

Austin Police Department  
Policy Manual

**Response to Resistance**  
**Use of Force**

**200.1 PURPOSE AND SCOPE**

This policy recognizes that the use of force ~~in response to resistance by~~ law enforcement requires constant evaluation and that an officer's response to resistance by a subject is a serious responsibility. The purpose of this policy is to provide officers with guidelines on ~~objectively reasonable response to resistance. While there is no way to specify;~~

- (a) De-escalation principles and tactics that may reduce or eliminate the exact amount or type of objectively reasonable force to be applied in any situation, each officer is expected need to use these guidelines to make such decisions in a professional, impartial, and objectively reasonable manner force;
- (b) Parameters relating to use of force;
- (c) Reporting and intervention obligations relating to use of force; and
- (d) Obligations relating to the provision of medical assistance to injured subjects.

This policy is written in terms to apply to sworn officers. In incidents where civilian employees are authorized to use force, they are subject to the same policies and procedures as officers but the test of objective reasonableness is judged from the perspective of an objectively reasonable civilian employee.

**200.1.1 PHILOSOPHY**

The use of force by law enforcement personnel is a matter of critical concern both to the public and to the law enforcement community. Officers are involved on a daily basis in numerous and varied human encounters and, when warranted, may exercise control over another in carrying out their duties.

The Department recognizes and respects the value of all human life and dignity without prejudice to anyone. ~~It is also understood that vesting officers with the authority to use lawful and objectively reasonable force and to protect the public welfare requires a careful balancing of all human interests.~~ Article 8 of the Canon of Police Ethics requires that officers conduct themselves in such a manner as to minimize the possibility of having to use force. This obligation requires that officers show courtesy, respect dignity, use a nondiscriminatory attitude, exercise patience, and avoid engaging in argumentative discussions even in the face of extreme provocation (see also APD Policy Manual at Sections 301.2, 306.2.1, and 318.2, as well as Law Enforcement Code of Ethics and Department Philosophy Statement).

Nevertheless, it will not always be possible to undertake the search/arrest/transportation of a subject or to protect officers or other persons from imminent harm without using force, including

deadly force. This Section therefore sets forth a series of best practices, obligations and prohibitions relating to officer behavior which are collectively designed to minimize the Department's overall use of force in the course of achieving its legitimate law enforcement purposes.

## **200.1.2 DEFINITIONS**

**Bodily Injury** - Physical pain, illness or any impairment of physical condition (Tex. Penal Code § 1.07(a)(8)).

**Deadly Force** - Force that is intended or known by the officer to cause, or in the manner of its use or intended use is ~~known to be~~ capable of causing, death or serious bodily injury (Tex. Penal Code § 9.01(3)).

**De-Escalation** – The process by which an officer reasonably endeavors to minimize the possibility of their having to use force.

**Evading Arrest or Detention** - A subject's intentional flight from a person they know is a peace officer or federal special investigator attempting lawfully to arrest or detain them. (Tex. Penal Code §38.04).

**Excessive Force** – Force that is not Objectively Reasonable.

**Force** - Any physical contact with a subject by an officer using the body or any object, device, or weapon, not including unresisted escorting or handcuffing a subject.

**Intercede** – Taking reasonable measures to stop or prevent an officer from using force that an officer knows to be excessive, that is, force which is not objectively reasonable.

**Legitimate Law Enforcement Purposes** – The prevention, detection, and investigation of crime, and the legal apprehension and detention of individuals suspected of law violations.

**Minimum Necessary Force** – That minimum amount of force which appears necessary under the circumstances to successfully accomplish legitimate law enforcement purposes, specifically, when undertaking an arrest/search/transportation of a subject or protecting officers or other persons from imminent harm. Further explanation of this standard and the factors which may be considered in evaluating it is discussed at Section 200.3 below.

**Non-Deadly Force** – Any application of force other than deadly force.

**Objectively Reasonable** - ~~An objective standard viewed from the perspective of a reasonable officer on the scene, without the benefit of 20/20 hindsight, and within that requires careful attention to the limitations of the totality of the facts and circumstances presented of each particular case as they were known at the time of the incident. Further explanation of this standard and the factors which may be considered in evaluating objective reasonableness are discussed at Section 200.3.1 below.~~

**Potential Force Encounters** – Encounters between officers and subjects in which there may be a heightened likelihood that the subject will resist search, arrest or transportation, or will evade arrest or detention.

