



STATEMENT BY MAYOR OF TUPELO JASON SHELTON  
JULY 6, 2016

After a challenging two weeks in the aftermath following the death of Antwun Shumpert, I am proud of the All-America City of Tupelo and its citizens, visitors, and surrounding communities for coming together in a very positive way over the 4<sup>th</sup> of July weekend without incident.

It is not lost upon us that 4<sup>th</sup> of July weekend this year was different for the Shumpert family. While we have tried to limit our public comments about facts that may impact the independent investigation of this incident, we have both publicly and privately extended our condolences to the family of Mr. Shumpert. Every life is precious. We acknowledge the value of every life. We also acknowledge that Mr. Shumpert was someone's husband, someone's father, someone's brother, and someone's son. It is natural that his loved ones would grieve his death, and on a human to human level, we acknowledge and respect their grief.

During the last two weeks, the City of Tupelo has been restrained and responsible in its public comments to the events of June 18, primarily so we would not taint the ongoing, independent investigation by the Mississippi Bureau of Investigation. It is our belief that gathering these facts and knowing the truth behind the incident was more prudent than reacting quickly and taking the risk of putting out incomplete or incorrect information.

We have now reached a point in which we have enough complete information, based upon concrete facts, to go public with a more comprehensive assessment of the events that took place.

While we remain committed to preserving the integrity of the independent investigation, we also believe there has been a deliberate attempt to mislead the public through false statements, half-truths, unsubstantiated rumors, and fear mongering.

The public deserves to know the truth. Today, we are taking additional steps to set the record straight.

Here are the facts, as we know them today, based upon all evidence available to us.

- The Street Crimes Unit of the Tupelo Police Department were conducting a planned surveillance of the Townhouse Motel on South Gloster Street the evening of June 18. The planned surveillance was conducted based on numerous complaints by local citizens and out-of-town guests of recent criminal activity at that specific location.<sup>1</sup> The surveillance was conducted that evening under direct orders of Major Anthony Hill and

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<sup>1</sup> See Attachment A: Reports of criminal activity at the Townhouse Motel.

Captain Rusty Haynes. Multiple street crimes unit (SCU) officers of Tupelo Police Department were part of the effort.

- The SCU Lieutenant began the surveillance by observing the hotel through binoculars from across the street. After about ten minutes of surveillance, at approximately 9:30 p.m., a tan Ford sedan vehicle was observed by the SCU Lieutenant entering the hotel parking lot. Approximately three minutes later, the same car was observed leaving the parking lot, which raised suspicions for the SCU Lieutenant. The SCU Lieutenant then reported the tan sedan as a suspicious vehicle over in-car radio and advised other officers the vehicle was heading north on Gloster Street.
- The Reporting Officer responded to the radio call from the SCU Lieutenant and began trailing the vehicle as it turned westward off Gloster Street onto Garfield Street, at which time the Reporting Officer observed the vehicle had no tag light. The vehicle then made a right turn northbound onto Van Buren, failing to use a turn signal in the process. At that point, the Reporting Officer advised other units via in-car radio that he would be making a traffic stop of the vehicle.
- The Reporting Officer activated the blue lights on the police car as he turned on Van Buren. For the FIRST time that evening, the driver failed to yield to officers by ignoring the blue lights. The Reporting Officer then sounded the police car siren several times. For the SECOND time, the driver failed to yield and did not stop the vehicle, prompting the Reporting Officer to announce via in-car radio that he was about to initiate a pursuit. Officer #2, Tyler Cook, was stationed nearby at the One D'Ville Apartment complex as his surveillance position. Officer Cook had K9 Alec in the vehicle with him, and proceeded toward the Reporting Officer's location to provide backup. As Officer Cook was making his way to join pursuit, the suspect then turned left onto westbound Harrison Street and traveled a short distance before stopping the vehicle at 9:38 p.m.
- Authorities later learned the car was driven by the man we now know to be Mr. Antwun "Ronnie" Shumpert. The suspect, a multiple felon, had an outstanding warrant and extradition order in Midland County, Texas for his indictment of an additional felony which had been outstanding since March 2014.<sup>2</sup>
- As the Responding Officer approached the stopped vehicle the driver exited the vehicle. The Responding Officer drew his weapon and gave several loud commands for the suspect to get back into the vehicle to which the suspect did not comply. The THIRD TIME the suspect failed to comply with the lawful commands of a police officer.
- The suspect fled the scene in an obvious attempt to avoid apprehension and incarceration, the FOURTH time that evening he had failed to comply with police. The Responding Officer then holstered his weapon and gave chase.

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<sup>2</sup> See Attachment B, Criminal Records File of Antwun Shumpert.

- By the time Officer Cook was approaching the area of the Reporting Officer's location, the Reporting Officer advised via radio that he was in foot pursuit of the driver who was a black male wearing a maroon shirt with a yellow number five on the back and shorts. The Reporting Officer advised Cook to keep going straight to try to cut off the path where the suspect was headed. Officer Cook proceeded north on Van Buren Avenue and turned left westbound on Tyler Street, then left southbound on President Street and then left eastbound onto Harrison Street. Officer Cook traveled half the block down Harrison Street and exited the vehicle with the K9 to conduct a search in the area where the suspect was believed to be.
- As Officer Cook was making his way around the block to intercept the chase as instructed by the Reporting Officer, the Reporting Officer continued pursuing the suspect on foot. The Reporting Officer ran a good distance northward from the original traffic stop location, then the suspect turned westward. All the while the Reporting Officer was giving loud verbal commands for the suspect to stop running. For the FIFTH time the suspect failed to comply with authorities. The Reporting Officer continued foot pursuit westward along a tree line and across a deep ditch through another yard until he lost sight of the suspect in a wooded area. The Reporting Officer's flashlight was very dim, so he did not want to chase the suspect into the woods with poor light on a dark night. The responding officer advised dispatch at that point that he had lost track of the suspect.
- Meanwhile, the K9 had led Officer Cook down across a small ditch and then into the backyard of the house at 916 Harrison Street.
- K9 Alec then led Officer Cook to the door of the crawl space under the house, where Officer Cook noticed a hand trying to hold the door shut. Officer Cook drew his weapon with flashlight attached from his holster, opened the door, and saw the suspect as described by the Reporting Officer hiding under the house.
- Officer Cook gave a loud and clear verbal command to Mr. Shumpert as follows, "Tupelo PD. Come out from under the house and show me your hands. I have a dog and he will bite."
- For the SIXTH time in the series of events, the suspect either failed to comply or surrender and tried to flee further under the house. It was unknown at the time if the homeowner was at home.
- At that time, Officer Cook ordered the K9 to pursue the suspect under the house, in an attempt to force the suspect's surrender.
- Officer Cook watched through the door as the K9 grabbed the suspect by the arm. Instead of surrendering, the suspect fought the K9 by punching the dog and grabbing its head. As a result of the suspect striking the dog, the K9 lost its grip on the suspect's arm,

but still had hold of his jersey shirt. The suspect then took off his shirt to avoid the grip of the K9 altogether, effectively resisting the police for the SEVENTH time.

- The suspect exited the crawl space and charged Officer Cook. With a football style tackle, the suspect took the officer to the ground. While on top of Officer Cook, the suspect began viciously beating the officer in the face and head, at this point the circumstances changed from evasion and resisting arrest to an active assault on Officer Cook. This was the suspect's EIGHTH and most violent resistance to police officers within a span of less than ten minutes.
- With his pistol and attached flashlight in hand, Officer Cook attempted to fight back as he began to "see stars" and feared that if he lost consciousness the suspect would use the officer's own weapon against him.
- Fearing for his own life, Officer Cook discharged his service weapon four times to stop the assault.
- During the few minutes of Officer Cook's encounter with the suspect, multiple Tupelo Police Department units had arrived as support in the general vicinity. Upon hearing gunshots, a number of those personnel converged upon the backyard where Officer Cook and the suspect were located.
- At 9:47 p.m. a request for medics was made from the scene, roughly nine minutes after the vehicle driven by the suspect came to a stop. As previously statements have indicated, Lee County Emergency 911 records show an ambulance was dispatched at 9:48 p.m., medics arrived on the scene at 9:50 p.m. and the suspect was transported to North Mississippi Medical Center at 10:03 p.m. For persons following this matter from outside of Tupelo, we would point out that all of the events involved in this incident occurred less than 3,000 feet from the hospital.

These summarize the facts as we know them through eyewitness testimony and all evidence available to us, about the series of events on the evening of June 18.

It is important to note that FBI statistics from the ten-year period of 2005 through 2014 indicate that out of every 20 officers killed nationally in the line of duty, one is killed by their own service weapon being apprehended by a suspect.<sup>3</sup> Circumstances in which an officer is assaulted and faces the prospect of losing possession of their own weapon, such as Officer Cook's encounter with this suspect, are a particularly dangerous situation for our police officers.

At this time, we also believe it would prudent and helpful to the situation to make public some other relevant facts that relate the June 18 incident.

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<sup>3</sup> See Attachment C, FBI statistics on law officers killed in the line of duty.

Earlier this week, the New York Times reported, and I quote:

Dr. Hany Atallah, the chief of emergency medicine at Grady Memorial Hospital in Atlanta, reviewed photographs of the body that [the attorney for the Shumpert family] provided to The Times. Because he had not viewed the body in person, Dr. Atallah said his opinion could not be definitive. But he said the wounds did not seem consistent with a dog attack. The wound in the groin, he said, seemed too linear, and devoid of tissue damage, to have been caused by bites, which, he said in an email, “tend to cause jagged, irregular wounds with multiple punctures.”<sup>4</sup>

That same report states that medical records provided to the New York Times by the attorney for the Shumpert family, upon independent medical review, indicate there were “no abrasions or lacerations noted on the back” when the suspect was admitted to North Mississippi Medical Center on the night of June 18. This directly and explicitly contradicts claims that have been made publicly. The same independent review of those medical records states there was bruising on the bottom gum and “a missing tooth.” That medical documentation of a single missing tooth likewise directly and explicitly contradicts claims that have been made to the public.<sup>5</sup>

We would also address some facts regarding our K9 unit, specifically K9 Alec which was involved in the incident on June 18:

- A fact that is significant, in light of some of the sensationalist claims that have been made, is that the specific dog involved in the June 18 incident had lost all four of its canine teeth in the year prior to this incident, which limits its ability to inflict serious damage from bites.<sup>6</sup>
- This particular dog is both certified in narcotics and certified in patrol. The certification in patrol includes training in tracking, bite work, and building searches.<sup>7</sup>
- The K9 and Officer Cook were each recertified two days prior to the June 18 incident.<sup>8</sup>
- Finally, we would note that it is generally accepted policing practice and consistent with TPD policies that when a K9 is used for purposes of subduing a suspect, the K9 is considered to be on same level of intermediate weapon, or non-deadly force, as a taser, baton or pepper spray as reasonable force against a resisting suspect.<sup>9</sup>

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<sup>4</sup> See Attachment D, New York Times article dated July 3, 2016.

<sup>5</sup> See Attachment D, New York Times article dated July 3, 2016.

<sup>6</sup> See Attachment E, Documentation about K9 Alec.

<sup>7</sup> See Attachment E, Documentation about K9 Alec.

<sup>8</sup> See Attachment E, Documentation about K9 Alec.

<sup>9</sup> See Attachment F, Tupelo Police Department Policies and Procedures, Policy Number 5.08, Canine Operations; and, Attachment G, Tupelo Police Department Policies and Procedures, Policy Number 5.08, Canine Operations.

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We are mindful, that in the days to come, the independent investigation will be concluded and the full set of facts will come out. We are also mindful that when the investigation is over; and the press conferences end; and the TV cameras stop rolling; those of us who call Tupelo home will still live here. We will still live here . . . **together**. And, that is why doing the right thing, and going about this in the right way, is so important.

Let me be very clear: Myself – as Mayor of Tupelo, each and every member of our City Council, and each and every individual within this administration are, first and foremost, committed to doing the right thing with regard to this incident. We believe a critical part of doing the right thing is to let the independent investigation by the MBI, with FBI oversight, take its course. We believe a full, complete, and impartial investigation is the best way for all of the facts to be gathered – and, then presented – to the public.

I believe in the City of Tupelo. I have full confidence that, just as we've done in the past, we will once again pull together as one community and together we will move forward and continue to make Tupelo a great place to live.

Thank you.

STATEMENT BY MAYOR OF TUPELO JASON SHELTON  
July 6, 2016

## ATTACHMENT "A"

### **Reports of Criminal Activity at the Townhouse Motel**

Tupelo Police Department Street Crimes Unit (SCU) was conducting surveillance on the Townhouse Motel on the evening of June 18 due to a history of criminal activity, complaints by citizens, and actionable intelligence from the North Mississippi Bureau of Narcotics.

## CHARLIE SHIFT ACTIVITIES

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July 4, 2013

**Report Number:** 2013-4518

**Date of Report:** 7-04-13

**Reporting Officer:** Jeff Griffin

**Charges:** Disorderly Conduct, Disturbing the Peace

**Suspect Arrested Y/N:** Y

**Arrestee:** [REDACTED]

**Location:** 931 South Gloster (Townhouse Motel)

**Synopsis:** On July 4, 2013, I was sent to 931 South Gloster. Once on scene the hotel manager said there was a girl in room [REDACTED] that they wanted out. The manager said that she had destroyed the room and was throwing white powder everywhere. I went in room [REDACTED] and came into contact with [REDACTED]. [REDACTED] was squirting body wash up her nose and had paint all over face. [REDACTED] was talking to people that weren't there. I called for a medic to come check [REDACTED] out. I asked [REDACTED] to come outside to have a seat on the side walk several times and she refused. The medics arrive on the scene to talk to [REDACTED] and she would not give them any information or allow them to help her. [REDACTED] then took off and went into the bathroom and picked up a weight. I asked her to put down the weight and she refused. [REDACTED] then started going towards the medics with the weight, and at this time I stopped her and placed her under arrest. She was handcuffed double locked and placed in my patrol car. While transporting her to LSO, my patrol car's camera was recording. [REDACTED] was turned over to the Lee County Jail Staff.

