

HOOKS, TEXAS POLICE DEPARTMENT  
GENERAL ORDERS MANUAL

<i>Effective Date</i> <b>January 1, 2021</b>	<i>Amended Date</i>	<i>Directive</i> <b>5.01</b>	
<i>Subject</i> <b>Authorization to Respond to Resistance or Aggression</b>			
<i>Distribution</i> <b>All Personnel Mayor City Attorney</b>		<i>Review Date</i> <b>January 1, 2022</b>	<i>Pages</i> <b>7</b>

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

**SECTION 1 PURPOSE**

The purpose of this policy is to regulate the response to resistance or aggression according to all relevant state and federal statutes and in keeping with the highest standards of the police profession. The policy is also intended to establish the doctrine of a "reasonable officer" as the benchmark for the level of response to resistance or aggression used.

**SECTION 2 POLICY**

It is the policy of this Department that officers shall use only that response to resistance or aggression which is reasonable and necessary to achieve a lawful law enforcement objective. It is the policy of this Department that all responses to resistance or aggression will be appropriately documented in accordance with the procedures set forth in this policy. It is also the policy of this Department that all responses to resistance or aggression will be carried out with due regard for the safety of our citizenry and the safety of police employees who are engaged in a challenging and dangerous occupation.

**SECTION 3 PROCEDURES**

**A. RESPONSE TO RESISTANCE OR AGGRESSION**

Although the response to resistance or aggression is permitted by law and Department policy, an unnecessary or unreasonable response to resistance or aggression will not be tolerated. An officer may use appropriate force to overcome resistance or aggression in the lawful performance of his/her duties, even though there is no immediate or apparent danger requiring self-defense. The officer must be acting within his/her authority. The officer shall identify himself as a police officer and state his purpose to the offender and to others immediately present, unless he reasonably believes his purpose and identity are already known or cannot reasonably be made known. Every reasonable opportunity to comply with the officer's request must be given to the person being arrested. When a response to resistance or aggression is warranted, the degree of response to resistance or aggression should follow the continuum from the least amount of force to the most severe degree of force. An elevated response to resistance or aggression may be employed immediately if an officer(s) perceives that a greater degree of force is immediately necessary.

# HOOKS, TEXAS POLICE DEPARTMENT GENERAL ORDERS MANUAL

## B. REASONABLE RESPONSE TO RESISTANCE OR AGGRESSION

Officers engaged in the performance of their duties are authorized to respond to resistance or aggression when:

1. It is necessary to preserve the peace, prevent the commission of an offense, or prevent suicide or self inflicted injury.
2. Overcoming resistance to lawful arrests, searches, and transports.
3. Preventing escape from custody.
4. In self-defense, or in defense of another.
5. Preventing an intrusion of, or interference with, the lawful possession of property.

## C. DEGREE OF RESPONSE TO RESISTANCE OR AGGRESSION

The degree of response to resistance or aggression which may be employed is based on a standard of reasonableness and determined by the circumstances, including but not limited to:

1. The nature of the offense
2. The behavior of the subject who is resisting or being aggressive
3. Actions by third parties who are present
4. Physical conditions of suspect and officer
5. The feasibility or availability of alternative action
6. The presence or availability of a weapon
7. Other factors which might dictate the reasonable use of a particular level of response to resistance or aggression

## D. LESS LETHAL RESPONSE TO RESISTANCE OR AGGRESSION

1. It is imperative that officers be aware that less lethal weapons are not substitutes for a lethal response to resistance or aggression and that any response to resistance or aggression may not be 100% effective. In any case where an officer is confronted with a subject whom the officer reasonably believes poses an immediate threat of death or serious physical harm to the officer or another, the officer should not consider using less lethal weapon options unless the officer is backed up by officers covering with lethal force options.
2. Less lethal responses to resistance or aggression encompass all types of force other than deadly force. Less lethal response to resistance or aggression may be used against another person for the purpose of affecting the arrest, search or detention of another; the recapture of another; for maintaining custody of another; in self-defense or the defense of others; and when necessary to prevent another from committing suicide or inflicting serious bodily injury to himself or herself. The amount and type of less-lethal force must be the minimum amount which is reasonable in light of

# HOOKS, TEXAS POLICE DEPARTMENT GENERAL ORDERS MANUAL

the existing circumstances. The amount of force used will be that which is essential for the officer to accomplish the objective. Less lethal force allows the officer options in resolving high risk situations using the lowest level of response to resistance or aggression possible. Although it is not intended, the use of less-lethal force could result in serious injury or death under certain circumstances.

