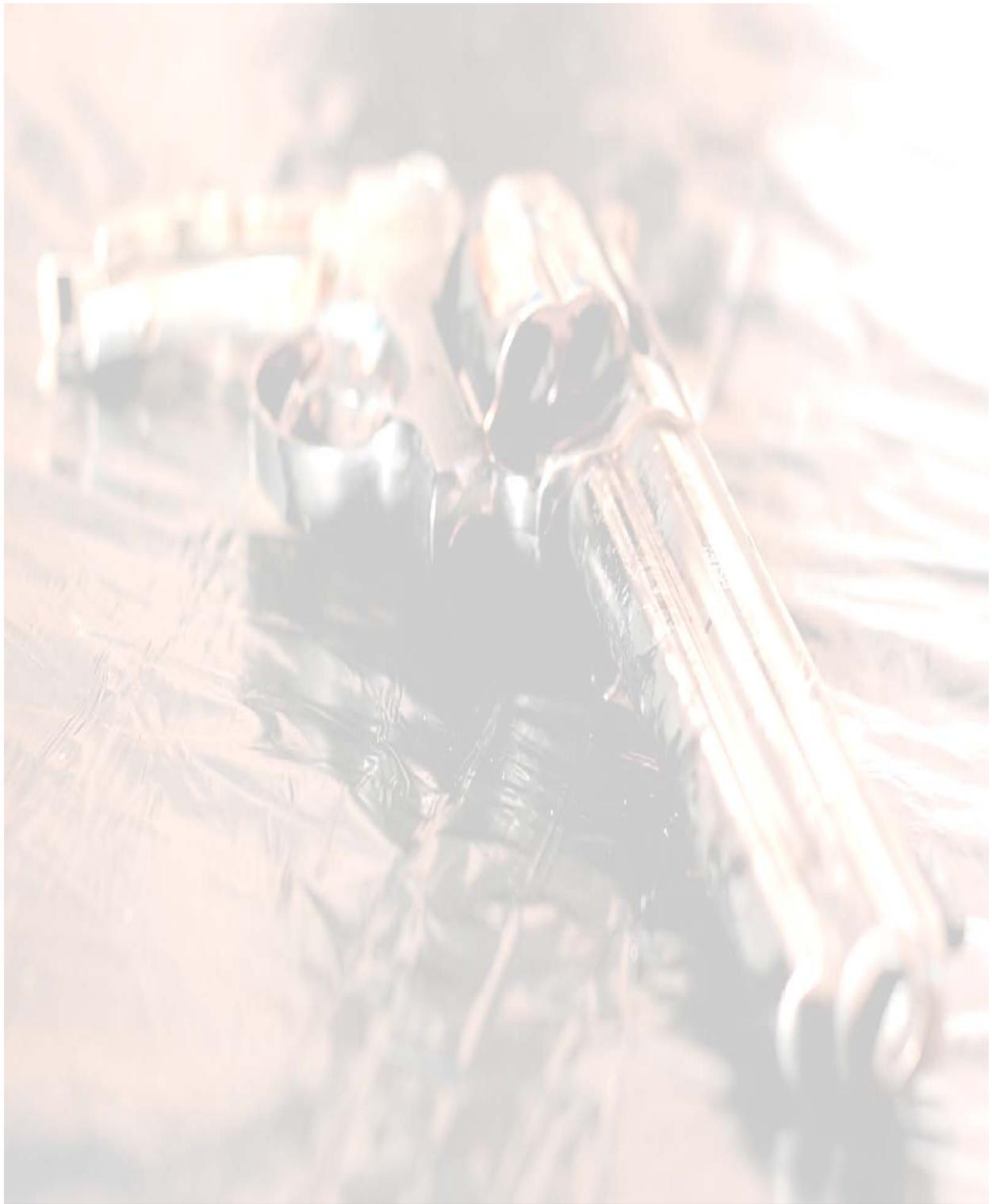


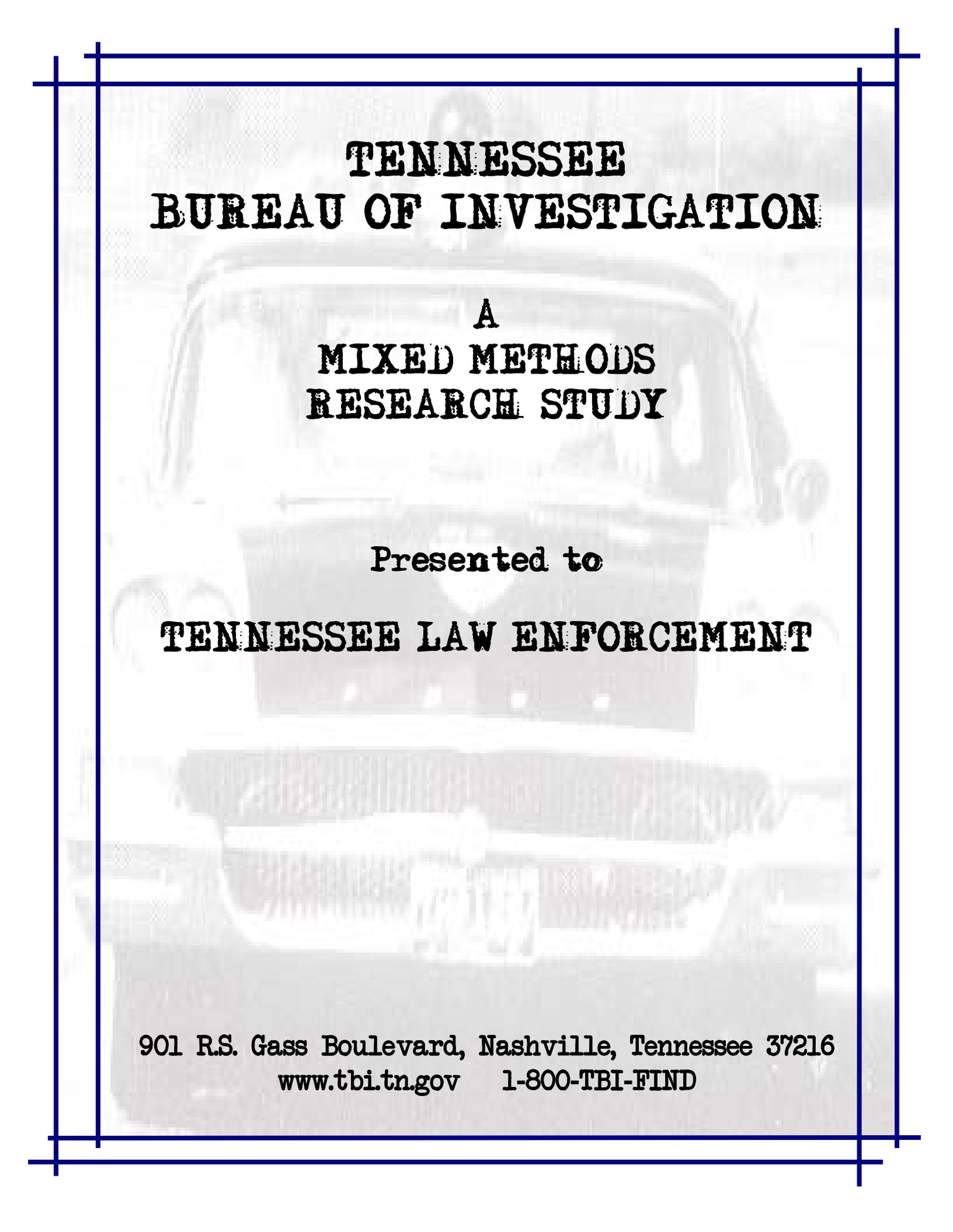


**TENNESSEE LAW ENFORCEMENT OFFICERS:**  
A Study in Deadly Force and Shooting Incidents  
2007 — 2011  
Tennessee Bureau of Investigation



Please contact the TBI if there are any questions  
regarding dissemination.

**1-800-TBI-FIND**



**TENNESSEE  
BUREAU OF INVESTIGATION**

**A  
MIXED METHODS  
RESEARCH STUDY**

**Presented to**

**TENNESSEE LAW ENFORCEMENT**

901 R.S. Gass Boulevard, Nashville, Tennessee 37216  
[www.tbi.tn.gov](http://www.tbi.tn.gov) 1-800-TBI-FIND



Mounted Patrolman A.L. White  
Memphis Police Department  
Shot April 13, 1919

## Letter from the Director

The Tennessee Bureau of Investigation (TBI) is pleased to present its first-ever study of Tennessee law enforcement officers and the use of deadly force and shooting incidents while in the line of duty. Each year, TBI issues a Law Enforcement Officers Killed or Assaulted (LEOKA) report based on crime statistics gathered from Tennessee law enforcement agencies through the Tennessee Incident Based Reporting System (TIBRS), but this study is different. This report takes an in-depth look at officers who have used force or deadly force with a weapon while protecting Tennesseans and the effect that force had on the officers, their respective department and their community.



The study used a three pronged approach to the issues. Round table discussion meetings were held in four regions of the state where law enforcement leaders provided input on trends, causes, policy and costs of the use of firearms by officers. Then, a survey was sent to all law enforcement agencies in the state to ascertain the number of use of deadly force incidents during a five year time period between 2007 and 2011. Researchers also conducted 12 in-depth interviews with officers who have been involved in shooting situations to get a first-hand perspective to the effects on officers. Eight of those have been published in this report.

A Bureau of Justice Statistics survey conducted in 2002 showed that of all face-to-face encounters between law enforcement and citizens, only 1.5% involve use of force or threatened use of force. Although use of force is statistically uncommon, its effects can be long lasting. Many believe that law enforcement officers are unaffected by these incidents. This study contradicts that belief and shows that no matter how healthy or well-adjusted, law enforcement officers can develop stress related issues based on deadly force incidents.

The study also reveals several factors contributing to the use of deadly force incidents including mentally ill subjects, drugs, gangs, the disposal of seized weapons, and training. A common theme throughout the study is the importance of firearms training and judgmental training to the law enforcement community as a whole. The value of this type of training cannot be emphasized enough. As a result, TBI will next conduct a survey of training opportunities currently available for law enforcement and determine how training can be improved.

To the officers who put on a gun and badge every day and risk their lives to protect the citizens of Tennessee, the deepest gratitude cannot be thanks enough. Your dedication and service to the state is vital to keeping our streets safe.

Sincerely,

A handwritten signature in black ink, appearing to read "Mark Gwyn".

Director Mark Gwyn  
Tennessee Bureau of Investigation



**Chattanooga Police Department  
(date unknown)**

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**Chattanooga Patrolmen  
John F. Hall and Ebenezer I. Litz  
late 1880s**

## Preface

A law enforcement officer may go through his or her entire career without ever drawing his or her weapon, but when the choice is made to employ a weapon, it is a split second decision. The results of that split second decision can effect entire departments, families, and communities for many years. The U.S. Supreme Court case of *Tennessee v. Garner* (1985), departmental policies, and the individual's instinct for survival guide the decision making process for each officer. Statistically, the number of injuries resulting from the use of force by an officer is minimal especially when factoring in the number of contacts law enforcement personnel have with the general public (Durose, Schmitt, & Langan, 2005). That being said, the use of force by officers remains controversial based on the nature of deadly force, the speed at which the events occur, the severity of consequences, and subjectivity of the officer's decision. A determination that there was a right to shoot and evidence that supports the officer's actions does not ensure a positive response from the public.

The Bureau of Justice Statistics (BJS) conducted a national survey in 2002 in which they focused on contacts between law enforcement personnel and citizens. As Figure 1 illustrates, out of the 215.5 million residents 16 or older, 45.3 million had contact with police with only 664,500 (1.5%) involving a use of force or a threatened use of force (Durose, et al, 2005). Figure 2 illustrates the decline of contact between United States residents and police (Eith & Durose, 2011).

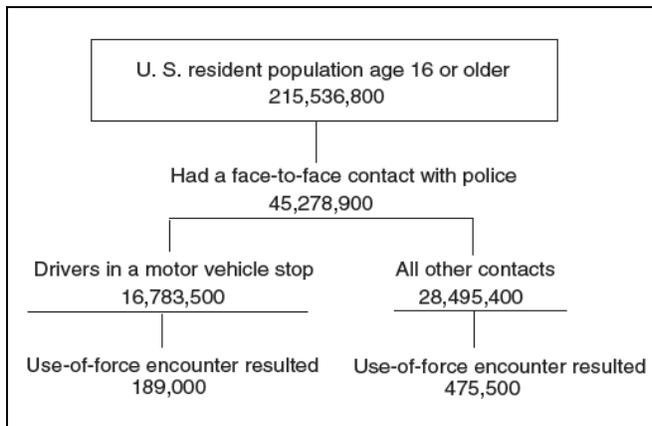


Figure 1: Contact between Law Enforcement and Civilians 2002 (source: Durose, et al, 2005)

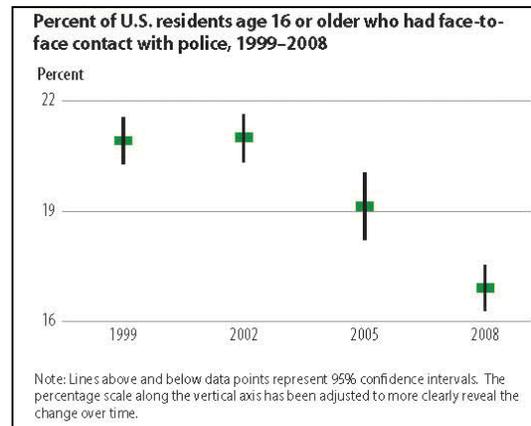


Figure 2: Contact between Law Enforcement and Civilians 1999—2008 (source: Eith & Durose, 2011)

According to Durose, et al., 2005, African-Americans (3.5%) and Hispanics (2.5%) are more likely to experience the use, or threat of the use of force than Caucasians (1.1%). Age is also a factor in contact with police as 2.5% of 16 to 29 year olds and only 0.9% over the age of 29 experienced the use of force or threat of use of force. However, 24% of those residents who were exposed to the use of force or threat of the use of force admitted that they had either (a) argued with; (b) cursed at;

(c) insulted; or (d) verbally threatened the officer during the contact. Eighty-seven percent of them believed the law enforcement personnel acted improperly, but less than 20% filed a complaint or initiated a lawsuit against the officer. While the number of people who claimed the use of force or the threatened use of force in the BJS report in 2005 increased to 707,520, the percentages remained relatively unchanged between the years 2002 to 2005.

In the special report, *Contacts between Police and the Public*, issued in 2011 by the Bureau of Justice Statistics, Eith and Durose (2011) analyzed actions taken by law enforcement personnel based on the time of day. As illustrated in Figure 2, the use of force was more prevalent during nighttime contacts between 6:00 pm and midnight.

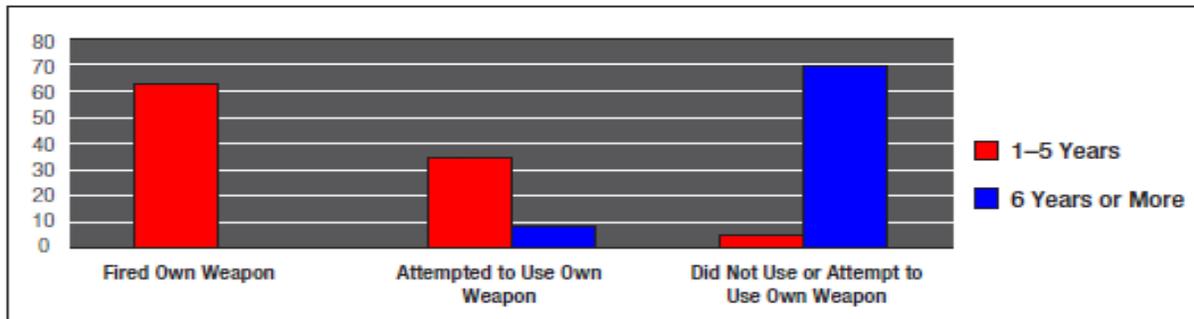
**Actions taken by police during traffic stops, by time of day, 2008**

Actions taken by police during traffic stops	Number (in thousands)	Percent of drivers stopped—								
		Total	During the day				At night			
			All daytime contacts*	6 a.m.–noon	Noon–6 p.m.	Day, time unknown	All nighttime contacts*	6 p.m.–midnight	Midnight–6 a.m.	Night, time unknown
All stops	17,479	100%	67.3%	22.3%	41.3%	3.7%	32.7%	24.3%	8.0%	0.5%
Police searched the driver/vehicle	866	100%	40.3%	13.7%	24.4%	2.2%!	59.7%	34.4%	25.0%	0.4%!
Police arrested the driver	454	100%	31.9	16.5	15.4	--	68.1	35.7	32.5	--
Police used or threatened force	160	100%	39.5	4.7!	28.3	6.5!	60.5	37.6	22.9!	--

Note: Data were based on most recent contact with police in 2008. Data on time of day of traffic stop were reported for 98.9% of all stops, for 99.4% of searches, for 97.1% of arrests, and for 98.3% of stops involving the use or threat of force by police. Detail may not sum to total due to rounding. See appendix table 16 for standard errors.  
 ! Interpret data with caution; estimate based on 10 or fewer sample cases, or coefficient of variation is greater than 50%.  
 --Less than 0.05%.  
 \*Includes cases in which the specific time was unknown.

Figure 2: Actions taken by police during traffic stops (source: Eith and Durose, 2011)

In the study *Emerging Use of Force Issues: Balancing Public and Officer Safety*, from the International Association of Chiefs of Police (IACP) conducted in 2012, researchers theorized that the number of years an officer had in service would be a significant variable in examining the use of force in deadly encounters.



Source: IACP's National Center for the Prevention of Violence Against the Police. Author: Stephen Fender, IACP Project Coordinator

Figure 3: Years in service/use of weapon (source: Johnson, 2012)

The National Center for the Prevention of Violence against the Police (NCPVAP) examined 526 individuals killed in the line of duty between 2000 and 2009 (Johnson, 2012). Two groups were identified as 187 officers with five or fewer years of service and 339 officers with six years or more of service. As Figure 3 illustrates, officers with five or fewer years were 63.1% more likely to fire their weapon, 33.2% attempted to fire their weapon, and only 4% did not make an attempt. Not one of the

officers with six or more years of service fired his or her weapon and only 9% made an attempt to use their weapon. The results of this study should be considered when developing training curricula.

Clear departmental policies regarding the use of force are essential not only to guide the officer in when and how to employ deadly force, but to guide the agency in how it responds to the use of force in terms of how officers are treated, investigations are made, and how to engage with the media and community. A written policy can do little if officers are not adequately trained on its contents. Supervisors must regularly review use of force policies for accuracy and train on current procedures. "A sound policy and set of operating practices is a solid defense against frivolous litigation" (Frazier, 2012, para 10).

The United States Supreme Court has dictated in their decision for the *City of Canton, Ohio v. Harris, et al*, 489 U.S. 378, 109 S.Ct. 1197, 103 L.Ed.2d 412 (1989) that law enforcement officers must be trained in the use of force. However, the Constitutional standard for the use of force is not the least intrusive method of applying force. Under this standard, objective reasonableness will be applied the moment the officer uses force based on the totality of the circumstances as the officer knows them. Sufficient training should provide the officers with the ability to (a) remain safe during an incident; (b) provide information to make legally correct decisions; (c) use the least invasive force level to accomplish the lawful objective, and (d) be able to articulate a competent version of the facts. The use of deadly force by officers rarely meets the approval of all members of society (Hontz, 1999). The Supreme Court instructed the lower courts in *Graham v. Connor*, 490 U.S. 386 (1989) to ascertain responses to the following questions when measuring the use of deadly force:

1. What was the severity of the crime that the officer believed the suspect to have committed or be committing?
2. Did the suspect present an immediate threat to the safety of officers or the public?
3. Was the suspect actively resisting arrest or attempting to escape?
4. The *Tennessee v. Garner*, 471 U.S. 1 (1985), decision defined the use of deadly force against a fleeing felon. Again, the Supreme Court suggested three circumstances when using deadly force:
  - a. Officer is threatened with a deadly weapon.
  - b. Suspect poses a threat of serious physical harm or death to the officer or another.
  - c. Officer has probable cause to believe the suspect has committed a crime involving threat of, or actual serious physical harm, or death of another person.

Note: The Supreme Court also noted that a warning should precede the use of deadly force when at all possible.

There is a myth, often promulgated by the media, among the public and even in law enforcement, that officers can handle any incident without being affected. Stamina and resilience are seen as requirements for the profession, but even the most seasoned officers can be affected by critical incidents. Law enforcement officers are not immune to developing stress related issues based on repeated exposure to victims of violence, natural or man-made disasters, personal assaults, and death. "No one, no

matter how healthy, well trained, or well adjusted, is immune to the normal reactions following a critical incident” (Anderson, 1994, p. 2).

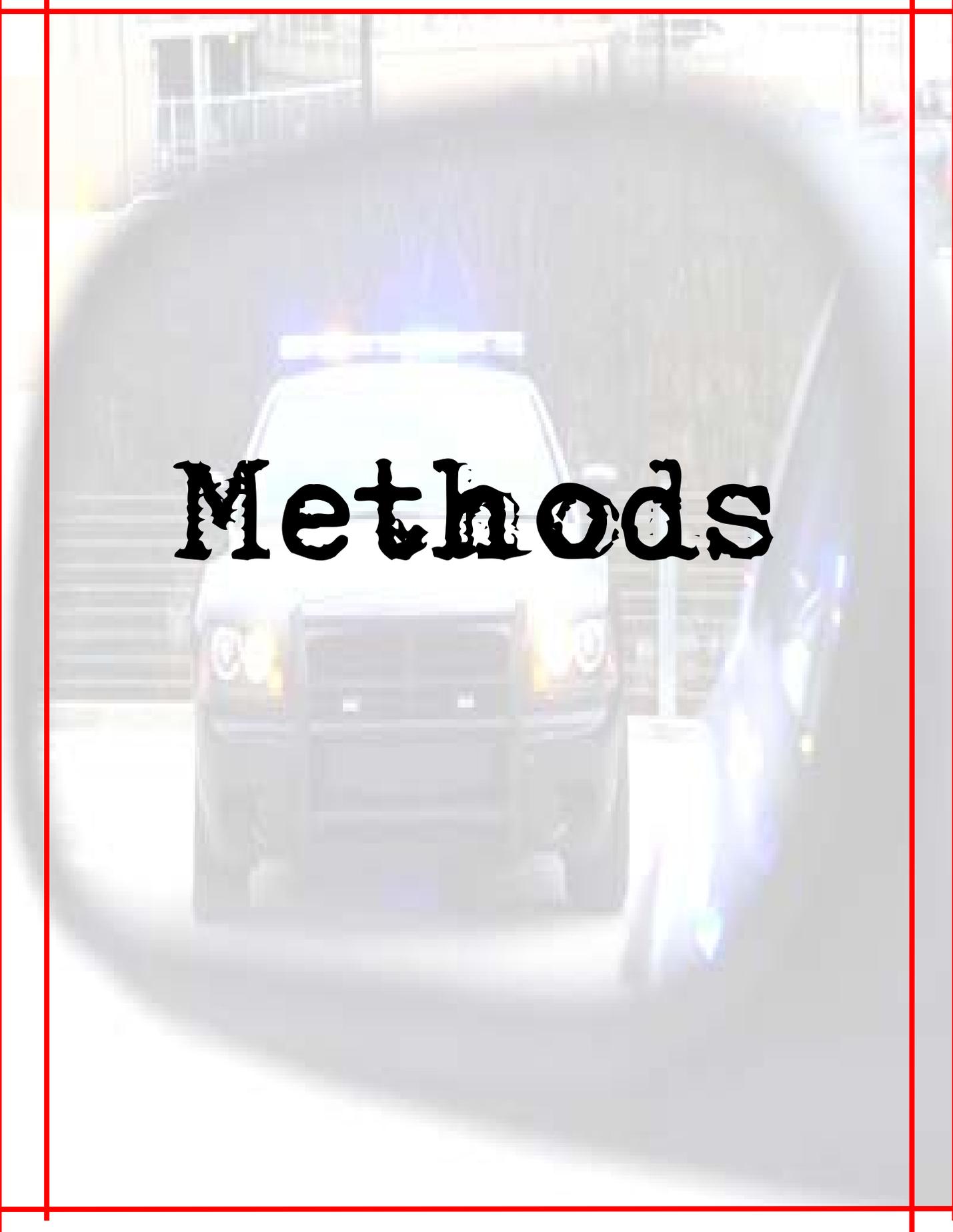
Although the use of force is statistically uncommon, these actions have great importance and should be reported and analyzed. In many departments, critical incidents are evaluated by civilian review boards. Any official evaluation of the use of force needs to be completed by individuals who understand the constitutional limitations of the use of force and understand the dynamics of violent encounters. However, evaluations are often conducted by people who do not have the appropriate education and experience to make an impartial assessment. Television shows and movie depictions of officer behavior might be the only “experience” a well meaning evaluator has to come to a conclusion. Several risk management questions can guide a use of force evaluation:

1. Was the officer’s intervention fully legal?
2. Was the intervention based on a lawful objective, such as a valid arrest, detention, search, frisk, defense of an officer or a citizen, or to prevent escape?
3. Was the use of force proportional to the person’s resistance?
4. Was there an urgent need to resolve the situation?
5. Even though there is no duty to retreat, could the officer have used lesser force and still safely accomplish the lawful objective?
6. Was the officer well-trained, qualified and competent with all force tools authorized by the agency?
7. Does the officer’s conduct appear to be objectively reasonable?
8. Did the officer’s conduct precipitate the use of force?