**Report Number:**

**Date of Report:**

**Reporting Officer:**

**Charges:**

**Suspect Arrested Y/N:**

**Arrestee:**

**Location:**

❖ DL Checkpoints were set up at Results below:

# CHARLIE SHIFT ACTIVITIES

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July 4, 2013

Location:

Location:

- 
- 
- 

Location:

- 



Lt. Brian Brown

Sgt. Doug Mansell

Cpl. Tiffany Gilleylen

## ADAM SHIFT ACTIVITIES

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July 27, 2013

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**Report Number:** 2013-5088

**Date of Report:** 07-27-2013

**Reporting Officer:** Chamila Brown

**Charges:** Rape

**Suspect Arrested Y/N:** N

**Victim:** [REDACTED]

**Location:** Reported from: 102 Pinehill

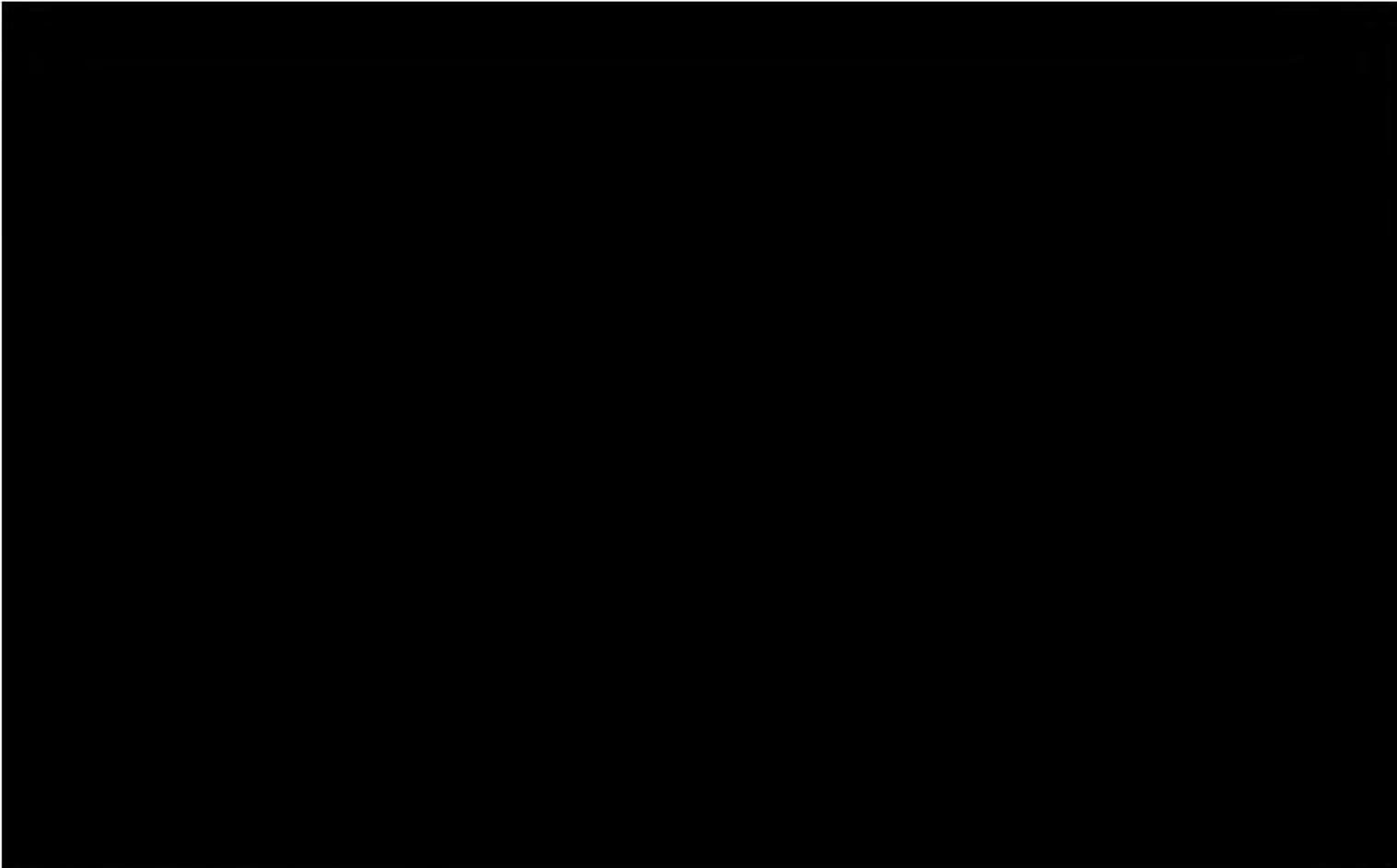
**Synopsis** On 07/27/2013 Officer Brown was dispatched to [REDACTED] in reference to a rape. Upon arriving medics were on scene and Officer Brown was able to make brief contact with victim, [REDACTED]. Victim said she was staying at the Townhouse Motel # [REDACTED] with her friend [REDACTED] and [REDACTED]'s boyfriend [REDACTED]. She stated her friend left early this morning to go see [REDACTED] and left her alone with [REDACTED]. She states [REDACTED] raped her but she did not know if he had ejaculated inside of her.

Medics transported the victim to NMMC for an initial rape kit. I made contact with Detective Frisson and informed him of the case.

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Respectfully,

Sgt. John Moses



Begin forwarded message:

**From:** Bruce Dodson <[Bruce.Dodson@tupeloms.gov](mailto:Bruce.Dodson@tupeloms.gov)>  
**Date:** February 7, 2014 at 10:48:30 AM CST  
**To:** Narcotics <[Narcotics@tupeloms.gov](mailto:Narcotics@tupeloms.gov)>  
**Subject:** FW: Narc Sales in area

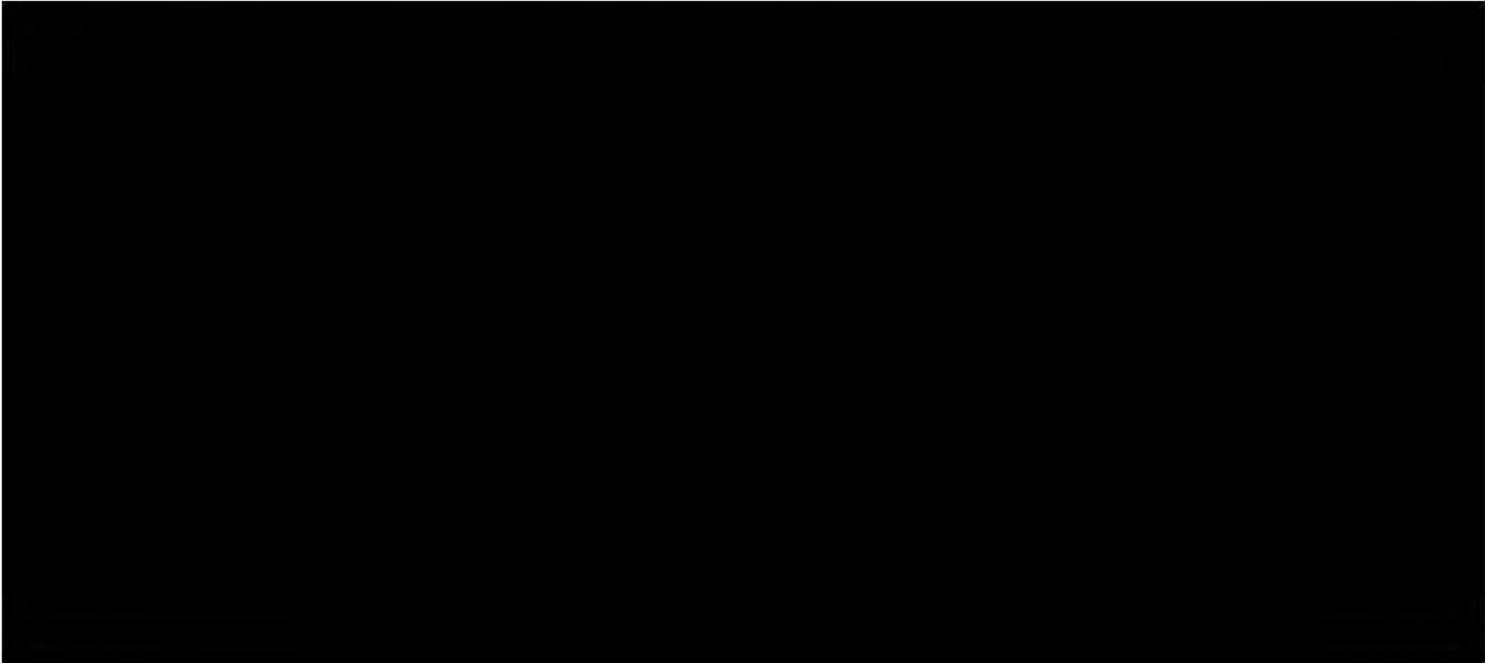
Matches some of the intel we already have.

**From:** Tony McCoy  
**Sent:** Friday, February 07, 2014 10:42 AM  
**To:** Marvis Bostick; Stacy Walker; Bruce Dodson  
**Subject:** Narc Sales in area

## NARCOTICS SALES ACTIVITY

I spoke to a concerned citizen this morning who relayed information about drug sales.

\* [REDACTED] Deals around Church Street area by cemetery. [REDACTED]  
[REDACTED] Both stay at Townhouse Hotel. They sell from the top of the hill at townhouse not sure which room.



Begin forwarded message:

**From:** Stacy Walker <[swalker@nmnu.org](mailto:swalker@nmnu.org)>

**Date:** February 24, 2015 at 6:15:46 PM CST

**To:** Allan Gilbert <[Allan.Gilbert@tupeloms.gov](mailto:Allan.Gilbert@tupeloms.gov)>, Bart Aguirre <[Bart.Aguirre@tupeloms.gov](mailto:Bart.Aguirre@tupeloms.gov)>

**Cc:** Jackie Clayton <[Jackie.Clayton@tupeloms.gov](mailto:Jackie.Clayton@tupeloms.gov)>, Anthony Hill <[Anthony.Hill@tupeloms.gov](mailto:Anthony.Hill@tupeloms.gov)>, Marvis Bostick <[mbostick@nmnu.org](mailto:mbostick@nmnu.org)>

**Subject:** NMNU (City) Activities

*February 15, 2015 through February 21, 2015*

*NMNU (City) Activities*

*North Tupelo*

[REDACTED]

*West Tupelo*

[REDACTED]

*Central Tupelo*

[REDACTED]



- 5) Search Warrant-Town House Motel Room 117 Tupelo Ms.-Anonymous Caller/Patrol Initiated
  - a. [redacted]-Possession of Methamphetamine With Intent (arrest)
  - b. [redacted]-Possession of Methamphetamine (arrest)



*Lee County Cases/Tupelo Agents to include Assists*



*Other*

- 1) Assist DEA
- 2) Assist Lee County
- 3) Surveillance
- 4) Identifying, Interview and Intelligence gathering

*Continuing Education (LE)*

- 1) N/A

*In other areas, Agents continued to follow up on current cases, complaints and/or leads provided by the community at particular locations within the city limits of Tupelo.*

*Respectfully,  
S. Walker*

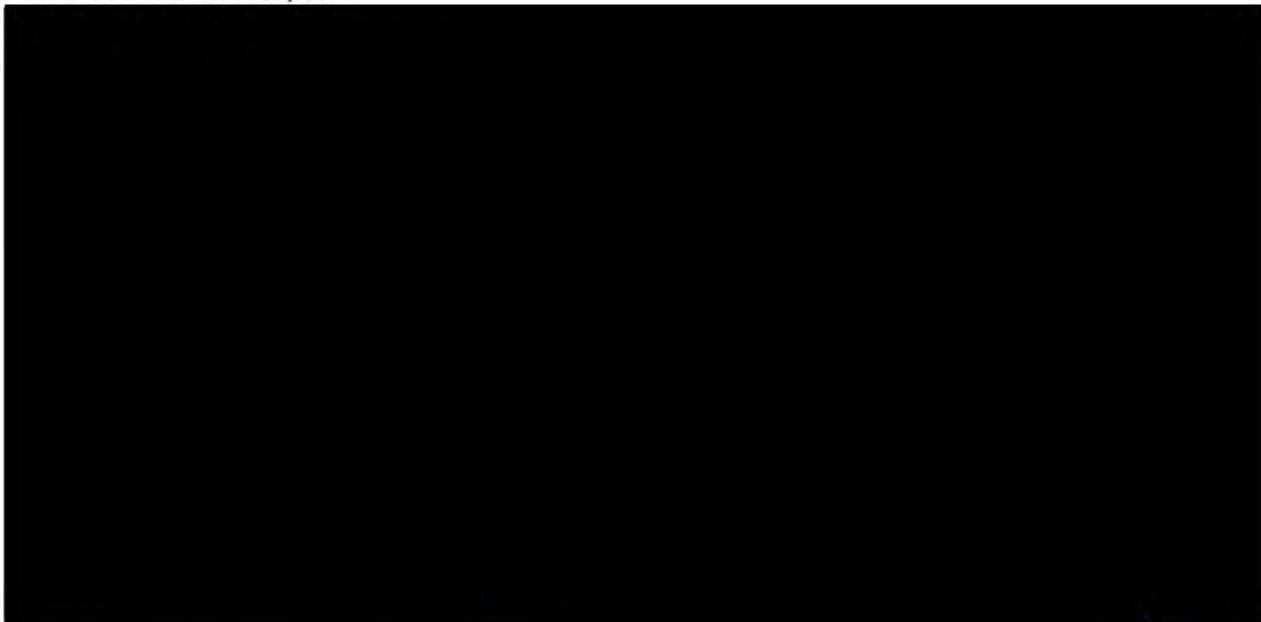
**2015-3061 Capture of Rape Suspect**

ON APRIL 22, 2015 I, OFFICER DUSTIN TUTOR, WAS DISPATCHED TO 931 SOUTH GLOSTER (TOWN HOUSE MOTEL) IN REFERENCE TO A ROBBERY THAT HAD JUST OCCURRED (SEE REPORT 2015-3058 FOR DETAILS). UPON ARRIVAL I NOTICED A WHITE MALE WAVE ME DOWN. HE ADVISED THAT HE WAS THE PERSON WHO WAS ROBBED. I RECOGNIZED THE SUBJECT AS [REDACTED] WHO WAS WANTED BY DETECTIVES IN A RECENT RAPE CASE. OFFICERS SUMMERLAN AND PANNEL ARRIVED ON SCENE AND I ADVISED THEM ABOUT WHO THE SUBJECT WAS. OFFICER PANNEL GATHERED THE DETAILS INVOLVING THE ALLEGED ROBBERY. THE DETECTIVE ON CALL (DET HEDRIX) WAS CONTACTED AND WAS CONFIRMED THAT [REDACTED] WAS WANTED. I WAS ADVISED TO TAKE HIM INTO CUSTODY AND PLACE A HOLD FOR INVESTIGATION. I PLACED [REDACTED] UNDER ARREST HANDCUFFED BEHIND HIS BACK (DOUBLE LOCKED) AND READ MIRANDIZED HIM. HE WAS TRANSPORTED TO THE LEE COUNTY JAIL WHERE WAS PHOTOGRAPHED AND A HOLD SHEET FOR CID WAS FILLED OUT.

**2015-3058 Armed Robbery**

ON 4-22-2015, I, OFFICER PANNELL, ALONG WITH OFFICER SUMMERLIN, WERE DISPATCHED TO 931 SOUTH GLOSTER ( TOWNHOUSE MOTEL) IN REFERENCE TO A ARMED ROBBERY. UPON ARRIVING ON SCENE, I MADE CONTACT WITH A [REDACTED] [REDACTED] STATED HE HAD BEEN ROBBED AT GUN POINT AND KNIFE POINT BY THREE UNKNOWN BLACK MALES. [REDACTED] STATED HE HAD JUST DROPPED OFF A FEMALE AT A RESIDENCE AND ARRIVED AT ROOM [REDACTED] TOWNHOUSE MOTEL. [REDACTED] STATED HE WALKED BACK INTO ROOM [REDACTED] AND THREE BLACK MALES WALKED OUT OF THE BATHROOM. [REDACTED] STATED THEY HELD HIM AT GUN POINT, KNIFE POINT, AND TOOK \$300.00 CASH OUT OF HIS WALLET. [REDACTED] STATED THEY LEFT IN A [REDACTED] CAR [REDACTED] IN COLOR. UNITS RESPONDED TO THE AREA BUT WERE NOT ABLE TO LOCATE THE SUSPECTS OR SUSPECT VEHICLE. SUPERVISOR AND DETECTIVES WERE NOTIFIED AS WELL.