## E. RESPONSE TO RESISTANCE OR AGGRESSION CONTINUUM

Officers shall employ only that response to resistance or aggression which is reasonable and necessary to achieve a lawful law objective. Generally the response to resistance or aggression continuum is as follows:

1. Command presence and verbalization
2. Soft hands / empty hands control / routine application of handcuffs with no resistance from the arrestee
3. Approved chemical agents
4. Hard hands control/physical strength and skill
5. ASP baton / Less Lethal Impact Projectile Munitions
6. Deadly force

## F. LEVELS OF RESPONSE TO RESISTANCE OR AGGRESSION

### 1. COMMAND PRESENCE AND VERBALIZATION

In most instances, the presence of an officer and verbalization of his instructions is enough to control a situation and persuade those involved to comply.

### 2. SOFT HANDS/EMPTY HANDS CONTROL

Soft hands control includes physical contact with little or no chance of producing injury such as guiding a suspect to a particular location or position, placing handcuffs on a suspect, gripping, holding, or otherwise controlling a suspect's movements without striking or exerting physical strength to control a suspect.

### 3. APPROVED CHEMICAL AGENTS

- a. Chemical weapons are considered intermediate weapons, and proper training is required prior to the issuance or use of a chemical weapon. They are designed to result in temporary dysfunction without causing serious physical injury. Some practical uses of chemical weapons are to repel human and animal attacks, temporarily incapacitate violently resisting subjects, compel barricaded subjects to leave an enclosure; and disperse violent crowds or riots.
- b. Generally officers will not use chemical weapons on subjects who are under physical restraint, unless the subject is still violently resisting and lesser means of controlling the subject has failed. As in every response to resistance or aggression, each incident will be reviewed on a case by case basis to determine the reasonableness of the officer's actions.

# HOOKS, TEXAS POLICE DEPARTMENT

## GENERAL ORDERS MANUAL

- c. To facilitate the arrest and control of resisting or violent subjects, officers have been issued Oleoresin Capsicum (OC) aerosol restraint spray and/or the JPX 450 Concentrated Chemical Agent Delivery System. Both have been approved by the Chief of Police and are considered less lethal response to resistance or aggression. They provide the officer with an acceptable alternative to hand-to-hand combat, striking, or tests of physical strength thereby reducing the possibility of serious injury to either a suspect or an officer.
- d. All officers whose regular duty assignment necessitates making arrests shall be required to complete the prescribed course of instruction on the use of OC spray and will carry OC spray while on duty. Uniformed Officers shall wear only the Department issued canisters and holder on the duty belt. Non uniformed officers may carry the Department issued canister in an alternative manner after receiving the proper training.
- e. Only those officers who have completed the prescribed course of instruction on the use and deployment of the JPX are authorized to carry it while on duty. To eliminate any confusion between the JPX and the officer's firearm, it shall be orange in color and worn in the Department issued holster on the side opposite of the officer's firearm.
- f. Whenever practical and reasonable, officers should issue a verbal warning prior to using a chemical agent against a subject. Use of chemical agents should be avoided, if possible, under conditions where it may affect innocent bystanders. Chemical agents may be used when verbal dialogue has failed to bring about the subjects compliance, and the subject has signaled his intention to actively resist the officer's efforts to make the arrest.
  - 1. When using OC spray, officers should maintain a safe distance of between two and ten feet from the subject if possible. Whenever possible, officers should be upwind from the subject before using OC spray and should avoid entering the spray area. Officers must be alert to wind direction and location of other officers to avoid incapacitating them. A single spray burst of between one and three seconds should be directed at the subject's eyes, nose and mouth. Additional bursts may be used if the initial burst proves ineffective. Once a subject is incapacitated or restrained, use of OC spray is no longer justified.
  - 2. The JPX launches high grade OC solution at 405 miles per hour and has an effective range of up to 23 feet. It emits only a minimum of airborne aerosols that cause undesired cross-contamination, making it suitable for indoor use. When using the JPX 450, officers should maintain a safe distance from the subject. The JPX 450 should be shot directly at the subject's face if beyond the required safety distance of seven (7) feet, measured between the nozzle of the JPX and the subject's face. If within that distance, shoot the subject in the upper chest area with the JPX. If necessary, retreat beyond the required safety distance and shoot the second shot on the subject's face.
- g. Subjects who have been exposed to a chemical agent may display some or all of the following effects: twitching or involuntary closure of the eyes, respiratory inflammation resulting in coughing, shortness of or gasping for breath, skin inflammation, redness and/or a burning sensation on exposed skin, nausea, and gagging.
- h. Officers should be alert for signs of asphyxiation or other indicators that the chemical agent may be creating unanticipated physiological stresses - especially with heavily intoxicated or obese subjects. Officers should be prepared to administer emergency first aid procedures until medical help can arrive. Officers shall be aware of the life threatening hazards of positional asphyxiation and will not allow subjects who have been exposed to a chemical agent to lay