Ken Wallentine, Chief of Law Enforcement for the Utah Attorney General, summed this topic up nicely when he wrote, “Act on the answers. Improve the policy. Enhance training. Get the best tools available. Support the officers involved. Stay safe.” He also stated “contrary to public belief, police rarely use force. Any veteran cop will tell you that he or she uses interpersonal communication skills infinitely more often than arrest control techniques” (Wallentine, 2012, para 11).



**Clarksville Police Department Honor Guard fires a salute to fallen police officer 2011**

A circular inset image showing a police car with flashing blue and red lights on its roof, parked in a snowy environment. The car is a dark-colored SUV. The background is a blurred street scene with buildings and a fence. The word "Methods" is overlaid in a large, black, serif font across the center of the circular inset.

# Methods



Funeral for  
Auto Policeman John Ryan and  
Patrolman Irving Wright  
Nashville Police Department  
1914

## Purpose and Confidentiality

The Tennessee Officer Involved Shooting Study provides analyses of the impact of the use of firearms by and against the officers in the State of Tennessee. The study was conducted in response to a request by the Director of the Tennessee Bureau of Investigation (TBI), Mark Gwyn. The purpose of this study was not to cover data that has already been reported by the Federal Bureau of Investigation in the Law Enforcement Officers Killed and Assaulted (LEOKA) report, but to collect primary source information from all law enforcement agencies across the state of Tennessee. To accomplish the request, the TBI took a three-pronged approach to the project.

The first approach was to conduct round table discussions meetings in the West, Middle, East, and Upper East regions of Tennessee (Figure 4). Participants were law enforcement leaders in their specific regions. The attendees were asked to provide input about the following subjects: trends, causes, policies, and costs of officer involved shooting incidents. As a result of these meetings, survey questions were developed which were designed to address the issues of importance to the attendees.



Figure 4: Tennessee State Regions

The second approach was accomplished through a survey sent to all municipal, county and state law enforcement agencies in the state. This approach was a quantitative method used to ascertain the number of incidents involving law enforcement personnel's use of deadly force, specifically firearms, within a five year period.

The third approach consisted of an attempt by the researchers to gain a fuller understanding of the range of officer involved use of force situations. This report will address the response to those situations by officers and departments. This was accomplished by conducting twelve in-depth interviews with a cross section of officers who have been involved in shooting situations. Eight of those interviews are summarized in this report, four were not summarized as they were repetitive in nature. The names of the people and departments profiled in the case studies are omitted to preserve the privacy of those involved.



Patrolman II Timothy Warren  
Memphis Police Department  
Sunday, July 3, 2011

**Purpose**

The purpose of this study is to gather and analyze data on officer involved shootings in Tennessee. The data will be analyzed to determine if there are discernable trends, causes and possible courses of action to be taken to reduce the number of incidents, and reduce the severity of the after effects on officers and their departments. The study focused on law enforcement personnel and their experiences with officer involved shootings over the past five years.

**Research Questions**

The following research questions guided this study:

1. How many officer involved shootings occurred in the State of Tennessee between 2007 and 2011?
2. What environmental variable is most common in officer involved shootings?

Variables: Urban and Rural

H<sub>0</sub> There will be no significant difference in the number of officer involved shootings occurring in urban and rural environments.

H<sub>1</sub> There will be more officer involved shootings occurring in urban areas.

3. Is there a correlation between location and officer involved shootings?

Variables: specialty store, service/gas station, school/college, restaurant, residence/home, parking lot/garage, other, lake/waterway, hotel/motel/etc, highway/road/alley, grocery/supermarket, government/public building, field/woods, drug store/doctor's office/hospital, department/discount store, convenience store, commercial/office building, bar/night club, bank/savings and loan, air/bus/train terminal

H<sub>0</sub> There will be no significant correlation between location and officer involved shootings.

H<sub>1</sub> There will be more officer involved shootings occurring in residences/homes.

4. What are common traits of the primary suspect involved in officer involved shootings?
5. What are common traits of the officer involved in officer involved shootings?
6. What weapon is most commonly used by the suspect in officer involved shootings?

Variables: pistol, rifle, shotgun, knife, blunt object, vehicle

H<sub>0</sub> There will be no significant difference between type of weapons used in officer involved shootings.

H<sub>1</sub> There will be more pistols used in officer involved shootings.



7. Is there a correlation between type of officer assignment and officer involved shootings?  
Variables: special assignment, plain clothes, uniformed  
H<sub>0</sub> There will be no significant correlation between type of assignment and officer involved shootings.  
H<sub>1</sub> There will be more officer involved shootings occurring in uniformed assignments.
8. What training do law enforcement officials perceive would have the most impact on the number of officer involved shootings?
9. Do law enforcement officials perceive an increase in officer involved shootings between 2007 and 2011?

### **Research Design**

The mixed-method design used in this study included a closed question survey, which consisted of 22 incident-based questions and 16 generalized questions. Interviews were conducted with 12 persons involved in various types of shooting situations and outcomes. These 12 cases were selected based on geographical area, the size and type of department, and the type of incident. Eight of these cases were profiled in this report to illustrate relevant or recurring themes. The other four cases were not selected because their themes were repetitive. A representative sample of the police chiefs and sheriffs for each geographical region were invited by the Deputy Director Criminal Investigation Division of the Tennessee Bureau of Investigation to participate in the focus group sessions.

### **Survey**

The measurement instrument consisted of questions about individual officer involved shootings that agencies reported between 2007 and 2011. The definition of *officer involved shooting* included in the survey was, "incidents where officers pulled a weapon or actually fired their firearm against another person" (i.e., when the officer discharged his or her weapon in the line of duty).

### **Round Table Discussions**

The information reported as a result of the round table discussions is by its nature subjective and reflects the opinions of the participants, who were department heads or their designees, experienced prosecutors or District Attorneys. Those who attended the round table discussions had dozens, if not decades, of experience in law enforcement, training and policy making. Each round table discussion was presented with the same four subject matter areas to discuss:

1. Trends
2. Causes
3. Policies
4. Costs



### **Sampling Procedures**

The first phase consisted of telephone calls to individual agencies to identify specific points of contact. A total of 396 potential participants were identified through the Tennessee Criminal Justice Directory: (a) 95 Sheriff's Offices, (b) 283 Police Departments, and (c) 18 other agencies (e.g., Tennessee Alcoholic Beverage Commission, Tennessee Department of Revenue, Tennessee Bomb and Arson Squad, Tennessee Highway Patrol). Contact began in April 2012 and lasted through May 15, 2012. The second phase was initiated on May 15, 2012 by emailing each identified contact to participate in the study. Individuals with invalid email accounts were contacted via telephone to secure an alternate email address or fax number. Eight police departments were identified as being dissolved, and ten agencies did not respond.

### **Survey Instrument**

The survey was administered through "Survey Monkey", a web-based measurement instrument. An email with a link to the survey was sent on May 31, 2012 to 347 people. The "Survey Monkey" link was scheduled to close on June 30, 2012. The deadline was extended to July 31, 2012 because of inadequate participation.

### **Data Collection**

*Dissemination* - A total of 347 emails were sent to the participants on May 31, 2012. Twenty seven surveys were faxed between June 04, 2012 and July 02, 2012.

*Timeline* - The survey was conducted over a 60-day period, and 312 surveys were returned. Seventeen surveys were deleted because they were duplicated, leaving 295 total surveys started. Fourteen surveys were incomplete leaving 281 total finished surveys. Two agencies, Memphis Police Department and Metropolitan Nashville Police Department, requested assistance in completing the survey because of the number of incidents that occurred during the specified timeframe. Two Tennessee Bureau of Investigation special consultants set up appointments to document these cases using paper surveys. Tennessee Bureau of Investigation analysts inputted data into Survey Monkey.

Of the 396 requests for participation sent, 295 participants completed the survey. There was a (a) 72.79.8% response rate for police departments (n=206 out of 283), (b) 78.95% response rate for sheriff's departments (n=80 out of 95), (c) 77.78% response rate for highway patrol (n=7 out of 9, queried by district), and (d) 77.78% response rate for "other" agencies (n=7 out of 9), for analysis.

### **Analyses of the Data**

Microsoft Excel and Access were used as the analytical tools. The close-ended question responses were converted into numerical values and exported into an Excel format. Qualitative analyses of the open-ended questions were completed through a process of coding the text to form themes. Statistical analyses were used to explain the summary of the sample and the measures. Charts and graphs were formulated using



Captain Dennis Darrel Cagle  
Henderson Police Department  
Sunday, December 13, 2009

the resulting data for use as graphic depictions of the survey results. The TBI did not include its Agent shooting statistics as part of the report, but in the interest of disclosure, the agency has experienced two agent involved shootings for the reporting time period involving three special agents.

**Assumptions**

This study had several assumptions. The first assumption was that officer involved shootings occur within the state of Tennessee. Second, if an agency did not return a survey, they did not have any shootings to report during the specified timeframe. The third assumption was that participants in the study had some knowledge, training, or experience on the definition of officer involved shootings. The fourth was that the surveys were incomplete were due to the agency not having access to the specific information.

**Limitations**

This study had a number of limitations. The first limitation was that the study participants were limited to law enforcement agencies located only in the State of Tennessee; therefore the results do not represent the entire United States population. Second, the person who was identified as the point of contact for the survey was the one who actually responded on the survey. Third, the agencies may not have had all the documentation (e.g. statistical data, case documents) necessary to complete all of the questions. Fourth, the agencies who did not have any shootings did not feel it necessary to complete the survey. Lastly, some of the questions were not detailed in enough depth to draw a specific conclusion in some areas of the subject matter.

**Confidentiality**

The participants for the surveys and focus group meetings were identified by the Tennessee Criminal Justice Directory located on the TBI website. The names of the people interviewed for the case studies were confidential and were not revealed. Providing complete anonymity for the survey participants was not possible because the questionnaire required demographic information. Identifying information of the individual subjects (e.g. first name, last name, and department) was collected only to use in case of an issue involving clarification of results.

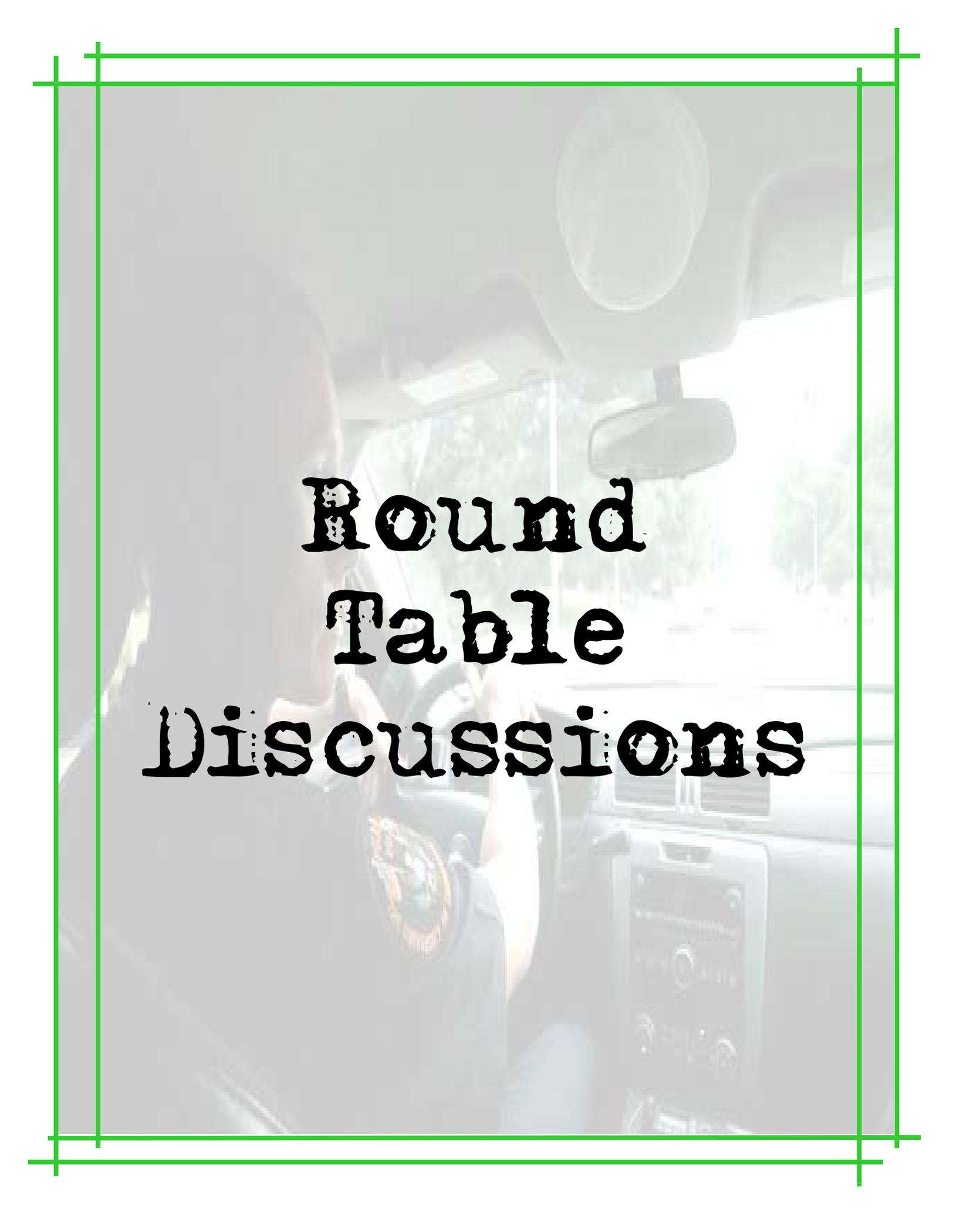
Maintaining confidentiality for the information collected from the research participants was very important. Only the investigators or individuals associated with the research team have access to the data that can identify the responses of individual participants. The research team made every effort to prevent anyone outside of the project from connecting specific answers with the actual individual.

Due to the confidentiality measures taken for this study, no portion of this document may be copied without written permission from the Tennessee Bureau of Investigation.





**K9 Officer Aron**  
**Metro Nashville Police Department**  
**Tuesday, May 19, 1998**  
**Killed protecting**  
**Officer Terry Burnett**



# **Round Table Discussions**



Civil War Era  
Memphis Police  
1865

## **Round Table Discussion Questions**

### **1. Trends**

To what extent have officers been involved in shooting incidents in the past five years?

Has there been better reporting of officer involved shootings in Tennessee?

### **2. Causes**

Is availability of up to date training an issue?

Has there been an overall increase in crime or arrests?

### **3. Policy**

Do departments investigate officer involved incidents within their department or request an outside agency to investigate?

Do departments have a use of force policy and a force continuum?

With what frequency are deadly force policies reviewed and updated?

### **4. Cost**

Have there been lawsuits concerning use of force incidents and what is the financial impact on the department, the officer and the community?

What are the psychological impacts on the individual officer?

What are the psychological impacts on the department?

To what extent do departments have public support for actions taken by their members?



The following text is a summary of the notes taken from the discussions that occurred during the roundtable meetings. Notes from the meetings were summarized by the researchers in their own words. The raw notes are on file at the Tennessee Bureau of Investigation. The four round table meetings West, Middle, East and Upper East, resulted in various recurring themes and issues, and some disagreements, as outlined below.

**Mentally Ill** — A common recurring theme expressed by participants was the perception that in Middle, East and Upper East Tennessee there has been an increase in deadly force incidents involving mentally ill subjects. There is inadequate training for officers on how to cope with individuals who suffer from mental illness. A participant in Upper East Tennessee lamented the trend toward deinstitutionalization that has left many former mental patients on the streets.

One participant in East Tennessee warned about the influx of highly trained war veterans returning with Post Traumatic Stress Disorder (PTSD) and other problems eventually becoming an issue for law enforcement.

**Drugs** — Other participants were concerned with the role drugs played in violence towards officers. Prescription pills and methamphetamine were brought up in three of the four meetings as the most common drugs associated with violent behavior.

**Gangs** — Participants in Upper East, East, and Middle Tennessee mentioned gang activity in their cities as a driver of violent activity. However; several participants from more rural jurisdictions said that their areas are not immune to this activity.

**Disposal of Seized Weapons** — There were robust discussions about the disposal of seized weapons by departments. Some departments reported that they sell or trade seized weapons to federally licensed firearm dealers in accordance with state and federal law in order to fund training and equipment purchases for their departments. Other senior officers disagreed with this procedure and feel that these weapons should be prevented from returning to the streets. Several departments report stock-piling seized weapons rather than selling them, and that has resulted in large volumes of valuable space taken up in gun storage. Although participants in several regions were loath to advocate for any stricter gun laws, some participants resented the fact that current state law does not permit them to destroy seized weapons. *See TCA 39-13-1317 (2012), attached to this report as Appendix A.*

Some jurisdictions have no problem with selling or trading seized weapons while others, mostly representing larger cities, said that they would rather destroy guns than risk having a gun that they had sold be used in a subsequent crime. A law could be proposed which would allow some discretion in how seized weapons are disposed of based on the situation in the local community.



**Costs** — When asked about the cost of deadly force incidents both to the individual participants, to departments and communities as a whole, participants related that these incidents can take a substantial toll. A Tennessee Municipal League attendee at one of the meetings said that his organization estimates that each officer involved shooting incident costs departments and insurers approximately \$60,000, per incident. Other costs include short term and long term psychological and emotional problems suffered by officers and their families as well as costs borne by departments in hiring and training new officers when officers leave law enforcement after being involved in a deadly force situation. Also, there can be a cost to morale and effectiveness within a department if a particular incident was unpopular with one or more segments in the community.

**Training** — Participants advised that they would like to see an increased emphasis on firearms training for officers. The training should go beyond basic qualification with firearms, or static “bull’s-eye” shooting. Suggestions were made that training should emphasize shooting while moving, shooting moving targets, “shoot – don’t shoot,” judgmental training, scenario based training and force-on-force training whenever possible. Additionally, participants advised that firearms training should stress weapon manipulation skills such as speed reloads and malfunction drills.

Other training topics discussed:

1. Methods for dealing with mentally ill persons
2. De-escalation techniques used in defusing potentially lethal confrontations
3. Less lethal options, such as a compact handheld stun gun (e.g. TASER)

**Policy** — Officers should have refresher training on a regular basis concerning the department’s deadly force policy, and those policies need to be reviewed periodically to ensure they are up to date and conform to current laws and practice.

Participants also stressed that media and community relations are important in managing the aftermath of officer involved shootings. Departments should engage an experienced public relations officer when possible, or alternatively provide training to a senior officer in methods of engaging the media and the public, as part of a comprehensive media policy to be followed during each incident.

Another concern brought up by the round table participants dealt with supporting the involved officer and his family after a critical incident has occurred. Many felt that post incident counseling or debriefing should be mandatory and that all officers should know in advance what procedures will be followed by their departments after they have been involved in a shooting.

Another policy issue concerned the definition of the term, “use of force.” Some departments consider it a reportable use of force if a weapon is merely drawn from a



holster. Other participants voiced concerns with this type of policy, which might result in closer supervisory scrutiny if they drew their weapons. The concern was that this type of policy might lead to an unwillingness of an officer to draw his or her weapon because he or she did not want to complete extra paperwork; thereby putting his or her safety at risk.

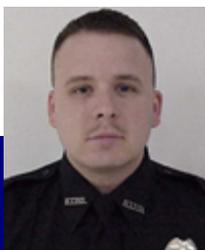
Questions arose in the meetings concerning the investigation of critical incidents. Most smaller departments reported that they use an outside agency, usually the TBI, to investigate their officer involved shootings. The largest departments in the state all investigate their own officer involved shootings and have personnel trained and dedicated to this and other types of internal investigations. Concerns about reviews and investigations performed by District Attorneys (DA) were also discussed. A DA in Middle Tennessee suggested that DA's should receive training specifically tailored to investigations of officer involved shootings so that their decisions would be more informed and standard across the state. The DA stated also that they should receive training on the force continuums in use by the agencies within their judicial district so they would understand the choices faced by an officer during a critical incident.

**Legislation** — Participants suggested the state consider more sensible treatment and care of mentally challenged persons. For example, the transportation of mentally ill persons should not be performed by law enforcement, which would decrease interactions with law enforcement.

### **Metro officer shoots man during drug investigation**

*Jan 17, 2012 by Heather Jensen, Reporter*

NASHVILLE, Tenn. (WKRN News Channel 2)—A Metro police officer shot a man in the hand after he refused to put down a handgun Tuesday night in south Nashville. The incident happened around 8 p.m. at a home in the 4600 block of Packard Drive, just west of Interstate 24. Metro police said officers were executing a search warrant at the home after multiple complaints of drug activity. Officers had to force their way in when no one inside would answer the door. Once inside, officers reported a man, later identified as Adam Tucker, 29, ran down a hallway. The homeowner, James Lackey, 64, retrieved a handgun from the kitchen and then ignored repeated commands from others to put the weapon down. Det. Sean Richmond, who perceived he and his fellow officers were in danger, fired a single shot, striking Lackey in the hand. He was transported to Vanderbilt University Medical Center where he was treated and released Wednesday morning. Tucker was arrested on an outstanding domestic violence warrant. He remained jailed Wednesday in lieu of \$10,000 bond. Tucker was convicted last August of marijuana possession. Tucker's wife and Lackey's daughter, Amanda Lackey, 25, was also inside the house. She was not immediately charged. A small amount of cocaine was recovered from the residence. The district attorney's office will review the case. Det. Richmond, 28, has been with the Metro Police Department for three years and is on routine administrative assignment pending the conclusion of the investigation.