**Serious Bodily Injury** - Bodily injury that creates a substantial risk of death or that causes death, serious permanent disfigurement or protracted loss or impairment of the function of any bodily member or organ (Tex. Penal Code § 1.07(46)).

**Resistance** – Intentionally preventing or obstructing a person known to be a peace officer (or a person acting in a peace officer's presence and at that officer's direction) from effecting an arrest, search, or transportation of the actor or another by using force against the peace officer or another. (Tex. Penal Code §38.03).

### ~~200.3.1~~ ~~DUTY TO INTERCEDE~~

~~Any officer present and observing another officer using force that is clearly beyond that which is objectively reasonable under the circumstances shall, when in a position to do so, intercede to prevent the use of such excessive force. Such officers should also promptly report these observations to a supervisor.~~

### **200.1.3 RESPONSE TO RESISTANCE RELATED POLICIES**

- (a) Policy 200 (Response to Resistance).
- (b) Policy 202 (Firearm Discharge Situations).
- (c) Policy 204 (Leg Restraint Guidelines).
- (d) Policy 206 (Control Devices and Techniques).
- (e) Policy 208 (TASER® Guidelines).
- (f) Policy 211 (Response to Resistance Inquiry, Reporting and Review).
- (g) Policy 212 (Force Review Board).

### ~~200.2~~ ~~RESPONSE TO RESISTANCE POLICY~~

### **2002 DE-ESCALATION OF POTENTIAL FORCE ENCOUNTERS**

Officers are obligated to conduct themselves in such a manner as to minimize the possibility of their having to use any force. This obligation requires that officers to use reasonable best efforts to anticipate potential force encounters and, where possible and warranted, to de-escalate them. De-escalation may occur when officers take steps to slow down or stabilize the situation so that additional time, options and resources can be directed towards achieving voluntary compliance or otherwise mitigating or containing threats.

In undertaking their de-escalation obligation, officers shall, to the extent practicable:

- (1) anticipate/identify potential force encounters, that is, encounters with subjects in which there may exist a heightened likelihood that the subject will resist, search, arrest or transportation, or will evade arrest or detention;

- (2) identify the risks, threats and contingencies associated with each anticipated or impending potential force encounters in order to determine whether one or more de- escalation tactics may be possible and warranted in that situation; and
  - (3) where appropriate, employ one or more de-escalation tactics in order to achieve voluntary compliance or, at a minimum, to lower that degree of minimum necessary force needed to secure the subject's compliance.
- (1) Anticipating/Identifying Potential Force Encounters – To the extent practicable, in light of time constraints and any other relevant circumstance, officers responding to incident calls, conducting stops pursuant to their patrol function, serving warrants, or transporting subjects, shall attempt to gather information necessary to assist them in identifying potential force encounters. In doing so, officers should query others (dispatch, other officers, supervisors, computer networks and other sources of information) concerning factors which may indicate that a threat exists at the scene or that one or more persons they anticipate encountering may be unwilling or unable to comply with their lawful directives. Relevant information/factors may include:
- (a) the circumstances prompting the call/stop/warrant/transportation and any ongoing facts concerning it
  - (b) which individuals are known or believed to be on the scene, including one or more subjects, witnesses, bystanders (including children), law enforcement, and other responders, such as other officers, specialized units (including Crisis Intervention Teams (CIT) or Critical Incident Negotiation Teams (CINT)), Fire/EMS, or other medical personnel, Child Protective Services (CPS), interpreters, etc.
  - (c) the physical environment at the scene, including whether it is secure or expected to be secured upon arrival
  - (d) the known or anticipated presence of weapons
  - (e) the known or anticipated presence of drugs/alcohol
  - (f) the known or anticipated presence of violence or injury, including domestic violence or child abuse
  - (g) the known or anticipated presence of substance abuse, mental or behavioral health concerns
  - (h) the known or anticipated presence of medical conditions, including drug interactions
  - (i) the known or anticipated presence of an elderly, ill, or disabled person
  - (j) the known or anticipated presence of a language barrier
  - (k) information concerning any previous calls to that location or concerning the same subjects

- (l) whether, in cases of certain misdemeanors, the officer has discretion to issue a citation rather than arrest the subject
- (m) any other information that may give rise to a heightened expectation of possible resistance or a threat to self or others

As officers arrive on the scene, observe conditions, and interact with the persons there, they may continue to apprehend additional relevant information and factors.