# HOOKS, TEXAS POLICE DEPARTMENT

## GENERAL ORDERS MANUAL

face down. All subjects will be transported in the proper sitting position with the proper restraining equipment in use. Subjects who have been exposed to a chemical agent shall be monitored continuously for indications of medical problems and shall not be left alone while in police custody. Officers should provide assurance to subjects who have been exposed that the effects are temporary and encourage them to relax.

- i. The effects of chemical agents vary among individuals. Therefore, all subjects shall be handcuffed as soon as possible. Officers should also be prepared to employ other means to control the subject to include, if necessary, other responses to resistance or aggression options consistent with Department policy if the subject does not respond sufficiently to the chemical agent and cannot be otherwise subdued.
- j. Assistance shall be offered to any individual who feels the effect of the chemical agent. Decontamination of a person exposed to a chemical agent is accomplished by flushing the subject's eyes, face and affected skin with cool running water.
- k. OC spray canisters shall be maintained in an operational and charged state. Each officer is responsible for notifying their Supervisor of the need for replacement of a damaged, inoperable, or empty canister. OC spray canisters shall typically be replaced when the unit is less than half full.
- l. Any use of pepper spray requires the officer to complete a Response to Resistance or Aggression Report.

#### 4. HARD HANDS CONTROL

- a. Hard hands control consists of striking or other means of physical strength and skill. Examples include striking with the fists, knees, or elbows, tackling, arm bars, or other methods of exerting physical force to overpower and subdue a suspect.
- b. Any hard hands control requires the officer to complete a Response to Resistance or Aggression Report.

#### 5. IMPACT WEAPONS (ASP BATON)

- a. The impact weapon is not designed to be used as a club or bludgeon and should not ordinarily be raised above the head to strike a blow to a person unless lethal force is justified. Blows with an impact weapon should be delivered only to specific areas of the body (target areas). Striking these areas is intended to temporarily incapacitate the suspect, but not intended to cause undue injury or death. No impact weapon or other object will be thrown at anyone unless the possible injury inflicted by use of such would be authorized by departmental policy. Strikes with an impact weapon must be used prudently and only if lesser methods have failed or their use would be impractical.
- b. Any use of an impact weapon requires the officer to complete a Response to Resistance or Aggression Report.

# HOOKS, TEXAS POLICE DEPARTMENT GENERAL ORDERS MANUAL

## 6. IMPACT PROJECTILE MUNITIONS

- a. Impact munitions are extended range impact weapons designed to temporarily incapacitate non-compliant suspects who are armed with weapons other than firearms or who are exhibiting violent or aggressive behavior. Impact munitions may be used to:
  1. Incapacitate an armed subject who is threatening harm to others;
  2. Incapacitate an armed suicidal subject;
  3. Effect the arrest of an unarmed non-compliant subject whose behavior is such that it poses a serious danger to the public or arresting/restraining officers; or
  4. For riot control, officers may not fire impact munitions indiscriminately into a crowd, but may use area target munitions to clear specific areas or disperse crowds.
- b. Impact munitions should never be used against a subject armed with a firearm, or when the subject is an immediate threat to the officer or the public. The use of impact munitions is restricted to open or public areas. Officers should remember that the use of impact munitions creates a risk of death or serious injury. Only personnel trained in the use of impact munitions may employ them in circumstances where the application of the impact munitions is reasonable and necessary.
- c. Any time an officer strikes a subject with impact munitions, the officer will, as quickly as possible, obtain medical treatment for the subject. Before booking, officers will advise jail personnel when an arrested subject has been struck with impact munitions.
- d. Any use of impact munitions requires the officer to complete a Response to Resistance or Aggression Report.