**2015-3049 Found Weapon**



Checkpoint @ East Main near Church of Christ:





Begin forwarded message:

**From:** Stacy Walker <[swalker@nmnu.org](mailto:swalker@nmnu.org)>  
**Date:** December 17, 2015 at 4:34:55 PM CST  
**To:** Jackie Clayton <[Jackie.Clayton@tupeloms.gov](mailto:Jackie.Clayton@tupeloms.gov)>  
**Subject:** NMNU (City) Activities

*November 29, 2015 through December 12, 2015*

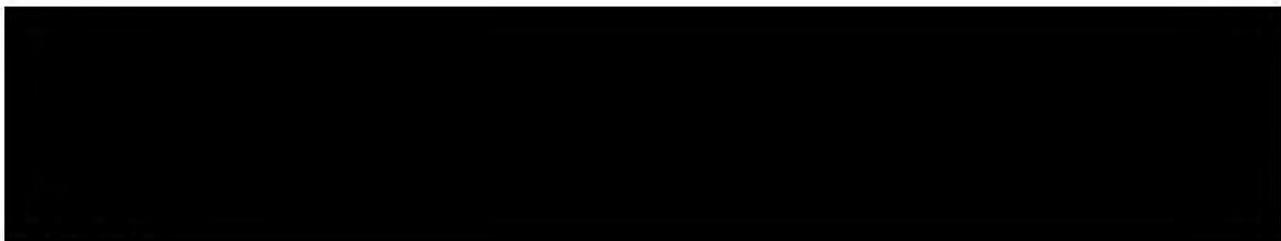
*NMNU (City) Activities*

*North Tupelo*



*West Tupelo*





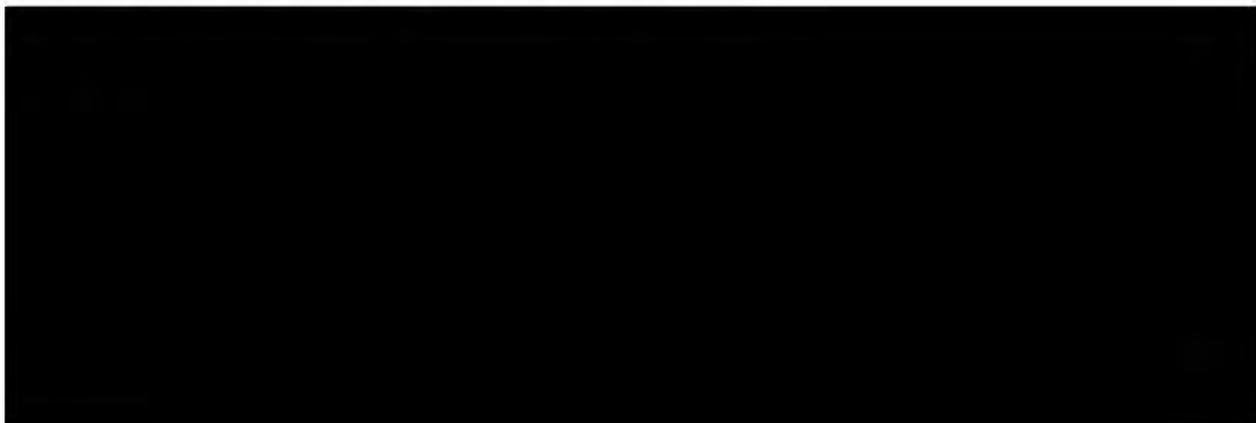
**East Tupelo**



**South Tupelo**

- 1) **Complaint-Town House Motel** 931 South Gloster Room 115 Tupelo  
(arrest)(Case Number 100-16(1))(Case Agent Jason Henson)
  - a. [Redacted]-Possession of Methamphetamine/Prostitution

**Lee County Cases/Tupelo Agents (to include assists)**



**Other**

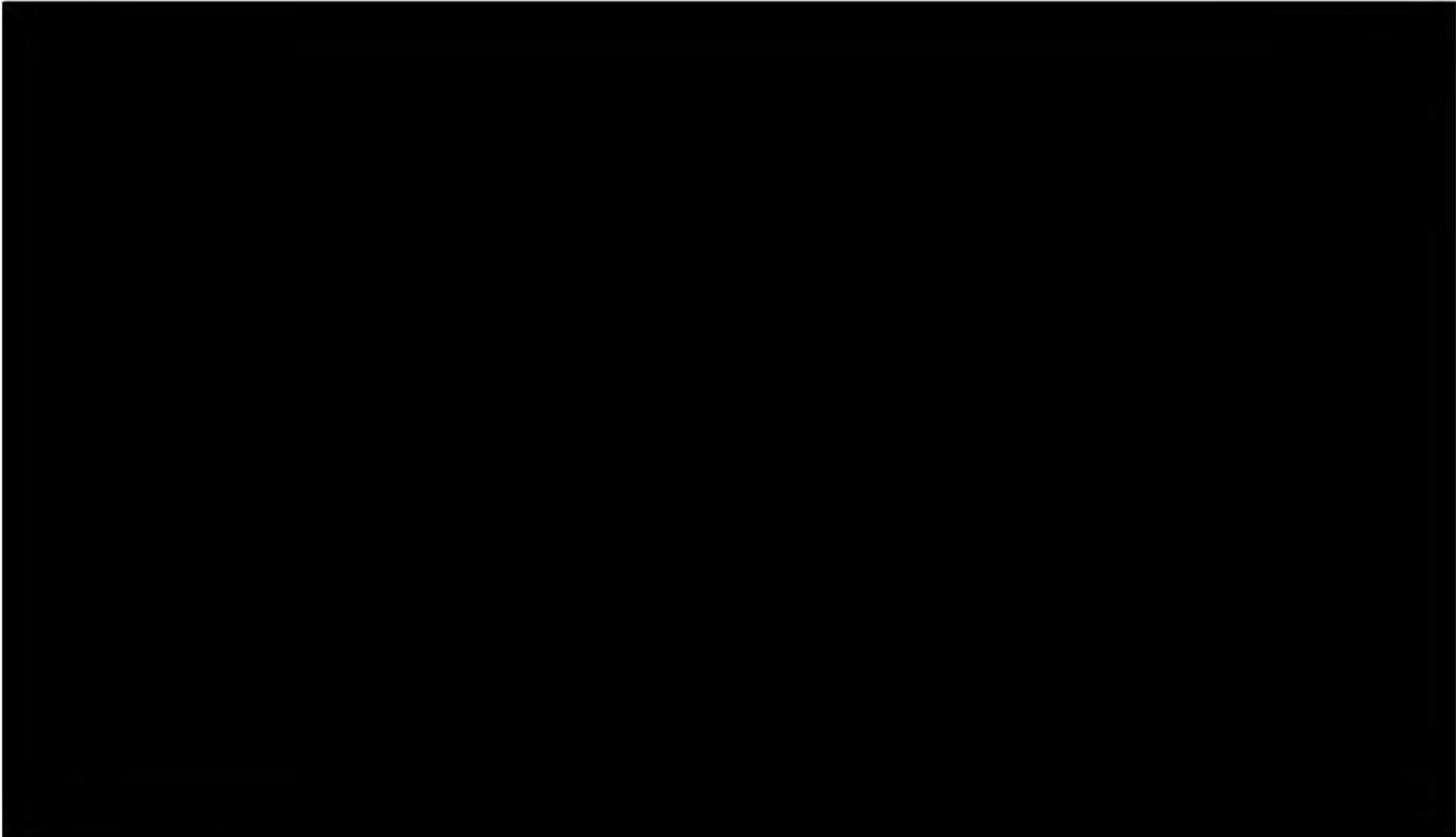
- 1) Assist DEA
- 2) Assist DA's Office
- 3) Surveillance
- 4) Identifying, Interview and Intelligence gathering
- 5) Preservation/Documentation of Scene & Evidence
- 6) Warrants, Initial Appearances and Case Reports
- 7) Preparation for Upcoming Grand Jury (Jan. 7, 2016)

**Continuing Education (LE)**

- 1) N/A

*In other areas, Agents continued to follow up on current cases, complaints and/or leads provided by the community at particular locations within the city limits of Tupelo.*

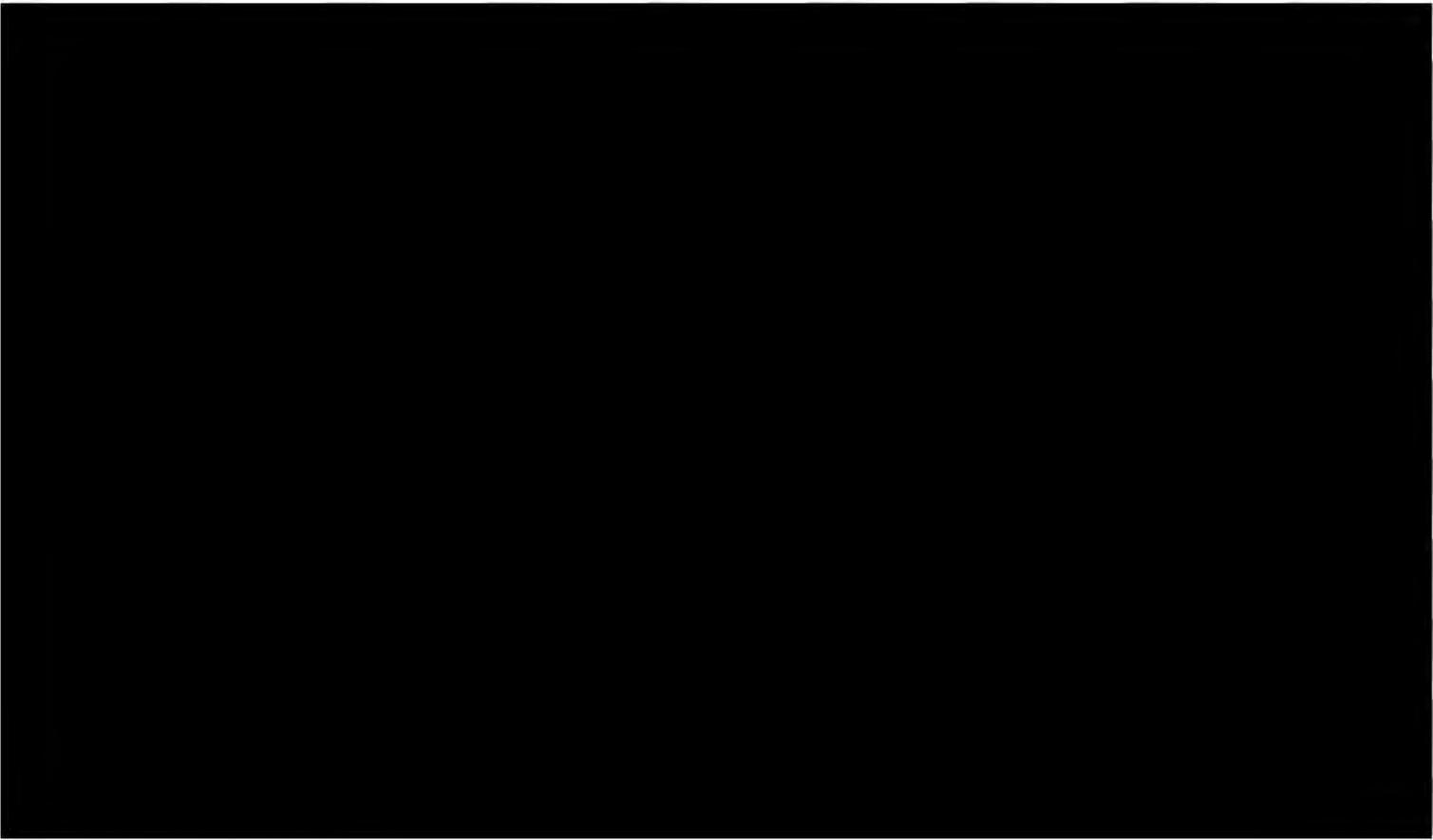
*Respectfully,  
S. Walker*



Begin forwarded message:

**From:** Amy Cooper <[acooper@nmnu.org](mailto:acooper@nmnu.org)>  
**Date:** February 18, 2016 at 9:56:52 AM CST  
**To:** Narcotics <[Narcotics@tupeloms.gov](mailto:Narcotics@tupeloms.gov)>  
**Subject:** Town House Motel

Caller stated there is non-stop drug activity at the Town House Motel.  
Caller, who is from out of town, was staying at the motel due to his job.  
He reported the drug activity to the owner but thinks the owner is involved.  
He said this past Monday it was all day and night.



Begin forwarded message:

**From:** Stacy Walker <[swalker@nmnu.org](mailto:swalker@nmnu.org)>  
**Date:** March 10, 2016 at 9:52:08 AM CST  
**To:** Beth Smith <[Beth.Smith@tupeloms.gov](mailto:Beth.Smith@tupeloms.gov)>, Bruce Dodson <[Bruce.Dodson@tupeloms.gov](mailto:Bruce.Dodson@tupeloms.gov)>, Chris Brown <[cbrown@nmnu.org](mailto:cbrown@nmnu.org)>, [REDACTED] <[REDACTED]@nmnu.org>, Jason Henson <[Jason.Henson@tupeloms.gov](mailto:Jason.Henson@tupeloms.gov)>, [REDACTED] <[REDACTED]@nmnu.org>, Robert Harper <[rharper@nmnu.org](mailto:rharper@nmnu.org)>, [REDACTED] <[REDACTED]@nmnu.org>  
**Subject:** FW: Town House Motel

**From:** Marvis Bostick  
**Sent:** Thursday, March 10, 2016 9:50 AM  
**To:** Stacy Walker <[swalker@nmnu.org](mailto:swalker@nmnu.org)>  
**Subject:** FW: Town House Motel

**From:** Verita Marshall  
**Sent:** Thursday, March 10, 2016 8:54 AM  
**To:** Bart Aguirre; Marvis Bostick  
**Subject:** Town House Motel

A local minister wanted to let us know that there is a lot of drug trafficking going on at the Town House Motel. The minister states that a man who is attending his Church is staying at the motel due to work.

This man stated that most of the trafficking is coming from room # [REDACTED] and he overheard a last name of [REDACTED] mentioned in this room. The minister stated that he and a couple other members of his Church have called the Narcotics office about this and he doesn't believe that we have done anything about it. I explained to him that sometimes these things take longer than we'd like.

vm

Begin forwarded message:

**From:** Michael Russell <[Michael.Russell@tupeloms.gov](mailto:Michael.Russell@tupeloms.gov)>  
**Date:** July 2, 2016 at 7:01:12 PM CDT  
**To:** Allan Gilbert <[Allan.Gilbert@tupeloms.gov](mailto:Allan.Gilbert@tupeloms.gov)>  
**Cc:** Rusty Haynes <[Rusty.Haynes@tupeloms.gov](mailto:Rusty.Haynes@tupeloms.gov)>, Sam Bell <[Sam.Bell@tupeloms.gov](mailto:Sam.Bell@tupeloms.gov)>, Anthony Hill <[Anthony.Hill@tupeloms.gov](mailto:Anthony.Hill@tupeloms.gov)>  
**Subject:** FW: drug complaints

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**From:** Bruce Dodson  
**Sent:** Friday, May 27, 2016 4:03 PM  
**To:** Narcotics; Police SCU; Police\_K9  
**Subject:** drug complaints

Presidents Gate [REDACTED]. B/M street name [REDACTED], crack and marijuana

Town House Motel Room [REDACTED], [REDACTED] selling crack, driving a [REDACTED].

On Jun 2, 2016, at 10:25, Chris Brown <[cbrown@nmnu.org](mailto:cbrown@nmnu.org)> wrote:

NMNU currently has an active Capias on [REDACTED]

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**From:** Chris Brown  
**Sent:** Tuesday, May 31, 2016 9:36 AM  
**To:** Bruce Dodson; Narcotics; Police\_SCU; Police\_K9  
**Subject:** RE: drug complaints

[REDACTED] is most likely going to be [REDACTED] and should be approached with CAUTION. He has a lengthy history and could possible be wanted by MDOC.

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**From:** Bruce Dodson  
**Sent:** Friday, May 27, 2016 4:03 PM  
**To:** Narcotics; Police\_SCU; Police\_K9  
**Subject:** drug complaints

Presidents Gate [REDACTED]. B/M street name [REDACTED], crack and marijuana

Town House Motel Room [REDACTED] [REDACTED] selling crack , driving a [REDACTED]  
[REDACTED]

## ATTACHMENT "B"

### **Criminal Records of Antwun Shumpert**

The suspect, Antwun Shumpert, was a multiple felon. He had an outstanding warrant and extradition order in Midland County, Texas for his indictment on an additional felony charge, so he had a strong motive to use any means necessary to evade capture and extradition. He had been evading authorities on the Texas indictment since March 2014. Significant facts from his criminal record include the following:

- Outstanding warrant and extradition order in Midland County, Texas on felony charge of theft by deception.
- 2010 Felony possession of firearm in Monroe County, Mississippi.
- 2006 Arrest for outstanding warrant in Monroe County, Mississippi for felony larceny.
- 2005 Felony burglary in Tupelo in which he ran from the scene to evade authorities and was apprehended in a field. A police dog was used in that same incident to apprehend his accomplice.