(2) Assessing Risks, Threats and Contingencies – After an officer has gathered what they believe to be sufficient information to ascertain anticipated threats at the scene, they will need to decide between taking immediate action that they reasonably believe will result in the subject's physical resistance (and their own need to employ force in connection with a search, arrest, or transportation) versus slowing down and delaying that action. In order to make that decision, officers should, to the extent practicable, in light of time constraints and any other relevant circumstances, pause briefly to mentally identify and weigh the potential risks, threats, and contingencies involved. Relevant considerations will include:

- (a) whether the officer believes the search, arrest or transportation must be undertaken immediately in order to be effective
- (b) what risks or threats may be associated with delaying immediate action
- (c) what contingencies may arise in either scenario, that is, if something were to go wrong, how bad would the harm be
- (d) whether the situation is one in which the officer is reasonably expected to handle on their own
- (e) whether the situation requires a supervisor's response
- (f) whether other officers may be needed on the scene, including special units, such as CIT or CINT
- (g) whether other resources such as less-lethal weaponry, special equipment, or medical officers, interpreters or other persons are needed/desirable
- (h) Any other factor relevant to assessing risks, threats and contingencies

Having paused momentarily to identify and weigh risks, threats and contingencies, the officer should determine whether one or more de-escalation tactics may slow down or stabilize that situation so that additional time, options and resources can be directed towards achieving voluntary compliance or otherwise mitigating or containing a threat.

(3) Use of De-escalation Tactics This may involve securing additional resources, tactical repositioning, and employing verbal persuasion.

- (a) Securing Additional Resources. Officers may solicit those additional resources which are reasonably calculated to lessen or possibly eliminate their own need to use force in a given situation. To the extent possible and reasonable, in light of all circumstances, officers should avoid anticipated physical confrontation until such

time additional resources have been secured. Additional resources may include:

- (1) less lethal weaponry
- (2) additional officers
- (3) officers with special training, such as CIT or CNIT officers
- (4) other personnel (medical professionals, interpreters etc.)
- (5) any other person whose presence may help de-escalate the situation (e.g. subject's treating therapist, or a supportive family member)

(b) Tactical Repositioning. To delay or avoid physical confrontation, officers may wish to employ any one of the following tactical repositioning measures, to the extent possible and reasonable in light of all circumstances:

- (1) maintain safe physical distance from the subject
- (2) maintain cover behind existing or assembled physical barriers
- (3) wait or communicate from a location that is concealed from the subject

(c) Verbal Persuasion. To the extent possible and reasonable under the circumstances, officers (from a physically safe location) may use one or more of the following verbal techniques to try to calm agitated subject and promote rational decision.

- (1) Listen to the subject's side of the story and permit them to express frustration
- (2) Explain what the officer is doing, what the subject can do, and what needs to happen
- (3) Explain why the officer is taking a given action, again permitting the subject to respond and acknowledging their perspective
- (4) Treat the subject with dignity, the way the officer would wish to be treated if they stood in the subject's shoes
- (5) If possible, provide the subject with alternatives, even though those alternatives may be limited
- (6) Clearly advise the subject of the consequences for noncompliance, including the use of force
- (7) Offer advice, to the degree it is solicited or is reasonably expected to help
- (8) Provide the subject with reasonably sufficient time within which to respond to directives

De-escalation tactics will not be appropriate in all circumstances and need not be undertaken when further delay may:

- (a) compromise the safety of the officer or another person, including the suspect
- (b) result in the destruction of evidence
- (c) result in the escape of any suspect
- (d) result in the commission of a crime

Nothing in this policy of de-escalation requires an officer to place themselves in harm's way in order to attempt to de-escalate a situation. Recognizing that circumstances may rapidly change, officers may need to rapidly abandon de-escalation efforts after they have commenced. Officers must be given sufficient discretion to interpret these best practices in accordance with their own perceptions relating to the risk of imminent harm.

It being understood that time and Departmental resources are limited, de-escalation does not require that officers remain committed to any de-escalation tactic(s) where they do not appear to be making progress after a reasonable amount of time. Even where officers are making progress, circumstances could arise (e.g. a local emergency requiring dispatch to immediately redirect officers to another location) that would justify the abandonment of de-escalation effort and necessitate the need for their immediate use of force.

This de-escalation policy is intended to complement, not replace or supersede, other portions of the APD Policy Manual or specific officer training that addresses de-escalation.