## 7. DEADLY FORCE AS A RESPONSE TO RESISTANCE OR AGGRESSION

Deadly force is a response to resistance or aggression that is intended to cause, is known by the subject to cause, or in the manner of its use or intended use is capable of causing, death or serious bodily injury. The decision to use deadly force rests with each officer. Officers are authorized by Department policy to use deadly force in self-defense, or in defense of a third party, when it reasonably appears that there is imminent danger of serious bodily injury or death. The deadly force policy is outlined in Directive 6.02.1

## G. OTHER RESPONSE TO RESISTANCE OR AGGRESSION CONSIDERATIONS

### 1. USE OF HANDCUFFS

- a. As a general rule, all prisoners should be handcuffed. There will, of course, be exceptions to this rule (dependent children, females with small children, pregnant women, physical impairments, etc.) However, officers must keep in mind that all prisoners are potentially dangerous. The officer should first consider his own safety and the safety of others. The officer should also consider any unusual circumstances involved.
- b. Officers are reminded that the use of handcuffs constitutes force. In all cases where handcuffs are used, the officer will double lock the handcuffs to prevent the handcuffs from tightening and causing injury to the prisoner's wrists. Officers will not handcuff prisoners to a fixed object except for the safety of the officers or for the safety of the public.

# HOOKS, TEXAS POLICE DEPARTMENT GENERAL ORDERS MANUAL

## H. WARNING SHOTS

As stated in 5.09, firearms shall not be discharged as a warning.

## I. DISCHARGE OF FIREARM- NO PHYSICAL INJURY

If an officer discharges his firearm intentionally or unintentionally while on duty or off duty, except for appropriate training or practice, and no one is injured as a result of the shooting, the officer shall immediately notify the supervisor and shall submit a detailed written Response to Resistance or Aggression Report as soon as practicable. The report shall be detailed and will describe the circumstances surrounding the incident and a description of any damage to property. The report shall be forwarded to the Chief of Police through the chain of command.

## J. DISCHARGE OF FIREARM- PHYSICAL INJURY OR DEATH

If an officer discharges his firearm and causes injury or death, the officer's supervisor and the Chief of Police will be notified immediately. The supervisor shall immediately accompany the officer to an authorized medical facility for drug testing. The officer's supervisor shall submit a detailed written Response to Resistance or Aggression Report as prescribed in this policy, including information related to the date, time, and location of the required testing.

## K. NON-DEADLY RESPONSE TO RESISTANCE OR AGGRESSION-INJURY OR DEATH

When an officer's use of non-deadly force results in injury or death, the officer's supervisor shall be notified immediately. The Supervisor shall notify the Chief of Police if death has occurred. The officer's supervisor shall submit a detailed written Response to Resistance or Aggression Report.

## L. RESPONSIBILITY

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

# HOOKS, TEXAS POLICE DEPARTMENT GENERAL ORDERS MANUAL

<i>Effective Date</i> <b>January 1, 2021</b>	<i>Amended Date</i>	<i>Directive</i> <b>5.02</b>	
<i>Subject</i> <b>Authorization of Deadly Force</b>			
<i>Distribution</i> <b>All Personnel Mayor City Attorney</b>		<i>Review Date</i> <b>January 1, 2022</b>	<i>Pages</i> <b>2</b>

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## **SECTION 1 PURPOSE**

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

## **SECTION 2 POLICY**

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

## **SECTION 3 PROCEDURES**

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

# HOOKS, TEXAS POLICE DEPARTMENT GENERAL ORDERS MANUAL

## C. CAROTID HOLD

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

## D. VEHICULAR FORCE

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

## E. RESPONSIBILITY

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

# HOOKS, TEXAS POLICE DEPARTMENT GENERAL ORDERS MANUAL

<i>Effective Date</i> January 1, 2021		<i>Amended Date</i>		<i>Directive</i> 5.03	
<i>Subject</i> Response to Resistance or Aggression Documentation and Review					
<i>Distribution</i> All Personnel Mayor City Attorney				<i>Review Date</i> January 1, 2022	
				<i>Pages</i> 1	

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## SECTION 1 PURPOSE

The purpose of this policy is to regulate the reporting of responses to resistance or aggression.

