

LAMAR COUNTY SHERIFF'S DEPARTMENT
POLICY MANUAL

USE OF FORCE

- A. **PURPOSE:** To establish guidelines regarding the use of force by members of the department in order to ensure the Civil Rights of all people are not violated.
- B. **POLICY:** Members of this department will use only the force immediately necessary to effect lawful objectives. Use of greater force than necessary is not permitted and will not be tolerated. It is understood that situations and circumstances are not constant; therefore, it becomes necessary to escalate or de-escalate the use of force according to the progression of the situation.
- C. **DEFINITIONS**
1. **Deadly Force:** Force, which is intended or known by the actor to cause or in the manner of its use or intended use, is capable of causing death or serious bodily injury (Texas Penal Code, Chapter 9, Section 9.01(3)).
 2. **Non-Deadly Force:** The amount of force, which in the circumstances present, is neither likely or intended to cause serious bodily injury or death. Non-deadly force is the use of physical strength or skill or one or more deputies or jailers and/or the use of approved non-lethal weapons.
 3. **Member:** Any employee of the department or reserve.
- D. **PROCEDURE:**
1. **Use of Deadly Force:**
 - a. A member of this department may use deadly force only when (s)he reasonably believes it is necessary to protect himself/herself or another person from death or serious bodily injury.
 - b. Deadly force will not be used when the lawful objective could be successfully accomplished with the use of a lesser degree of force.
 - c. Deadly force will not be used when the use of deadly force presents a greater threat to bystanders than not using deadly force.
 - d. Warning shots will not be fired in incorporated cities and populated areas.
 2. **Use of Non-Deadly Force:**
 - a. Members shall use the minimum amount of force necessary to prevent the commission of an offense or prevent a person from injuring himself/herself.
 - b. Members shall use only the minimum amount of force to make an arrest or control a person, or to conduct any other lawful duty.
 3. **Reports on Use of Force:** All members will submit a written report to the Sheriff whenever:
 - a. (S)he discharges a firearm or witnesses another member discharge a firearm, on or off duty, except during department training, qualifications, military service, or legitimate recreational activities.
 - b. (S)he takes an action or witnesses another member take an action, which results in, or is alleged to have, or could have resulted in injury or death to another person.