### **2003 USE OF MINIMUM NECESSARY FORCE**

Officers may need to use force when de-escalation is either not practical or unsuccessful. While the type and extent of force may vary, it is the policy of this department that officers use Department that officers shall use minimum necessary force, that is, that minimum amount of force an officer believes to be necessary to undertake arrest/search/transportation of a subject, or to protect officers or other persons from imminent harm.

Officers may only that amount of objectively reasonable force which appears necessary under the circumstances to successfully accomplish the use force in pursuit of legitimate law enforcement purpose in accordance with this policy purposes.

It is understood that all use of force must comply with the objective reasonableness standard set forth in Sec. 200.3.1 below. Force that is not objectively reasonable is *per se* excessive and shall be prohibited in all circumstances.

Officers must rely on training, experience, and assessment of the situation to decide what level of force they believe will be minimally necessary in order to achieve their legitimate law enforcement goals. Recognizing that determination of the minimum necessary force in a given situation will always be subjective and that two or more well-trained and experienced officers may reasonably disagree as to the appropriate response in a given situation, officers should be guided by the following considerations as they determine the minimum force to be used:

- (a) Proportionality of Force to the Threat – given the totality of circumstances at hand, the use of force should be proportional to both the nature and the immediacy of the threat posed to the officer and/or other persons. The more immediate the threat

and/or the more likely that the threat will result in death or serious physical injury, the greater the level of force that may be necessary to counter it.

- (b) Availability of Less Injurious Alternatives – Time permitting, officers must consider whether less injurious alternatives exist for accomplishing the same law enforcement goals and must use the least injurious of those alternatives. When officers are aware of one or more less injurious alternatives and fail to use it/them, they should be able to explain why their reasons for doing so.
- (c) Assessment Must be Ongoing – As the circumstances of a given situation change, the minimum force necessary to undertake that arrest/search/transportation of a subject, or to protect officers or other persons from imminent harm, may also change. Officers will therefore need to be re-evaluate their determination of the appropriate of force to use as circumstances change.
- (d) No Expectation of Precognition – Nothing in this policy is intended to convey or imply that the presence of training, experience, knowledge and reasoning or any other factor is sufficient to provide an officer with the ability to predict the outcome of a given situation.
- (e)(e) Officer Discretion - Given that no policy can realistically predict every situation an officer might encounter, it is recognized that each officer must be entrusted with well-reasoned discretion in determining the appropriate minimum necessary force to be used in response to resistance in each incident.
- (f)(f) Improvisation Permitted - Circumstances may arise in which officers reasonably believe that it would be impracticable or ineffective to use a given or any of the given standard ~~tools, weapon~~tool, weapon, or ~~methods~~method provided by the Department. ~~Officers~~In such circumstance, officers may find it more effective or practicable to improvise their ~~response to rapidly unfolding conditions they are confronting. In such circumstances, the use of any improvised device or method must still be objectively reasonable and used only to the extent which reasonably appears~~minimum necessary to accomplish a legitimate law enforcement purpose~~force response.~~
- (g)(g) Injury to Officer Not Required - While it is the ultimate objective of every law enforcement encounter to minimize injury to everyone involved, nothing in this policy requires an officer to actually sustain physical injury before applying objectively reasonable force.
- (h) Equal Force Not Required – Nothing in this policy requires officers to use the same type or amount of force as a resisting subject. To the contrary, the focus must be on that amount of force necessary to overcome resistance.

~~Any complaint by a subject that an officer caused pain or injury shall be treated as a response to resistance force incident, except complaints of minor discomfort from unresisted handcuffing.~~

## **200.3-2200.3.1 DETERMINING THE OBJECTIVE REASONABLENESS OF FORCE**

Any interpretation of In responding to resistance, officers are strictly prohibited from using any force beyond that which is objectively reasonable under the circumstances. Force that is not objectively reasonable is *per se* excessive.

Objective reasonableness is a different standard than the minimum necessary force policy described in Sec. 200.3 above. It is less flexible and does not equate with the least amount of force possible. Minimum necessary force is considered from the perspective of the actual, individual officer as they employ discretion to determine what minimum amount of force they believe is necessary in order to achieve their legitimate law enforcement objectives.

Objective reasonableness, on the other hand, is not judged from the perspective of the actual officer who is using force. Rather it is judged from the perspective of a reasonable officer on the scene. The actual officer's underlying intent or motivation is irrelevant. Just as good intentions can never make unreasonable force reasonable, bad intentions can never make reasonable force unreasonable.