## SECTION 2 POLICY

It the policy of the Department that all responses to resistance or aggression will be documented and forwarded to the Chief of Police via the chain of command. The Employee's supervisor will review the response to resistance or aggression incident.

## SECTION 3 PROCEDURES

- A. Officers shall immediately report the response to resistance or aggression verbally to their supervisor and complete a Response to Resistance or Aggression report.
- B. Any videos of the response to resistance or aggression used will be reviewed by the officer's supervisor and will be tagged in the video system under either the Complaint, Use of Force or Other Emergency Response category or the Arrest or Prisoner Transport category. A supervisor will take photos of any injury that the suspect or officer sustains. These photos will be submitted with all related reports.
- C. After completion, the involved officer's immediate supervisor will review any report.
- D. If an officer is the victim of an assault or receives an injury while arresting a person for resisting arrest, he shall immediately notify his supervisor. An Offense Report shall be prepared. Photographs shall be taken of injuries sustained by the officer and/or the defendant, and the photographs will become evidence in the case. A copy of the Offense Report will be forwarded to the Chief of Police.
- E. RESPONSIBILITY
  - 1. All members of the Department shall know and comply with all aspects of this directive.
  - 2. All Command Staff personnel are responsible for ensuring compliance with the provisions and intent of this directive.

HOOKS, TEXAS POLICE DEPARTMENT  
GENERAL ORDERS MANUAL

<i>Effective Date</i> <b>January 1, 2021</b>	<i>Amended Date</i>	<i>Directive</i> <b>5.04</b>	
<i>Subject</i> <b>Weapons and Ammunition</b>			
<i>Distribution</i> <b>All Personnel Mayor City Attorney</b>		<i>Review Date</i> <b>January 1, 2022</b>	<i>Pages</i> <b>2</b>

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**SECTION 1 PURPOSE**

The purpose of this policy is to regulate the type of weapons employed by officers of the Department as well as the ammunition approved for use in each weapon.

**SECTION 2 POLICY**

It is the policy of the Department that only approved weapons and approved ammunition will be employed by officers after receiving the appropriate training with the specific type of weapon.

**SECTION 3 PROCEDURES**

**A. HANDGUNS**

All officers are required to provide at their expense a suitable Handgun for on duty use. Each Officer shall provide to the Chief of Police the make, caliber, and serial number of the handgun. Handguns shall be no smaller than 9mm caliber and no larger than .45 caliber

1. Each officer will be issued ammunition, suitable to their handgun, which has been approved for on-duty use. Officers will not carry any other ammunition for on-duty use.
2. Officers who wish to carry a second, or backup, handgun while on duty must make a written request to the Chief of Police stating the make, caliber, and serial number of the handgun. Backup handguns shall be no smaller than .25 caliber and no larger than .45 caliber. Officers will be required to qualify with the handgun before permission will be granted to carry it as a backup.

**B. LESS LETHAL WEAPONS**

1. Officers are authorized to carry the below listed weapons. Prior to carrying these weapons, the officers will be properly trained and certified with each.
  - a. Expandable Baton (ASP Baton)
  - b. OC Spray
  - c. JPX Pepper Gun

## HOOKS, TEXAS POLICE DEPARTMENT GENERAL ORDERS MANUAL

### C. SHOTGUN

The Department issues a 12 gauge pump shotgun to be placed in department vehicles for use by officers. Other shotguns meeting the specified requirements of this section may be carried with prior approval from the Chief of Police.

The Department will issue approved ammunition for on-duty use. Officers will not carry any other ammunition for on-duty use.

### D. APPROVED PATROL RIFLES

1. Officers may carry at their expense an after receiving appropriate training an approved Patrol Rifle for on duty use, which must be .223 caliber, of legal length, and configured in semi-automatic operation. Fully-automatic weapons are not permitted.
2. The maximum magazine capacity is 30 rounds for the patrol rifle.
3. Patrol rifles may not be equipped with sniper or hunting style optics which magnify. However they may be equipped with non-magnifying tactical sights.

