



**Baltimore County Sheriff's Office
Towson, Maryland**

**Sheriff
R. Jay Fisher**

General Order

**Subject:
Use of Force/Discharge of
Firearms**

**Effective Date
09/01/12**

**Number
B-1**

AMENDED INFORMATION

Members shall make the following change to General Order B-1. "Use of Force/Discharge of Firearms" dated 03/15/11.

Remove and destroy/recycle pages 8 thru 14 replace with the attached following pages:

COMMUNICATION POLICY

Supervisors shall be responsible for communication of this directive to their subordinates and ensure compliance. This directive is effective on the date of publication.

Distribution:

Sworn and Security Members

By Authority of:

A handwritten signature in black ink, appearing to read "R. Jay Fisher".

R. Jay Fisher
Sheriff



The Squad Sergeant or the highest-ranking member on duty during the evening or weekends must ensure that the involved member completes and submits all required reports, prior the end of the member's tour of duty. If the member is injured to such an extent that they are physically unable to complete the required reports the Squad Sergeant or the highest-ranking member on duty during the evening or weekends must assist in the completion of the required reports.

H. Notifications

1. Members must promptly notify the Sheriff's Office of any use of force that results in death or injury requiring medical attention and any firearm discharge except for authorized range practice. During normal working hours notification must be made to the member's Squad Sergeant/Supervisor. The Sergeant/Supervisor is responsible for notifying the respective Lieutenant. The Lieutenant will then notify the following individuals of the incident:
 - a. Internal Affairs Unit.
 - b. Chief Deputy
 - c. Undersheriff.

2. During the evening or weekends, notification must be made to the Squad Sergeant or highest-ranking member on duty in his/her absence. This member is responsible for contacting the Night Commander. If off duty the member will contact the Night Commander directly. The Night Commander will then contact the following individuals and notify them of the incident:
 - a. Internal Affairs Unit.
 - b. Chief Deputy.
 - c. Undersheriff.

3. The Squad Sergeant or the highest-ranking member on duty during the evening or weekends, must notify the Baltimore County Police Department, Homicide/Missing Persons Section, after all accidental or intentional firearm discharges by a sworn member that result in injury or death to any person.

I. Lieutenant/Night Commander's Responsibilities

1. The Lieutenant/Night Commander must respond immediately to any incident in which a member discharges his/her firearm (with the exception of range practice or an Office sanctioned event), to any incident in which a member is injured, or when the action of the member results in the death or an injury requiring hospitalization of another person.

- a. Respond to the scene and take charge until Baltimore County Police are on scene and assume responsibility for investigation.
 - b. Ensure medical attention has been ordered for injured persons.
 - c. Direct at least one Deputy to remain with the involved member to ensure his/her personal safety and wellbeing.
 - d. Attempt to secure evidence/crime scene and locate witnesses until Baltimore County Police are on scene.
 - e. If the involved member was injured and taken to an emergency facility, send a supervisor to the emergency facility to act as a liaison between emergency facility staff and the Sheriff's Office.
 - f. Conduct a preliminary field investigation.
 - g. Ensure photographs are taken of any injuries to the member or suspect.
 - h. Render command assistance to the assigned investigator(s).
 - i. Place any member directly involved in a deadly force incident on Administrative Leave upon completion of their preliminary report of the incident. The Lieutenant/Night Commander must explain to the member that this leave is without loss of pay or benefits, that it is pending the results of the investigation, and that the assignment to administrative leave does not imply or indicate that the member has acted improperly.
 - j. Submit a detailed written report of the results of the field investigation, via official channels, to the Sheriff with a copy to the Internal Affairs Unit. The report shall state whether the incident is consistent with the Office's policy and training. The report shall not make a recommendation of discipline, either for or against the member.
2. In the event the incident occurs in a jurisdiction outside Baltimore County the Lieutenant/Night Commander will:
- a. Respond to the scene if practical and act as the Office representative.
 - b. Conduct a preliminary field investigation.
 - c. Render command assistance to the assigned investigator(s).

- d. Place any member directly involved in a deadly force incident on Administrative Leave upon completion of his/her preliminary report of the incident. The Lieutenant/Night Commander must explain to the member that this leave is without loss of pay or benefits, that it is pending the results of the investigation, and that the assignment to administrative leave does not imply or indicate that the member has acted improperly.
 - e. Submit a detailed written report of the results of the field investigation, via official channels, to the Sheriff with a copy to the Internal Affairs Unit. The report shall state whether the incident is consistent with the Office's policy and training. The report shall not make a recommendation of discipline, either for or against the member.
3. In the event of a firearm discharge without injury the Lieutenant/Night Commander will:
 - a. Respond to the scene of the discharging. If the incident occurred in a jurisdiction outside Baltimore County the Lieutenant/Night Commander should respond if practical and act as the Office representative. The Lieutenant/Night Commander may delegate this task to a Squad Sergeant if he/she is unable to respond.
 - b. Ensure there are no injuries.
 - c. Attempt to secure scene and locate witnesses until Baltimore County Police or investigating agency are on scene and assume responsibility for investigation.
 - d. Conduct a preliminary field investigation.
 - e. Render command assistance to the assigned investigator(s).
 - f. Submit a detailed written report of the results of the field investigation, via official channels, to the Sheriff with a copy to the Internal Affairs Unit. The report shall state whether the incident is consistent with the Office's policy and training. The report shall not make a recommendation of discipline, either for or against the member.