Reference: 04N10000IP  
Msg ID : 04N10000IP  
Msg Key : DQ  
Date/Time: 20160618233928  
Ent Agcy :  
Requester:  
User :  
ORI : MS041053N  
Source :  
Dest : MS  
Control :  
Summary : DQOLN: MS

OLN: 800854243IMQ: Y

=====  
Reference: 04N10000IC  
Msg ID : 04N10000IC  
Msg Key : DR  
Date/Time: 20160618232738  
Ent Agcy :  
Requester:  
User :  
ORI : MSOLN0000  
Source : USER  
Dest : MS041053N  
Control :  
Summary : DQ: MS, 425657599

TXT: OLN/425657599

OLN/800854243 CLASS/REGULAR OPERATOR  
SHUMPERT ANTWUN SCHERON  
106 WOODGREEN RD PLANTERSVL MS 38862  
RAC/B SEX/M EYE/BRO HAI/BLK HGT/600 WGT/187  
SOC/425657599 DOB/19790125 ISSU/20150501 EXP/20190125  
RESTRICTIONS/NONE ENDORSEMENTS/NONE ELIG DATE/00000000  
STATUS NON-CDL:VALID STATUS CDL:UNLICENSED

\*\*\*\*\* NO DRIVER HISTORY \*\*\*\*\*

MRI 0757303 34115 0251 AT 23:27:38 06/18/16

=====  
Reference: 04N10000IC  
Msg ID : 04N10000IC  
Msg Key : QW  
Date/Time: 20160618232738  
Ent Agcy :  
Requester:  
User :  
ORI : MSNCIC000  
Source : NCIC  
Dest : 34115  
Control : MRI0757296  
Summary : QW: 425657599

TXT: 1L0100I9,MRI0757296

MS041053N  
\*\*\*MESSAGE KEY QW SEARCHES WANTED PERSON FILE FELONY RECORDS REGARDLESS OF  
EXTRADITION AND MISDEMEANOR RECORDS INDICATING POSSIBLE INTERSTATE  
EXTRADITION FROM THE INQUIRING AGENCY'S LOCATION. ALL OTHER NCIC PERSONS  
FILES ARE SEARCHED WITHOUT LIMITATIONS.  
MKE/WANTED PERSON  
EXL/1 - FULL EXTRADITION  
ORI/TX1650000 NAM/SHUMPERT,ANTWUN SEX/M RAC/B  
DOB/19790125 HGT/600 WGT/187 EYE/BRO HAI/BLK FBI/557997KC5  
SOC/425657599  
OLN/800854243 OLS/MS OLY/2015  
OFF/LARCENY  
DOW/20140307 OCA/CR43025  
MIS/THEFT BY DECEPTION-GRAND JURY INDICTMENT BCND/\$15000  
DNA/N  
ORI IS MIDLAND COUNTY SHERIFF'S OFFICE MIDLAND 432 688-4600  
NIC/W308551943 DTE/20131022 1714 EDT DLU/20140313 1223 EDT  
IMMED CONFIRM WARRANT AND EXTRADITION WITH ORI

NO NCIC WANT OLN/425657599

MRI 0757299 34115 0250 AT 23:27:38 06/18/16

---



MIDLAND COUNTY SHERIFF'S OFFICE

GARY PAINTER  
Sheriff

P.O. BOX 11287  
MIDLAND, TEXAS 79702  
(432) 688-4600

ED KREVIT  
Chief Deputy

FACSIMILE TRANSMITTAL

TO: NAME: Det. Jim Littlejohn

LOCATION: \_\_\_\_\_

FAX NUMBER: 662-841-6524

DATE: 06-20-16

TOTAL NUMBER OF PAGE(S) (INCLUDING HEADER PAGE): 2

ADDITIONAL INFORMATION:

MIDLAND COUNTY SHERIFF'S OFFICE  
400 S. MAIN  
MIDLAND, TEXAS 79701

FAX 432-688-4680  
432-688-4973

Caplas

TRN#  
SID #

000

CR43025

F2130450

RECEIVED

2014 MAR 12 AM 9:55

MIDLAND COUNTY  
SHERIFF'S OFFICE

**THE STATE OF TEXAS**

**TO ANY PEACE OFFICER OF THE STATE OF TEXAS, GREETINGS:**

YOU ARE HEREBY COMMANDED TO arrest **ANTWUN SHUMPERT** and bring him/her forthwith before the District Court of Midland County, Texas, at the Court House of said County, in Midland, Texas, then and there to answer the STATE OF TEXAS upon an INDICTMENT pending in said Court, charging him/her with the offense of **THEFT BY DECEPTION** (a Felony) in violation of the Penal Laws of said State.

HEREIN FAIL NOT, but due return make hereof to this Court Instanter.

WITNESS my hand and seal of office, at Midland, Texas, on March 07th, 2014.

ROSS BUSH, District Clerk  
385TH DISTRICT COURT  
MIDLAND COUNTY



By [Signature], Deputy  
DELLANIRA ESPINOZA

**SHERIFF'S RETURN**

Came to hand on the \_\_\_\_\_ day of \_\_\_\_\_ A.D. 20\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_\_ M., and executed on the \_\_\_\_\_ day of \_\_\_\_\_ A.D. 20\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_\_ M., by arresting the within named **ANTWUN SHUMPERT**, defendant at \_\_\_\_\_ in \_\_\_\_\_ County, Texas, and taking his bond and placing him in jail at \_\_\_\_\_.

Official distance actually traveled in completing this process being \_\_\_\_\_ miles.

FEES - Making Arrest	\$	<u>50.00</u>
Mileage	\$	_____
Taking Bond	\$	_____
Commitment	\$	<u>5.00</u>
Release	\$	<u>5.00</u>
<b>TOTAL</b>	\$	_____

GARY PAINTER, Sheriff  
MIDLAND COUNTY, TEXAS

By \_\_\_\_\_  
Deputy

**BOND AMOUNT \$15000.00**

**IN THE CIRCUIT COURT OF LEE COUNTY, MISSISSIPPI**

**STATE OF MISSISSIPPI**

**VS.**

**CAUSE NO. CR06-011(PF)L**

**ANTWAN S. SHUMPERT**

**PROBATION ORDER**

This day into Open Court, came the District Attorney, Assistant District Attorney, who prosecutes for the State and came also the Defendant, **ANTWAN S. SHUMPERT**, in his/her own proper person and represented by Counsel, Honorable **WILL BRISTOW**, and was lawfully arraigned upon an indictment lawfully returned by the Grand Jury of Lee County, said State, charging the Defendant with the crime of **BURGLARY & LARCENY OF BUILDING** being duly advised of all his/her legal and constitutional rights in the premises and being further advised of the consequences of such a plea, the Defendant did then and there enter his/her **PLEA OF GUILTY** to said indictment.

Therefore, for said offense and on said **PLEA OF GUILTY** it is by the Court **ORDERED AND ADJUDGED** that the Defendant, **ANTWAN S. SHUMPERT** be and he is hereby sentenced to serve a term of **SEVEN (7)** years in the custody of the Mississippi Department of Corrections for the State of Mississippi. Said sentence is hereby **SUSPENDED** pending good behavior of said defendant.

It is hereby **ORDERED** that the Defendant be placed on Probation under the supervision of the State Probation Officer for a period of **FIVE (5)** years or until terminated by the Court. The terms of Probation are based on the following conditions:

- (a) Defendant shall hereafter commit no offense against the laws of this or any other state of the United States;
- (b) Avoid injurious or vicious habits;
- (c) Avoid persons or places of disreputable or harmful character;
- (d) Report to the Probation and Parole Board, as directed by it;
- (e) Permit the Probation and Parole Officer to visit in home or elsewhere;
- (f) Work faithfully at suitable employment so far as possible;
- (g) Remain within the State of Mississippi unless authorized to leave on proper application therefore;
- (h) Support dependants;
- (i) That I do hereby waive extradition to the State of Mississippi from any jurisdiction in or outside the United States where I may be found and also that I will not contest any effort by any jurisdiction to return me to the State of Mississippi;
- (j) Abstain from drinking alcoholic beverages of any kind or character and using narcotic drugs of any kind;
- (k) Not possess any firearm or other deadly weapons as defined by state law during this term of probation;
- (l) Pay to the Department of Corrections the sum of \$45.00 per month by "certified check" or "money order" until discharged from supervision, per Mississippi Code Section 47-7-49 Annotated.

272/455

FILED  
CIRCUIT CLERK JOYCE R LOFTIN  
BY DEPUTY CLERK FRED A MITCHELL  
4/12/2006 - 2:20 PM  
CASE NB CR2006-000011

- (m) Defendant ordered to pay Court Cost in the amount of \$354.50 and a Fine of \$1500.00 to be paid at a rate of \$40.00 per MONTH until paid in full. First payment being due on May 12, 2006 and following payments on the same date of each MONTH to be paid to the Circuit Clerk.
- (n) Restitution is ordered in the sum of \$ 500.00 being owed to the RANDY HOOPER, DBA HOOPER'S SOUND & ELECTRONICS to be paid following payment of fine and cost and to be paid at the same rate. Defendant must submit to breath, urine or saliva test as prescribed by law.

And, further \_\_\_\_\_

**SO ORDERED AND ADJUDGED**, in Open Court this the 12TH day of APRIL, 2006.

*Paul Stander*  
CIRCUIT COURT JUDGE

STATE OF MISSISSIPPI  
COUNTY OF LEE

I, **JOYCE R. LOFTIN**, Clerk of the Circuit Court, said State and County, hereby certify that the above and foregoing is a true and correct copy of the PROBATION ORDER entered and recorded in the Minute Book 272 Page 455-456 of the Circuit Court in the above styled and numbered cause. 12TH day of APRIL, 2006.

JOYCE R. LOFTIN  
CIRCUIT CLERK  
BY: *Connie Kelly* D.C.

A certified copy of this PROBATION ORDER has been delivered to the Probationer, who has been instructed regarding the same.

This the 12 day of April, 2006  
I accept the above PROBATION in accordance with the term thereof.  
PROBATIONER *[Signature]*  
ADDRESS 909 Truman St, Tupelo MS 38201  
PHONE (662) 840-3305

*Alicia Perkins*  
PROBATION SUPERVISOR

REPORTING INSTRUCTIONS:

MAY 12<sup>th</sup> 2006 8am-5pm PHONE # 841-1884  
301 N. FRONT STREET  
Tupelo, MS

FILED  
IME \_\_\_\_\_ P.M.

APR 12 2006

JOYCE R. LOFTIN  
CIRCUIT CLERK  
*[Signature]*

272/456

**IN THE CIRCUIT COURT OF MONROE COUNTY, MISSISSIPPI**

**STATE OF MISSISSIPPI**

**VS**

**CAUSE CR10-065(PF)M**

**ANTWAN SHUMPERT**

**ORDER  
(WITH POST-RELEASE SUPERVISION)**

Came on this cause this day for hearing, the defendant being before the Court in person and with his/her attorney Honorable **BRANDON LESLIE**, said defendant being before this court on a charge of **POSSESSION OF A FIREARM BY A CONVICTED FELON** and said Defendant waived formal reading of the Criminal Information against him/her and announced, through her Attorney that she desired to enter a PLEA OF GUILTY to the said charge. After having been questioned as to the consequences of such a plea, which is on record, the said Defendant entered his/her PLEA OF GUILTY, which is accepted by the Court as being voluntarily and understandingly entered by this Defendant.

**IT IS THEREFORE ORDERED AND ADJUDGED** by the Court that the Defendant be and he/she is hereby sentenced to serve a term of **FIVE (5)** year(s) in the custody of the Mississippi Department of Corrections at a facility to be designated by said department, that the defendant be given credit for time served with the balance of said sentence suspended and the defendant shall be placed under Post-Release Supervision upon the release from the term of incarceration for a period of **TWO (2)** year(s) pursuant to Mississippi Code Section 47-7-34, and the suspension of said sentence is based upon the following conditions:

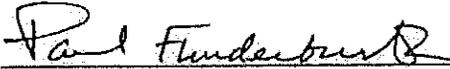
- (a) Defendant shall hereafter commit no offenses against the laws of this or any other state or the United States;
- (b) Avoid injurious or vicious habits;
- (c) Avoid persons or places of disreputable or harmful character;
- (d) Report to the Department of Corrections, as directed by it;
- (e) Permit the Field Officer to visit him at home or elsewhere;
- (f) Work faithfully at a suitable employment so far as possible;
- (g) Remain within a specified area unless authorized to leave on proper application therefor;
- (h) Support his dependants;
- (i) That I do hereby waive extradition to the State of Mississippi from any jurisdiction in or outside the United States where I may be found and also agree that I will not contest any effort by any jurisdiction to return me to the State of Mississippi;
- (j) Shall pay to the Department of Corrections the sum of \$55.00 per month by "certified check" or "money order" until discharged from supervision, per Mississippi Code Section 47-7-49 Annotated.

334@175-176

- (k) Defendant will not possess or use any alcoholic beverages, illegal drugs, narcotics, mood altering substances, or any substances controlled by the law which are not prescribed for him/her by a physician;
- (l) Not possess any firearm or other deadly weapons as defined by state law during this term of probation;
- (m) Submit, as provided in Section I of House Bill 354, 1983, Regular Session, to any type of breath, saliva, or urine chemical analysis test, the purpose presence of alcohol or a substance prohibited or controlled by any law of the State of Mississippi or the United States, and shall pay a \$10.00 fee for each positive urine analysis;
- (n) Attend and complete any special programs or counseling as directed by the Court or your Field Officer and pay any fees as required for services;
- (o) Defendant is ordered to pay Court Cost in the amount of \$ 312.50 and a Fine of \$ 500.00 to be paid in full, at a rate of \$ \_\_\_\_\_ per month until paid in full, first payment being due \_\_\_\_\_ and following payments on the same date of each month being paid to the Circuit Clerk's Office of Monroe County, Mississippi;
- (p) Restitution is ordered in the sum of \$ 100.00 being owed to MS VICTIMS COMPENSATION FUND being paid following payment of costs and to be paid at the same rate.

And Further , that he/she shall \_\_\_\_\_.

**SO ORDERED AND ADJUDGED**, in Open court this the **18<sup>TH</sup>** day of **MAY, 2010**.

  
**CIRCUIT COURT JUDGE**

**FILED**  
**JUDY K. BUTLER**  
**MAY 18 2010**  
**CIRCUIT CLERK**  
BY *Knc*

**INFORMATION SHEET TO BE SUPPLIED TO THE PROSECUTOR**  
**LEE COUNTY**  
**1<sup>st</sup> DISTRICT**

\*\*\* WHEN THERE ARE MULTIPLE CHARGES  
 USE SEPARATE INFORMATION SHEETS FOR  
 EACH CHARGE REGARDLESS OF NUMBER OF  
 DEFENDANTS PER CHARGE

**STATE OF MISSISSIPPI**

**VERSUS:**

Jessie D. Esters	853 New Temple Rd., Fulton, MS
NAME	ADDRESS
Antwan S. Shumpert	475 CR 1149, Plantersville, MS
NAME	ADDRESS
NAME	ADDRESS
NAME	ADDRESS

\*\*\*IN ALL CASES ATTACH COPY OF  
 RIGHTS WAIVER & STATEMENT OF EACH  
 DEFENDANT TO THIS SHEET  
 \*\*\*ALSO ATTACH COPY OF INVESTIGATIVE  
 REPORT

Crime: Burglary Commercial Building (97-17-33)

Location: 119 Rankin Blvd. Ext. Suite C. Tupelo, MS

Date of Crime: 11/09/2005

Victim: Hooper's Sound & Electronics

Owner of Property:  
 (Individual): Randy Hooper

Weapon used, if any: NONE

Short Statement of Facts in Case: On 11/9/2005 Officer Michael Bowens was dispatched to an alarm call at 119 Rankin Blvd. Ext., Tupelo, Hooper's Sound & Electronics. When he arrived he saw two black males running from the building. He chased one of the suspects to a nearby field and radioed for assistance. Officer Steven Rogers arrived and he apprehended the suspect Antwan Shumpert hiding in the field. Officer Stacy Walker tracked the other suspect with a K-9 and apprehended him (Jessie Esters) as he was trying to enter McDonalds building on South Gloster Street. Jessie Esters later confessed to the crime stating that he and Shumpert both went into the building; Shumpert requested an attorney and refused a statement. Several items stolen from the business were located across the street behind another building. They were recovered and returned to Hooper's Jessie Ester's brothers car was at the scene and was towed and later searched. No stolen property was found in the car.

Complete list of property involved including description and value. Electronic equipment, car stereos and LCD monitors valued at \$3,309.62 (See attached Property Form in section three of this file.)