### E. PATROL RIFLE AMMUNITION

Officers who carry a patrol rifle must carry department approved ammunition in the rifle. Department approved ammunition will be factory loaded .223 caliber rounds. Reloaded ammunition and/or full metal jacketed ammunition maybe used for training only. Tracer, explosive, incendiary, and armor-piercing ammunition are not permitted.

### F. PROHIBITED WEAPONS

Officers shall not arm themselves with personally owned handguns, rifles, shotguns, machine guns, tear gas guns, or any other weapons while on duty unless so ordered by their supervisor and then only with the expressed permission of the Chief of Police.

### G. RESPONSIBILITY

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

HOOKS, TEXAS POLICE DEPARTMENT  
GENERAL ORDERS MANUAL

<i>Effective Date</i> <b>January 1, 2021</b>	<i>Amended Date</i>	<i>Directive</i> <b>5.05</b>	
<i>Subject</i> <b>Carrying and Use of Weapons On and Off Duty</b>			
<i>Distribution</i> <b>All Personnel Mayor City Attorney</b>		<i>Review Date</i> <b>January 1, 2022</b>	<i>Pages</i> <b>3</b>

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**SECTION 1 PURPOSE**

The purpose of this policy is to regulate the carrying of firearms on-duty and off-duty.

**SECTION 2 POLICY**

It is the policy of the Department that sworn employees will only carry and/or use weapons on-duty or off duty in accordance with the provisions of this policy.

**SECTION 3 PROCEDURES**

**A. BACKUP HANDGUNS**

1. Officers carrying backup handguns shall ensure that the weapon is secured at all times, either on his person or in a secure place in the police unit. Backup handguns shall not be left unattended on or under the seat in the police unit. If an officer exits his police unit and chooses not to carry the backup handgun on his person, he shall secure the handgun in the unit and ensure that the doors are locked and the windows are rolled up.
2. Officers who wish to carry a second, or backup, handgun while on duty must make a request to the Chief of Police stating the make, caliber, and serial number of the handgun. Backup handguns shall be no smaller than .25 caliber and no larger than .45 caliber. Officers will be required to qualify with the handgun before permission will be granted to carry it as a backup.
3. Officers shall keep backup handguns clean, oiled, and in perfect working condition at all times. Officers shall not attempt repairs on handguns approved for backup use. Backup handguns shall be repaired at the officer's expense by a qualified gunsmith.

**B. PATROL RIFLES**

1. Officers who are authorized to carry patrol rifles are to secure the weapon in a case designed to prevent damage or misalignment of the sighting system while not in use. The rifle case is to be stored in the trunk of the patrol car. In the case of a specialty vehicle with no trunk, the patrol rifle will be stored in the rear of the vehicle and out of sight or in an installed specialized rack designed to secure the rifle.

## HOOKS, TEXAS POLICE DEPARTMENT GENERAL ORDERS MANUAL

2. Patrol rifles should be carried with the chamber empty, safety on, full magazine inserted in the rifle, and the bolt in the forward position. Rifles should not have a round chambered until the officer makes the decision to deploy the rifle.
3. Officers who have been assigned rifles shall carry the weapon in their assigned unit whenever they are on duty.

### C. OFF-DUTY HANDGUN

Officers are not required to carry a handgun when off duty. If an officer chooses to carry a handgun while off duty, he is required to carry it away from public view. He may carry his on-duty handgun while off duty or may arm himself with another Department-approved handgun. Any deviation will require prior approval from the Chief of Police. Officers shall be required to qualify with a handgun before carrying it off duty.

### D. ON-DUTY HANDGUNS

1. Officers shall keep on-duty handguns clean, oiled, and in perfect working condition at all times. Officers will immediately notify their supervisor of any malfunction of their on-duty handgun. The supervisor will notify the Chief of Police.

### E. LOANING HANDGUN

Officers shall not loan their on-duty handgun to another officer unless an emergency situation demands it or they are so directed by their supervisor. On-duty handguns will not be loaned to persons outside the Department.

### F. DRAWING HANDGUN

1. Handguns shall not be displayed or drawn in public view on duty or off duty, with the exception of routine inspection, unless the handgun is actually being used to respond to resistance or aggression, qualification, cleaning, or target practice.
2. Officers shall not point their handguns at any person unless circumstances exist which would lead them to reasonably believe that their personal safety or that of a third party is in jeopardy, and that the use of deadly force under such circumstances would be justified under law.