Objective reasonableness must be understood in terms of the facts and circumstances that were known at the time and *not* with the 20/20 vision of hindsight. An application of force that is later determined to have been unnecessary may nonetheless be found objectively reasonable. Moreover, the objective reasonableness standard makes allowance for the fact that officers are often forced to make split-second decisions—in circumstances that are tense, uncertain, dynamic and rapidly evolving—about the amount of force that reasonably appears to be necessary in a particular situation—must allow for the fact that police officers are often forced to make split-second decisions in circumstances that are tense, uncertain and rapidly evolving, and the amount of time available to evaluate and respond to changing circumstances may influence their decisions. The question is—

Determining whether the officer's actions are "a particular use of force is objectively reasonable" in light of the facts and circumstances confronting him.

When determining whether to apply any level of force and evaluating whether requires an officer has examination of all the facts and circumstances surrounding the incident in which the force was used objectively reasonable force, a number of factors should be taken into consideration. These factors. Factors to be considered include, but are not limited to:

- (a) Seriousness of the suspected offense or reason for contact with the individual.
- (b) Whether the subject poses an immediate threat to the safety of officers or others.
- (c) Whether the subject is actively resisting arrest.
- (d) Whether the subject is attempting to evade arrest by flight.
- (e) The outcome of any officer's effort to de-escalate the situation.
- (f) The conduct of the individual being confronted as reasonably perceived by the officer at the time.
- (g) Officer and subject factors such as age, size, relative strength, skill level, injury, level of exhaustion and number of officers vs. subjects.

- (e)(h) Influence of drugs, alcohol or mental capacity.
- (e)(i) Proximity of weapons.
- (e)(j) The degree to which the subject has been effectively restrained and ~~his~~their ability to resist despite being restrained.
- (f)(k) Time and circumstances permitting alternative options, and the availability of ~~other options~~such alternatives (what resources are reasonably available to the officer under the circumstances).
- ~~(g)(a) Seriousness of the suspected offense or reason for contact with the individual.~~
- (h)(l) Training and experience of the officer.
- (i)(m) Potential for injury to citizens, officers and subjects.
- (j)(n) Risk of escape: in light of the seriousness of the suspected offense
- (k)(o) Whether the conduct of the individual being confronted no longer reasonably appears to pose an imminent threat to the officer or others.
- (l)(p) Other exigent circumstances.

### ~~200.3.3~~200.3.2 USE OF FORCE TO AFFECT A DETENTION, AN ARREST OR TO CONDUCT A SEARCH

An officer is justified in using ~~reasonable~~ force when and to the ~~officer reasonably believes the use of such force is immediately necessary degree~~ (Tex. Penal Code § 9.51(a)):

- ~~(a) To make or assist in a detention or an arrest, or to conduct a search that the officer reasonably believes is lawful.~~

~~To the force is immediately necessary to make or assist in making an arrest, detention, or search, or to prevent or assist in preventing escape after an arrest, provided the~~ (Tex. Penal Code § 9.51(a)):

- ~~(b) The officer reasonably believes the arrest, detention, or search is lawful.~~
- (a) ~~To make an arrest, or conduct a, if the arrest and search is made under a warrant that, they reasonably believe~~ the officer reasonably believes warrant is valid; and.

### ~~200.3.4~~200.3.1 NOTICE OF AUTHORITY AND IDENTITY

~~If it is not already reasonably known by the subject to be searched or arrested, or it is not reasonably impracticable to do so, officers should make clear their intent~~

- (a)(b) Before using force, the officer manifests their purpose to arrest or search and identify/identifies themselves as a peace officer ~~before using force~~ (Tex. Penal

Code, unless the officer reasonably believes their purpose and identity are already known by or cannot reasonably be made known to the person to be arrested. See also Sec. 200.3.4.