Witnesses: (In all cases involving injury to person make sure doctor is listed)

Name:	Phone Home and business:	Address:
Rick Rogers	(662) 841-6546 or 871-8166	324 Court Street, Tupelo MS 38804
Stacy Walker	(662) 841-6491	220 N. Front Street, Tupelo 38802
Steven Rogers	(662) 841-6491	220 N. Front Street, Tupelo 38802

\*\*\*IN ALL CASES ATTACH COPY OF STATEMENT OF EACH WITNESS

# TUPELO POLICE DEPARTMENT

## INCIDENT NUMBER: 2002027163

DATE: 06/20/2016

Page 1

Received: 12/13/2002 14:33 Incident No: 2002027163 Signal: 1060  
Dispatched: 12/13/2002 14:42 Location: 348 S GLOSTER ST C TUPELO  
Enroute: Occurrence: 12/13/2002 14:33  
Arrived: 12/13/2002 14:45  
Completed:  
Status Date/Time: 12/13/2002 15:34 Status: PENDING Clearance Reason/Date:

Dispatch Notes: . HOOPER'S STEREO VIDE  
2002040724 12/13/2002 14:34:03:  
SEE RONNIE SHUMPERT ABOUT STORE NOT REFUNDING MONEY  
2002040724 12/13/2002 14:56:57:  
2002040724 12/13/2002 14:59:25:

### \*\*\*\*\* COMPLAINANT(S) \*\*\*\*\*

ID # 2002120529 SHUMPERT, ANTWUN Home/Business  
413 CR 1149 , PLANTERSVILLE MS 38862 (662) 963-2293  
TYPE OF INDIVIDUAL I (662) 000-0000  
(662) 000-0000

### \*\*\*\*\* OFFENDER \*\*\*\*\*

ID # 2002040768 PERKINS, VANCE Home/Business  
502 N THOMAS ST , TUPELO MS 38801 (662) 680-4308  
TYPE OF INDIVIDUAL (662) 841-0282  
(662) 000-0000

DOB: [REDACTED] AGE: 33 +/-00 RACE:W SEX:M Height: 6- 3 Weight:220 SSN: [REDACTED]  
OLN: [REDACTED] State: MS Class: Commercial: Birth City/State:  
Appearance: NORML Build: MED Complexion: MED Ethnicity:N Eyes:HAZEL  
Hair: BROWN Hair Length: MED Hair Style: STRAT Resident: R M.O.:  
EMPLOYER: HOOPERS  
HATE/BIAS MOTIVATED: UNKNOWN CLOTHING: NORMAL

OFFENDER USED:NOT APPLICABLE

OFFENSE 1 OFFENSE (RS #) N/A ATT/COMP C  
CIVIL DISPUTE

### \*\*\*\*\* VICTIM(S) \*\*\*\*\*

ID # 2002120529 SHUMPERT, ANTWUN Home/Business  
413 CR 1149 , PLANTERSVILLE MS 38862 (662) 963-2293  
TYPE OF INDIVIDUAL I (662) 000-0000  
(662) 000-0000

# TUPELO POLICE DEPARTMENT

## INCIDENT NUMBER: 2002027163

DATE: 06/20/2016

Page 2

DOB: 1/25/1979 AGE: 23 +/-00 RACE:B SEX:M Height: 0-0 Weight: 0 SSN: 425-65-7599

OLN: State: MS Class: Commercial: Birth City/State:

Appearance: Build: Complexion: Ethnicity:U Eyes:

Hair: Hair Length: Hair Style: Resident: R M.O.:

EMPLOYER:

INJURY TYPE(S):  N  B  I  L  M  O  T  U

\*\*\*\*\* **ASSIGNED OFFICER** \*\*\*\*\*

KNIGHT, JOHN

\*\*\*\*\* **DISPATCHER(S)** \*\*\*\*\*

SMITH, CHRISTINA

\*\*\*\*\* **CALL RECEIVED BY** \*\*\*\*\*

SMITH, CHRISTINA

# TUPELO POLICE DEPARTMENT

## INCIDENT NUMBER: 2002027163

DATE: 06/20/2016

Page 3

**Agency:** TPD

**Author:** KNIGHT, JOHN

**Incident No:** 2002027163

**Title:** CIVIL DISPUTE

**Report Type:** I

On 12-13-02, I John Knight (A13) went to 348 South Gloster (Hooper's) to talk to Antwun Shumpert. Antwun Shumpert stated that on 12-11-02 he came to Hooper's to order a speaker (Orion/ model hcca15d/ 15"1000w 40hm series/2 ohm par). Antwun Shumpert stated that the speaker was three-hundred and thirty dollars. Shumpert told me that the manager (Vance Perkins) told him that he could pay half, which was one hundred-sixty dollars. Shumpert advised that he gave Vance Perkins \$160 to order the speaker. Shumpert said that he had to pay off some fines that he owe so he wouldn't go to jail. Shumpert said that he told Vance Perkins that he wanted his money back. Shumpert told me that Vance Perkins told him that he couldn't give the money back. Shumpert stated that Vance Perkins told him that it was the store's policy that if anyone special ordered anything, they couldn't get their money back. Shumpert said that he told Vance Perkins to show him the policy on paper. Shumpert advised that Perkins didn't have the policy on paper. Shumpert informed me that the speaker hadn't even made it back yet. Perkins told me that he didn't remember telling Shumpert about the policy of not receiving his refund back if he special ordered something. Perkins advised that it was the store's policy though. Perkins told me that he didn't have the policy on paper.

# TUPELO POLICE DEPARTMENT

## INCIDENT NUMBER: 2005026512

DATE: 06/20/2016

Page 1

Received: 11/09/2005 04:36 Incident No: 2005026512 Signal: SIG1  
Dispatched: 11/09/2005 04:37 Location: 119 RANKIN BOULEVARD EXT C TUPELO  
Enroute: Occurrence: 11/09/2005 04:36  
Arrived: 11/09/2005 04:42  
Completed: 11/09/2005 06:12  
Status Date/Time: 11/09/2005 06:49 Status: CLEARED BY ARREST Clearance Reason/Date:  
Status Date/Time: 11/09/2005 07:00 Status: CLEARED BY ARREST Clearance Reason/Date:  
Dispatch Notes: 2005030432 11/09/2005 4:37:08: . HOOPER'S STEREO VIDE  
2005030432 11/09/2005 4:36:29:  
2005030432 11/09/2005 4:36:30:

FRONT MOTION  
GEN BURG

SEC CENTRAL  
800-230-6975  
OP#7045

2000120231 11/09/2005 4:38:36: BILLY BOYD 5 MIN ETA RED Z71  
2004010538 11/09/2005 4:42:32: TWO RUNNING  
2004010538 11/09/2005 4:43:12: BY BUSYLAD BUILDING  
W TSHIRT SHORT PANTS  
2004010538 11/09/2005 4:43:36: OTHER SUBJ HAVE BLK SHIRT  
2004010538 11/09/2005 4:45:00: BEHIND DANVER'S IN THE FIELD  
2004010538 11/09/2005 4:46:14: B/M LONG BLK TSHIRT BLUE JEANS  
2004010538 11/09/2005 4:55:37: OPEN DOOR  
1033 TRAFFIC@0455  
2004010538 11/09/2005 4:57:18: BUILDING CLEARED  
1033 TRAFFIC LIFTED @0457  
2004010538 11/09/2005 5:10:10: 1033 TRAFFIC @0509  
2004010538 11/09/2005 5:11:27: 1033 TRAFFIC LIFTED@0510  
1015@0510  
2004010538 11/09/2005 5:13:46: PAGED DET 6  
2004010538 11/09/2005 5:21:07: MIRANDA LOG @0520  
2004010538 11/09/2005 5:23:32: JESSIE ESTERS MIRAND LOG @0523  
2004010538 11/09/2005 5:31:15: C11 1015@0520

### \*\*\*\*\* COMPLAINANT(S) \*\*\*\*\*

ID # 2003050050	BOWENS, MICHAEL OFFICER	<u>Home/Business</u>
	0 , COUNTY MS	(000) 000-0000
TYPE OF INDIVIDUAL O		(000) 000-0000
		(000) 000-0000
ID # 2005010077	ROGERS, STEVEN	<u>Home/Business</u>
	0 , TUPELO MS	(662) 000-0000
TYPE OF INDIVIDUAL O		(662) 000-0000
		(662) 000-0000

### \*\*\*\*\* OFFENDER \*\*\*\*\*

ID # 2002120529	SHUMPERT, ANTWUN	<u>Home/Business</u>
	475 CR 1149 , PLANTERSVILLE MS 38862	(662) 840-3305
TYPE OF INDIVIDUAL I		(662) 000-0000
		(662) 000-0000

**TUPELO POLICE DEPARTMENT**  
**INCIDENT NUMBER: 2005026512**

DATE: 06/20/2016

Page 2

DOB: 1/25/1979 AGE: 26 +/-00 RACE: B SEX: M Height: 6-0 Weight: 187 SSN: 425-65-7599  
OLN: State: MS Class: Commercial: Birth City/State: TUPELO MS  
Appearance: NORML Build: MED Complexion: LIGHT Ethnicity: U Eyes: BROWN  
Hair: BRN Hair Length: SHORT Hair Style: STRAT Resident: R M.O.:  
EMPLOYER: NA  
HATE/BIAS MOTIVATED: UNKNOWN CLOTHING: NORMAL

OFFENDER USED: NOT APPLICABLE

**OFFENSE 1** OFFENSE (RS #) 97-17-33 ATT/COMP C  
**BURGLARY-COMMERCIAL BLG., ETC..**

**\*\*\*\*\* ARRESTEE REPORT \*\*\*\*\***

ARRESTEE #: 1 NAME: SHUMPERT, ANTWUN FINGERPRINT CARD #:  
2005110090 ADDRESS: (STREET, CITY, STATE, ZIP) 475 CR 1149, PLANTERSVILLE MS  
MULTIPLE ARRESTEE SEGMENTS INDICATOR: SOC. SEC. NUMBER: 425657599  
AGE: 26 +/-00 SEX: M ETHNICITY: U HEIGHT: 6-0 WEIGHT: 187 EYES: BROWN HAIR: BRN  
DOB: 1/25/1979 RACE: B RESIDENT STATUS: RESIDENT ARREST DATE: 11/09/2005  
TYPE OF ARREST: FELONY ARREST ARRESTING OFFICE: FROGERS, STEVEN  
ARREST LOCATION: MILLFORD MIRANDA DATE/TIME: 11/09/2005 05:20  
MIRANDA OFFICER: FROGERS, STEVEN MIRANDA LOCATION: MILLFORD

Arrestee Connected to Offense #: 1 RS #: 97-17-33 BURGLARY-COMMERCIAL BLG., ETC...

ARRESTEE WAS ARMED WITH: N  A NONE

**\*\*\*\*\* OFFENDER \*\*\*\*\***

ID # 2003070691 ESTERS, JESSIE D Home/Business  
0 853 NEW TEMPLE, FULTON MS 38843 (662) 862-5355  
TYPE OF INDIVIDUAL I (662) 000-0000  
(662) 000-0000

DOB: [REDACTED] AGE: 18 +/-00 RACE: B SEX: M Height: 6-3 Weight: 185 SSN: [REDACTED]  
OLN: [REDACTED] State: MS Class: R Commercial: Birth City/State: TUPELO MS  
Appearance: NORML Build: THIN Complexion: DARK Ethnicity: N Eyes: BROWN  
Hair: BROWN Hair Length: SHORT Hair Style: AFRO Resident: N M.O.:  
EMPLOYER: IAHS  
HATE/BIAS MOTIVATED: NONE (NO BIAS) CLOTHING: NORMAL

# TUPELO POLICE DEPARTMENT

## INCIDENT NUMBER: 2005026512

DATE: 06/20/2016

Page 3

OFFENDER USED: NOT APPLICABLE

**OFFENSE 2** OFFENSE (RS #) N/A  
**K-9 SEARCH**

ATT/COMP C

### \*\*\*\*\* ARRESTEE REPORT \*\*\*\*\*

ARRESTEE #: 2 NAME: ESTES, JESSIE D FINGERPRINT CARD #:  
2005110091 ADDRESS: (STREET, CITY, STATE, ZIP) 0 853 NEW TEMPLE, FULTON MS  
MULTIPLE ARRESTEE SEGMENTS INDICATOR: SOC. SEC. NUMBER: [REDACTED]  
AGE: 18 +/-00 SEX: M ETHNICITY: N HEIGHT: 6-3 WEIGHT: 185 EYES: BROWN HAIR: BROWN  
DOB [REDACTED] RACE: B RESIDENT STATUS: NON-RESIDENT ARREST DATE: 11/09/2005  
TYPE OF ARREST: FELONY ARREST ARRESTING OFFICE: BOWENS, MICHAEL  
ARREST LOCATION: SOUTH GLOSTER MIRANDA DATE/TIME: 11/09/2005 05:23  
MIRANDA OFFICER: BOWENS, MICHAEL MIRANDA LOCATION: SOUTH GLOSTER

Arrestee Connected to Offense #: 1 RS #: 97-17-33 BURGLARY-COMMERCIAL BLG., ETC...

ARRESTEE WAS ARMED WITH: N  A NONE

### \*\*\*\*\* VICTIM(S) \*\*\*\*\*

ID # 2004120294 HOOPER SOUND, Home/Business  
119 RANKIN, TUPELO MS (662) 000-0000  
TYPE OF INDIVIDUAL U (662) 841-0282  
(662) 000-0000

DOB: // AGE: 0 +/-00 RACE: U SEX: U Height: 0-0 Weight: 0 SSN: 000-00-0000  
OLN: State: MS Class: Commercial: Birth City/State:  
Appearance: Build: Complexion: Ethnicity: U Eyes:  
Hair: Hair Length: Hair Style: Resident: R M.O.:  
EMPLOYER:

INJURY TYPE(S):  N  B  I  L  M  O  T  U

Offender ID: 2003050050 Offense # 1 Relationship: RELATIONSHIP UNKNOWN  
Offender ID: 2003050050 Offense # 1 Relationship: RELATIONSHIP UNKNOWN

### \*\*\*\*\* PROPERTY \*\*\*\*\*

Property ID#: 2005110259 Type: 26 RADIOES/TVS/VCRS  
Connected With (Party, Offense): 1 BURGLARY-COMMERCIAL BLG., ET  
Serial/VIN: Year: Make: Model: Color:  
Style: License/State/Exp:  Y  Y Value: \$3309.71  
Insurance: Lien: Towed By:  
Owner: Owner ID#: 2004120294 Caliber:  Y  
Reported Stolen ID#: Returned/Sold - Date/Amount: 0.00

Notes: 3- pioneer cd players DEH-2700 ser. #'s EHPG233068UC, EHPG230727UC, EHPG233070UC, 1- Fahrenheit 5.8 wide screen tv, 2- Acoustik 5.6 LCD Monitor with headrest, 1- Fahrenheit 4 in LCD TV with headrest, 1- Boss 6 in LCD Monitor, 1- Boss 7.2 in LCD Monitor, 1-Boss BV13.3 flip TFT LCD video screen, 1-Fahrenheit T1042CMS 10" ceiling mount video screen ser# 0383479, 1- 4.5" visor mount LCD w/ no MOD or Ser #

# TUPELO POLICE DEPARTMENT

## INCIDENT NUMBER: 2005026512

DATE: 06/20/2016

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Status: 5 RECOVERED Agency: TPD Value: 3,309.71 Quantity: 9.00  
Status Date/Time: 11/09/2005 06:53 Location: 119 RANKIN EXT  
Comments:

Property ID#: 2005110260 Type: 03 AUTOMOBILES  
Connected With (Party, Offense): 1 BURGLARY-COMMERCIAL BLG.,ET  
Serial/VIN: 2MELM74WOTX697036 Year: 1996 Make: MERC Model: MAR Color: WHITE  
Style: 4D License\State\Exp: 933 ITR MS 10/2005  Y  Y Value: \$1.00  
Insurance: Lien: Towed By:  
Owner: Owner ID#: 2003070691 Caliber:  Y  
Reported Stolen ID#: Returned/Sold - Date/Amount: 0.00  
Notes: ONE 1996 MERCURY GRAND MARQUIS

Status: 99 INVENTORY Agency: TPD Value: 1.00 Quantity: 1.00  
Status Date/Time: 11/09/2005 06:56 Location: 119 RANKIN EXT  
Comments:

\*\*\*\*\* ASSIGNED OFFICER \*\*\*\*\*

JONES, RUSSELL

\*\*\*\*\* ASSISTING OFFICER \*\*\*\*\*

BOWENS, MICHAEL  
MANSELL, DOUG  
CODY, TOM  
ROGERS, STEVEN  
WALKER, STACY  
GARRETT, BRANDON  
MORROW, MARION

\*\*\*\*\* ASSIGNED DETECTIVE \*\*\*\*\*

ROGERS, RICK

\*\*\*\*\* ASSISTING DETECTIVE(S) \*\*\*\*\*

ROGERS, RICK

\*\*\*\*\* DISPATCHER(S) \*\*\*\*\*

BURROUGHS, HEATHER

\*\*\*\*\* CALL RECEIVED BY \*\*\*\*\*

ENGLUND, CINDY LEE

\*\*\*\*\* OTHER PARTY(IES) \*\*\*\*\*

SPEARS, WRECKER

# TUPELO POLICE DEPARTMENT

## INCIDENT NUMBER: 2005026512

DATE: 06/20/2016

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Agency: TPD

Author: BOWENS, MICHAEL

Incident No: 2005026512

Title: BURC

Report Type: I

On 11/9/05, I Officer Bowens was dispatched to 119 Rankin Ext. pertaining to an alarm. Upon my arrival, I saw two black males running from the building. I then radioed dispatch to alert other officers that the situation. I then gave chase on one of the males later identified as Antwun Shumpert. Shumpert continued to run behind the old Busy land building and continued across South Industrial into a field behind Pandor Deli. I then radioed to alert officers of where the suspect ( Shumpert ) was possibly hiding. Capt. Washington then radioed for a K-9 unit to come to our location, K-9 two then arrived on scene. At about the same time Officer S. Rogers apprehended Antwun Shumpert (see Officer Roger's supplemental report). Shumpert was advised that he was under arrest and read his Miranda rights after he was escorted from the field by Officer Rogers. Shumpert was searched, and placed in the back of my patrol car in double locked handcuffs. As I was placing Shumpert in the patrol car, Officer B. Garrett and Officer Walker saw the other male later identified as Jessie Esters running from behind the old National Men's and Ladies Wear building. Asters then ran across South Gloster St. into the parking lot of McDonald's and tried to gain entry into the building which was locked. He then surrendered and was handcuffed and double locked by Officer B. Garrett. Asters was then advised that he was under arrest and read his Miranda rights. He was then searched and placed in the back of Officer S. Rogers patrol car. Both Shumpert and Esters were arrested without any injuries. Detective R. Rogers was notified of the situation, and advised myself and Rogers to transport both Shumpert and Esters to Detectives. The vehicle that was being used was parked in front of National Men's and Ladies wear. The vehicle was a 1996 White Mercury Grand Marquis bearing tag number 933 ITR was towed by Spears Towing Service and a hold was placed on the vehicle per Det. R. Rogers. After Det. R. Rogers interviewed both Shumpert and Esters they were then transported to the Lee Co. Jail and turned over to jailers in good physical condition. See Property for a list of recovered items. Photos of the scene and items were turned over to Det. R. Rogers. End Of Report.

M. Bowens C-8 / 616

# TUPELO POLICE DEPARTMENT

## INCIDENT NUMBER: 2005026512

DATE: 06/20/2016

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**Agency:** TPD

**Author:** ROGERS, STEVEN

**Incident No:** 2005026512

**Title:** BURGLARY

**Report Type:** S

I, Officer Steven Rogers (C-10), while on duty and in uniform on 11/9/2005 at approx. 05:15 hours responded to an officer assistance call. Officer Bowens advised a black male was on foot running into the field behind Danvers restaurant. I arrived at Kirkwood Apartments and entered the field from the west side. I heard a voice and approached the black male which was lying in the grass.

I commanded the male to place his hands above his head. The subject did so without incident. I handcuffed (double locked), searched and escorted him from the field. Shumpert was then placed in the back of Officer Bowens' car. The subject stated his name was Antuwn Shumpert( B/M 425657599 01/25/1979). I advised Shumpert of his Miranda Rights and transported him to CID.

After talking to Det. Rick Rogers, Shumpert was transported to LSO where he was left in good physical condition.

End of Report. C-10/822

# TUPELO POLICE DEPARTMENT

## INCIDENT NUMBER: 2005026512

DATE: 06/20/2016

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**Agency:** TPD

**Author:** WALKER, STACY

**Incident No:** 2005026512

**Title:** K9 TRACK/APPREHENSION (NO BITE)

**Report Type:** S

On Wednesday 11-09-05 at approximately 4:52 am this officer, Officer Stacy Walker was called by E-911 about a burglary at Hopper's on Industrial and as responding officers arrived two suspects fled on foot. Upon arrival this officer made contact with shift supervisors Captain DC Washington, Lt. Kenny Vaughn and Officer Michael Bowen who directed me to a grass field south of Danver's where one of the suspects fled. As this officer was preparing K-9 "Beno" for a track Officer Stephen Rodgers located and arrested a suspect, Antwun Shumpert who was hiding in this field.

After the arrest of Shumpert this officer moved to the second location which was behind National Mens and Womens Ware, the last known location of the second suspect. K-9 "Beno" was removed from the patrol unit and a track attempted. K-9 "Beno" immediately picked up on what appeared to be a track heading in an easterly direction towards South Gloster behind National Mens and Womens Ware. As we approached Hunan's Restaurant a B/M wearing only black shorts ran from behind a storage building just North West of Hunan's in an east southeasterly direction. The suspect was ordered to stop on multiple occasions and upon refusing to do so the K-9 was released. The suspect ran across South Gloster towards McDonalds with K-9 "Beno" in pursuit. As the suspect made it to the entrance doors of McDonalds in an attempt to enter K-9 "Beno" was called off. At the same time K-9 "Beno" responded to the called off the suspect gave up because entrance into McDonalds could not be made due to locked doors. Here the suspect Jesse Esters was taken into custody without incident by Officer Brandon Garrett.

Note: Although K-9 "Beno" did get extremely close to the fleeing suspect prior to being called off, no contact was made between the two!

**TUPELO POLICE DEPARTMENT  
INCIDENT NUMBER: 2005026512**

DATE: 06/20/2016

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**Agency: TPD**

**Author: ROGERS, RICK**

**Incident No: 2005026512**

**Title: INVESTIGATIVE REPORT**

**Report Type: S**

July 6, 2016

## ATTACHMENT "C"

### **2014 Law Enforcement Officers Killed & Assaulted Statistics**

(latest available)

Statistics show roughly 1 out of every 20 police officers killed in the line of duty are killed with their own service weapon. The officer involved in this incident feared for his life and discharged his weapon only as a last resort after Mr. Shumpert refused SEVEN times to surrender to police, tackled the officer and struck the officer's head until the officer was "seeing stars."



Uniform Crime Reports

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U.S. DEPARTMENT OF JUSTICE • FEDERAL BUREAU OF INVESTIGATION • CRIMINAL JUSTICE INFORMATION SERVICES DIVISION

# 2014 LAW ENFORCEMENT OFFICERS KILLED & ASSAULTED

Criminal Justice Information Services Division

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**Table 15**

**Law Enforcement Officers Feloniously Killed**

Victim Officers' Weapon Stolen<sup>1</sup> by Offender, 2005–2014

[Download Excel](#)

Victim officer		Total	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
Number of victim officers	Total	505	55	48	58	41	48	56	72	49	27	51
	Weapon stolen	Total	52	9	4	4	5	7	7	5	3	2
	Killed with own weapon	14	5	0	2	1	1	4	1	0	0	0
	Killed with weapon other than own	37	4	4	2	4	5	3	4	3	2	6
	Killed with weapon information not reported	1	0	0	0	0	1	0	0	0	0	0
Weapon not stolen	Total	450	46	43	53	36	41	48	67	46	25	45
	Killed with own weapon	13	1	1	0	3	1	2	2	1	1	1
	Killed with weapon other than own	437	45	42	53	33	40	46	65	45	24	44
	Killed with weapon information not reported	0	0	0	0	0	0	0	0	0	0	0
Weapon stolen information not reported	Total	3	0	1	1	0	0	1	0	0	0	0
	Killed with own weapon	0	0	0	0	0	0	0	0	0	0	0
	Killed with weapon other than own	2	0	0	1	0	0	1	0	0	0	0
	Killed with weapon information not reported	1	0	1	0	0	0	0	0	0	0	0

<sup>1</sup>The term "stolen" indicates the weapon was taken from the scene of the incident.

NOTE: Weapon is inclusive of all weapon types that may be issued to a law enforcement officer.

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Close

STATEMENT BY MAYOR OF TUPELO JASON SHELTON

July 6, 2016

**ATTACHMENT "D"**

**New York Times article dated 7/3/2016**

**An independent medical examiner review commissioned by the New York Times directly disputes sensationalist claims that have been publicly made in this matter.**

U.S.

# Black Man's Fatal Encounter With Police Splits Mississippi City Known for Harmony

By RICHARD FAUSSET JULY 3, 2016

TUPELO, Miss. — The blue lights flashed in the rearview mirror of the Ford Focus. The man behind the wheel, a 37-year-old African-American, pulled over, opened the door and sprinted into the Mississippi night.

Soon, a white police officer was giving chase on foot, accompanied by his police dog.

The officer would eventually find and fatally shoot the man, Antwun Shumpert, here on the evening of June 18, plunging this small city — famous globally as the birthplace of Elvis Presley, but known regionally as a beacon of relatively progressive racial attitudes — into what has become a tragically common American morass of anger, racial division and hard questions about the treatment of black men at the hands of the police.

Mr. Shumpert's death poses another question: how to extract the truth from the familiar story lines and racial narratives that can alternately cast light on what happened or obscure it.

The controversy here has also been amplified by assertions, made by Mr. Shumpert's defenders and repudiated by city officials, that his killing echoes some of the cruelest episodes of the South's past.

The lawyer for Mr. Shumpert's family, Carlos Moore, said that Mr. Shumpert was unarmed and that an attack by the police dog left his groin area "mutilated." Mr. Shumpert's hospital records describe damage to his groin as a result of a gunshot wound.

Even so, Mr. Moore last week displayed photos of Mr. Shumpert's corpse in a news conference, including one that appeared to show a yawning tear where his scrotum met his inner thigh. Mr. Moore invoked the lynching of Emmett Till and the legacy of the Ku Klux Klan, and criticized the city for not taking down the Mississippi state flag, which incorporates the Confederate battle flag.

"They have declared open season on us, and they are killing us with impunity," said Mr. Moore, who is black. "And the question is: Are you going to sit there and allow them to do it?"

Tupelo's mayor, Jason Shelton, a 40-year-old white Democrat, said that the police have told him that the dog never bit Mr. Shumpert. And an Atlanta-based doctor who specializes in emergency medicine and reviewed the photographs of Mr. Shumpert's body for The New York Times said on Friday that he saw little evidence of a dog attack.

Mr. Shelton said on Thursday that the police told him Mr. Shumpert had attacked the officer, maneuvering on top of him and repeatedly punching him in the face. The mayor initially declared the shooting "justified" — a statement that outraged many black residents here who note that the Mississippi Bureau of Investigation may not complete its investigation for months.

By Friday, Mr. Shelton — who was elected with significant black support in 2013 — was standing among dozens of peaceful protesters in City Hall, telling them that he should not have used the word "justified."

But in a separate interview, he said, "There has been no evidence to contradict the Tupelo Police Department's version of the events in this case."

Some here said they would withhold judgment until the outcome of the investigation, which is being monitored by the F.B.I. and the Justice Department.

But the battle lines in this city of 36,000 are hardening.

“Well, I mean, why did he run? That’s my question,” said Justin Cook, 24, a white man who was shopping at a Walmart last week. Mr. Cook said he had little reason to doubt the city.

On Thursday, Mr. Moore filed a \$35 million civil rights lawsuit in Federal District Court for the Northern District of Mississippi. That evening, hundreds of anguished residents, nearly all of them African-American, packed into the Temple of Compassion and Deliverance church for a community meeting. Some wore T-shirts that declared “Justice 4 Ronnie,” a reference to the name Mr. Shumpert commonly used. A number of attendees said in interviews that they could not imagine that the officer’s use of deadly force was justified.

The speakers, many of them prominent local ministers, said the Tupelo police had a history of engaging in racially discriminatory practices. Black residents said that racial profiling was a problem here, an assertion that was also made in a “Cultural Diversity Assessment” commissioned by the city and released in 2008.

Mr. Shelton said the report examined the city’s government under a previous administration, at a time when the Police Department was run by a different chief. And he noted that he and other elected officials had recently created a task force with the goal of encouraging peace and communication between the races and avoiding the kind of conflagration that engulfed cities like Baltimore and Ferguson, Mo.

James Hull, a pastor who hosts a local radio show, said it was “half-true” that “we’ve got our own Ferguson.” Like Ferguson, he said, there was a killing that he believed to be unjust. But unlike Ferguson, he said, the protest here would be peaceful.

Some, like Doyce Deas, 71, pray that will be true. Ms. Deas, a former City Council member, is one of a number of residents who have worked to help the city live up to the example set in the 1960s by black and white leaders who managed to guide Tupelo through school desegregation peacefully and without triggering so-called white flight. It is part of what locals call the “Tupelo Spirit,” local shorthand

for a civic-minded, racially tolerant culture that many here, even black critics of the Police Department, believe has helped Tupelo attract industry and set it apart from other Mississippi towns.

Ms. Deas, who is white, spoke as though some fragile, precious edifice might crack. "I just don't want to see our community torn apart," she said.

Mr. Shumpert had been driving his friend Charles Foster's car that Saturday night. The two men played together on the local semipro football team, the Lee County TiCats, and they were going to pick up a shirt that Mr. Foster wanted to wear to a team party.

Football was Mr. Shumpert's passion. He was a fast, agile, broad-shouldered man who had little problem competing with players who were much younger than him.

Mr. Shumpert, who worked in construction, dreamed of being a coach, but his dreams may have been hampered by a criminal record. In 2006, he pleaded guilty to burglary and larceny here in Lee County, Miss. He was also under indictment on a 2013 charge of theft by deception stemming from an episode in Midland County, Tex. Tupelo officials said he had an outstanding warrant.

Mr. Foster said he was surprised when Mr. Shumpert told him he was going to run away after being pulled over last month. Mr. Foster said they had been driving the speed limit and otherwise obeying the law.

Mr. Shelton said that according to the Police Department's account, Mr. Shumpert hid in the crawl space of a nearby home after running from the car.

"My understanding is that the canine was sent in to try to get Mr. Shumpert out from underneath the home," Mr. Shelton said. Then, he said, "Mr. Shumpert essentially jumped out from the crawl space" and was soon on top of the officer, "repeatedly punching him in the face."

The mayor said the officer was on his back when he shot Mr. Shumpert four times.

Mr. Shelton said he was unaware of any witnesses other than the officer, whom he identified as Tyler Cook. On Friday, city officials released a photo of what they said was Officer Cook about an hour after the episode. It shows him with cuts on his nose, his face discolored.

City officials would not release much other information about Officer Cook. Mr. Shelton said he was unaware “of any blemish” on the officer’s record, except for one episode in which he tackled a white teenager during a burglary call, which turned out to be a house party, and broke the youth’s tooth. Officer Cook, who has been placed on paid administrative leave, could not be reached for comment.

Mr. Shelton dismissed Mr. Moore, whose main law practice is based in Grenada, Miss., roughly 90 miles from Tupelo, as an “outsider” who had “come in with a clear agenda to do harm to the city.”

He also said that the photos of Mr. Shumpert’s body that Mr. Moore has shown to the public were taken after Mr. Shumpert had undergone a surgery in an attempt to save his life, and after his autopsy. Mr. Shelton said he had reviewed photos of the body taken the night of the shooting and saw no evidence of the injuries that Mr. Moore says were caused by the dog.

Mr. Moore, a former candidate for the State Senate, made headlines this year when he filed a lawsuit arguing that the state flag, with its embedded Confederate banner, “incites private citizens to commit acts of racial violence.”

Mr. Moore provided The Times with Mr. Shumpert’s medical records from the North Mississippi Medical Center, where he was taken after he was shot. A “physical summary” of Mr. Shumpert written by a doctor notes, “There was a gunshot wound to the right groin that separated the scrotum on the left side and entered the upper thigh.”