### G. USE OF FIREARMS AND DEADLY FORCE

1. Deadly Force is defined as follows: Deadly force is a response to resistance or aggression that is intended to cause, is known by the subject to cause, or in the manner of its use or intended use is capable of causing, death or serious bodily injury. The decision to use deadly force rests with each officer and cannot be delegated. Officers are authorized by Department policy to use deadly force in self-defense or in defense of a third party when it reasonably appears that there is imminent danger of serious bodily injury or death. Officers are urged to consider the following orders and to think about the possibilities such action could cause, both to himself and to others.

Examples of deadly force are:

- a. Discharge of a firearm at a person.
- b. Carotid Hold (choke hold).
- c. Vehicular force

HOOKS, TEXAS POLICE DEPARTMENT  
GENERAL ORDERS MANUAL

H. In all instances involving the use of deadly force, the officer involved shall immediately notify his supervisor, who shall then notify the Chief of Police.

I. DISCHARGE OF HANDGUN

Handguns shall not be discharged for any of the following reasons:

1. As a warning.
2. In a misdemeanor case, unless in defense of life or to prevent serious bodily injury.
3. To stop a fleeing felon when there is no indication of imminent danger of death or serious bodily injury to the officer or a third party.
4. In defense of a third party's property, unless deadly force was used to acquire the property and imminent danger of death or serious bodily injury is present to the officer or to the third party.
5. From a moving vehicle or at a moving or fleeing vehicle except when necessary in the defense of an officer's or another person's life and all other reasonable means of defense have failed.

J. RESPONSIBILITY

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

# HOOKS, TEXAS POLICE DEPARTMENT GENERAL ORDERS MANUAL

<i>Effective Date</i> January 1, 2021		<i>Amended Date</i>		<i>Directive</i> 5.06	
<i>Subject</i> Documenting the Discharge of Firearm					
<i>Distribution</i> All Personnel Mayor City Attorney				<i>Review Date</i> January 1, 2022	
				<i>Pages</i> 1	

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

## SECTION 1 PURPOSE

The purpose of this policy is to regulate the reporting of all firearm discharges.

## SECTION 2 POLICY

It the policy of the Department that all employees who discharge a firearm with the exception of training or off-duty practice and recreation will report the firearm discharge by documenting it in the form of a supplemental report.

## SECTION 3 PROCEDURES

- A. All firearm discharges with the exception of training or off-duty practice and recreation will be documented in the form of a supplemental report.
- B. The Supplemental Report will be sent to the Chief of Police via the chain of command. The officer's supervisor will review the firearm discharge incident.

## RESPONSIBILITY

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

# HOOKS, TEXAS POLICE DEPARTMENT GENERAL ORDERS MANUAL

<i>Effective Date</i> January 1, 2021	<i>Amended Date</i>	<i>Directive</i> 5.07	
<i>Subject</i> Medical Aid After a Response to Resistance or Aggression			
<i>Distribution</i> All Personnel Mayor City Attorney		<i>Review Date</i> January 1, 2022	<i>Pages</i> 1

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

## **SECTION 1 PURPOSE**

The purpose of this policy is to require all employees to render aid or summon medical aid for any person injured or claiming injury as a result of a use of force incident.

## **SECTION 2 POLICY**

It is the policy of the Department that all employees shall render aid or summon medical aid for any person injured or claiming injury as a result of a use of force incident.

## **SECTION 3 PROCEDURES**

- A. If an individual is injured due to an officer's use of force or if the person claims to be injured, the officer shall immediately render aid, transport the injured person to a medical facility, or summon medical aid for the individual. The officer shall immediately notify his supervisor.
- B. A Response to Resistance or Aggression will be documented with a full explanation of the incident and shall be submitted by all officers involved. Photographs will be taken of the injury. The report and the photographs shall be forwarded through the chain of command to the Chief of Police.
- C. RESPONSIBILITY
  - 1. All members of the Department shall know and comply with all aspects of this directive.
  - 2. All Command Staff personnel are responsible for ensuring compliance with the provisions and intent of this directive.