Police Officer Mark Edward Vance  
Bristol Police Department  
Saturday, November 27, 2004

**February 07, 2012  
Middle Tennessee  
Round Table Discussion Participants**

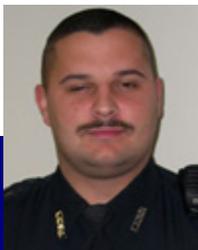
Director John Albertson, Tennessee Highway Patrol/CID  
Honorable Dan Alsobrooks, 23rd District Attorney General  
Detective Don Arnold, Dickson Police Department  
Chief Joseph D. Bishop, Columbia Police Department  
Sheriff Murray O. Blackwelder, Lincoln County Sheriff's Office  
Sheriff Jeff Bledsoe, Dickson County Sheriff's Office  
Captain Kenny Brady, Columbia Police Department  
Chief Glenn Chrisman, Murfreesboro Police Department  
Assistant Director George Dalton, TML RMD  
President Michael Fann, TML Pool  
Chief Andy Garrett, Mount Juliet Police Department  
Director Brian Grisham, Tennessee Law Enforcement Training Academy  
Director Mark Gwyn, Tennessee Bureau of Investigation  
Lieutenant Mike Hamilton, Tennessee Highway Patrol  
Special Agent Jim Helly, Federal Bureau of Investigation  
Chief Deputy Jerone Holt, Dickson County Sheriff's Office  
Captain Harmon W. Hunsicker, Nashville Police Department  
Special Agent in Charge Jason Locke, Tennessee Bureau of Investigation  
Sheriff Jeff Long, Williamson County Sheriff's Office  
Captain Darrell Miller, Tennessee Highway Patrol/RPD  
Assistant Director Richard Moore, Tennessee Bureau of Investigation  
Captain Don Nicholson, Tennessee Highway Patrol/TNG  
Captain Roddy Parker, Williamson County Sheriff's Office  
Special Agent in Charge Jerri Powell, Tennessee Bureau of Investigation  
Lieutenant Colonel Rex Prince, Tennessee Highway Patrol  
Deputy Director Jeff Puckett, Tennessee Bureau of Investigation  
Chief Deputy Bill Reavis, Lincoln County Sheriff's Office  
Chief Deputy Dusty Rhoades, Williamson County Sheriff's Office  
Chief Darren Rider, Tennessee Wildlife Regulatory Agency  
Dale Robinson, Tennessee Law Enforcement Training Academy  
Lieutenant Colonel Wayne Springer, Tennessee Highway Patrol  
Deputy District Attorney Tom Thurman, Davidson County  
Assistant Special Agent in Charge Russ Winkler, Tennessee Bureau of Investigation



Sergeant Andy Thaddeus Bailey  
Jackson Police Department  
Thursday, June 17, 2004

**March 08, 2012  
Upper East Tennessee  
Round Table Discussion Participants**

Gary Caughron, Maryville Police Department  
Special Agent in Charge Dewayne Johnson, Tennessee Bureau of Investigation  
Special Agent Jeremy Lofquest, Tennessee Bureau of Investigation—East  
Assistant District Attorney Ashley McDermott, Fourth District  
Deputy Law Director Ronald Mills, City of Knoxville Law Department  
Special Agent in Charge Rick Morrell, Tennessee Bureau of Investigation  
Assistant Special Agent in Charge Shannon Morton, Tennessee Bureau of Investigation  
Assistant District Attorney Tim Norris, Fourth District  
Assistant Special Agent in Charge Dan Ogle, Tennessee Bureau of Investigation  
Deputy Chief Gus Paidousis, Knoxville Police Department  
Deputy Chief Gary D. Price, Knoxville Police Department  
Deputy Director Jeff Puckett, Tennessee Bureau of Investigation  
Chief Davis Rausch, Knoxville Police Department  
Major Cheryl Sanders, Tennessee Highway Patrol—Knoxville  
Chief J. Maurice Shults, Newport Police Department  
Chief Danny Talley, Tennessee Highway Patrol—Fall Branch  
Lieutenant Eve M. Thomas, Knoxville Police Department  
Lieutenant Chris Tuck, Maryville Police Department



Deputy Sheriff Jason Michael Scott  
Loudon County Sheriff's Department  
Friday, March 12, 2004

**March 15, 2012  
West Tennessee  
Round Table Discussion Participants**

Memphis Police Director Toney Armstrong  
Sheriff Monte Belew, Henry County Sheriff's Office  
Assistant Special Agent in Charge Brian Byrd, Tennessee Bureau of Investigation  
Sheriff J.T. Chumley, Tipton County Sheriff's Office  
Captain Joel Deal, Tennessee Highway Patrol  
Chief Charles Elizondo, Paris Police Department  
Lieutenant Jerry Elston, Madison County Sheriff's Office  
Captain Jeff Fitzgerald, Madison County Sheriff's Office  
Lieutenant Colonel Frank Garrett, Memphis Police Department  
Lieutenant Kim Higgs, Weakley County Sheriff's Office  
R. Kinaro, U.S. Marshals Service  
Assistant Special Agent in Charge Mark Lewis, Tennessee Bureau of Investigation  
Jeff Love, U.S. Marshals Service  
District Attorney Hansel McCadams, 24th Judicial District  
Special Agent in Charge John Mehr, Tennessee Bureau of Investigation  
Chief David Moore, Martin Police Department  
Lieutenant Colonel Rex Prince, Tennessee Highway Patrol  
Deputy Director Jeff Puckett, Tennessee Bureau of Investigation  
Director Joseph P. Ruff, Shelby County Sheriff's Office  
Sheriff David Woolfork, Madison County Sheriff's Office

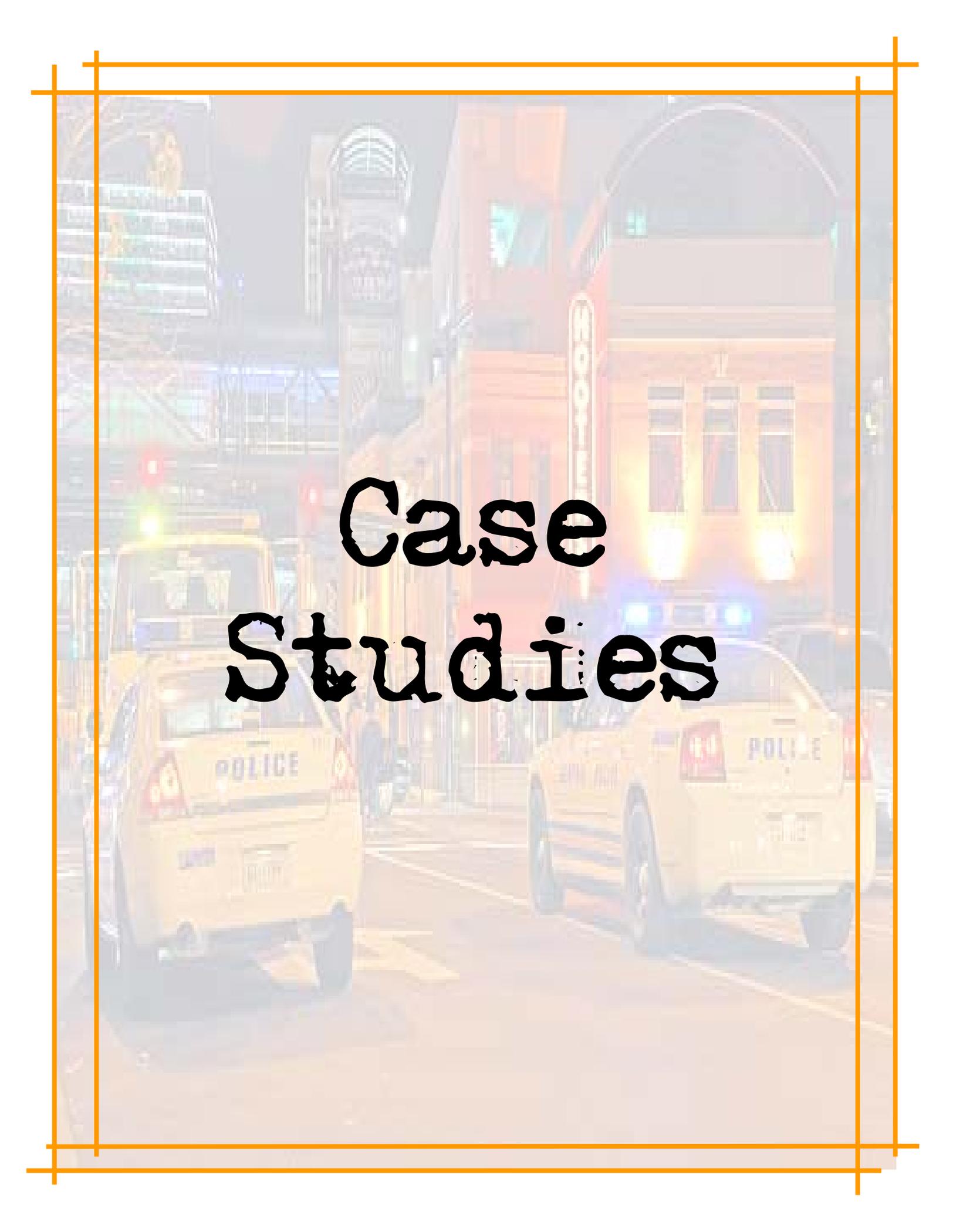


Sergeant Hubert Dean Yancey  
Scott County Sheriff's Department  
Friday, November 28, 2003

**March 29, 2012  
East Tennessee  
Round Table Discussion Participants**

Detective Jeffrey Baker, Hamilton County Sheriff's Office  
Captain Lenda Clark, Hamilton County Sheriff's Office  
Assistant District Attorney Jason Craighead, 31st Judicial District—Investigator  
Special Agent in Charge Dennis Daniels, Tennessee Bureau of Investigation  
Patrol Captain Rob Davis, Athens Police Department  
Assistant Special Agent in Charge Skip Elrod, Tennessee Bureau of Investigation  
Assistant District Attorney Randal Gilliam, 31st Judicial District  
Assistant District Attorney Phillip Hatch, 13th Judicial District  
Captain Bill Johnson, Hamilton County Sheriff's Office  
District Attorney Investigator B.R. Ladd, 9th Judicial District  
Sergeant Joseph Mays, Hamilton County Sheriff's Office  
Lieutenant Jeff Mosley, Tennessee Highway Patrol  
Special Agent Brad Nealon, Tennessee Bureau of Investigation  
Assistant District Attorney Neal Pinkston, Chattanooga  
Detective Barry Powers, McMinnville Police Department  
Sheriff Oddie Shoupe, White County Sheriff's Office  
Captain Lynn Triplett, Hamilton County Sheriff's Office  
Captain Tom Wasson, Bradley County Sheriff's Office  
Detective Ric Whaley, Hamilton County Sheriff's Office



A night-time street scene with police cars and a building with a 'ROOFTOP' sign. The scene is dimly lit, with the primary light sources being the blue and red emergency lights of the police cars and the warm, yellow lights of the buildings. The 'ROOFTOP' sign is a vertical neon sign on the side of a building. The police cars are yellow with 'POLICE' written on the back. The overall atmosphere is one of a busy, possibly emergency, urban environment at night.

# Case Studies



**Patrolman Rufus L. Parkinson**  
**Memphis Police Department**  
**Shot November 1, 1894**

## CASE STUDY I

### Tunnel Vision

An East Tennessee Officer with two and a half years of experience was dispatched to meet a woman at the local fire hall who was trying to recover her vehicle from her estranged husband after he threatened her with violence. While the officer was talking with the woman, her husband called her on her cell phone. The woman gave the phone to the officer because the man on the cell phone thought he had some warrants and wanted to know what to do. The officer advised him of the location of the police department and told him to turn himself in. Subsequently, the woman received another phone call and went outside to the parking lot while the officer briefed his backup, who had just arrived.

When firemen notified the officers that a disturbance was going on outside in the parking lot, the officer and his partner went outside. They saw the woman driving a van backing over another vehicle in the parking lot which had blocked her in.

As the officers ran over to the van they saw a man, later identified as the woman's estranged husband, standing on the other side of the van. The officer went around to the other side of the van and confronted the man and asked him to get his hands out of his pocket and step away. The subject stared at the officer and did not respond to the officer's commands. The officer remembered taking up a bladed stance and repeated his commands for the subject to remove his hands from his pocket. The officer saw the subject draw a pistol from his pocket and yelled at the subject to drop the gun. The officer fired his weapon four times hitting the subject in the chest. When the subject fell to the pavement, both officers approached him. Before officers could reach the subject, he raised up from the pavement with his gun and both officers reengaged, hitting the subject a total of 23 times.

The original officer stated that when he fired the first four shots he experienced tunnel vision and his gunshots were "muffled" as if he were watching TV. He stated that once the incident was over he learned that the subject had fired his weapon three times; however, the officer could not determine exactly when these shots were fired.

When asked about areas of concern regarding the incident and aftermath, the officer stated that he had little or no contact with any of his supervisors to keep him updated during the seven and a half weeks he was on administrative leave. He also advised that he had not received any type of formal training about what to expect when involved in a shooting situation. He further noted that his department had corrected these issues over the years.



## **CASE STUDY 2**

### **Traffic Stop Shootout**

A Middle Tennessee county sheriff's deputy with 16 years of law enforcement experience was working as a training officer, riding with a new deputy on day shift. The senior deputy observed a white car without a license tag and instructed the new deputy to stop the vehicle. The car turned into a narrow side road lined by a ditch, and stopped. The senior deputy observed the vehicle was occupied by a female driver and a male passenger he described as "goth" with long black hair that partially obscured his face. The back seat was occupied by a crying child in a car seat.

The new deputy could not hear because of the screaming child so he got the driver out of the car and asked for identification. The woman presented identification that appeared at the time to be legitimate. The trainee deputy told the woman to return to the car and attend to the child, and then went to the passenger side to ask the man to step out. At the trainee's request, he got out of the car and was being escorted to the other side of the car. When the trainee deputy began to pat down the subject, he resisted and the deputy began to try to restrain him against the driver's side of the car.

The deputy reportedly saw the man cock his shoulder as if drawing a gun and thought the woman handed him a gun out of the driver's window. The deputy was told by the trainee that he yelled "gun," but he has no memory of that. Both the senior and trainee deputy engaged in a shootout with the man, reacting and engaging the threat without conscious thought.

The deputy vividly recalled seeing the top portion of the subject over the roof of the car almost like a silhouette target on the gun range. He did not remember how many rounds he fired, but was told later that he fired 11 shots, ten of which were hits. He remembered changing magazines when the subject went down because he did not know how many rounds he had left in his gun. The senior deputy does not remember using his sights while firing, but he does recall shooting with both eyes open. The deputy reported having tunnel vision to an extent and that his hearing was distorted because he could hear the subject's gun cycle, but could not hear the shot itself.

When the scene was secure, the deputy went to the back of a vehicle and reported that he felt like he had run ten miles. The deputy said that he was off work for six days, but that he wanted to get back to work as soon as possible to "get back in the saddle." The deputy recalled sleeping badly for several days following the incident and now feels more claustrophobic and anxious than before, although he could not attribute this directly to the incident. The trainee deputy is no longer in law enforcement.

Post-incident investigation revealed that the couple was from out of state and had both recently been released from prison. They had been travelling around perpetrating multiple burglaries when they were stopped in Tennessee for driving a car with no license tag. The deputy credited his survival to his extensive firearms training which allowed him to react reflexively to the immediate threat posed by the subject.



Police Officer Julie Rochelle Jacks  
Chattanooga Police Department  
Monday, May 6, 2002

## **CASE STUDY 3**

### **Officer Down**

A 25-year-old West Tennessee officer with three years of experience met an Oldsmobile Cutlass traveling toward him at a high rate of speed. The officer noticed the nose of the car dip as the driver slowed and made a hard right turn into an apartment complex. The officer did not make radio contact with dispatch because other units had the channel tied up, and later felt this was a costly mistake. The officer checked the driver's license, insurance and tag information over the radio. All of the information provided by the driver was up to date, and the officer stated he was going let them go. That's when the passenger inside the vehicle, a 32-year-old black male, became belligerent and started cursing the officer and continued ranting. The officer handcuffed the driver and sat him next to the vehicle, then requested the passenger to get out and put his hands on the car. The passenger jerked away from the officer and fled in the direction of an apartment complex. The officer then saw the passenger on the ground and ran past the subject a short distance. As the subject was rising to a crouch like position, the officer saw a small caliber handgun pointed at him. The officer said he extended his arms out and yelled, "Please don't kill me." The subject fired four shots from the pistol; one shot hit the officer in the leg, another round hit the officer in the gun belt, one round went under his bullet proof vest and hit him in the stomach lodging near his spine, and the last round hit him in the chest area of his vest.

The officer jumped on the subject and put his 40 caliber pistol against the subject's head, but the gun did not fire. The officer stated that he realized the pistol was out of battery so he pulled the gun back, fired one round which struck the suspect behind the left ear. The subject died at the scene. The suspect had been arrested more than 20 times and was a convicted felon. The officer did not realize he had been struck by the suspect's bullets until the entire event was over.

After the incident, the officer was assigned to the training division then worked in the administrative division as an accreditation officer. He developed emotional issues, continued to have physical problems with the bullet wound in his hip, and developed Post-Traumatic Stress Disorder. In 2008, he was medically retired from law enforcement and today is employed in the private sector.

When interviewed, the retired officer suggested a mandatory bullet proof vest policy, better training on radio procedure, and cautions officers against engaging in pursuits over minor violations. Additionally, he recommended departments provide more than one day of critical incident debriefing and provide opportunities to talk with other officers involved in shootings. The officer related when this type of incident occurs, you "can't think---your training kicks in."

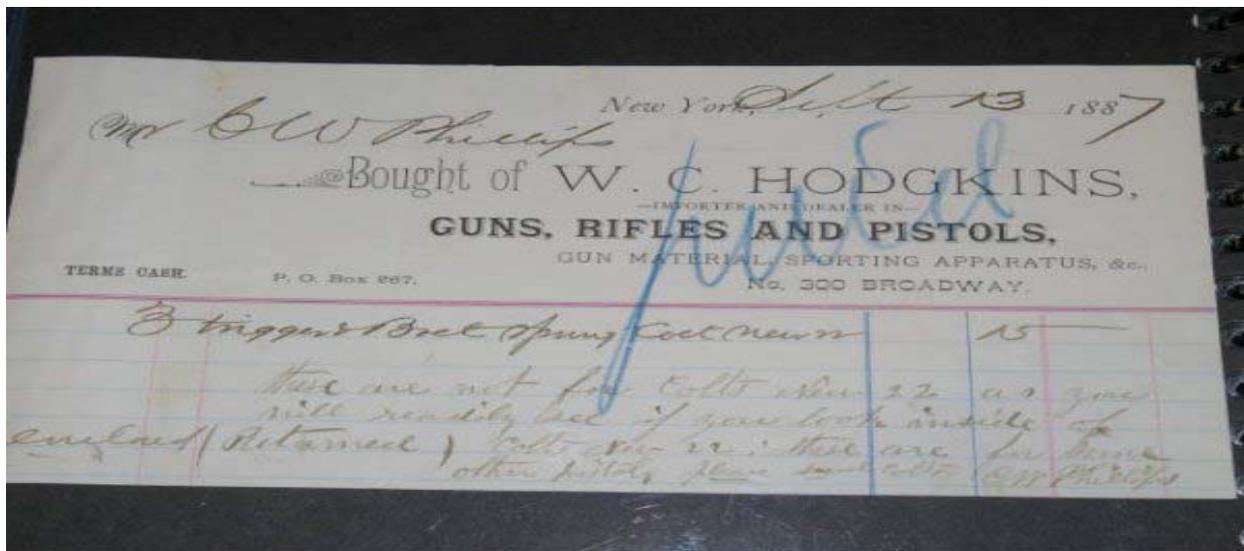


## CASE STUDY 4

### Drunk and Disorderly

A Middle Tennessee uniformed corporal was dispatched to a 911 call at midnight about a drunk boyfriend with a shotgun on the porch of a trailer. All officers arrived at the same time to the location, finding the trailer set back off the street. The corporal went around one side of a trailer while two other officers went the opposite direction. When the corporal came around the front right corner of the trailer, he observed a man on the porch with a shotgun in his hand being confronted by the other two officers. The corporal was approximately 15 yards from the subject on the unlit porch. The corporal watched the subject reach into his pocket, load the shotgun, and rack it. The corporal yelled for him to drop the gun as the subject yelled at the other two officers. The subject raised the weapon at the two officers, then swung the shotgun toward the corporal. The corporal fired his 40 caliber pistol, saw four muzzle flashes and watched the subject fall in slow motion through the smoke from his pistol. The corporal never heard gunfire and did not use his sights, but shot with both eyes open. The investigation showed that the corporal fired ten shots hitting the subject four times. Immediately after the shooting, officers handcuffed the subject per departmental policy and called emergency responders and supervisors. When the emergency medical technicians arrived, they made disparaging remarks about why the deceased subject was handcuffed which added to the stress of officers.

After returning to work, the corporal felt that he had always disliked the night shift and when receiving a call his "heart jumped up in his throat." He attended a debriefing counseling session, but felt the officers should attend individually because officers might not be forthcoming in front of other officers. The corporal believes officers should be trained on policy on what to expect if involved in a shooting and suggested sensitivity training for emergency medical personnel who arrive on the scene of an officer involved shooting.



Police Officer Alan Matthew Ragsdale  
Jackson Police Department  
Thursday, June 17, 2004

## **CASE STUDY 5**

### **Training is a Lifesaver**

A 33-year-old Middle Tennessee officer with 14 years of law enforcement experience responded to a domestic dispute at an address he recognized as one he had previously been dispatched. On this occasion, the girlfriend of the subject complained that he had pointed a silver colored long-barreled revolver at her during an argument. The officer encouraged her to obtain warrants for the subject who was not at home at the time.

At approximately 10:30 p.m., the officer was informed by dispatch that the subject's girlfriend obtained a warrant for the subject and the subject had returned home. The officer met the woman on the street in front of the residence and waited for his backup to arrive before serving the warrant. From prior experience, the officer knew the subject would be verbally abusive, aggressive, and would resist being handcuffed; however, the subject had never directly assaulted an officer. Because officers knew the subject was armed, they decided to have one officer approach the front door while the other officer would cover the back door.

The officer had his pistol holstered when he knocked on the door. The subject refused to come to the door, but yelled, "It's open...come in." When the officer opened the door, he saw the subject standing in front of a sofa in the small, dimly-lit living room, wearing only a t-shirt and undershorts. The officer called for his backup to come in and at the same time he drew his flashlight to scan the subject and the room. When the backup came in, the officer calmly explained the situation to the subject and told him that he would have to put his pants on and come with the officers. The subject shouted, "I'll show you!" The subject then spun around, drew the long-barreled revolver from under a sofa cushion, and aimed it at the officer's face.

The officer's senses failed him. He could not hear any sounds and he does not remember moving backward, even though the subject seemed farther away. The officer does not remember drawing and shooting his weapon until he saw the weapon jumping from recoil. He also did not realize that his partner was firing, until he saw a wound appear on the side of the subject's neck. Through tunnel vision, the officer saw a giant .44 Magnum, but actually the subject had a .22. After what seemed to be a long time, the subject slumped forward, gun still in hand. The incident was later estimated to have taken from two to four seconds.

The subject was pronounced dead at the scene. He was hit with nine rounds of 9mm ammunition, six from the officer and three from the backup. The subject had fired one shot which landed in the floor where the officer had been standing when the subject first pulled the gun.

The officer credits his survival to extensive firearms training which allowed him to rapidly and instinctively draw and fire his weapon while moving backward without conscious thought. In the weeks and months following the incident, the officer suffered from severe sleep problems and felt treated differently by some of his fellow officers.



Police Officer Clayton Wayne Hicks, Jr.  
Memphis Police Department  
Thursday, June 17, 2004

The counseling sessions that his department required him to attend helped him and his family through the difficult aftermath of having to deal with ending of a human life. The officer now works as a peer counselor for other officers dealing with similar situations.

The death of the subject at the hands of the officers was ruled justifiable. No lawsuit was ever filed.



**Deputy Sheriff Thomas S. Blair  
Monroe County  
Shot January 29, 1911**



Deputy Sheriff Gerald Monroe Gibson  
Hawkins County Sheriff's Department  
Thursday, July 13, 2000

## **CASE STUDY 6**

### **Officer Instinct**



**Chattanooga Police Department  
1910**

An East Tennessee officer with 17 years of law enforcement experience was dispatched to a Wal-Mart store on a shoplifting complaint call at 7:15 p.m. The Loss Prevention department informed dispatch that two men were being detained and one was acting very nervous. Typically, the officer responded to shoplifting calls alone per department protocol, however, this call was slightly different so he called for backup.