J. Internal Affairs Unit Responsibilities

The Internal Affairs Unit must respond to any incident in which a member discharges his/her firearm, or when the action of the member results in the death or an injury requiring hospitalization of another person. The Internal Affairs Unit must conduct an Administrative Investigation into all serious incidents involving members, parallel to any criminal investigation, to determine whether the actions were within policy, contrary to policy, or accidental. The Internal Affairs Unit must prepare and submit a detailed report of findings to the Sheriff.

K. Review of Use of Force Incidents

1. All Incident Reports must be reviewed and forwarded, via the chain of commnd, to the Sheriff.
2. The involved member's Squad Sergeant/OIC/Supervisor, Lieutenant, ChiefDeputy and Undersheriffmust conduct a review of all Use of Force Reports.
 - a. The Squad Sergeant/OIC/Supervisor shall assist the member with completion of required reporting and ensure reports are complete and accurate. The Squad Sergeant/OIC/Supervisor will then sign the Use of Force Report (#91). He/she shall also complete an Intra-Office Memorandum Report (#125). The repmt shall state whether the incident is consistent with the Office's policy and training. The report shall not make a recommendation of discipline, either for or against the member.
 - b. The Lieutenant shall sign the Use of Force Report (#91) and complete an Intra-Office Memorandum Report(# 125) containing results of his/her preliminary investigation.
 - c. The ChiefDeputy shall sign the Use of Force Report (#91) and complete an Intra-Office Memorandum Report (#125) as to whether there are any policy, training, weapon, equipment, or discipline issues that should be addressed. The ChiefDeputy shall initial and date the report after reviewing the report and comments of the Lieutenant. The ChiefDeputy will make comments and give direction as applicable.
 - d. The Undersheriff shall initial and date the report after reviewing the report and comments of the Lieutenant. The Undersheriff will make comments and give direction as applicable.
 - e. The Internal Affairs Unit is responsible for maintaining all Use of Force Reports. The Unit will also maintain a Use of Force Log Book.

3. Annually each January, the Internal Affairs Unit must conduct an analysis of all use of force incidents occurring during the preceding year. After reviewing the reported facts, circumstances, and if appropriate, any findings, the Internal Affairs Unit must submit a written report to the Sheriff as to any trends or patterns that could indicate a need for additional training, equipment upgrades or policy modification.

L. Disclaimer

This directive is for Sheriff's Office internal use only and is inapplicable in any criminal or civil proceeding. This policy does not create a legal standard of safety or care with respect to third parties. Violations of this directive may only form the basis for Sheriff's Office administrative actions.

IV. Appendix

Use of Force Statistical Data Form #91

Rescissions

Remove from manual/files and rescind:
General Order B-1, Use of Force/Reporting Discharge of Firearms, dated 03/15/11,
pages 8 thru 14 011/v.

Distribution

Sworn and Security Members

By Authority of:

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Sheriff



General Order B-1
Use of Force/Discharge of Firearms
Appendix I

BALTIMORE COUNTY
SHERIFF'S OFFICE

Amended 09/01/12

USE OF FORCE STATISTICAL DATA FORM

SD#: _____ Date of Report: _____

Deputy Sheriffs Name: _____ ID#: _____

Assignment: _____
Incident Date: _____ Time: _____ Day of Week: S M T W T F S

Nature of Incident: _____

Location: Residential Commercial Court Cell

Other: _____

Suspect Information:

Directions: Each Deputy Sheriff who uses force dilling an incident will complete one form for each suspect on whom force was used. If possible, staple all copies together prior to forwarding to the Administrative Services Bureau.

Suspect: No.# __ of __

Suspect Name: _____

Sex: _____ DOB: _____ Race: _____

Suspect appeared influenced by:

Alcohol Drugs Mental Disability Other: _____

Resistance used by the suspect:

Psychological Intimidation Passive Verbal Threats Defensive
 Active Aggression (Low Level) Aggravated Active Aggression (High Level)
 Lethal Force

Was a weapon used by the suspect? Yes No

Was a weapon found on the suspect during a search? Yes No

Was a weapon found in the area that the suspect controlled? Yes No

Type of weapon found: _____

Was the suspect injured? Yes No

Describe Injury: _____

Was medical treatment required? Yes No

If yes, where and by whom: _____

Reason forced was used: To prevent a crime To affect an arrest

To prevent subject from harming: Deputy Self Other: _____

Deputy Sheriff Information:

Number of Deputy Sheriffs present at the time of the aneest: - Name(s):_____

Assignment at the time of the incident:

- Warrant Section K-9 Court Operations Field Operations
 Field Training Other:_____

Duty status at the time of the incident: On Duty Off Duty

Did incident occur while working secondaiy employment? Yes No

Level of controlled use by Deputy Sheriff:

- Verbal Commands/Directions

Empty Hand Control Used:

- Hand/Elbow Strikes Come Along/Take Down Other:_____

Intermediate Weapon Used:

- Collapsible Baton No# of Strikes:
Location of Strikes: Arms Torso Legs Other:_____

- O.C. Spray K9 Dog Electronic Control Device
 Other:-----

Name of technique other than strike: _____

Deadly Force Weapon Used:

- Pistol Shotgun Other: _____

If aneested, how was the suspect secured:

- Handcuffs Flex-Cuffs Other: _____

Was the Deputy Sheriff injured? Yes No

Nature of injury: _____

Describe Suspect Behavior Leading Up To And During Use Of Force: Utilizing form #125 and attach same to this report.

Describe Actions Of Suspect After Application: Utilizing form #125 and attach saine to this report.

Deputy _____ Date _____ Supervisor _____ Date _____

Lieutenant _____ Date _____