

**TEXAS DEPARTMENT OF CRIMINAL JUSTICE
PAROLE DIVISION**



**POLICY AND
OPERATING PROCEDURE**

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DATE: 08/16/05

PAGE: 1 of 2

SUPERSEDES: 7/14/98

SUBJECT: STANDARDS FOR USE OF FORCE

AUTHORITY: Not Applicable

PURPOSE: To establish guidelines for use of force.

PROCEDURE:

- I. Parole Division personnel shall not use force to control or to attempt to control another for any purposes other than lawful self defense during the performance of their duties, functions, or responsibilities. Force shall only be used in self defense according to agency policy.
 - A. While performing their job duties, Parole Division employees may use lawful force against another, as described in the Texas Penal Code, Chapter 9, when and to the degree the acting employee believes that the self-defensive actions are immediately necessary to protect him/herself against the other's use or attempted use of unlawful force.
 - B. Any type of self defense used by Parole Division staff shall be based upon the Force Continuum described below. The Force Continuum is a model that depicts the range of use of force options authorized by the agency for its employees.

- II. The Force Continuum model includes the following progression of force categories: *Officer Presence*, *Verbal Direction*, *Empty Hand Techniques*, *Intermediate Weapons*, and *Deadly Force*. The specific options authorized by the agency within each category in the Force Continuum are as follows:
 - A. *Officer Presence* includes options such as division authority, officer identification, credentials, professionalism, and the visibility of Oleoresin Capsicum (OC).
 - B. *Verbal Direction* includes professional communication skills, diffusion and de-escalation techniques, instructions, warnings, loud repetitive verbal commands, and lawful threats.

- C. *Empty Hand Techniques* include defensive tactics without the use of Oleoresin Capsicum (OC) or other objects. The options in this category include techniques learned in Defensive Tactics training, such as the use of pressure points; releases from holds; blocking; and striking techniques using natural body weapons such as an open hand, fist, forearm, knee, or leg.
 - D. The *Intermediate Weapons* category includes the use of Oleoresin Capsicum (OC) to temporarily neutralize or temporarily incapacitate an assailant. Employees shall use only OC that has been issued by the Parole Division. This level of self-defense employs the use of department-approved tools that provide a method of neutralizing aggressive behavior when Deadly Force is not justified, but when Empty Hand Techniques are not sufficient for escaping from a physical confrontation.
 - E. *Deadly Force* includes the use of any tool, such as firearms, which may cause serious bodily injury or death and is used for the purpose of defending against unlawful deadly force or the threat of unlawful deadly force. Deadly force should never be used to protect against unlawful deadly force when lower levels of force are ineffective or insufficient for escaping from serious bodily injury or death.
- III. All training in self-defense techniques (including Defensive Tactics) and in intermediate weapons (OC) shall be approved by the PD and be consistent with agency policy.
- IV. Parole Division employees who use self-defense options to avoid bodily injury or serious bodily injury shall submit an agency incident within one (1) workday of the incident. The Safety Officer's Investigation of Accident/Incident (Report of Inquiry) shall also be used to report threatening and intimidating behavior and verbal abuse encountered while an employee is performing his/her required job duties. In the event of a shooting incident, refer to the firearms policy (Parole Division policy 1.1.10) for additional reporting requirements. The original report shall be sent to the Regional Director, who is responsible for reviewing all reports pertaining to use of force. A copy of the report shall be forwarded to the Deputy Director for Field Operations. This report requirement is in addition to any other report required by the nature of the event, such as a violation report to comply with Parole Division policy 4.1.1. Contact with law enforcement may be required to report the incident and to file charges against the assailant, as appropriate.

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