Once at Wal-Mart, the officer found the two male subjects in an office with two employees. One of the subjects was sitting quietly, but the other was fidgeting, putting his hand in and out of his pocket, and complaining about being claustrophobic. The officer asked the men

for identification, deciding to wait for his backup before initiating a pat down. The nervous subject stated he did not have identification, so he provided his name, age and date of birth, but could not recall his social security number. The officer felt uneasy because age the subject gave did not correlate to the year of birth he provided. The officer maintained the situation until his backup arrived ten minutes later.

The two officers advised the subject they were going to pat him down. When the backup officer placed his hands on the subject's arm, the subject resisted. The officer attempted unsuccessfully to put the subject on the floor and the backup officer removed the cartridge from his TASER and tased the subject manually while the officer again attempted to put the subject on the floor. The officer got the subject to the floor, but he was still resisting when the backup officer replaced the cartridge in his TASER and fired it at the subject. The TASER did not stop the subject and the subject drew a pistol from his pants pocket and aimed it at the backup officer. The backup officer yelled, "He's got a gun!" The officer then drew his duty weapon and began firing. The officer remembers firing five or six times while the subject had his gun arm extended toward the backup officer. The officer was told later that he had fired eight shots and seven were hits from a distance between five and seven feet. The subject never fired his weapon. The investigation revealed that the magazine in the subject's semi-automatic pistol was partially dislodged and could not have fired.



The shooting stopped and the officer continued to yell at the subject to put his gun down. The subject looked up at the officer once without speaking, laid his head down and never moved again. The officer kicked the gun out of the subject's hand, looked outside the room, and saw the backup officer with the second subject controlled on the floor.

The officer called for an ambulance and reported there were shots fired. The officer felt very stressed like his blood pressure was "through the roof." After other officers arrived, the officer's sergeant took him to the hospital for a mandatory blood test and for treatment. The backup officer was also transported to the hospital. After a short stay at the hospital, they were taken to Police Headquarters where the officer turned in his service weapon and was issued a replacement. The Chief and other department officials met the two officers and explained procedure following a shooting. The officer felt supported by the department which was important to him at that stressful time. The officer was advised he could go home and make a statement the following day. Exhausted, the officer went home, met with his attorney the next morning, returned to headquarters, and gave his statement.

The officer was placed on administrative leave with pay until the District Attorney reviewed the case file and made a determination about the shooting. During his leave, either the Deputy Chief or other high-ranking officer, called him once a day, apprised him of the investigation, and offered support.

The officer was off duty for a week before he was advised the shooting was justified and he could return to work when ready. He was required to attend one mandatory counseling session and did not return for any follow-up sessions. He feels that mandatory counseling is a good and necessary idea.

During the shooting incident, the officer felt several stress-related effects associated with life or death situations including distortions of time, vision, and hearing. He was surprised that eight shots in a small room did not leave his ears ringing. He remembers feelings of being in slow motion and frustration because he could not get his gun out of his holster fast enough. The backup officer remembered a big gun being pointed at him when, in fact, it was a small automatic. The officer reported no long term debilitating effects, but has memories of the shooting occasionally.

The officer found out later that the 21-year-old subject was a drug dealer, on probation for theft, and under the influence of illegal pills at the time of the shooting. The officer also learned the subject had a wife and a baby girl and shoplifted approximately \$10.00 worth of Christmas lights from Wal-Mart that day.

The officer always thought of himself as prepared for an incident, but chances of him being involved in a shooting were getting smaller as time progressed. He credits his department's training and the training he does on his own with saving his and his fellow officers' lives that day.



## **CASE STUDY 7**

### **Any Time, Any Place**

At 4:00 pm, an East Tennessee patrol sergeant returned to his precinct office located in a shopping mall to meet with one of his officers, when dispatch gave out a call of shots fired in the mall. The officers entered the mall and did not notice anything out of the ordinary, but kept hearing multiple calls of shots fired. The officers questioned some mall patrons and they directed officers to the shooter.

As the two officers started toward the individual, he retreated into a clothing store and began firing at the officers. The two officers split up and the sergeant saw the suspect standing behind a



**Knox County June 1, 1936**

clothes rack. They exchanged gunfire and the shooter ducked down while the officer moved laterally across the store entrance while firing. The sergeant reached the store entrance and saw the suspect kneeling down under a clothes rack firing at them. During the gunfire exchange, both officers talked back and forth letting the other know their location. The sergeant remembered conducting a speed reload while approximately 12 feet from the suspect never looking at his weapon and keeping his eye on the shooter. The sergeant yelled for the suspect to drop his gun and the shooter surrendered with two non-life threatening wounds. A search of the shooter revealed a 9mm handgun and two magazines in a shoulder holster. The original shots fired call occurred when the suspect shot and killed the store manager over a dispute concerning a prior purchase of a suit. Together, officers fired a total of 16 rounds during the exchange.

Post shooting action included a mandatory blood test after the incident and the sergeant chose to immediately give a statement. Both officers had their pistols collected as evidence and were issued new ones. They attended the mandatory Employee Assistance Program session along with a debriefing conducted by the department. The sergeant credits his training for the ability to shoot, move and speed reload. He also feels the shooting incident is a reminder that critical incidents can take place in unsuspecting places any time of day.



## CASE STUDY 8

### Fatal Traffic Stop

The night of January 6, 2007, a 25-year-old, newlywed trooper performed what he thought was a routine traffic stop on a state highway in West Tennessee. The trooper pulled over two males in a silver compact car with Texas tags for speeding. The trooper did not call in the traffic stop. The driver could not produce identification and after smelling marijuana in the car, the trooper removed the driver from the vehicle and brought him to the rear of the car. He told the driver if he revealed the location of the marijuana, he would issue him a citation, but if he had to search the car, the occupants would go to jail. The driver told the trooper the marijuana was in the center console. The trooper proceeded to the driver side door and leaned into the car to retrieve the marijuana, when the passenger fired twice from a .25 auto pistol fatally striking the trooper in the head. The driver pulled the trooper's body out of the car, and the two males drove away. The trooper's in-car camera recorded the incident, however, the video quality was so poor, investigators could not determine the vehicle make, tag number, or race or ethnicity of the suspects. A couple of raccoon hunters discovered the trooper's body within 15 minutes of the incident, prompting a large scale investigation that spanned from Memphis to Nashville. The suspects were identified and located within hours of the incident.

The two suspects were Hispanic males, ages 17 and 19, from Texas who came to Tennessee to sell drugs. They were on their way from Memphis to Nashville when they got lost and the trooper pulled them over. The two had a previous conversation that they would kill any police officer who stopped them. The 17-year-old was the shooter.

The younger subject was tried as an adult in state court, convicted of First Degree Homicide, and sentenced to life in prison. The adult driver of the vehicle was convicted of Facilitation of First Degree Homicide in state court and received a 20 year sentence. He was also tried in Federal Court for using a weapon during the commission of a felony and received a life sentence without the possibility of parole.

As a result of this incident, several equipment upgrades and staffing changes were made within the Highway Patrol including in-car video cameras, in-car radio systems, and hiring more dispatchers. It also prompted a policy change requiring troopers to radio in every traffic stop. Troopers also received in-service training in ground fighting, handcuffing, and an emphasis on officer safety and survival.



Sergeant Charles Lanny Bridges  
Covington Police Department  
Thursday, August 14, 1997



# Survey and Analyses



Deputy Sheriff John Conway  
Hamilton County Sheriff's Office  
Shot September 14, 1882

## Participating agencies

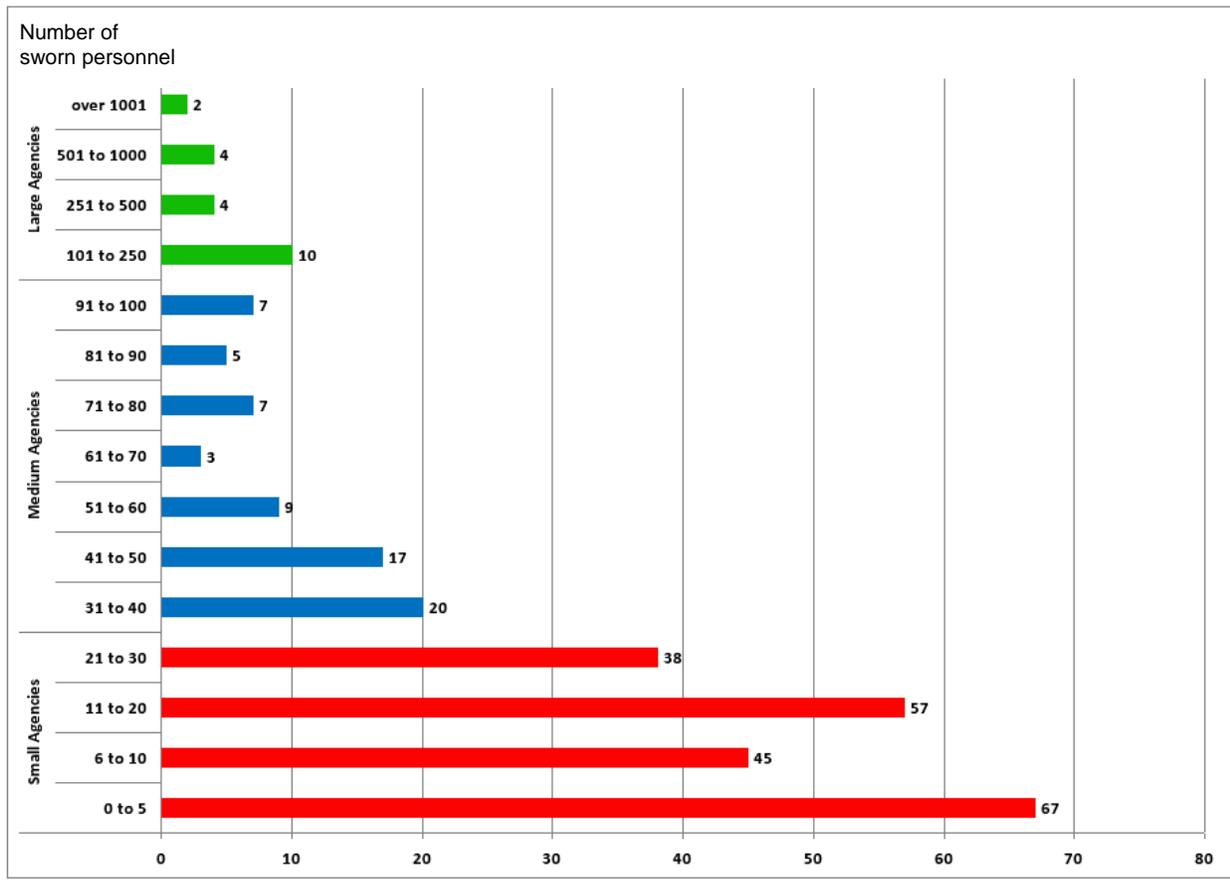


CHART 1: Responding Agency by Size

Email or hardcopy surveys were sent to 396 agencies in the summer of 2012. All counties had at least one agency respond with the exception of two East Tennessee counties. All together, responses were received from 295 agencies. Of the 295 agencies that responded to the survey, 206 (69.83%) were police departments and 75 (25.42%) were sheriff departments. The remaining 14 (4.75) were other agency types including; Highway Patrol, Tennessee Alcoholic Beverage Commission, Housing Authority Police departments, Tennessee Bomb and Arson and the Tennessee Wildlife Resources Agency. Responding agencies were broken down to type (sheriff office, police department, other) and size (small, medium, large) to make the data more usable.

NOTE: Small agencies have 30 or fewer sworn personnel, medium agencies have between 31 and 100 sworn personnel, and large agencies employ 101 or more sworn personnel.



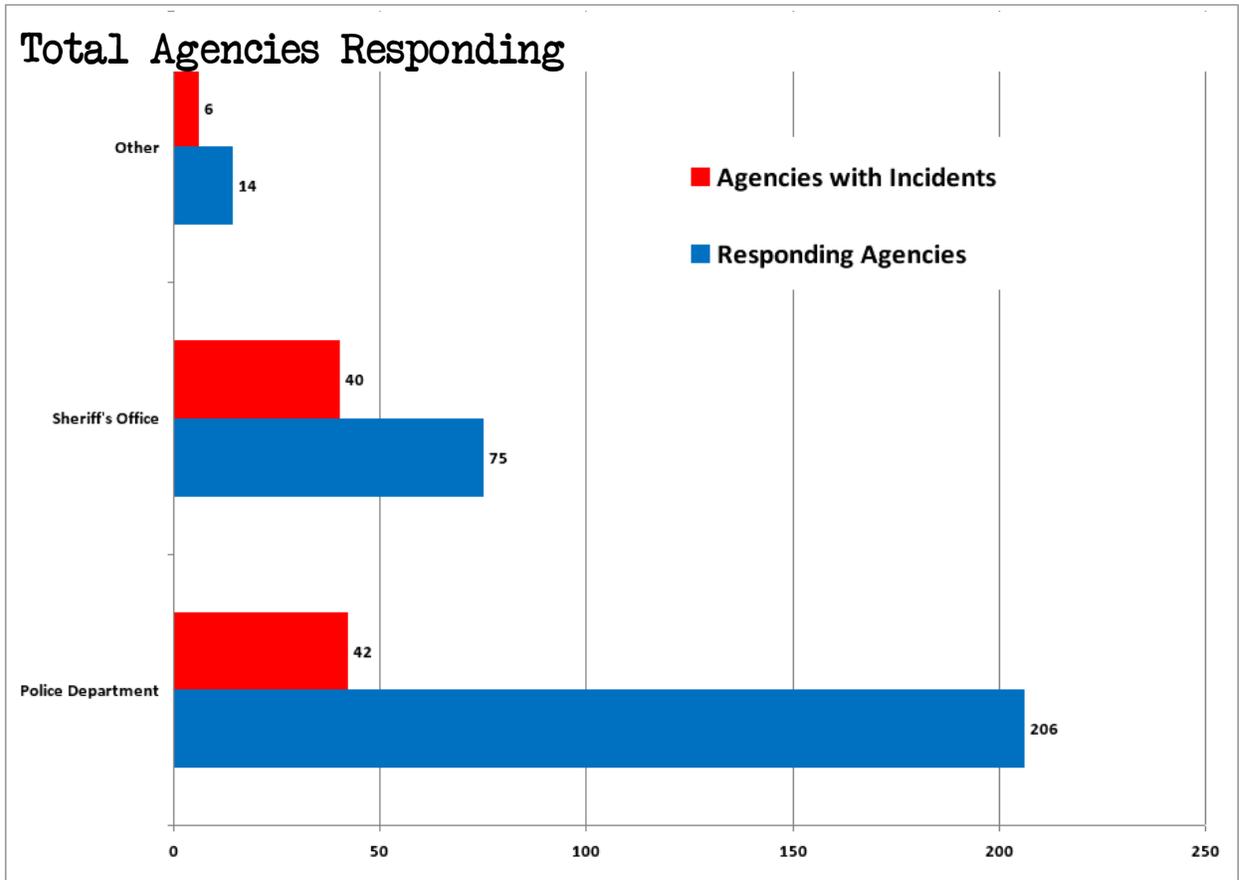


CHART 2: Sheriff's Office, Police Department, or Other Total of Responding Agencies.

Of the 295 agencies that responded, 84 agencies experienced at least one officer involved shooting during the five year period covered in the study (2007-2011). There were a total of 234 officer involved shootings.

The breakdown of the number of shootings by department:

1. One agency had 64 incidents
2. One agency had 39 incidents
3. One agency had 13 incidents
4. One agency had six incidents
5. Five agencies had four incidents
6. Three agencies had three incidents
7. 11 agencies had two incidents
8. 65 agencies had one incident
9. 207 agencies had zero incidents

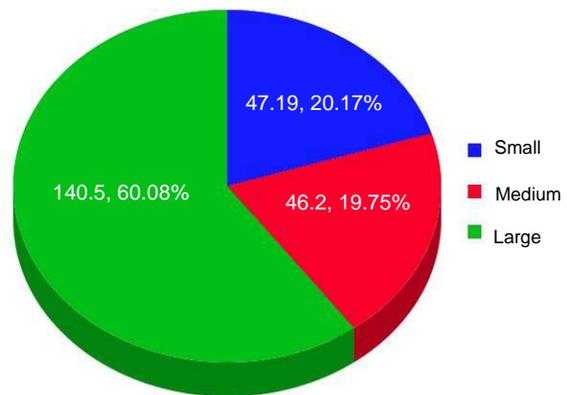


CHART 3: Reporting Agencies Incidents Broken Down by Size.



Patrolman Gary F. Dockery  
 Walden Police Department  
 Tuesday, April 15, 1997

## Responses to incident specific questions

The following data pertains to the 84 agencies that reported at least one incident of an officer involved shooting.

### LOCATION

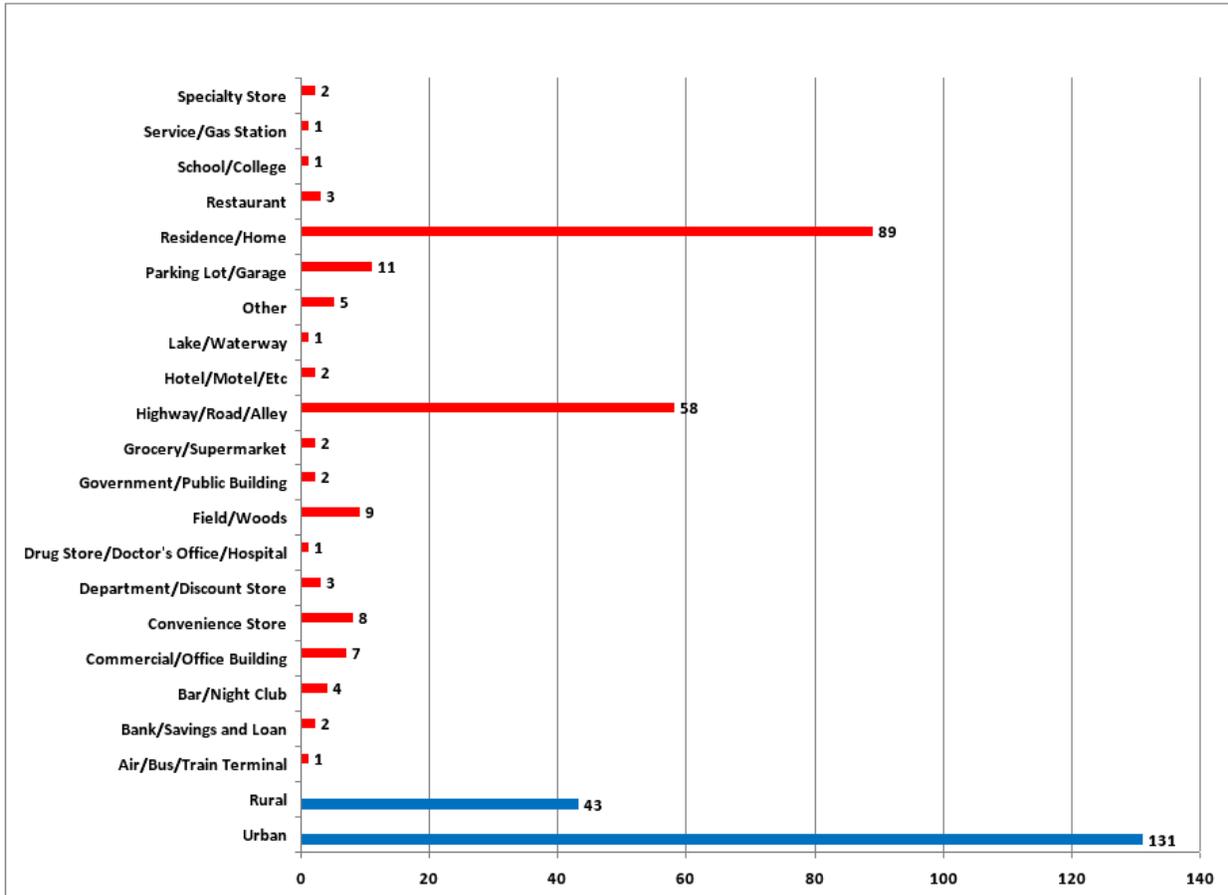


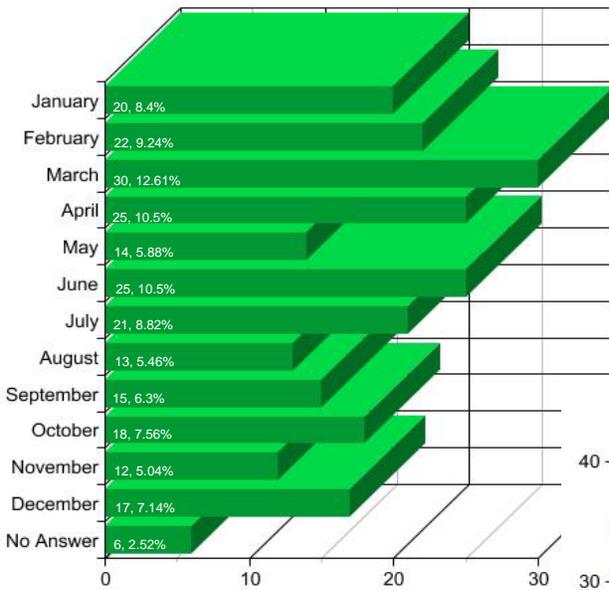
CHART 4: Location where Incident Occurred

Of the location types listed, residence/home and highway/road/alley were by far the most prevalent answers on the survey.

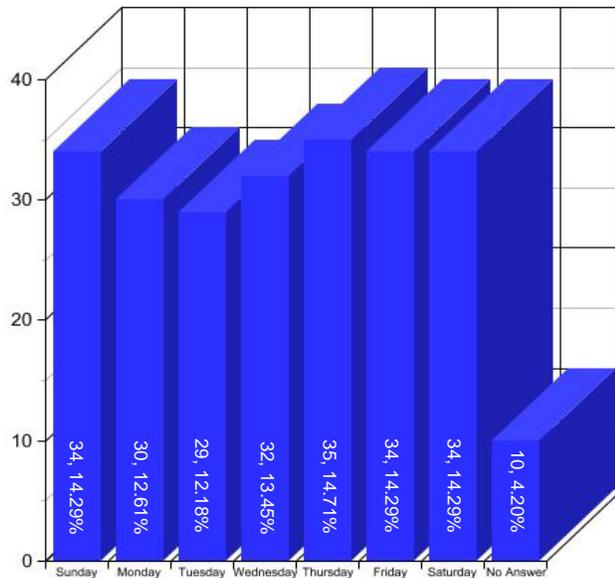
NOTE: The authors acknowledge that two location items (i.e., rural and urban) should have been asked as a separate question. The participants were instructed to select all that apply, however, some participants did not select either urban or rural as a descriptor. The authors recognize this discrepancy and have endeavored to graph the most accurate response levels.