Dr. Hany Atallah, the chief of emergency medicine at Grady Memorial Hospital in Atlanta, reviewed photographs of the body that Mr. Moore provided to The Times. Because he had not viewed the body in person, Dr. Atallah said his opinion could not be definitive. But he said the wounds did not seem consistent with a dog attack.

The wound in the groin, he said, seemed too linear, and devoid of tissue damage, to have been caused by bites, which, he said in an email, “tend to cause jagged, irregular wounds with multiple punctures.”

Mr. Moore said he had identified an eyewitness who would attest that the dog “attacked Mr. Shumpert in his groin.”

In his lawsuit, Mr. Moore also claims that the dog “severely clawed Mr. Shumpert on his back and inflicted other injuries and bruises,” and that the officer punched him in the face and “kicked or stomped” his mouth, knocking his teeth toward his throat.

Though the photos Mr. Moore provided show what appear to be long, deep lacerations on Mr. Shumpert’s back, the hospital records say there were “no abrasions/lacerations noted on the back” on the night he was admitted. They also note bruises on his bottom gums and a missing tooth, and lacerations under one eye and the bridge of his nose.

On Thursday afternoon, Mr. Moore stood on the steps of the Lee County Justice Center in a suit and sunglasses, flanked by Mr. Shumpert’s family members, to announce the \$35 million lawsuit.

He removed the glasses with a flourish, and looked into a bank of news cameras. “Make no mistake about it,” he said. “I’m coming after you, Tupelo.”

While some white residents here are worried about Mr. Moore’s tone, many African-Americans have welcomed it.

“I think he had to come in here with that kind of message,” said Quiana Bouldin, 38, a hairstylist at the A Plus Barbershop & Salon. “His job is to make people think about what’s going on, and bring light to the Police Department.”

Correction: July 3, 2016

An earlier version of this article misstated an office sought by Carlos Moore, a lawyer for the family of Antwun Shumpert. Mr. Moore ran for the State Senate, not the State House of Representatives. The article also misstated part of a quotation from Mr. Moore. He said, “Make no mistake about it, I’m coming after you, Tupelo,” not, “Make

no doubt about it, I'm coming after you, Tupelo.”

Susan Beachy contributed research.

A version of this article appears in print on July 4, 2016, on page A10 of the New York edition with the headline: Black Man's Shooting Recalls Southern Wounds.

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## ATTACHMENT "E"

### Documentation about K9 Alec

There are several important facts about the Officer and K9 unit involved in this incident which directly contradict some the sensationalist claims that have been publicly made in the matter:

- The K9 dog involved in this incident does not have any of its canine teeth.
- The Officer and K9 involved in this incident went through training and were re-certified on June 16, 2016, just two days prior to the incident.



## Alec's Adult Preventive Care Report

**Pet Info:** Alec Police Dept., Canine, Malinois, Belgian, 7 Yrs. 8 Mos., Male, 74 pounds  
**Date:** 9/29/2015, **Ryan Black, D.V.M., Hospital Staff:** Kim Cox  
[www.tupelosmallanimalhospital.com](http://www.tupelosmallanimalhospital.com)

<b>History (Subjective):</b>	
1. Have you noticed any issues/problems with your pet? <input type="checkbox"/> No 2. What brand & type of food do you feed your pet? Purina ONE 3. Where does your dog spend most of its time? <input type="checkbox"/> In the house <input type="checkbox"/> In the yard <input checked="" type="checkbox"/> In the house & yard 4. What brand of parasite prevention do you use? <u>Trifexis</u> <input checked="" type="checkbox"/> Every 30 days <input type="checkbox"/> Infrequently 5. Is your pet on any other medications? <u>No</u> 6. Have you seen any <input type="checkbox"/> fleas, <input type="checkbox"/> ticks on your pet? <input checked="" type="checkbox"/> No 7. Do you have other pets? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Are they currently vaccinated <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Are they on a parasite prevention? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No 8. Does your pet go to the following: <input checked="" type="checkbox"/> Boarding <input type="checkbox"/> Grooming <input type="checkbox"/> Dog Parks <input type="checkbox"/> None <input type="checkbox"/> Other <u>    </u>	
<b>Vital Signs:</b>	
Temperature-101.2°F (Normal 99.5-102.5)	
<input type="checkbox"/> Underweight <input checked="" type="checkbox"/> Ideal <input type="checkbox"/> Overweight Remarks: <u>    </u>	
<b>Vaccines:</b>	
Rabies <input type="checkbox"/> 3 year      Distemper/Parvo <input type="checkbox"/> 1 year <input checked="" type="checkbox"/> 3 year      Bordetella <input checked="" type="checkbox"/> 1 year <input type="checkbox"/> Waived Leptospirosis <input type="checkbox"/> Initial <input checked="" type="checkbox"/> 1 year <input type="checkbox"/> Waived Remarks: <u>    </u>	
<b>Parasite Testing:</b>	
Intestinal Parasite Exam <input checked="" type="checkbox"/> Negative <input type="checkbox"/> Positive <u>    </u> Heartworm Test <input type="checkbox"/> Negative <input type="checkbox"/> Positive <u>    </u> Tested on 8/26/15 <u>    </u> Other Testing: <u>    </u> Remarks: <u>    </u> No Testing Performed <input type="checkbox"/> Reason: <u>    </u> O waived <input type="checkbox"/>	
<b>Physical Exam Findings:</b>	
<b>Nose and Throat</b> <input checked="" type="checkbox"/> Normal <input type="checkbox"/> Abnormal: <u>    </u>	<b>Mouth/Teeth/Gum</b> <input type="checkbox"/> Normal <input checked="" type="checkbox"/> Dental Disease: <input type="checkbox"/> Mild <input checked="" type="checkbox"/> Moderate <input type="checkbox"/> Advanced <input type="checkbox"/> Severe <u>    </u> Canines are missing, molars are moderately tartar stained, halitosis (bad breath) present <u>    </u>
<b>Eyes and Ears</b> <input checked="" type="checkbox"/> Normal <input type="checkbox"/> Abnormal: <u>    </u>	<b>Coat and Skin</b> <input checked="" type="checkbox"/> Normal <input type="checkbox"/> Abnormal: <u>    </u>
<b>Lymph Nodes</b> <input checked="" type="checkbox"/> Normal <input type="checkbox"/> Abnormal: <u>    </u>	<b>Legs/Paws/Back</b> <input checked="" type="checkbox"/> Normal <input type="checkbox"/> Abnormal: <u>    </u>
<b>Nervous System</b> <input checked="" type="checkbox"/> Normal <input type="checkbox"/> Abnormal: <u>    </u>	<b>Heart and Lungs</b> <input checked="" type="checkbox"/> Normal <input type="checkbox"/> Abnormal: <u>    </u>
<b>GI Tract/Abdomen</b> <input checked="" type="checkbox"/> Normal <input type="checkbox"/> Abnormal: <u>    </u>	<b>Urinary and Genitals</b> <input type="checkbox"/> Normal <input checked="" type="checkbox"/> Abnormal: <u>Alec's prostate is enlarged. This is likely benign prostatic hyperplasia, commonly seen in intact older males. This is not necessarily a problem unless Alec has issues defecating. Neutering is likely curative, and can be done if he is having difficulty defecating.</u>

### Preventive Care Checklist:

Done	Need	Item	Done	Need	Item
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Microchip Identification <input checked="" type="checkbox"/> No microchip	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Complete year round parasite prevention
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Diagnostics	<input type="checkbox"/>	<input type="checkbox"/>	Medications to go home
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Nutrition & feeding recommendations <u>    </u>	<input type="checkbox"/>	<input type="checkbox"/>	Other <u>    </u>

**Plan:**       
 We recommend monthly year round parasite prevention.      Please speak with our Doctors and Staff to decide the best option for you and your pet.











Mississippi Law Enforcement Officers' Association  
**1st Place**  
2016 Law Dog  
Narcotics Scramble

Mississippi Law Enforcement Officers' Association  
**1st Place**  
2016 Law Dog  
Hard Dog / Fast Dog  
Competition

Mississippi Law Enforcement Officers Association  
Certificate of Training

*This is to certify that*

**Tyler Cook**

*has successfully completed a 16 hour course in*

**POLICE K9 TRAINING & CERTIFICATION**

*Given this 16<sup>th</sup> day of June 2016 at D'Iberville, Mississippi*

*Nick Galois*

President, Mississippi Law Enforcement  
Officers Association

*Bill L. Cook*

Instructor

# Certificate of Completion

*This is to certify that*

*Tyler Cook*

*Tupelo Police Department*

*has successfully completed a 24 hours of Law  
Dog K-9 Certification.*

*Awarded this 24th day of March 2016.*

*Ken McMill*

President Mississippi Law Enforcement Officers Association

*Paul Cook*

Instructor

Mississippi Law Enforcement Officers Association  
Certificate of Training

*This is to certify that*

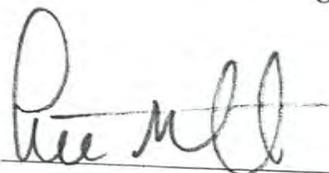
MISSISSIPPI  
Tyler Cook

*has successfully completed a 20 hour course in*

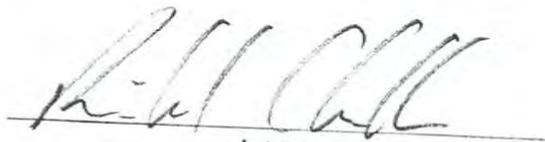
Law Dog K9 Training and Certification

*Given this 26 day of March*

*At Southaven, Mississippi*



President, Mississippi Law Enforcement  
Officers Association



Instructor

# Certificate of Membership



The National Narcotic Detector Dog Association, Inc.  
presents this Certificate of Membership to

Tyler Cook

The above named person is a member  
in good standing with  
The National Narcotic Detector Dog Association, Inc.



3-24-16

Date

# The National Narcotic Detector Dog Association, Inc.

*This is to Certify that*



*Tyler Cook* and *Alec*  
has satisfactorily completed the  
certification standards of  
The National Narcotic Detector Dog Association, Inc.



*[Signature]*  
Certifying Official

*3-24-16*  
Date

*Narcotics*

*Police Service Dog*

*Cook*

*Alec*

**POLICE SERVICE DOG**

CERTIFICATION RECORD

THE NATIONAL NARCOTIC  
DETECTOR DOG ASSOCIATION,  
INCORPORATED



CERTIFICATION     No    5492    

*Cook*

*Alec*

**NARCOTICS**

CERTIFICATION RECORD

THE NATIONAL NARCOTIC  
DETECTOR DOG ASSOCIATION,  
INCORPORATED



CERTIFICATION     No    51628

Vicksburg, MS 4-16-14  
 Location Date

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Cocaine	<input checked="" type="checkbox"/>	<input type="checkbox"/>	N/A
Heroin	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Methamphetamine	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Other	<input type="checkbox"/>	<input type="checkbox"/>	
Other	<input type="checkbox"/>	<input type="checkbox"/>	

[Signature] MS-1681  
 Certification Official Number

Southaven, MS 3-24-14  
 Location Date

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Cocaine	<input checked="" type="checkbox"/>	<input type="checkbox"/>	N/A
Heroin	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Methamphetamine	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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Other	<input type="checkbox"/>	<input type="checkbox"/>	

[Signature] MS-1681  
 Certification Official Number

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 Location Date

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[Signature] AR0399  
 Certification Official Number

Location Date

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Methamphetamine	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other	<input type="checkbox"/>	<input type="checkbox"/>	
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Other	<input type="checkbox"/>	<input type="checkbox"/>	

Certification Official Number

Vicksburg, MS 4-16-14  
 Location Date

	Pass	Fail
Temperment	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Building Search	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Criminal Apprehension	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Evidence Recovery	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Agility	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Obedience	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Tracking	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Area Search	<input checked="" type="checkbox"/>	<input type="checkbox"/>
To Dept. Standards	<input type="checkbox"/>	<input type="checkbox"/>

[Signature] MS-1681  
 Certification Official Number

Southaven, MS 3-24-14  
 Location Date

	Pass	Fail
Temperment	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Building Search	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Criminal Apprehension	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Evidence Recovery	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Agility	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Obedience	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Tracking	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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To Dept. Standards	<input type="checkbox"/>	<input type="checkbox"/>

[Signature] MS-1681  
 Certification Official Number

Southaven, MS 03-25-15  
 Location Date

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Building Search	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Criminal Apprehension	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Evidence Recovery	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Agility	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Obedience	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Tracking	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Area Search	<input checked="" type="checkbox"/>	<input type="checkbox"/>
To Dept. Standards	<input type="checkbox"/>	<input type="checkbox"/>

[Signature] AR0399  
 Certification Official Number

Location Date

	Pass	Fail
Temperment	<input type="checkbox"/>	<input type="checkbox"/>
Building Search	<input type="checkbox"/>	<input type="checkbox"/>
Criminal Apprehension	<input type="checkbox"/>	<input type="checkbox"/>
Evidence Recovery	<input type="checkbox"/>	<input type="checkbox"/>
Agility	<input type="checkbox"/>	<input type="checkbox"/>
Obedience	<input type="checkbox"/>	<input type="checkbox"/>
Tracking	<input type="checkbox"/>	<input type="checkbox"/>
Area Search	<input type="checkbox"/>	<input type="checkbox"/>
To Dept. Standards	<input type="checkbox"/>	<input type="checkbox"/>

Certification Official Number



*Date*

*Medical Notes*

**Alec Cook**

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proheart injection 1.35mls SQ  
gave Bravecto by mouth here in clinic

INVOICE ITEMS

Date : 05/25/16

Doctor : Christy Wood, DVM

Tech : Kala Taylor

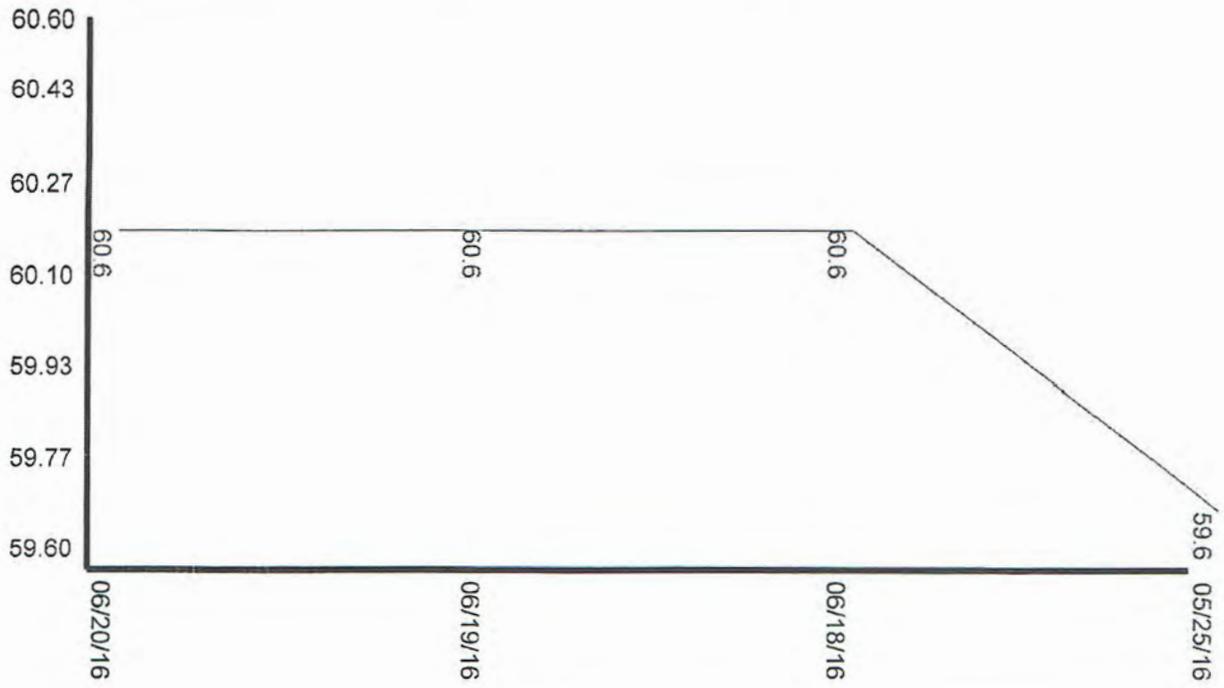
Weight : 59.6

Temperature :

Services Rendered :

05/25/16 Christy Wood, DVM 1 Heartworm Antigen Test

05/25/16 Christy Wood, DVM 1 Proheart 6 injection 51-100#



06/19/16 60.6 06/18/16 60.6 05/25/16 59.6

STATEMENT BY MAYOR OF TUPELO JASON SHELTON  
July 6, 2016

## ATTACHMENT "F"

### **Tupelo Police Department Policies and Procedures Policy Number 5.08: Canine Operations**

The deployment of the K9 in the June 18 incident was consistent with Tupelo Police Department Policies and Procedures.



