illness;
  - c. The elderly;
  - d. Subjects with known neuromuscular disorders such as muscular sclerosis, muscular dystrophy or epilepsy;
  - e. Subjects known to be using biomedical devices sensitive to electrical current or oxygen therapy;
  - f. Subjects who, when incapacitated, may suffer serious bodily injury from a resulting fall due to surrounding environmental hazards (i.e. sharp metals or broken glass, subjects on the edge of a rooftop, etc.).
5. When using the Taser in the drive stun mode, it should be applied to the trunk of the body. The chest area, back, arms, and legs, not the face and head. The drive stun mode will not be used on a handcuffed or restrained subject, unless extreme violent circumstances develop and use would prevent injury to the deputy, suspect or others.

**Effects of the Taser and deputy response:**

- 1. As soon as a subject is struck with the Taser probes, they should become incapacitated and may fall to the ground.
- 2. The subject should be handcuffed and restrained as soon as the deputy deems the situation safe for handcuffing. If another deputy is present, they should handcuff the subject immediately during or after the application of the Taser. During the application is suggested, while the subject is incapacitated by the Taser.
- 3. The deputy should continue talking to the subject and giving verbal commands throughout this process.
- 4. The deputy should reassure the subject that the effect of the Taser is temporary and no further cycles will be delivered as long as the subject complies with instructions and does not continue to resist.
- 5. The subject will continually be monitored by the deputy for any signs of medical distress related to the use of the Taser and shall not be left alone while in custody.

6. If a subject is injured as a result of Taser use (i.e. such as by a fall after incapacitation) and requires medical attention, the deputy will summon assistance from EMS or transport the subject to a medical facility for evaluation. Every effort should be made to photograph the signature marks and their location for documentation and possible future investigations.
7. The deputy will be responsible for notifying the transport deputy or booking intake officer that the subject had received a Taser application, when transfer of custody takes place.
8. The expended Taser cartridge and probes shall be considered evidence in the post incident investigation. After removal, place both probes inside their used cartridge, sharps down. They should be collected and handled as evidence.

**Probe removal:**

Taser probes that penetrate sensitive areas of the subject's body (i.e., neck, face, groin, and breast area of females) will only be removed by medical personnel.

**Care and maintenance of the Taser:**

1. Taser cartridges shall be carried in issued cartridge carriers, probes down. Cartridges are not to be carried loosely in pockets or similar fashion. Carrying cartridges in this manner can cause static electricity, which may prompt the cartridge to deploy. All Taser cartridges will be stored in their shipping boxes until issued.
2. Taser cartridges will be stored in a cool, dry environment and should be replaced according to their expiration date.
3. **Batteries should not be removed from the Taser.** Doing so can interfere with the internal clock and data downloads.
4. **Taser Instructors Only** will address malfunctions and battery replacement. Other concerns should be directed to the Staff at the Center for Advanced Training.
5. **A Spark Test** will be conducted on the Taser before each tour of duty, to ensure it is functioning properly.

**NECK**

**HOLDS/RESTRAINTS:** The use of physical neck holds or restraints is extremely dangerous. Such methods are governed by the response to aggravated active resistance/aggression policy of this Office.

**HOG-TYING:**

The process of hog-tying detainees for transport is prohibited. For violent detainees, the use of hobble restraints is authorized consistent with current training practices. When using hobbles, close the car door on the end strap to prevent the detainee from kicking, but do not connect the strap to the handcuffs or the detainee's belt. Do not leave the strap dangling outside of the vehicle from the car door.

**REVIEW AND REMEDIAL****TRAINING:**

Any officer determined to have discharged a weapon as a result of an accident or negligence is required to immediately undergo remedial firearms training, in addition to any disciplinary action. If necessary, a special class is to be scheduled to meet this requirement.

**POLICY AWARENESS  
AND INSTRUCTION:**

Prior to receiving a field assignment, a deputy trainee's immediate supervisor or Field Training Deputy is to ensure the trainee:

1. Has a copy of this general order.
2. Understands this general order.
3. Signs a Response to Resistance/Aggression Statement.

  
Steve Loftis, Sheriff