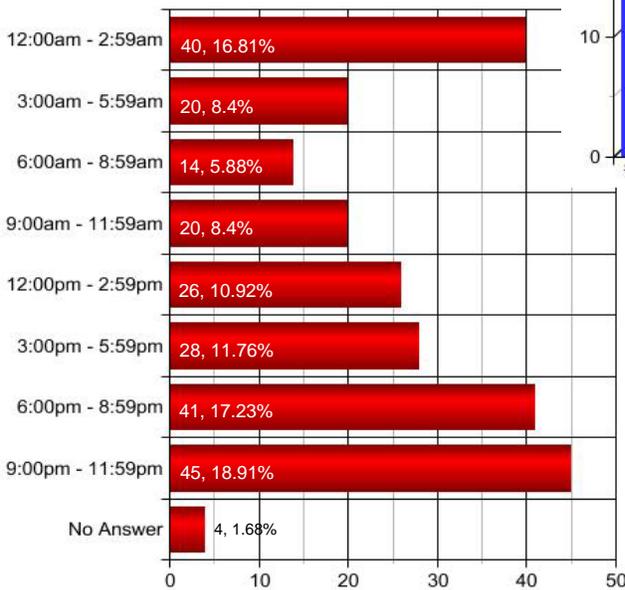
**Month, Day, and Hour**



**CHART 5: Month that Incidents Occurred**



**CHART 6: Day of Week Incidents Occurred**



**CHART 7: Hour of the Day Incidents Occurred**



Police Officer Francis Paul Scurry  
 Metro Nashville Police Department  
 Friday, May 17, 1996

# Primary suspect information

## Race:

120 White  
108 African American  
6 No answer

## Gender:

212 Male  
11 Female  
11 No Answer

## Age

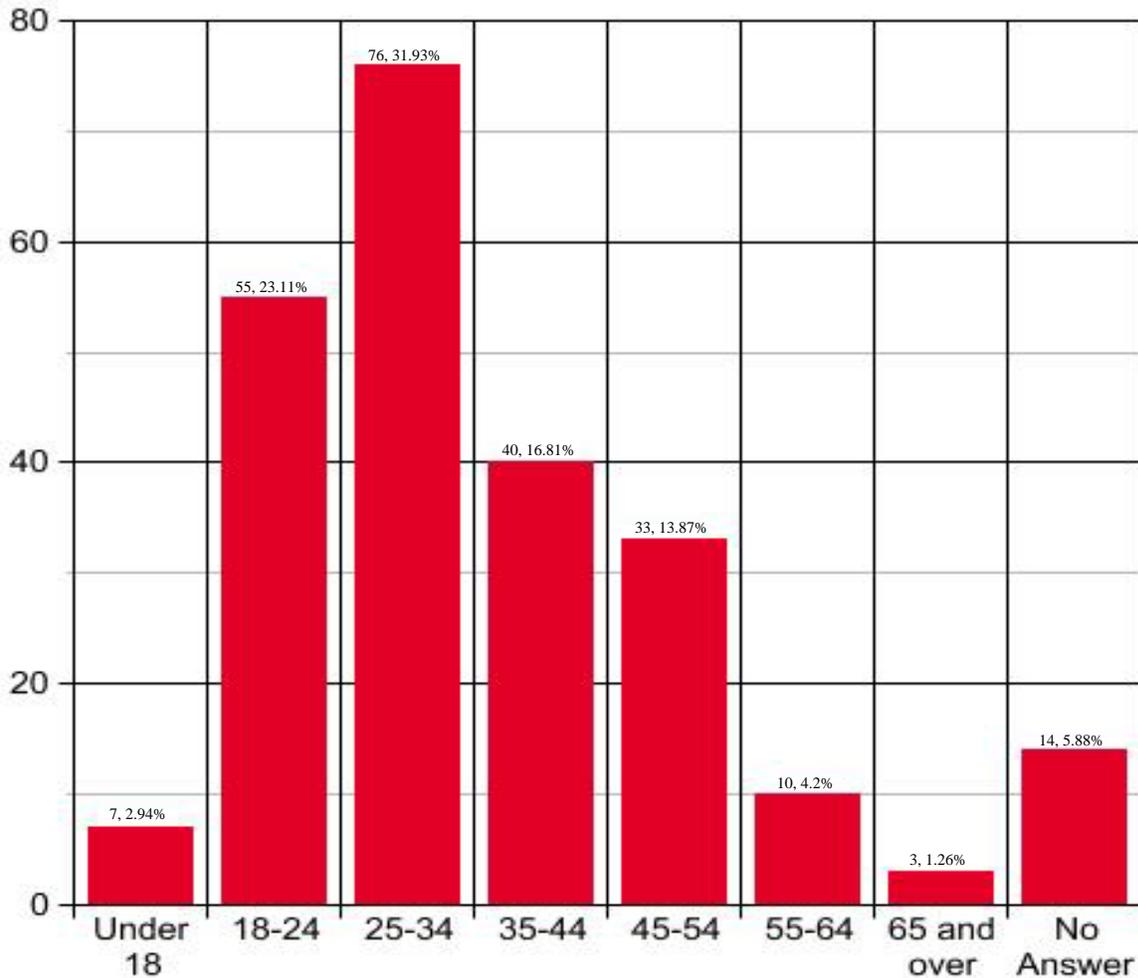


CHART 8: Age of Suspects who Engaged in Deadly Force Incidents with Law Enforcement



Deputy Jailer Deadrick A. Taylor  
Shelby County Sheriff's Department  
Friday, April 19, 1996

Agencies reported 187 (79%) shootings involved a single suspect, with 45 (19%) incidents involving multiple suspects with one unknown suspect. Suspects were reported to be impaired by drugs on 32 (13%) occasions, alcohol on 25 (11%) occasions, mental issues on 25 (11%) occasions. No impairment was reported 118 (50%) times and 34 (14%) respondents did not answer this question. Ten (4%) primary suspects were reported to be gang members whereas 188 (79%) respondents reported no threat group affiliation. One respondent reported a hate crime with 10 (4%) surveys indicating unknown and 25 (11%) with no answer.

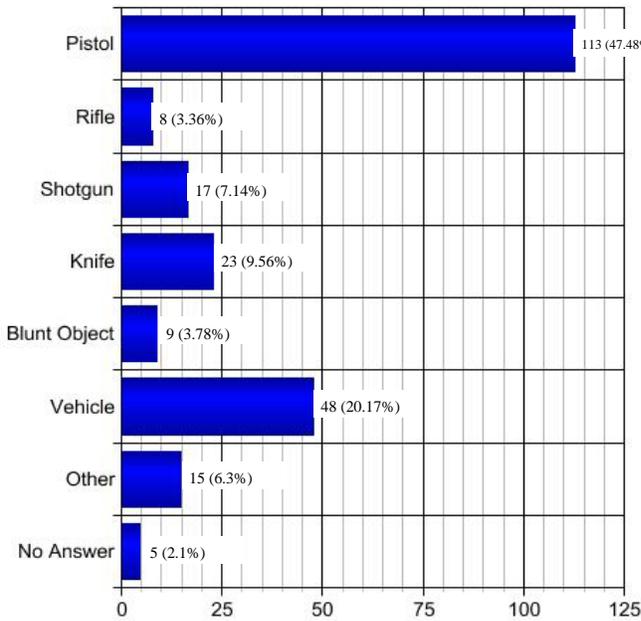


Chart 9 illustrates the survey results, which indicated that handguns were by far the most frequent weapon encountered by officers. Vehicles were the second most frequent weapon used by suspects.

CHART 9: Weapon used by Suspect

Tennessee Highway Patrol  
Knoxville District patrolmen  
1934



## Officer information

### Race:

203 White  
44 African American  
8 No Answer

### Gender:

225 Male  
8 Female

### YEARS OF SERVICE

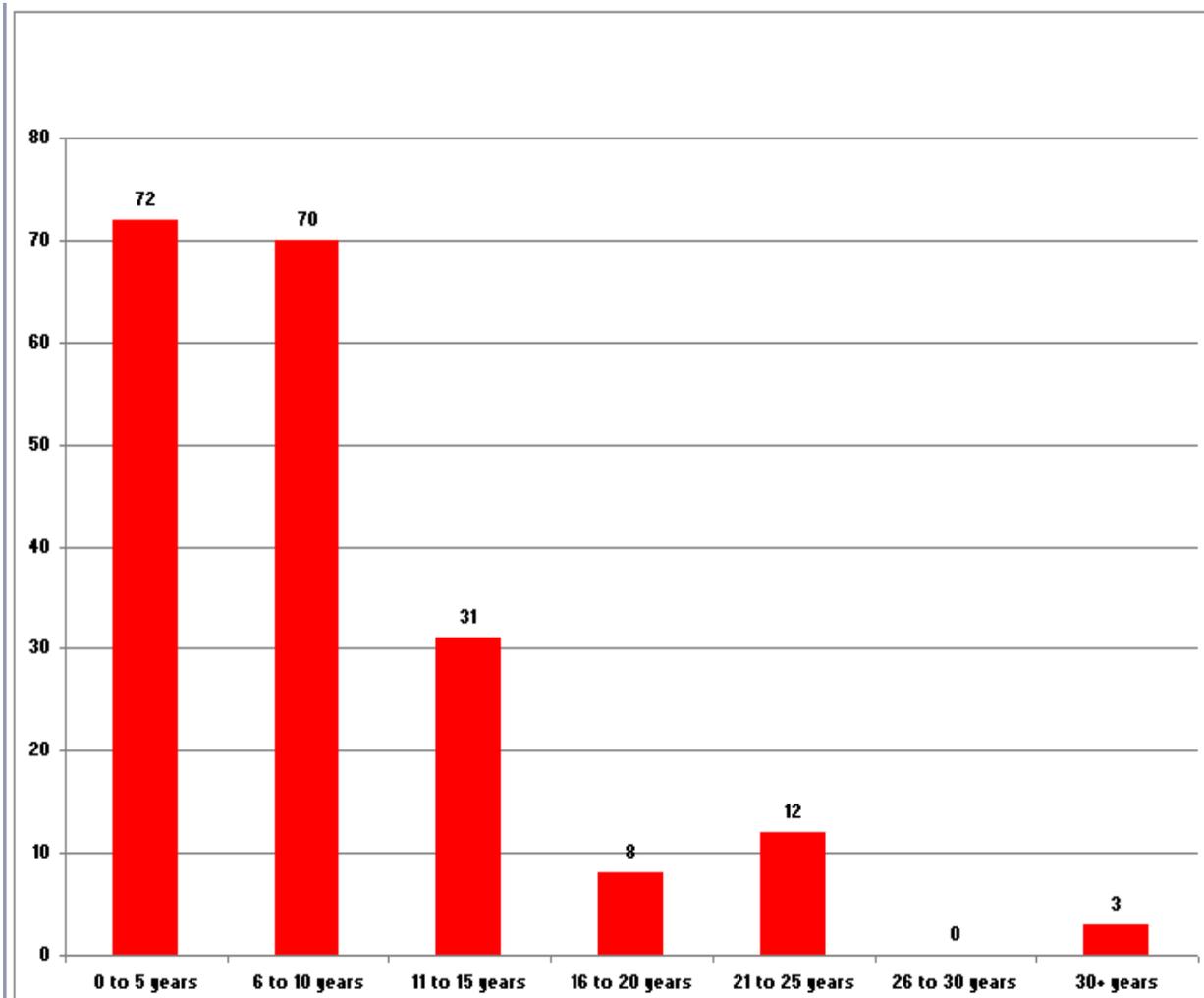
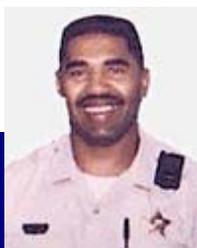


Chart 10: Years of Service



Deputy Sheriff Jerry Newson, Jr.  
Davidson County Sheriff's Office  
Friday, September 22, 1995

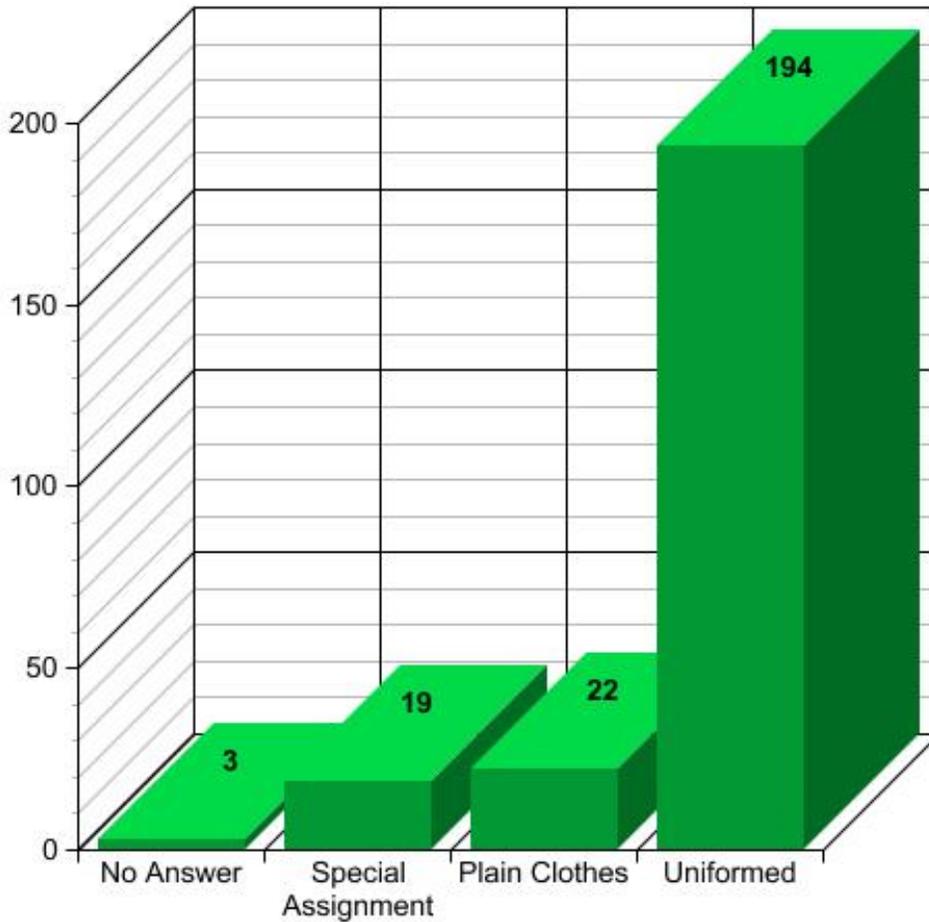


Chart 11: Type of Assignment

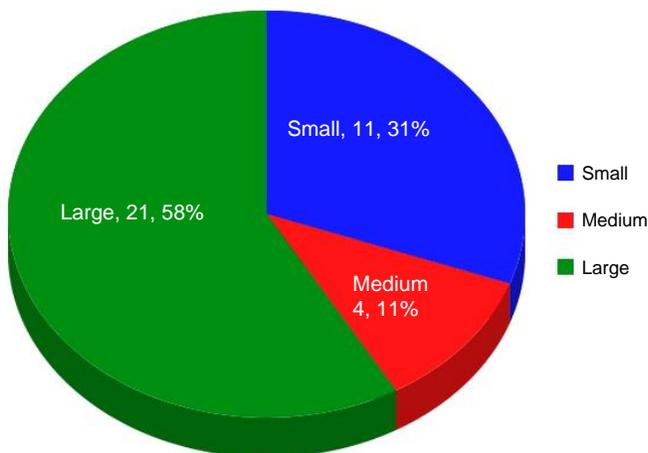


CHART 12: Officers No Longer Involved in Law Enforcement

Of the officers involved in shooting incidents, large agencies reported 21 (58%) of those officers are no longer in law enforcement. Medium agencies reported four (11%) of those officers are no longer in law enforcement and small agencies reported 11 (31%) of those officers are no longer in law enforcement.



Sergeant Bruce Owens  
 Rhea County Sheriff's Department  
 Thursday, December 29, 1994

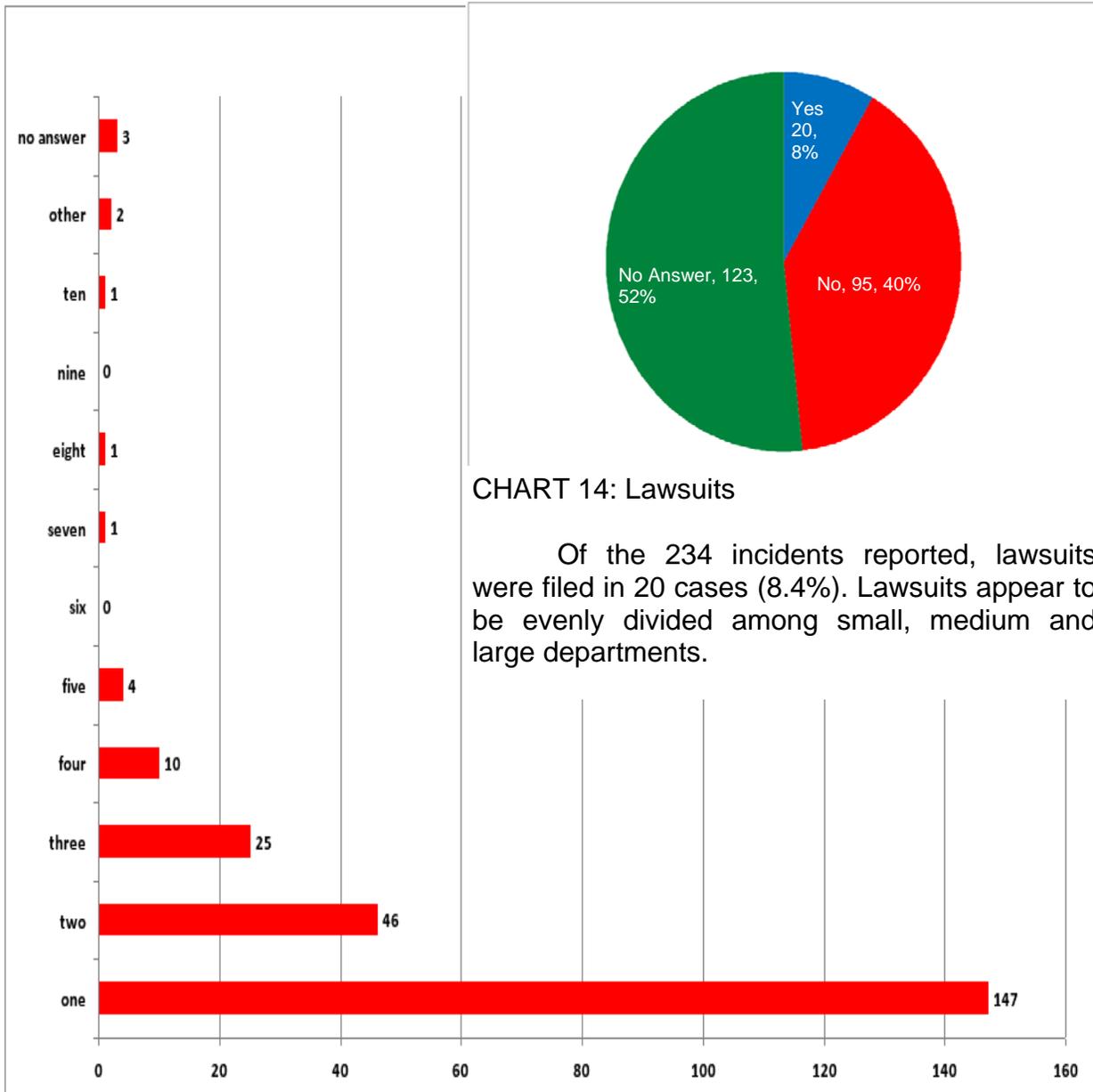


Chart 13: Number of Law Enforcement Officers Involved in Incident

Chart 13 illustrates the number of officers involved in each incident that discharged their weapon. In response to the survey question concerning whether or not the officer involved in a specific incident had been involved in multiple shooting incidents, 110 respondents indicated NO while 17 responded that they had been involved in multiple shooting incidents. One hundred and seven respondents did not answer this question.

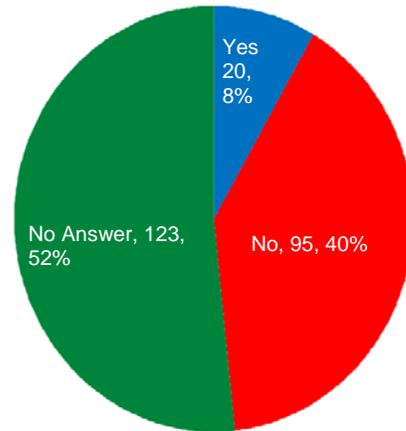


CHART 14: Lawsuits

Of the 234 incidents reported, lawsuits were filed in 20 cases (8.4%). Lawsuits appear to be evenly divided among small, medium and large departments.



Major Rufus Gates  
 Memphis Police Department  
 Monday, November 7, 1994

## Responses to general questions

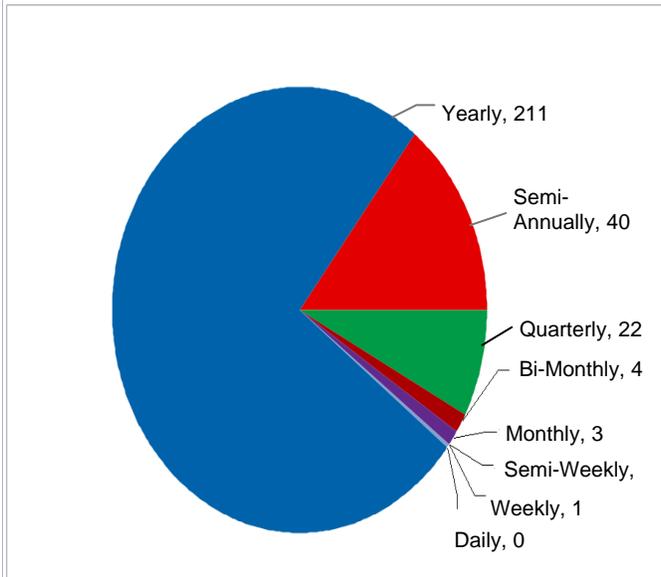


CHART 15: Frequency of Deadly Force Training

Seventy-two percent of all agencies receive deadly force training annually. Only 14 % receive some type of deadly force training semi-annually, while 7% review deadly force policies on a quarterly basis. There is not a significant difference in these statistics between agencies of different sizes.

Survey results indicate that 57% of all agencies train with firearms on an annual basis, where as 26% train semi-annually, 12% of all agencies train quarterly or bi-monthly.