# HOOKS, TEXAS POLICE DEPARTMENT GENERAL ORDERS MANUAL

<i>Effective Date</i> January 1, 2021		<i>Amended Date</i>		<i>Directive</i> 5.08	
<i>Subject</i> Removal from Line of Duty After Using Deadly Force					
<i>Distribution</i> All Personnel Mayor City Attorney				<i>Review Date</i> January 1, 2022	<i>Pages</i> 1

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

## SECTION 1 PURPOSE

The purpose of this policy is to require a time of administrative leave for any officer involved in a use of force incident which results in serious bodily injury or death.

## SECTION 2 POLICY

It is the policy of the Department that any officer involved in a use of force incident which results in serious bodily injury or death will be placed on administrative leave while the matter is investigated.

## SECTION 3 PROCEDURES

- A. The officer's supervisor shall immediately notify the Chief of Police whenever an officer uses force against any person and the force either intentionally or unintentionally causes serious bodily injury or death (including motor vehicle crash).
- B. Employees who use force which either intentionally or unintentionally results in serious bodily injury or death or have been involved in a traffic accident that has resulted in serious injury or death of a person will be immediately removed from line duty and will be placed on administrative leave or in an alternate assignment as decided by the Chief of Police. The Department will offer post-incident debriefing or counseling to the employee(s) involved.
- C. RESPONSIBILITY
  - 1. All members of the Department shall know and comply with all aspects of this directive.
  - 2. All Command Staff personnel are responsible for ensuring compliance with the provisions and intent of this directive.

# HOOKS, TEXAS POLICE DEPARTMENT

## GENERAL ORDERS MANUAL

<i>Effective Date</i> January 1, 2021	<i>Amended Date</i>	<i>Directive</i> 5.09	
<i>Subject</i> Warning Shots			
<i>Distribution</i> All Personnel Mayor City Attorney		<i>Review Date</i> January 1, 2022	<i>Pages</i> 1

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

### **SECTION 1 PURPOSE**

The purpose of this policy is to prohibit officers from firing warning shots.

### **SECTION 2 POLICY**

It is the policy of the Department that officers are prohibited from firing warning shots.

### **SECTION 3 PROCEDURES**

- A. The use of firearms is regulated as described in Directive 5.05.
- B. As stated in Directive 5.05, officers are prohibited from firing warning shots.
- C. RESPONSIBILITY
  1. All members of the Department shall know and comply with all aspects of this directive.
  2. All Command Staff personnel are responsible for ensuring compliance with the provisions and intent of this directive.

# HOOKS, TEXAS POLICE DEPARTMENT GENERAL ORDERS MANUAL

<i>Effective Date</i> January 1, 2021	<i>Amended Date</i>	<i>Directive</i> 5.10	
<i>Subject</i> Duty to Intervene			
<i>Distribution</i> All Personnel Mayor City Attorney		<i>Review Date</i> January 1, 2022	<i>Pages</i> 2

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

## SECTION 1 PURPOSE

The purpose of this policy is to establish a duty for all officers to intervene in any excessive use of force.

## SECTION 2 POLICY

It is the policy of the Department that any officer that observes another employee using force that is clearly beyond what is reasonable and necessary has a duty to intervene by verbal and/or physical means. Any officer that observes an excessive use of force will, as soon as practical, report the use of force to a supervisor in writing. This same standard applies even if the employee using force is a supervisor. Excessive force by any police officer or employee will not be condoned or tolerated.

## SECTION 3 PROCEDURES

### A. DUTY TO INTERVENE

1. Any officer present and observing another officer, regardless of rank, using force that is clearly beyond that which is objectively reasonable under the circumstances shall, when in a position to do so, safely intervene to prevent the use of excessive force. Examples of force that would require an officer's intervention may include, but are not limited to: use of choke holds [in any situation where deadly force would not be authorized]; using force against a restrained or subdued suspect; leaving a secured suspect in a prone position in any fashion that restricts breathing or blood flow; any use of force in violation of this Department's policy.
2. Officers shall promptly report excessive use of force to a supervisor in writing. The obligation to report remains in place even if the officer is successful in intervening in the use of excessive force. Any failure to intervene and/or a failure to report improper use of force shall be grounds for discipline.

### B. RESPONSIBILITY

# **HOOKS, TEXAS POLICE DEPARTMENT GENERAL ORDERS MANUAL**

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