~~§9.51(a)(2)).~~

### **200.3.5**~~200.3.3~~ **DEADLY FORCE APPLICATIONS**

An officer ~~has no duty to retreat and~~ is ~~only~~ justified in using deadly force against another when and to the extent the officer reasonably believes the deadly force is immediately necessary to ~~(Tex. make an arrest, or to prevent escape after an arrest, so long as use of force would have been justified pursuant to Sec. 200.3.2 above and (Tex. Penal Code § 9.51(c) and (e)):~~

- ~~(a) — Protect himself or others from what he~~ The officer reasonably believes ~~would be an imminent threat of death or serious bodily injury.~~
- ~~(b) — Make an~~ the conduct for which arrest ~~or to prevent escape after arrest when the officer has probable cause to believe that:~~
  - (a) ~~The subject has committed or intends to commit an offense involving~~ is authorized included the infliction or threatened infliction of serious bodily injury or death ~~use or attempted use of deadly force;~~ or
  - (b) ~~The officer reasonably believes that there is an imminent or potential~~ a substantial risk of serious bodily injury or death to any other that the person to be arrested will cause death or serious bodily injury to the officer or other persons ~~if the subject is not immediately apprehended~~ arrest is delayed.

Officers have no duty to retreat before using deadly force, so long as it is otherwise justified under this policy.

### **200.3.4** **NOTICE OF AUTHORITY AND IDENTITY**

If it is not already reasonably known by the subject to be searched or arrested, or it is not reasonably impracticable to do so, officers must make clear their intent to arrest or search and identify themselves as a peace officer before using force (Tex. Penal Code § 9.51(a)(2)).

### **200.3.5** **DUTY TO INTERCEDE**

Any officer present and knowingly observing another officer using excessive force (e.g. force which is not objectively reasonable under the circumstances), shall, when in a position to do so, intercede to prevent the use of such excessive force.

### **200.4** **REPORTING THE RESPONSE TO RESISTANCE USE OF FORCE**

Any complaint by a subject that an officer caused pain or injury shall be treated as a response to resistance force incident, except complaints of minor discomfort from unresisted handcuffing.

Any use of force/response to resistance by a member of this ~~department~~Department shall be documented promptly, completely and accurately in an appropriate report as prescribed by Policy 211 (Response to Resistance Inquiry, Reporting, and Review).

### **200.3.1** ~~————~~ **NOTIFICATION TO SUPERVISORS**

Supervisor notification pursuant to Section 211 shall be made as soon as practicable following any use of force incident or allegation of use of force.

Any officer who witnesses another officer using force that they believe to be excessive, that is, force which is not objectively reasonable, must report their observations a supervisor as soon as possible, and in no event later than 24 hours from the time of the incident.

### **200.5** DUTY TO GIVE MEDICAL ATTENTION

~~Prior~~As soon as is practicable after a subject has been subdued, but in any event, prior to booking or release, medical assistance shall be obtained for any subject who has sustained visible injury, expressed a complaint of injury or continuing pain or who has been rendered unconscious. Notably, a~~Based upon the officer's initial assessment of the nature and extent of the subject's injuries, medical assistance may consist of examination by fire personnel, paramedics, hospital staff or medical staff at the jail.~~

A subject who exhibits extreme agitation, violent irrational behavior accompanied by profuse sweating, extraordinary strength beyond their physical characteristics and impervious to pain (sometimes called "excited delirium"), or who requires a protracted physical encounter with multiple officers to be brought under control, may be at an increased risk of sudden death and ~~should be examined by qualified medical personnel as soon as practicable. Any individual exhibiting signs of distress after such an encounter shall be medically cleared prior to booking that subject must receive immediate assistance.~~

Based upon the officer's initial assessment of the nature and extent of the subject's injuries, medical assistance may consist of examination by fire personnel, paramedics, hospital staff or medical staff at the jail. All subjects receiving medical assistance must be medically cleared prior to booking.

If any individual refuses medical attention, such a refusal ~~shall~~must be fully documented in related reports and, whenever practicable, should be witnessed by another officer and/or medical personnel. If an audio recording is made of the contact or an interview with the individual, any refusal should be included, if possible.

### **200.5.1** **ASSISTING MEDICAL PROFESSIONALS**

An officer who restrains a patient to assist medical personnel, with an amount of force which does not rise above the level of holding the patient down (e.g. arms, legs, foot, torso) is not required to report a Response to Resistance or notify their supervisor as outlined in APD Policies 211 and 200.4.1.

1. Medical personnel are:

- (a) Medical staff at a medical facility (e.g. Brackenridge, Austin State Hospital, Seton)
- (b) Licensed emergency medical technicians (EMT) in performance of their official medical duties

If an officer uses a level of force greater than merely holding a limb or applying bodily weight on the patient, the officer will adhere to APD Policies 211 and 200.4.1 Response to Resistance by:

- (a) Notifying their supervisor, and
- (b) Completing an incident report including the title code 8400