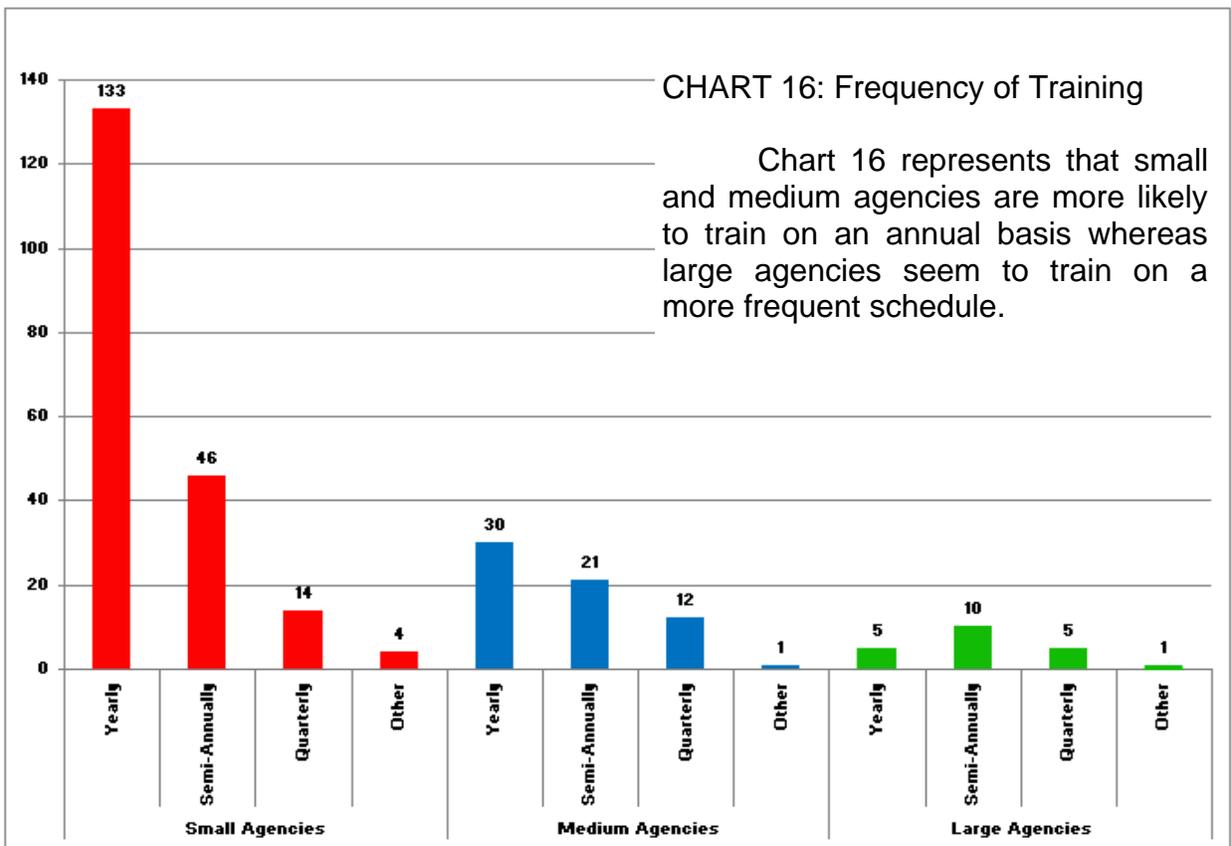
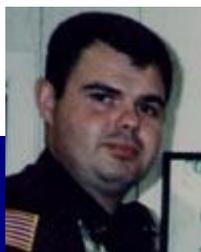
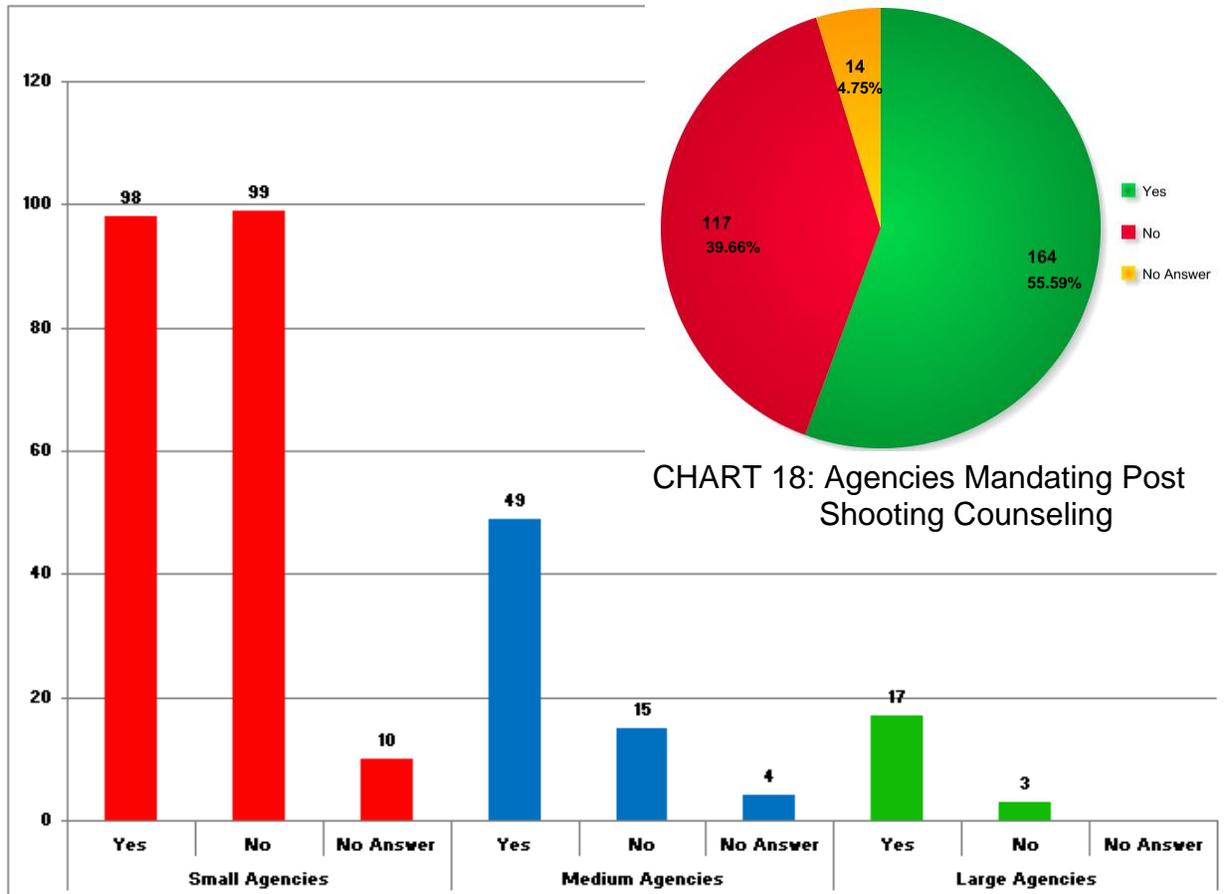


CHART 16: Frequency of Training

Chart 16 represents that small and medium agencies are more likely to train on an annual basis whereas large agencies seem to train on a more frequent schedule.



Deputy Sheriff Robert Scott Miller  
Coke County Sheriff's Department  
Tuesday, October 11, 1994



**CHART 17: Mandated Post Shooting Counseling by Agency Size**

Survey responses indicate that 55% of all agencies require post shooting counseling be provided to their officers. However when broken down into agency size, 80% of large agencies mandate counseling, 73% of medium size agencies mandate counseling, whereas only 48% of the small agencies mandate post shooting counseling to their officers.

**After Shooting Review Policy:**

Ninety-one (38.24%) agencies reported that they have an after shooting review policy and 53 (22.27%) do not. There were 214 (89.92%) agencies that indicated they have an outside organization investigate their shootings; while 36 (15.12%) agencies investigate their own incidents.



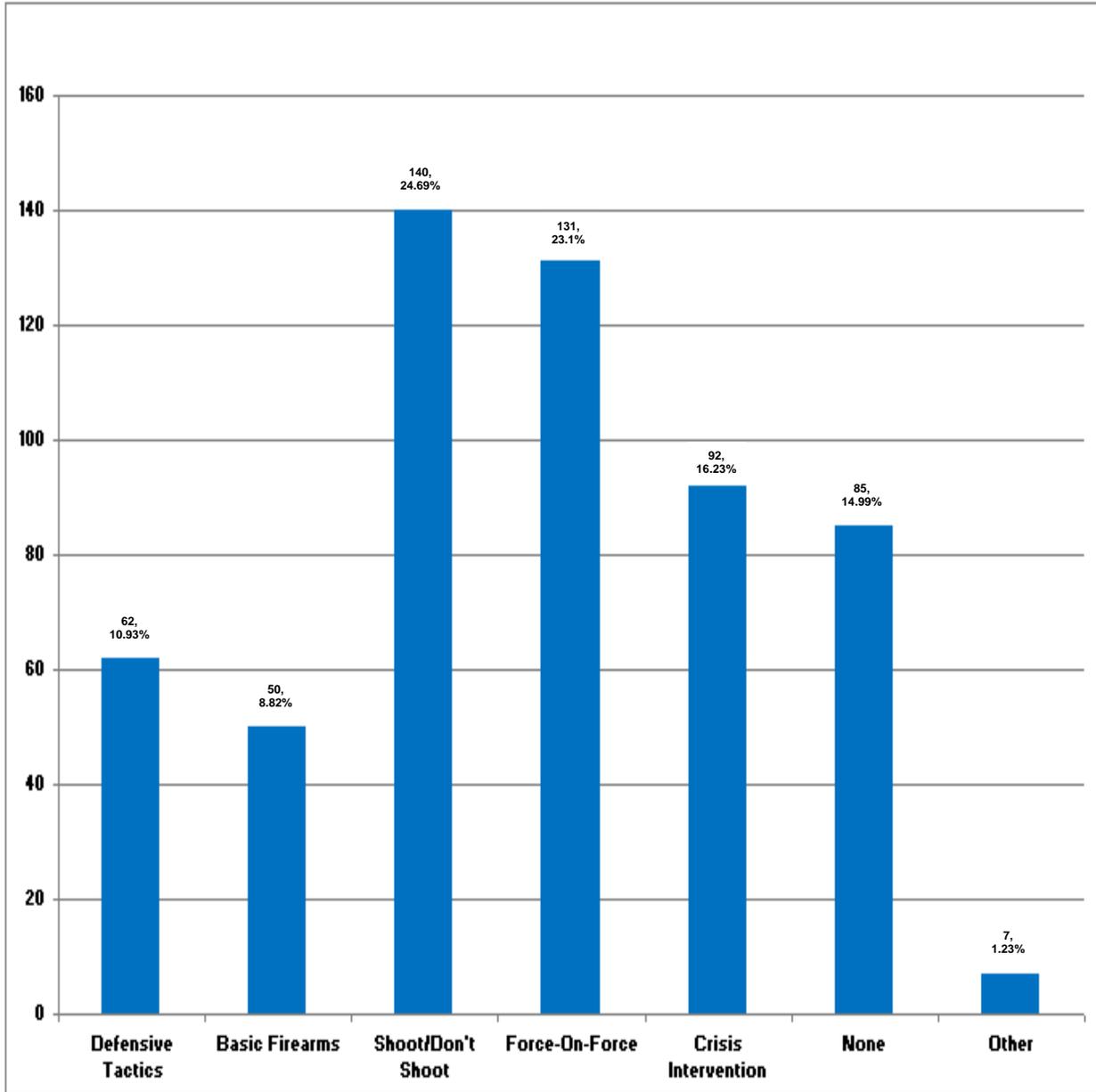


CHART 19: What Training would impact Police Involved Shootings

Close to 50% of all respondents indicated that judgmental training and force-on-force training would be beneficial. In addition, 33% of respondents indicated that crisis intervention training would help decrease officer involved shootings. Approximately 20% of all respondents indicated a need for more defense tactics and basic firearms training. Thirty percent of all respondents indicated that no further training was needed.



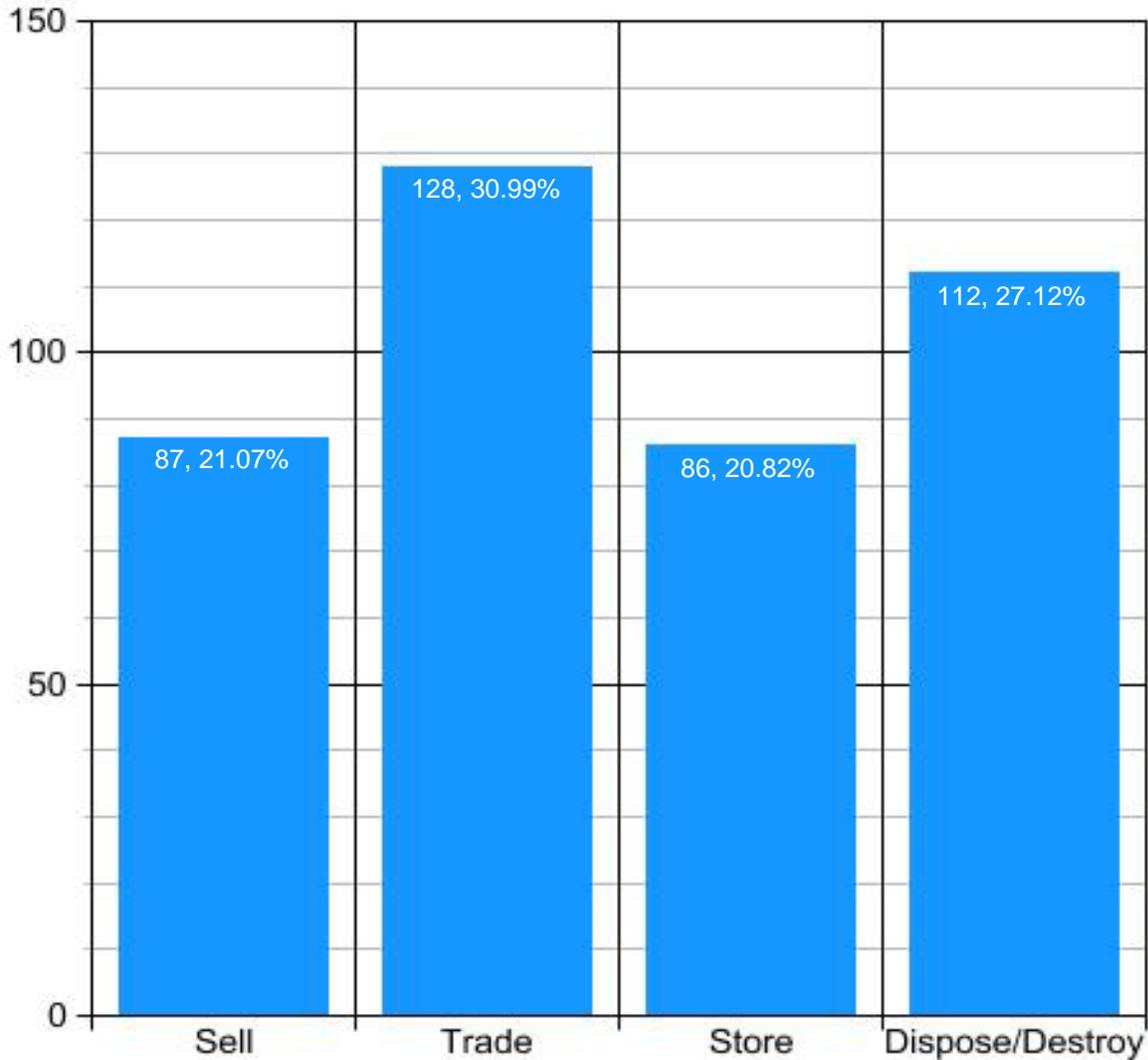


CHART 20: Disposal of Seized Weapons

Of the 295 participants, 281 responded to disposing of a seized weapon. Participants had the option to select all answers that applied to their department. Survey results indicate that:

1. 87 agencies sell confiscated weapons
2. 128 agencies trade confiscated weapons
3. 86 agencies store confiscated weapons
4. 112 dispose/destroy confiscated weapons



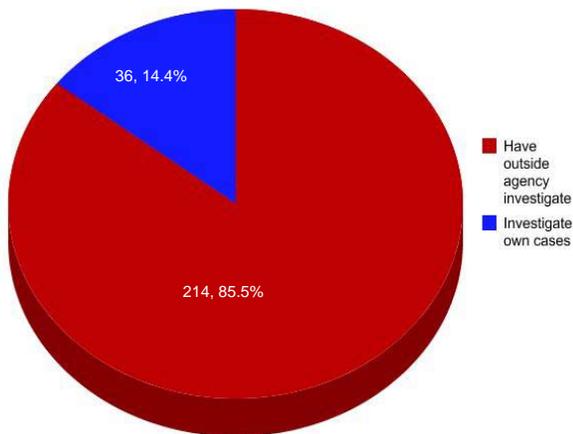


Chart 21: What agency investigates incidents of officer involved shootings?

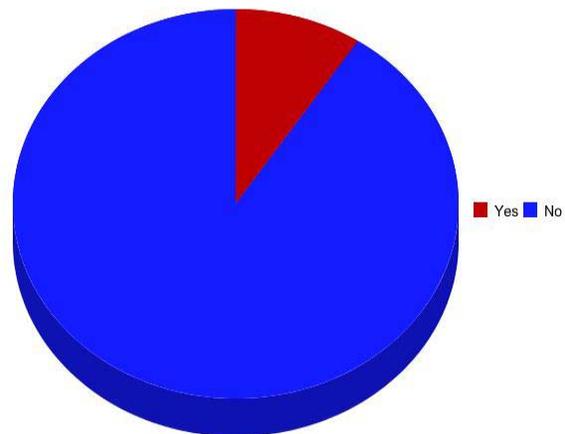


Chart 22: Was there an increase in the number of officer involved shootings?

Chart 21 illustrates that a majority (85.5%) of the law enforcement agencies have an outside agency investigate their officer involved shooting incidents. As indicated in Chart 22, law enforcement agencies did not feel (90.75%) there was an increase in the number of officer involved shootings over the five year time span. In comparison however, Chart 23 shows that there was a dramatic increase between the years 2009 and 2010 in officer involved incidents investigated by the TBI. Chart 24 also illustrates an increase in assaults against officers.



Chart 23: Law Enforcement Shootings - Other Agencies (source: TBI Case Files)

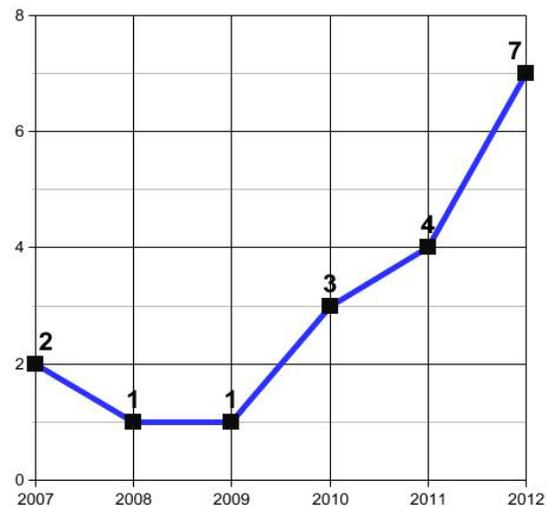
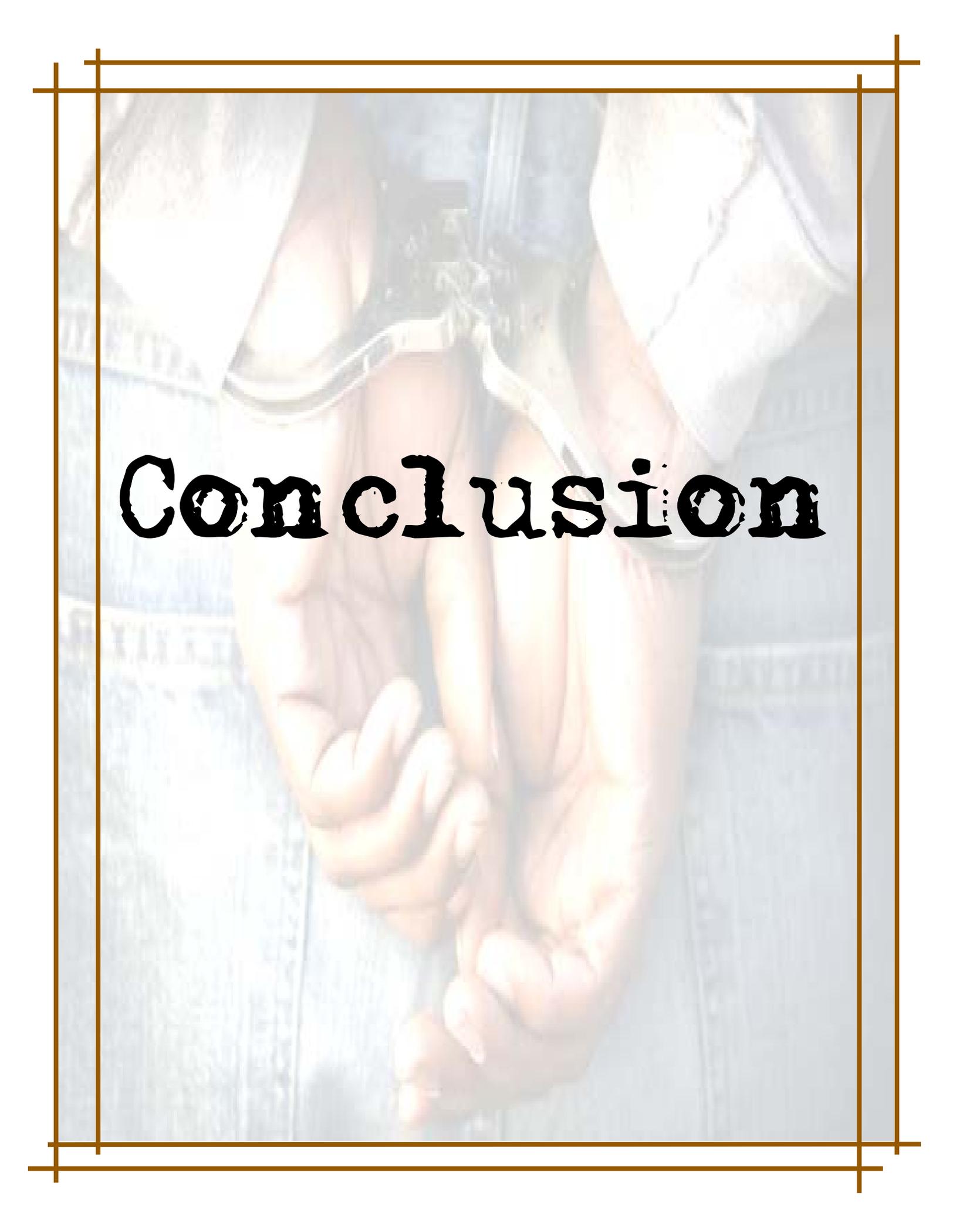


Chart 24: Assault against TBI agent/Law Enforcement Officer (source: TBI Case Files)



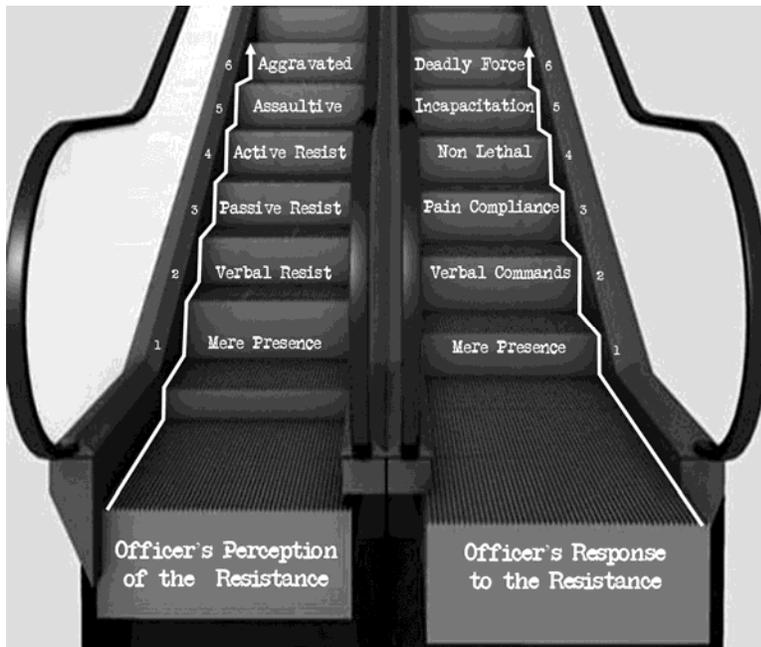


**Conclusion**



Lieutenant Vincent Luke Lucarini  
Memphis Police Department  
Shot August 10, 1921

Law enforcement officers are authorized to use deadly force against a citizen to enforce the law. This authorization is what separates law enforcement from any other type of occupation. With this power comes great responsibility; therefore, actions must be carefully guided by department policy as well as the U.S. Supreme Court case of *Tennessee v. Garner* (1985). Unfortunately, the use of deadly force by law enforcement officers is often viewed through a distorted lens of reality, based on the actions of characters on popular television shows or movie screens where everything is transparent and all wrapped up within an hour. Conversely, an officer will not know what level of force is needed until the situation presents itself and that action will take hours, days, weeks or even years to fully understand and potentially litigate.



When trying to understand the complexity of situations in which law enforcement officers use force against a suspect, it is important to view the force as a continuum of decision-making parts rather than a static concept (Wolf, 2009). The officer must rely on an increasing perception of how the suspect is going to resist; simultaneously making the right decision about what level of force to apply. An example of the progression from an officer's perception of an incident and how the officer responds to the incident is illustrated in figure 5.

Figure 5: Resource Wolf, et al (2009)

The Tennessee Incident Based Reporting System (TIBRS) reported between 2007 and 2011 there were 3,727,175 total offenses committed in the State of Tennessee. Of those offenses, TIBRS indicated there were 764 incidents where a suspect used a firearm against a law enforcement officer equaling 0.0205% of the total offenses. Agencies participating in the study indicated, during the same five year time period, there were only 234 incidents where a law enforcement officer used his or her weapon against a suspect equaling 0.0063%.

The initial goal of this study was not to cover data that has already been reported by the FBI in LEOKA (Law Enforcement Officers Killed in Action), but to collect primary source information from all law enforcement agencies across the State of Tennessee.



The current study was comprised of three distinct methodologies including round table meetings with departmental representatives across the state from both state and local agencies. These meetings resulted in a survey being developed which included subject matter that was of major concern to the roundtable participants. The survey was distributed to all state and local law enforcement agencies in Tennessee. The researchers also conducted personal interviews with officers who had been involved in shootings. Eight of these interviews are detailed in the case study section of this report.

The Bureau of Justice Statistics (2002) study quoted in the preface of this report stated that 3.5% of African Americans and 2.5% of Hispanics were more likely to experience the use or threat of the use of force than Caucasians. This study, although not directly comparable to the BJS study shows that of the 234 incidents reported by Tennessee Law Enforcement agencies, the suspects were Caucasian in 120 incidents (51.3%), African American in 108 (46.7%) incidents and no answer in six occasions. These results complement the federal study by illustrating that a disproportionate number of minorities when compared to the population of Tennessee as a whole, are involved in deadly force encounters with police. Subjects between the ages of 18 and 34 are much more likely to engage in deadly force encounters with the police than other age groups and it reinforces earlier studies in terms of the time of day during which most deadly force incidents occur. This survey illustrates that by far most incidents occur between 6:00 p.m. and 2:59 a.m.

The NCPVAP study concluded that officers with six or more years experience were far less likely to resort to the use of deadly force when faced with a life threatening situation than were officers with one to five years' experience (Johnson, 2012). This report showed that deadly force incidents were almost *three* times more likely to happen to officers with 10 or fewer years of service than to officers with 11 or more years of service. (p 50, fig 17). According to Durose, et al. (2005) less than 20% of persons who had a use of force encounter filed a complaint or lawsuit against the officer. In the Tennessee study, only 8.4% of the incidents reported resulted in a lawsuit.

The round table discussions held in the spring and summer of 2012 across the state resulted in surprising concerns raised. One topic of obvious concern was the way in which departments are forced to deal with mentally ill or emotionally disturbed persons. The most frequent complaint was that too much of their department's resources were being spent transporting or otherwise dealing with emotionally disturbed persons, who had not committed a crime, and that each of these encounters raised the risk of an officer being involved in a deadly force encounter. Some participants blamed this on de-institutionalization of persons with severe mental illness. Many of these individuals are medically untreated, and are now homeless or living in substandard situations which increase the possibility of police encounters. The Tennessee study revealed that 11% of the police involved shootings in the state during the reporting time period involved mentally impaired persons. Deadly force encounters with emotionally disturbed persons (EDPS) happened with almost the same frequency



as encounters with persons impaired by alcohol or drugs and when analyzed together, mental illness or substance abuse accounted for 24% of all police shootings between 2007 and 2011.

Another surprising result of the statewide survey concerned the choice of weapons used by subjects. The first choice of weapon was a pistol (n=113), but the second most frequent choice of weapon was a vehicle. The use of vehicles as a weapon may inform training decisions, which would prepare officers to defend themselves against assaults by or from vehicles.

As stated in the preface, use of force policies are most effective when they are up to date and reinforced on a regular basis to all commissioned officers. This serves as a guide to the officer and also the agency and community as a whole. If an agency uses a civilian review board to render judgment on an officer's action, the members of the board should be educated in all aspects of the use of force policy and the complexities of violent encounters.

The benefit of frequent, value added training cannot be overemphasized. The survey verifies the obvious, large department's often have the opportunity to train more frequently than small departments. Although many small departments currently engage in cross training with the larger departments in their regions, efforts could be made to increase these opportunities to, "spread the wealth." The majority of agencies train annually as required, most large departments train on a semiannual basis. All departments should seek opportunities to train more frequently, either on their own or through pooling resources with neighboring departments.

One recommendation of this study would be a statewide survey of training frequency and equipment with a stated goal of increasing training opportunities for all officers across the state without regard to department size or budget. Several participants indicated that judgmental training, (FATS, shoot-don't shoot, etc.) and force-on-force training (simunitions, paintball, etc.) would be most valuable to officers. Dynamic training rather than static qualification shooting, reinforces the right mindset of officers to survive deadly encounters. This is especially important for veteran officers who are long out of the academy and have a tendency to become complacent.

The costs associated with deadly force incidents, while largely immeasurable can be high for individual officers and their departments, their families, and the community as a whole. The statewide survey indicated that 58% of officers in large departments, 11% in medium departments and 31% in smaller departments involved in a deadly force incident in Tennessee in the past five years are no longer working in law enforcement. Although this attrition may not solely be attributed to deadly force encounters, the case studies presented in this report illustrate the emotional and psychological toll on an officer. It is notable that a larger percentage of officers in large and medium departments left the profession within five years after being involved in a deadly force incident. This attrition rate is costly to departments in terms of lost time, potential workers compensation claims, and other tangible expense. There is a considerable amount of time, money and effort spent on training that officer and his or her replacement. What is less measurable is the intangible cost each deadly force



incident has in terms of community support and morale within the department.

The survey results indicate that 80% of large departments mandate some form of post incident counseling for officers and staff who have been involved in a deadly force incident, whereas only 48% of small agencies have the same requirement. Officers interviewed for the case studies almost unanimously agreed that post incident debriefing and/or counseling was helpful to them. At least one private organization, Tennessee Public Safety Network is available in Tennessee to provide debriefing and counseling services to officers and others involved in critical incidents. All departments should consider the advantage of this or other similar services in order to mitigate both short and long term psychological effects on officers and their families.

Departmental training in media relations is a valid consideration in order to improve communications with the public without divulging case sensitive information. Larger departments are able to engage professional press information officers, but even budget limited departments could provide training to senior officers in methods of effectively engaging the media and the public.

Post incident investigations and reviews are handled in different ways by each department. Most of the largest departments have specialized units to investigate their own incidents whereas many smaller departments rely on an outside agency like the TBI to investigate officer involved deadly force incidents. Some agencies differentiate between criminal and administrative investigation while others do not. Several agencies have civilian review boards which study each incident and make recommendations as they see fit. Regardless of how each department proceeds with their investigations, the study, survey, and case studies suggest the following recommendations:

1. Officers involved in a deadly force incident should not be interviewed in detail until they have been allowed sufficient time to decompress, usually overnight. At most, a quick walk through of the incident should be conducted to give department managers enough information to engage the media without seeming to be deceptive.
2. Officers should immediately be provided a backup weapon should their own weapon be needed for investigative purposes.
3. Officers should be trained on the deadly force process they will go through in the event they are involved in an incident.
4. Civilian review board members or others, including district attorneys involved in oversight of an officer's actions during critical incidents, should receive training in the department's policies, use of force continuums and the dynamics of violent confrontations.
5. Officers should be trained in de-escalation techniques and crisis management as well as help in identifying persons who may carry concealed weapons or present other types of threats to officers.



The number of people residing in the State of Tennessee has steadily increased. According to the U.S Department of Commerce Census Bureau (2013), there was an 11.54% increase in the population of Tennessee between the years 2000 (5,689,283) and 2010 (6,346,105). With this statistic in mind, follow-up inquiries to this study should be whether there was an increase or decrease in the size of individual law enforcement agencies between 2007 and 2011 and whether there was an increase in calls for service on law enforcement agencies. A plausible assumption could be that law enforcement agencies did not have an increase in personnel due to crippling budget constraints that have been felt by most law enforcement branches of state and local government. One must wonder if the dramatic increase in incidents the TBI investigated between 2009 and 2010 (refer to chart 23) had a direct correlation to the lack of fiscal fluidity and massive unemployment rates felt by the general population during the same timeframe. Similarly, state and local governments fell under budget cuts and loss of manpower. These cuts resulted in decreased training budgets and a reduction of force for some as revealed in the focus group discussions. The combination may have led to a decrease in law enforcement personnel maintaining the public safety for an increasing population. This is speculation but it has given impetus to further research and analyses.

The Tennessee Officer Involved Shooting Study was undertaken to measure the impact of the use of firearms by and against the officers in the state of Tennessee. The information contained within this report should be of benefit to all Tennessee law enforcement officers, their departments, and their communities as a whole. Further research is recommended to better understand the dynamic of violent confrontations and their cost to officers, departments and communities. With a better understanding of psychological impacts, training issues, causes and population growth, law enforcement can adapt and grow thereby affording the public greater safety and security.





Patrolman Arthur Gurley  
Lexington Police Department  
Shot August 6, 1954



**In  
Memoriam**



**The Broken Badge**

*Author Unknown*

He put on the blue late one cold winter night,  
His badge upon his chest polished so bright,  
Though his badge was old it shined like new,  
For it was much loved by this man in blue.  
His badge was his promise to all who came his way,  
"I'm here to serve you," it seemed to say,  
A silver badge with edges straight and true,  
Just like the heart of this man in blue.  
He didn't see the gun that took his life,  
He slipped away crying out for his wife,  
His broken badge clung bravely to his chest,  
A shattered witness to his last breath.  
His badge once shiny, bright, and new,  
Now lies broken, bent, and blue,  
A silver badge, now broken in two,  
Just like the hearts, of his brothers in blue.

The authors of this report and the Tennessee Bureau of Investigation wanted to remember officers killed in the State of Tennessee between 1865 and 2011 by displaying the likeness of these officers on the bottom of the pages of this report. Not all fallen officers could be included in the body of this report; therefore, the authors have chosen to honor the remaining individuals in this "In Memoriam" section. The authors did not intend to leave any officers off this list and apologize for any oversight.

Detective James David Mandrell, June 28, 1988  
 K9 Ingo, December 4, 1986  
 Investigator James Kenneth Kennedy, March 27, 1984  
 Deputy Sheriff Ronald Ralph Stanley, August 31, 1983  
 Deputy Sheriff Dennis Ray Armes, March 15, 1883  
 Officer William Lee Bowlin, August 4, 1982  
 Deputy Sheriff James A. Lovelace, May 31, 1990  
 Police Officer John Wesley Sykes, Jr., December 31, 1982  
 Deputy Sheriff Charles Frank Jordan, February 4, 1982  
 Patrolman Larry P. Childress, January 14, 1982  
 Chief of Police Richard Carrington, September 25, 1981  
 Lieutenant Ronald D. Oliver, August 5, 1981  
 Deputy Sheriff Ray S. Brown, June 9, 1981  
 Lieutenant Clarence P. Cox, Jr., May 12, 1981  
 Patrolman William Larry Whitwell, April 5, 1981  
 Park Police Officer Harry Wilcox, January 18, 1979  
 Officer Edward L. Tarkington, December 17, 1978  
 Officer Steven Ross Pinkelton, July 26, 1978  
 Police Officer David L. Friederichsen, June 18, 1978  
 Police Officer Nelson I. Hess, V., June 12, 1978  
 Correction Officer Robert Burns, February 11, 1978  
 Deputy Sheriff Herbert H. Slayton, January 24, 1978  
 Deputy Sheriff Robert E. Mayo, August 4, 1982  
 Patrolman Clarence E. Hamler, August 11, 1977  
 Patrolman McCord L. Springfield, March 12, 1977  
 Patrolman James Loyd Stapp, January 16, 1977  
 Officer George Howard Hall, February 23, 1976  
 Deputy Sheriff Johnny Alford Swafford, November 13, 1975  
 Deputy Sheriff Dan Mull, August 20, 1975  
 Investigator Frank Thomas Maynard, July 25, 1975  
 Patrolman Jerry Dean Huskey, June 14, 1975  
 Patrolman Hugh Everette Eubanks, March 17, 1975  
 Patrolman Billy W. Blackwell, February 1, 1975  
 Jailer Dispatcher James Alton Usetlon, September 11, 1974  
 Patrolman Kenneth L. Browning, February 13, 1974  
 Patrolman Edward John Hammond, Jr., November 23, 1973  
 Officer Raymond Leroy Wheeler, November 6, 1973  
 Patrolman David W. Clark, May 21, 1973  
 Deputy Sheriff John Morris Heithcock, June 28, 1972  
 Constable Thomas Jefferson York, May 7, 1972  
 Deputy Ken Wright, Sr., August 22, 1971  
 Chief Deputy Sheriff Daniel Bascomb Talley, December 11, 1963  
 Patrolman James Cagle, January 12, 1969  
 Deputy Sheriff Elmer Taylor Singleton, September 13, 1968  
 Officer Charles W. Thomasson, March 17, 1968  
 Officer Thomas E. Johnson, January 16, 1968  
 Patrolman Joseph Eual Messer, July 29, 1967  
 Lieutenant Samuel W. Gibbs, August 11, 1966  
 Deputy Sheriff Earl M. Taylor, May 25, 1966  
 Deputy Sheriff Earl C. Koger, January 18, 1964  
 Constable Grady Dillehay, September 7, 1963  
 Constable Alvin Jeffers, February 11, 1962  
 Deputy Sheriff Levi Harness, February 11, 1962  
 Deputy Sheriff Alex Gary Morris, Sr., April 22, 1961  
 Deputy Sheriff Alonzo Brownlow Tyler, April 22, 1961  
 Patrolman Frank Bruno, Jr., October 7, 1960  
 Deputy Sheriff Benjamin G. DeVault, August 1, 1960  
 Deputy R. A. Bob Rogers, March 8, 1958  
 Chief Deputy James Louis Wright, March 8, 1958  
 Patrol Officer Lester W. Gwinn, January 31, 1955  
 Policeman Arthur Gurley, August 6, 1954  
 Sheriff Harold Griffin, April 6, 1954  
 Police Officer Ulysses Jackson, September 27, 1952  
 Patrolman Fred Guffey, August 31, 1952  
 Patrolman James S. Hildreth, January 27, 1952  
 Chief of Police John Holmes Ferriss, January 23, 1952  
 Transport Officer William Lonnie Cox, November 9, 1951  
 Special Agent Don E. Gresham, January 28, 1951  
 Patrolman Ira H. Burgess, June 13, 1950  
 Deputy Sheriff Leland E. Roper, July 22, 1949  
 Deputy Sheriff Oscar Ward, March 4, 1947  
 Policeman Herbert McClanahan, December 16, 1946  
 Constable James Lee Thomas, April 11, 1946

Deputy Sheriff Edwart W. Stelling, June 30, 1945  
 Deputy Sheriff John Edward Penney, April 6, 1944  
 Constable Clarence Wesley Reed, January 28, 1944  
 Patrolman Robert Burns Sandefur, July 3, 1943  
 Sheriff Charles Walter Conlin, Jr., January 10, 1943  
 Patrolman Arlie E. Carr, October 27, 1942  
 Chief Deputy Sheriff Calvin Lee, September 27, 1942  
 Deputy Sheriff John Wright, September 27, 1942  
 Sheriff Blake H. Head, September 18, 1942  
 Detective Charles Dow Mundy, June 25, 1942  
 Deputy Sheriff Melvin Hooper Fleming, June 25, 1942  
 Chief of Police L. Newton Bogart July 20, 1941  
 Sheriff Henry Clay Walker, April 7, 1941  
 Patrolman John E. Mills, September 7, 1940  
 Sheriff Horace B. Taylor, May 15, 1940  
 Deputy Sheriff Casper Wood, May 15, 1940  
 Chief Deputy Olin B. Burrow, March 23, 1940  
 Detective Clyde J. Shipley, December 26, 1939  
 Deputy Sheriff Ollie W. Harrell, September 24, 1939  
 Patrol Officer Herman M. Rollins, March 13, 1939  
 Constable Bruce Barker, May 30, 1936  
 Town Marshal Oder Fowler, March 14, 1938  
 Police Officer Barton Coker, January 2, 1938  
 Deputy Sheriff Chester A. Doyle, July 18, 1937  
 Sheriff Lucas Leon Ellis, July 16, 1937  
 Policeman William Bill Hunt, July 7, 1937  
 Police Officer Millard Williams, September 26, 1936  
 Deputy Sheriff Conrad Franklin Bunton, April 9, 1936  
 Chief of Police Sumner A. Dillard, March 2, 1936  
 Patrolman Roy A. Scott, February 20, 1936  
 Sheriff Louis B. Hutchison, December 6, 1935  
 Deputy Sheriff Will Hudson Evans, October 15, 1935  
 Deputy Sheriff Ben McCullough, August 10, 1935  
 Policeman James Flippo, January 1, 1935  
 Patrolman Lindsay Smith, December 17, 1934  
 Policeman E. C. Armstrong, December 10, 1934  
 Policeman Charles Holt, December 3, 1934  
 Deputy Sheriff Milton Otis Loftis, September 23, 1934  
 City Marshal George W. Young, March 17, 1934  
 Patrolman Charles B. Sanders, March 17, 1934  
 Deputy Sheriff General J. Hall, December 24, 1933  
 Town Marshal James Franklin Crocker, November 1, 1933  
 Constable Andrew Mattison Sullivan, October 29, 1933  
 Detective George W. Redmond, September 25, 1933  
 Deputy Sheriff John Bell Jones, August 13, 1933  
 Sheriff Cleve Daugherty, July 19, 1933  
 Sheriff George Winningham, April 23, 1933  
 Deputy Sheriff Floyd Winningham, April 22, 1933  
 Deputy Sheriff Joe E. Edwards, December 10, 1932  
 Constable Ben L. Northern, September 4, 1932  
 Deputy Constable Millard E. Brown, September 4, 1932  
 Patrolman Walter J. Mashburn, July 16, 1932  
 Deputy Sheriff Harkless Grundy Kirby, December 24, 1931  
 Patrolman Jesse G. Shirley, November 8, 1931  
 Patrolman J. H. Cornett, November 4, 1931  
 Deputy Sheriff Egbert Bullock, September 25, 1931  
 Deputy William S. Thompson, August 11, 1931  
 Sheriff J. Mart Murphy, July 23, 1931  
 Deputy Sheriff John York, June 29, 1931  
 Patrolman Michael J. Mulverhill, May 9, 1931  
 Chief Tobias B. Younce, September 5, 1930  
 Deputy Sheriff Samuel Boyett, July 2, 1930  
 Deputy Sheriff Mark L. Newton, May 16, 1930  
 Deputy Sheriff Luke Hinson, May 15, 1930  
 Deputy Sheriff Ulysses S. Brent, May 9, 1930  
 Deputy Sheriff Orville A. Amos Moss, April 22, 1930  
 Sheriff James Pinkney Kennedy, March 19, 1930  
 Patrolman Walter H. McEwen, December 30, 1929  
 Deputy Sheriff John Benjamin Martin, December 27, 1929  
 Deputy Sheriff John U. Swafford, June 19, 1929  
 Marshal James A. Houser, June 11, 1929  
 Patrolman W. R. Bridges, April 20, 1929  
 Sheriff John A. Cline, April 15, 1929

Deputy Sheriff Leonard Frazier, March 15, 1929  
 Deputy Sheriff John A. Gilbert, June 14, 1928  
 Deputy Sheriff Clarence Turner, May 19, 1928  
 Deputy Sheriff Charles Clifton Exum, May 10, 1928  
 Sheriff Thomas Fenton Brown, April 8, 1928  
 Constable William Lee Mayo, March 28, 1928  
 Assistant Chief Thomas S. Church, January 8, 1928  
 Deputy Sheriff James Conner, December 26, 1927  
 Sheriff George Washington Wash Coppinger, December 25, 1927  
 Deputy Sheriff Langford Hennessey, December 25, 1927  
 City Marshal Clarence D. Spence, July 6, 1927  
 Sheriff Thomas Preston Caldwell, June 17, 1927  
 Deputy Sheriff George S. Williams, June 3, 1927  
 Deputy Sheriff John Wesley West, March 7, 1927  
 Patrolman Clarence Luther Maines, October 25, 1926  
 Deputy Sheriff W. L. Styers, July 12, 1926  
 Deputy Sheriff William T. Cross, July 1, 1926  
 Police Officer G. A. Bud Jackson, February 16, 1926  
 Police Officer George W. Dodson, February 16, 1926  
 Night Watchman C. H. Fudge November 26, 1925  
 Constable Dan Smith, August 18, 1925  
 Sheriff Richard Ellis, August 13, 1925  
 Patrolman John F. Smith, April 13, 1925  
 Deputy Sheriff Hubert Webb, April 13, 1925  
 Patrolman T. B. Knox, April 5, 1925  
 Constable Samuel Claybrooks Locke, March 7, 1925  
 Sergeant Archie B. Wood, November 12, 1924  
 Patrolman John True, August 4, 1924  
 Chief Sergeant Hugh Thomas Lowery, April 23, 1924  
 Deputy Sheriff Manuel Stuart, March 31, 1924  
 Constable James A. Jett, February 8, 1924  
 Deputy Sheriff John Franklin Swann, February 8, 1924  
 Deputy Sheriff William C. Welch, January 31, 1924  
 Deputy Sheriff John Acres, January 31, 1924  
 Deputy Sheriff William B. Gober, December 22, 1923  
 Patrolman Charles F. Stevens, August 4, 1923  
 Deputy Sheriff John A. Snyder, May 13, 1923  
 Deputy Sheriff John Coffee Oakley, January 3, 1923  
 Patrolman Dave Yates, December 4, 1922  
 Sheriff Israel L. Smith, March 14, 1922  
 Deputy Sheriff Frank Moore, January 30, 1922  
 Patrolman P. T. Fleet, November 3, 1921  
 Deputy Sheriff C. P. McDonald, August 22, 1921  
 Deputy Sheriff Andrew J. Wortham, August 22, 1921  
 Lieutenant Vincent Lucarini, August 10, 1921  
 Patrolman Polk C. Caraway, August 10, 1921  
 Patrolman James H. Johnson, July 21, 1921  
 Patrolman James W. Duggan, June 22, 1921  
 Deputy Sheriff Tucker Headrick, January 23, 1921  
 Deputy Sheriff Fielding F. Applebury, December 17, 1920  
 Jailer George Taylor Reeves, November 30, 1920  
 Chief of Police S. A. Jenkins, August 28, 1920  
 Patrolman Guy Saint, January 7, 1920  
 Patrolman Oscar T. Roper, July 16, 1919  
 Sheriff Milton Harvey Stephens, June 27, 1919  
 Patrolman J. M. Carmack, June 25, 1919  
 Sergeant John C. Brinkley, June 13, 1919  
 Patrolman A. L. White, April 13, 1919  
 Patrolman John Friel, September 24, 1918  
 Patrolman Edward L. Broadfoot, February 23, 1918  
 Deputy Sheriff James C. Nelson, October 29, 1917  
 Detention Officer Charles F. Hooks, August 29, 1917  
 Sergeant John Milliron, July 12, 1916  
 Patrolman James M. Tillery, April 15, 1916  
 Marshal Alvah H. Countiss, March 19, 1916  
 Chief of Police Robert E. Nolen, March 6, 1916  
 Sergeant Julius S. Brett, August 30, 1915  
 Special Deputy David W. Stewart, May 2, 1915  
 Deputy Sheriff David Dobbins, January 27, 1915  
 Patrolman Robert Saylor, December 23, 1914  
 Policeman George Washington Samples, October 15, 1914  
 Chief George F. Campbell, September 16, 1914  
 Sheriff Edward Sam Stockard, September 15, 1914  
 Patrolman William Dinwiddie, June 19, 1914  
 Chief of Police Samuel Henderson Smith, May 14, 1914  
 Patrolman Samuel C. Hickey, April 19, 1914  
 Night Marshal Walter Gray Morgan, July 28, 1913  
 Deputy Sheriff Thomas Farrell, May 27, 1913  
 Patrolman Clarence Livingston, September 1, 1912  
 Patrolman John M. Taylor, June 22, 1912  
 Officer Redden George Purdie, October 31, 1911  
 Officer Charles Armstrong Henry, October 31, 1911  
 Marshal J. Henry Clemens, August 25, 1911  
 Chief of Police Joseph E. Joe Arnold, March 15, 1911  
 Deputy Sheriff Thomas S. Blair, January 29, 1911

Patrol Driver John H. Ryan, March 19, 1910  
 Deputy Sheriff W. H. Lucy, February 25, 1910  
 Special Deputy Sheriff Richard Dick Burrus, November 23, 1908  
 Sheriff William Henry Smith, October 9, 1908  
 City Marshal Carl Right Grooms, July 19, 1908  
 Patrolman Mike Wrenn, January 1, 1908  
 Patrolman O. L. Jarnigan, January 1, 1908  
 Special Deputy Lee Eldridge, December 25, 1907  
 Deputy Sheriff Charles M. Webb, October 17, 1907  
 Constable J. H. Goad, June 28, 1907  
 City Marshal Milton Harvey Galloway, November 13, 1906  
 Deputy Sheriff Hinton Sasely, October 28, 1906  
 Deputy Sheriff William Walker, July 21, 1906  
 Patrolman Robert C. Jameson, October 17, 1904  
 Town Marshal H. C. Cash, September 28, 1904  
 Deputy Sheriff Thomas J. McDermott, July 11, 1904  
 Deputy Sheriff Houston Mitchell, July 11, 1904  
 Deputy Sheriff W. E. Alexander, May 25, 1904  
 Deputy Sheriff Robert Harmon, February 7, 1904  
 Patrolman Benjamin F. Dowell, December 7, 1903  
 Deputy Sheriff Edward N. Griffiths, September 25, 1903  
 Patrolman Samuel Houston Childress, August 6, 1903  
 Deputy Marshal Frank Taylor, April 9, 1902  
 Deputy Sheriff Marshall M. Bomar, September 3, 1901  
 Detective Joseph A. Perkins, July 17, 1900  
 Constable W. D. Turner, January 3, 1900  
 Deputy Constable Marvin Durham, January 9, 1900  
 Patrolman Daniel Summitt, April 30, 1899  
 Sheriff Joseph S. Dawson, April 20, 1899  
 Deputy Sheriff Nathaniel Cloud, August 29, 1898  
 Chief of Police James Shumate, February 20, 1898  
 Deputy Sheriff Walter S. Haley, October 31, 1896  
 Constable Eugene Lynch, March 7, 1895  
 Constable Edward Manlove, December 15, 1894  
 Patrolman Rufus Chalmers Parkinson, November 2, 1894  
 Sheriff James Montgomery Breedlove, November 13, 1893  
 Sheriff John Burnett, March 18, 1893  
 Deputy Sheriff Charles E. Charlie Ray, April 21, 1892  
 Policeman David C. Musgrove, December 19, 1890  
 Town Marshal John M. Wester, Jr., November 3, 1890  
 Town Marshal Andrew J. Adams, November 1, 1890  
 Deputy Marshal John Riley Newport, November 1, 1890  
 Patrolman George Hoyle, September 21, 1890  
 Constable Jack Fraley, July 26, 1890  
 Deputy Sheriff George G. Gibson, April 2, 1890  
 Sheriff Samuel Preston Greenlee, April 10, 1889  
 Deputy Sheriff Doctor A. John Shipe, May 21, 1888  
 Deputy Sheriff Joshua B. Warman, September 17, 1887  
 Patrolman J. M. Arnold, January 6, 1885  
 Sheriff William T. Cate, September 14, 1882  
 Deputy Sheriff John J. Conway, September 14, 1882  
 Policeman James B. Wiggins, April 28, 1879  
 Deputy Sheriff Jason W. Fussell, March 3, 1877  
 Police Officer Newton C. Perkins, July 13, 1876  
 Patrolman Robert T. Frazier, April 30, 1875  
 Town Marshal Enoch Cooksey, November 15, 1873  
 Sheriff Simmons D. Alsobrook, November 1, 1873  
 Policeman Benjamin Cline, December 18, 1871  
 Sergeant D. J. Finch, March 8, 1869  
 Patrolman Nathan Haynes, January 1, 1869  
 Captain James Somers Perry, June 12, 1868  
 Patrolman John Gear, March 13, 1868  
 Patrolman William Dozier, January 1, 1868  
 Patrolman John M. Fenton, December 31, 1867  
 Sheriff Samuel Lewis, July 31, 1867  
 Patrolman Walter M. Rogers, June 4, 1867  
 Patrolman John M. Claridge, April 23, 1867  
 Patrolman John Stevens, May 1, 1866  
 Patrolman William Mower, March 1, 1866  
 Sergeant W.C. Stockham, February 22, 1865

Names on the Tribute Pages were obtained from the Officer Down Memorial Page at <http://www.odmp.org/>

“When a police officer is killed, it’s not an agency that loses an officer, it’s an entire nation.” - Chris Cosgriff, ODMP Founder.



# Appendices



**Officer Thomas E. Johnson  
Metropolitan Nashville  
Police Department  
Shot January 16, 1968**

# Survey Participants

Alcoa Police Department, Blount County  
 Alexandria Police Department, DeKalb County  
 Algood Police Department, Putnam County  
 Anderson County Sheriff's Office  
 Ardmore Police Department, Giles County  
 Ashland City Police Department, Cheatham County  
 Athens Police Department, McMinn County  
 Atoka Police Department, Tipton County  
 Bartlett Police Department, Shelby County  
 Baxter Police Department, Putnam County  
 Bean Station Police Department, Grainger County  
 Bedford Sheriff's Office  
 Belle Meade Police Department, Davidson County  
 Bells Police Department, Crockett County  
 Benton County Sheriff's Office  
 Benton Police Department, Polk County  
 Berry Hill Police Department, Davidson County  
 Blaine Police Department, Grainger County  
 Bledsoe County Sheriff's Office  
 Blount County Sheriff's Office  
 Bradford Police Department, Gibson County  
 Bradley County Sheriff's Office  
 Brentwood Police Department, Williamson County  
 Bristol Police Department, Sullivan County  
 Brownsville Police Department, Haywood County  
 Burns Police Department, Dickson County  
 Calhoun Police Department, McMinn County  
 Cannon County Sheriff's Office  
 Carthage Police Department, Smith County  
 Caryville Police Department, Campbell  
 Celina Police Department, Clay County  
 Centerville Police Department, Hickman County  
 Chapel Hill Police Department, Marshall County  
 Charleston Police Department, Bradley County  
 Chattanooga Housing Authority Police Department, Hamilton County  
 Chattanooga Police Department, Hamilton County  
 Chester County Sheriff's Office  
 Church Hill Police Department, Hawkins County  
 City of Dickson Rangers, Dickson County  
 Clarksburg Police Department, Carroll County  
 Clarksville Police Department, Montgomery County  
 Clay County Sheriff's Office  
 Cleveland Police Department, Bradley County  
 Clifton Police Department, Wayne County  
 Coffee County Sheriff's Office  
 Collegedale Police Department, Hamilton County  
 Collierville Police Department, Shelby County  
 Collinwood Police Department, Wayne County  
 Columbia Police Department, Maury County  
 Cookeville Police Department, Putnam County  
 Coopersville Police Department, Robertson County  
 Cornersville Police Department, Marshall County  
 Covington County Emergency Communications Center  
 Covington Police Department, Tipton County  
 Cowan Police Department, Franklin County  
 Crossplains Police Department, Robertson County  
 Crossville Police Department, Cumberland County  
 Cumberland City Police Department, Stewart County  
 Davidson County Sheriff's Office  
 Dayton Police Department, Rhea County  
 Decatur County Sheriff's Office  
 Decatur Police Department, Meigs County  
 Decherd Police Department, Franklin County  
 DeKalb County Sheriff's Office  
 Dickson Police Department, Dickson County  
 Dickson Sheriff's Office  
 Dover Police Department, Stewart County  
 Dresden Police Department, Weakley County  
 Dunlap Police Department, Sequatchie County  
 Dyer County Sheriff's Office  
 Dyersburg Police Department, Dyer County  
 Eagleville Police Department, Rutherford County  
 East Ridge Police Department, Hamilton County  
 Elizabethton Police Department, Carter County  
 Elkton Police Department, Giles County  
 Englewood Police Department, McMinn County  
 Erin Police Department, Houston County  
 Estill Springs Police Department, Franklin County  
 Ethridge Police Department, Lawrence County  
 Etowah Police Department, McMinn County  
 Fairview Police Department, Williamson County  
 Fayette County Sheriff's Office  
 Fayetteville Police Department, Lincoln County  
 Fentress County Sheriff's Office  
 Franklin County Sheriff's Office  
 Friendship Police Department, Crockett County  
 Gainesboro Police Department, Jackson County  
 Gallatin Police Department, Sumner County  
 Gates Police Department, Lauderdale County  
 Gatlinburg Police Department, Sevier County  
 Germantown Police Department, Shelby County  
 Giles County Sheriff's Office  
 Gleason Police Department, Weakley County  
 Goodlettsville Police Department, Davidson County  
 Gordonsville Police Department, Smith County  
 Grand Junction Police Department, Hardeman County  
 Graysville Police Department, Rhea County  
 Greenbrier Police Department, Robertson County  
 Grundy County Sheriff's Office  
 Halls Police Department, Lauderdale County  
 Hamblen County Sheriff's Office  
 Hardeman County Sheriff's Office

Harriman Police Department, Roane County  
 Hawkins County Sheriff's Office  
 Haywood Sheriff's Office  
 Henderson Police Department, Chester County  
 Hendersonville Police Department, Sumner County  
 Henning Police Department, Lauderdale County  
 Henry County Sheriff's Office  
 Henry Police Department, Henry County  
 Hickman County Sheriff's Office  
 Hohenwald Police Department, Lewis County  
 Hornbeak Police Department, Obion County  
 Houston Sheriff's Office  
 Humboldt Police Department, Gibson County  
 Humphreys County Sheriff's Office  
 Huntingdon Police Department, Carroll County  
 Huntland Police Department, Franklin County  
 Jacksboro Police Department, Campbell County  
 Jackson County Sheriff's Office  
 Jamestown Police Department, Fentress County  
 Jasper Police Department, Marion County  
 Jefferson County Sheriff's Office  
 Jellico Police Department, Campbell County  
 Kimball Police Department, Marion County  
 Kingsport Airport Police Department, Sullivan County  
 Kingsport Police Department, Sullivan County  
 Kingston Police Department, Roane County  
 Kingston Springs Police Department, Cheatham County  
 Knoxville Police Department, Knox County  
 Lafayette Police Department, Macon County  
 LaGrange Police Department, Fayette County  
 Lake City Police Department, Anderson County  
 Lauderdale County Sheriff's Office  
 LaVergne Police Department, Rutherford County  
 Lawrence County Sheriff's Office  
 Lawrenceburg Police Department, Lawrence County  
 Lebanon Police Department, Wilson County  
 Lewis County Sheriff's Office  
 Lewisburg Police Department, Marshall County  
 Lincoln County Sheriff's Office  
 Livingston Police Department, Overton County  
 Lookout Mountain Police Department, Hamilton County  
 Loretto Police Department, Lawrence County  
 Loudon City Police Department, Loudon County  
 Loudon County Sheriff's Office  
 Lynnville Police Department, Gilles County  
 Macon County Sheriff's Office  
 Madison County Sheriff's Office  
 Madisville Police Department, Monroe County  
 Manchester Police Department, Coffee County  
 Marion County Sheriff's Office  
 Marshall County Sheriff's Office  
 Martin Police Department, Weakley County  
 Maury County Sheriff's Office  
 McEwen Police Department, Humphreys County  
 McKenzie Police Department, Carroll County  
 McMinnville Police Department, Warren County  
 McNairy County Sheriff's Office  
 Meigs County Sheriff's Office  
 Memphis Police Department, Shelby County  
 Metropolitan Nashville Police Department, Davidson County  
 Milan Police Department, Gibson County  
 Millersville Police Department, Sumner County  
 Minor Hill Police Department, Giles County  
 Monroe County Sheriff's Office  
 Monteagle Police Department, Grundy County  
 Monterey Police Department, Putnam County  
 Montgomery County Sheriff's Office  
 Moore County Sheriff's Office  
 Morgan County Sheriff's Office  
 Mount Carmel Police Department, Hawkins County  
 Mount Juliet Police Department, Wilson County  
 Mount Pleasant Police Department, Maury County  
 Munford Police Department, Tipton County  
 Murfreesboro Police Department, Rutherford County  
 New Hope Police Department, Marion County  
 New Johnsonville Police Department, Humphreys County  
 New Tazewell Police Department, Claiborne County  
 Newport Police Department, Cooke County  
 Niota Police Department, McMinn County  
 Nolensville Police Department, Williamson County  
 Obion County Sheriff's Office  
 Obion Police Department, Obion County  
 Oliver Springs Police Department, Roane County  
 Oneida Police Department, Scott County  
 Overton County Sheriff's Office  
 Paris Police Department, Henry County  
 Parsons Police Department, Decatur County  
 Perry County Sheriff's Office  
 Petersburg Police Department, Lincoln County  
 Pickett County Sheriff's Office  
 Pigeon Forge Police Department, Sevier County  
 Pikeville Police Department, Bledsoe County  
 Piperton Police Department, Fayette County  
 Pleasant View Police Department, Cheatham County  
 Portland Police Department, Sumner County  
 Pulaski Police Department, Giles County  
 Puryear Police Department, Henry County  
 Putnam County Sheriff's Office  
 Red Bank Police Department, Hamilton County  
 Red Boiling Springs Police Department, Macon County  
 Rhea County Sheriff's Office  
 Ridgely Police Department, Lake County

Ridgetop Police Department, Robertson County  
 Ripley Police Department, Lauderdale County  
 Roane County Sheriff's Office  
 Robertson County Sheriff's Office  
 Rockwood Police Department, Roane County  
 Rutherford Police Department, Gibson County  
 Rutherford County Sheriff's Office  
 Rutledge Police Department, Grainger County  
 Saint Joseph Police Department, Lawrence County  
 Savannah Police Department, Hardin County  
 Scott County Sheriff's Office  
 Scotts Hill Police Department, Henderson County  
 Sequatchie County Sheriff's Office  
 Sevierville Police Department, Sevier County  
 Sewanee Police Department, Franklin County  
 Shelbyville Police Department, Bedford County  
 Signal Mountain Police Department, Hamilton County  
 Smith County Sheriff's Office  
 Smithville Police Department, DeKalb County  
 Smyrna Airport Police Department, Rutherford County  
 Smyrna Police Department, Rutherford County  
 Soddy-Daisy Police Department, Hamilton County  
 South Carthage Police Department, Smith County  
 South Fulton Police Department, Obion County  
 South Pittsburg Police Department, Marion County  
 Sparta Police Department, White County  
 Spencer Police Department, Van Buren County  
 Spring City Police Department, Rhea County  
 Spring Hill Police Department, Maury County  
 Springfield Police Department, Robertson County  
 Stewart County Sheriff's Office  
 Sullivan County Sheriff's Office  
 Sumner County Sheriff's Office  
 Sunbright Police Department, Morgan County  
 Sweetwater Police Department, Monroe County  
 Tazewell Police Department, Claiborne County  
 Tellico Plains Police Department, Monroe County  
 Tennessee Alcoholic Beverage Commission, Knoxville, Knox County  
 Tennessee Bomb and Arson Section, Davidson County  
 Tennessee Highway Patrol, Davidson County  
 Tennessee Highway Patrol, Hamilton County  
 Tennessee Highway Patrol, Knox County  
 Tennessee Highway Patrol, Madison County  
 Tennessee Highway Patrol, Putnam County  
 Tennessee Highway Patrol, Shelby County  
 Tennessee Highway Patrol, Sullivan County  
 Tennessee Wildlife Resources Agency, Nashville, Davidson County  
 Tennessee Alcoholic Beverage Commission, Davidson County  
 Tipton County Sheriff's Office  
 Tiptonville Police Department, Lake County  
 Tracy City Police Department, Grundy County  
 Trenton Police Department, Gibson County  
 Trezevant Police Department, Carroll County  
 Trimble Police Department, Dyer County  
 Trousdale County Sheriff's Office  
 Tullohoma Police Department, Coffee County  
 Tusculum Police Department, Greene County  
 Unicoi County Sheriff's Office  
 Union County Sheriff's Office  
 Van Buren County Sheriff's Office  
 Vonore Police Department, Monroe County  
 Warren County Sheriff's Office  
 Wartburg Police Department, Morgan County  
 Wartrace Police Department, Bedford County  
 Watertown Police Department, Wilson County  
 Wautuga Police Department, Carter County  
 Waverly Police Department, Humphreys County  
 Wayne County Sheriff's Office  
 Waynesboro Police Department, Wayne County  
 Westmoreland Police Department, Sumner County  
 White Bluff Police Department, Dickson County  
 White County Sheriff's Office  
 White House Police Department, Sumner County  
 Whitwell Police Department, Marion County  
 Williamson County Sheriff's Office  
 Wilson County Sheriff's Office  
 Winchester Police Department, Franklin County  
 Winfield Police Department, Scott County  
 Woodbury Police Department, Cannon County

TENNESSEE v. GARNER ET AL.

No. 83-1035

SUPREME COURT OF THE UNITED STATES

471 U.S. 1; 105 S. Ct. 1694; 85 L. Ed. 2d 1

October 30, 1984, Argued  
March 27, 1985, Decided \*

\* Together with No. 83-1070, Memphis Police Department et al. v. Garner et al., on certiorari to the same court.

APPEAL FROM THE UNITED STATES COURT OF APPEALS FOR THE SIXTH CIRCUIT.

SUMMARY:

A citizen brought suit against the city of Memphis, its police department, and various individuals, alleging that the constitutional rights of his deceased son had been violated when a police officer shot the youth in order to prevent his escape from the scene of a burglary, even though he did not appear to be armed. The United States District Court for the Western District of Tennessee dismissed the complaint, ruling that the officer's actions were authorized by a Tennessee statute which allowed the police to use all necessary means to effect an arrest where a suspect fled or forcibly resisted after being notified of the intent to arrest, and that this statute was constitutional. The United States Court of Appeals for the Sixth Circuit reversed and remanded, holding that the statute violated the Fourth Amendment (710 F2d 240).

On certiorari, the United States Supreme Court affirmed. In an opinion by White, J., joined by Brennan, Marshall, Blackmun, Powell, and Stevens, JJ., the court held that the Fourth Amendment prohibits the use of deadly force to prevent the escape of a suspected felon unless it is necessary to prevent the escape and the officer has probable cause to believe that the suspect poses a significant threat of death or serious physical injury to the officer or others, and thus, the Tennessee statute was unconstitutional insofar as it authorized the use of deadly force to prevent the escape of an apparently unarmed suspected felon. O'Connor, J., joined by Burger, Ch. J., and Rehnquist, J., dissented, expressing the view that the use of deadly force as a last resort to prevent the escape of a suspect from the scene of a nighttime burglary does not violate the Fourth Amendment.

## TENNESSEE LAW

### Tennessee Statutes and Regulations.

#### § 39-17-1317 Confiscation and disposition of confiscated weapons (2012)

- a. Any weapon, except those covered by subsection (g), that is possessed, used or sold in violation of the law shall be confiscated by a law enforcement officer and declared to be contraband by a court of record exercising criminal jurisdiction. The sheriff or chief of police for the jurisdiction where the weapon was confiscated may petition the court for permission to dispose of the weapon in accordance with this section. If the weapon was confiscated by a judicial district drug task force, the director of the task force where the weapon was confiscated may petition the court for disposal of the weapon in accordance with this section. If the weapon was confiscated by the department of safety, the commissioner of safety may petition the court for disposal of the weapon in accordance with this section. If the weapon was confiscated by the Tennessee bureau of investigation, the director may petition the court for disposal of the weapon in accordance with this section.
- b. Any weapon declared contraband shall be sold in a public sale or used for legitimate law enforcement purposes, at the discretion of the court, by written order.
- c. If the weapon was confiscated by a sheriff, other local law enforcement agency or a judicial district drug task force and the court orders the weapon to be sold:
  1. It shall be sold at a public auction not later than six (6) months from the date of the court order. The sale shall be conducted by the sheriff of the county or the chief of police of the municipality in which it was seized;
  2. The proceeds from the sale shall go into the county or municipal general fund and shall be allocated solely for law enforcement purposes;
  3. The sale shall be advertised in a daily or weekly newspaper circulated within the county. The advertisement shall run for not less than three (3) editions and not less than thirty (30) days prior to the sale; and
  4. If required by federal or state law, the sale can be conducted under contract with a licensed firearm dealer, whose commission shall not exceed twenty percent (20%) of the gross sales price. The dealer shall not hold an elective or appointed job with the federal, state, county or city government in this state during any stage of the sales contract.
- d. If the weapon was confiscated by the department of safety or the Tennessee bureau of investigation and the court orders it to be sold, it shall be turned over to the department of general services, which shall sell the weapon and dispose of the proceeds of the sale in the same manner as it currently does for other confiscated weapons.
- e. If the court orders the weapon to be retained and used for legitimate law

enforcement purposes:

1. Title to the weapon shall be placed in the law enforcement agency or judicial district drug task force retaining the weapon; and
  2. When the weapon is no longer needed for legitimate law enforcement purposes, it shall be sold in accordance with this part.
- f. If the weapon is sold, the commissioner of safety or the director of the Tennessee Bureau of Investigation, the sheriff, chief of police or director of the judicial district drug task force shall file an affidavit, as follows, with the court issuing the sale order:
1. The affidavit shall be filed within thirty (30) days after the sale;
  2. The affidavit shall identify the weapon, including any serial number, and shall state the time, date and circumstances of the sale; and
  3. If the weapon has been sold, the affidavit shall list the name and address of the purchaser and the price paid for the weapon.
- g. Notwithstanding any other provisions of this section, no weapon shall be sold or retained for law enforcement use in the following circumstances:
1. A weapon that may be evidence in an official proceeding shall be retained or otherwise preserved in accordance with the rules or practices regulating the preservation of evidence. The weapon shall be sold or retained for legitimate law enforcement purposes not less than sixty (60) days nor more than one hundred eighty (180) days after the last legal proceeding involving the weapon; or
  2. Any weapon that has been stolen or borrowed from its owner, and the owner was not involved in the offense for which the weapon was confiscated, shall be returned to the owner if permitted by law.
- h. No weapon seized by law enforcement officials or judicial district drug task force members shall be used for any personal or law enforcement purposes or sold except in accordance with this section.
- i. Notwithstanding the provisions of this section, if the chief of police, sheriff, commissioner of safety, or director of the Tennessee bureau of investigation, depending upon who confiscated the weapon, certifies to the court that a weapon is inoperable or unsafe, the court shall order the weapon destroyed or recycled.
- j. A violation of this section is a Class B misdemeanor.
- k. Nothing in this section shall authorize the purchase of any weapon, the possession of which is otherwise prohibited by law.
- l. The commissioner of safety, the director of the Tennessee bureau of investigation, the executive director of the Tennessee alcoholic beverage commission, the executive head of any municipal or county law enforcement agency, or the director of a judicial district drug task force may petition the criminal court or the court in the official's county having criminal jurisdiction for permission to exchange firearms that have previously been properly titled, as specified by this section, to the law

enforcement agency or the drug task force for other firearms, ammunition or body armor suitable for use by the law enforcement agency or drug task force. This exchange of firearms for these specified items used for legitimate law enforcement purposes is permitted only between the department of safety, the director of the Tennessee bureau of investigation, the executive director of the Tennessee alcoholic beverage commission, a municipal or county law enforcement agency, a judicial district drug task force, and a licensed and qualified law enforcement firearms dealer.

HISTORY: Acts 1989, ch. 591, § 1; 1991, ch. 111, § 1-6; 1992, ch. 734, § 1-5; 2006, ch. 798, § 2; 2009, ch. 116, § 1; 2010, ch. 629, § 1-11; 2011, ch. 159, § 1



**Clarksville City Police Force**

**1891**

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