# TUPELO POLICE DEPARTMENT



## Policies and Procedures

**Policy Number:** 5.08  
**Subject:** Canine Operations  
**Effective Date:** April 1, 2012

### PURPOSE

The purpose of this policy is to provide guidelines for the organization, selection of handlers, selection and training of police working dogs (K9) management and tactical deployment of canines for a variety of operational purposes.

### DISCUSSION

Because of their superior senses of smell and hearing and physical capabilities, the trained law enforcement canine is a valuable supplement to police manpower. However, utilization of canines requires adherence to procedures that properly control their use-of-force potential and that channel their specialized capabilities into legally acceptable crime prevention and control activities.

### POLICY

The Tupelo Police Department will maintain a highly trained Canine (K9) four officer unit lead by a Canine Supervisor and answers directly to the Patrol Commander. The Canine Unit will follow all applicable laws regarding the use, care and deployment of a police dog.

### MISSION STATEMENT

The Canine Unit has been established to

### DEFINITIONS

Canine: a police working dog which has been procured and trained to execute a number of specific law enforcement related tasks which utilizes the dog's speed, agility and sense of smell.

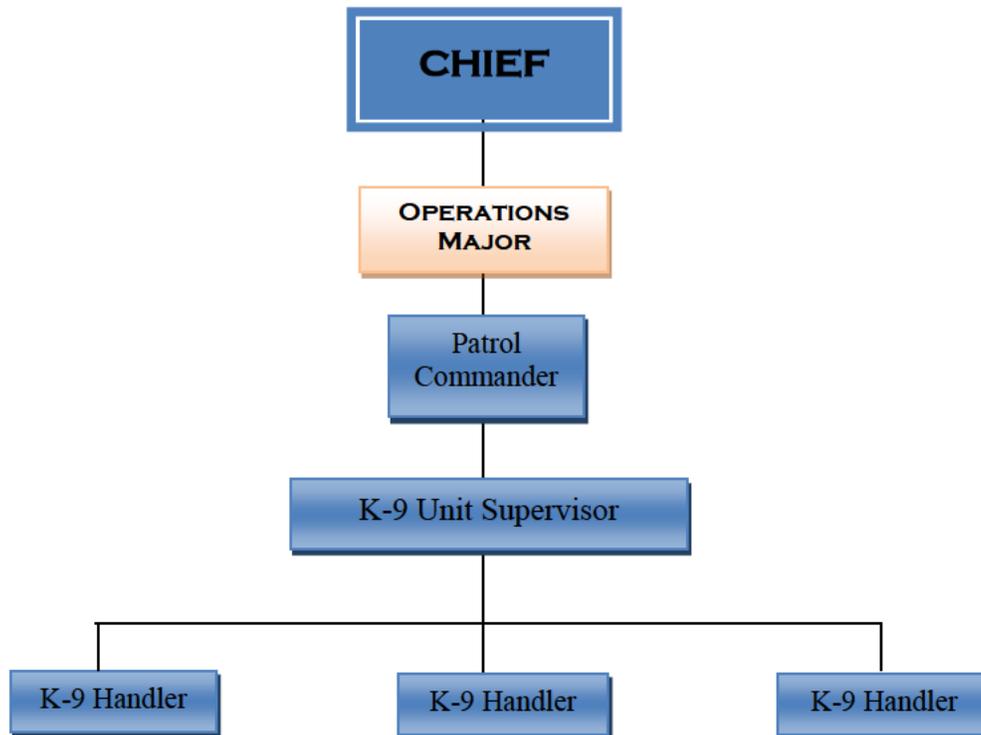
Canine Handler: an officer who is schooled in the care, handling, training and deployment of the canine.

Canine Team: An officer/handler and his/her assigned police canine.

Deployment: when a K9 handler releases his/her dog either straight from the transport vehicle or while on a leash.

Canine Agitator: an officer trained to assist the Canine Unit by participating in training scenarios at the direction of the Canine Handler.

Bite: any instance when a police canine bites, grabs, pinches or nibbles any person, except in training, is considered a reportable dog bite incident; this is whether the canine was directed or not by the handler.

**ORGANIZATIONAL STRUCTURE****JOB DESCRIPTIONS****Canine Handler****A. Qualifications:** applicants for police canine teams must:

1. Have all of the minimum requirements of a Sworn Police Officer.
2. Live in Lee County.
3. Have at least five years of uniform patrol experience with at least 3 years with the Tupelo Police Department,
4. Must have good oral and report writing skills, satisfactory work performance, disciplinary and medical leave records.
5. Completed a physical fitness assessment and have the ability to pass other Canine Handler physical requirements.
6. Have a detailed knowledge of search and seizure laws as well as a general knowledge of statutes and guidelines regarding the care and deployment of a K9.

**B. Job Summary:**

1. This is a lateral transfer position.
2. Answers directly to the K9 Unit Supervisor or the Patrol Commander in his/her absence.

3. Is assigned to a shift on a general basis but will provide a 24 hour rotational call out.
4. Provides timely response to crimes in progress and officer assistance calls
5. Conducts public relations appearances and K9 demonstrations,
6. Conducts preventive burglary patrols
7. Conducts searches utilizing K9
8. Protects police officers and citizens from acts of violence
9. Provides police assistance in any situation where the Canine Unit's capabilities can be effectively utilized. a strong desire to work with canines and a willingness to care for and train the animal

C. Job Requirements: the Canine Handler must:

1. Properly maintain, handle and care for a canine assigned to him/her, to include the assigned transport vehicle.
2. Have a willingness (together with other family members) to care for and house the canine at the officer's residence with a secure outdoor area for the canine that conforms with state and federal guidelines. Handler must be willing to make necessary alterations to his/her own yard or residence at his/her own cost to accommodate the K9.
3. Maintain accurate records that document the use and the proficiency of individual canines in drug detection. This documentation shall be readily available to canine officers and others who may need it, such as for testimony in court and when seeking warrants.
4. All departmental canines must meet established department certification requirements. Untrained canines may not be used for canine duty.
5. New canine handlers must complete the prescribed canine training course and successfully meet all course requirements as arranged by the Canine Unit Supervisor.
6. Canine Handlers are required to demonstrate acquired abilities to the Canine Unit Supervisor on a periodic basis as requested.
7. Assist other agencies as part of the Mutual Aid Agreement.
8. Pass the Canine Handler's Course (generally 4-6 weeks long) within 1 year of transfer to the unit.
9. Be under the direction of the Canine Supervisor in a FTO capacity for one year and become familiar with the Canine SOP within 3 months.
10. Possess a willingness to attend seminars and area schools and demonstrate an ability to educate the public on the uses of the K9 in a safe manner.
11. Write detailed and accurate reports regarding the deployment and care of the K9, to include Supplementary or Offense Reports.

12. Clearly articulate directions to fellow officers while on crime scenes while in charge of searching that crime scene. Once the scene is turned back over to the Patrol Supervisor, the Canine Handler will revert to a support role until otherwise needed.

D. Benefits:

1. Take home car (must live within Lee County)
2. Issued pager

**Canine Unit Supervisor**

A. Qualifications: this non-ranked supervisory position:

1. Possess the Sworn Police Officer and Canine Handler job requirements.
2. Must be a PO 3 with at least 2 years as a K9 Handler with the Tupelo Police Department with no documented neglect and/or abuses regarding the deployment and/or care of a K9.
3. Possess a greater knowledge of search and seizure laws as well as the statutory requirements regarding the deployment and care of a K9.

B. Job Summary:

1. Answers directly to the Patrol Commander.
2. Coordinates and directs activities of Canine Handlers assigned to his/her unit.

C. Job Requirements:

1. Assigned a canine and associated transport vehicle.
2. Manages fleet of vehicles assigned to the Unit.
3. Manages Canine Unit Budget and makes recommendations to the Patrol Commander.
4. Shall be responsible for selection of canine handlers in accordance with established departmental transfer procedures.
5. Write and maintain detailed reports regarding Handler training, care and deployment.
6. Maintain a Canine Unit Office and Training Area.
7. Ensures that basic and in-service training and certifications are conducted on a regular basis.

**CANINE USE, CARE AND SELECTION**

- A. Police canines shall not be used for breeding, participation in shows, field trials, exhibitions or other demonstrations, or on- or off-duty employment unless authorized by the Chief of Police.

- B. Officers shall maintain their canine both on and off duty in a safe and controlled manner. Police canines shall never be allowed to run loose unless engaged in agency-authorized training or exercise
- C. The Tupelo Police Department shall provide canine officers with proper housing for their dog as well as all food and medical needs; and will conduct periodic inspections to ensure that the housing is properly maintained.
- D. Canine handlers are personally responsible for the daily care and bedding of their animal to include:
  - 1. Maintenance and cleaning of the kennel and yard area where the canine is housed
  - 2. Provision of food, water and general diet maintenance as prescribed by the department's authorized veterinarian
  - 3. Grooming on a daily basis or more often as required by weather, working conditions or other factors
  - 4. Daily exercise
  - 5. General medical attention (i.e. annual, semi-annual examinations and teeth cleaning.)
- E. Where the handler is unable to perform these and related duties due to illness, injury or leave
  - 1. another canine handler may be assigned to temporarily care for the dog
  - 2. the canine may be housed in a departmentally approved kennel
- F. Teasing, agitating or roughhousing with a police canine is strictly prohibited unless performed as part of a training exercise.
- G. Handlers shall not permit anyone to pet or hug their canine without their prior permission and immediate supervision. Should a civilian express a desire to do so, he or she should be informed that police canines are serious working dogs and that they can be dangerous if improperly approached.
- H. A canine handler may apply to take possession of his dog where:
  - 1. The dog is retired from duty or relieved due to injury
  - 2. The handler is transferred or promoted or retires and a decision is made not to retrain the dog for another handler.
- I. Canines are obtained from a kennel or other supplier with a verifiable record of satisfactory performance in providing dogs and training to other law enforcement agencies. Any canine that is presented by the Canine Team Supervisor for purchase by the department will, prior to acceptance, have a certificate or letter of good health issued by a licensed veterinarian authorized to conduct examinations and certify the physical and emotional condition of the dog.

- J. **Injury to Handler:** All officers shall consider the following course of action in the event that a Canine Handler is injured and unable to command his/her canine, in all probability, will stand guard and prevent anyone from approaching.
1. Contact the Canine Unit Supervisor or, in his absence, another Canine Handler who will immediately respond to assist in taking control of the canine;
  2. Do not rush in on the Canine Handler;
  3. Attempt to make verbal contact with the injured Canine Handler. If he/she can, he/she will call off the canine;
  4. If the Canine Handler does not respond, position the canine vehicle near the canine with all the windows up and either rear door open and the cage closed. Using a voice of authority, call the canine by the name and command to “Auto” or “Kennel”. Close the door behind the canine, and wait for another Canine Handler to transport the canine;
  5. If the canine cannot be called off; he/she can be secured by allowing him/her to bite a protective sleeve. Once the canine has a grasp, he/she should not let go. The canine can then be secured in the unit;
  6. In the event the canine is also injured, request that communications contacts the veterinarian, and advise them of the emergency. Request another Canine Handler to help transport whenever possible.
  7. Non-handlers should only attempt to command the canine in an emergency;
  8. If other efforts are unsuccessful, and the officer is in imminent danger of losing his life or compounding an existing injury, the canine may be neutralized. If shot, one correctly placed round will be used in order to reduce the possibility of the canine being made to suffer for doing what he is trained to do, protecting his handler. All efforts should be made to fire one round, but follow up shots may be required. The officer should make all attempt to fire the least amount of shots necessary. Although such a procedure is seemingly heartless, the officer must remember that a canine can be replaced but a canine officer cannot.
- K. **Canine Vehicles:** Canine vehicles assigned to Canine Officers will be used for transporting the Canine, responding to calls for service, training, or any other assignment as determined by the Canine Unit Supervisor. These vehicles will also be utilized in transporting the Canine to and from the Canine Officer’s private residence and/or for transportation of the animal in emergency and non-emergency situations to designated animal clinics. Canine Handlers are responsible for the operation and maintenance of canine vehicles in accordance with Department Policy for the Use and Care of Department Equipment.
1. Canine Units are equipped with the same basic equipment as patrol units to include light, siren, and markings.

2. In addition to the basic package these units will be identified by special markings to alert the public that the vehicle may contain a police canine.
3. The Vehicle shall be altered so as to safely transport the Canine by either replacing the back seat with a flat riding area or a transport box.
4. Passengers are only allowed as follows:
  - a. The passenger is also a Canine Handler;
  - b. If the passenger is not a handler, then a divider or safety barrier must be in place to separate the Canine from the occupants;
  - c. Non-department personnel must be approved through the ride-a-long program.
5. The vehicle shall be equipped with tinted windows for the elimination of heat buildup.
6. A temperature monitoring system that includes safety devices to prevent the overheating and possible injury/death to the canine;
7. Any other equipment determined to be necessary by the Canine Unit Supervisor to assure both safety of the Canine, Canine Handler or the general public.

#### **CANINE AVAILABILITY**

- A. Canine teams are available for use on each shift, except when training. When not available during duty hours, at least one will be available on a 24-hour, on-call basis, subject to callout only by a Patrol Sergeant or above with the permission of the Patrol Commander.
- B. Criteria for callout includes but is not limited to:
  1. conducting building searches for what are believed to be serious felony or armed misdemeanor suspects in hiding;
  2. assisting in the arrest or prevention of the escape of serious or violent offenders;
  3. protecting officers or others from death or serious injury; and engaging in assignments not listed here with the approval of the canine team supervisor or Major of Patrol
  4. To insure availability the Canine Team should not be assigned to a patrol zone, however, the canine handler may be used to respond to minor complaint situations but the canine should not be deployed.
  5. Canine team assistance may be requested from any officer through an immediate supervisor to the communications center. Communications center personnel shall forward requisite information concerning the incident to the canine unit supervisor or an available canine handler.

6. Canine teams should not be used to apprehend anyone suspected to be under the influence of drugs or alcohol if no other crime is involved, nor the mentally disturbed if no other crime is involved.
7. Where a tactical deployment is justified by agency policy, the tactical measures used shall be at the discretion of the canine handler and must be objectively reasonable.
8. Police canines shall not normally be handled or given commands by anyone other than the assigned handler. Only under emergency conditions shall another handler command the canine.
9. Canine Teams will not be used to transport prisoners. A Canine Handler making an arrest shall request a second officer operating a patrol vehicle with a prisoner enclosure to transport the prisoner.
10. Pursuant to the guidelines mentioned throughout this policy the Canine Handler may offer advice or opinion based on training or current case law, subsequently the final decision to deploy the canine shall be the responsibility of the Canine Handler.

#### **CANINE BITES AND INJURIES**

- A. The deployment of a police canine for the location and apprehension of a suspect is a use of force that must be consistent with this agency's principles of escalation and de-escalation of force.
- B. Use of specially trained police canines for law enforcement responsibilities constitutes a real or implied use of force. In this as in other cases, officers may only use that degree of force that reasonably appears necessary to apprehend or secure a suspect as governed by the department's use-of-force policy.
- C. Whenever a canine has injured a person – either bitten or scratched – or has alleged to have done so, whether or not in the line of duty; the handler shall perform the following.
  1. If no arrest is made, an offer will be made to the individual to provide medical care and treatment by a qualified medical professional.
  2. If an arrest is made, the individual will be provided with medical attention in accordance with agency policy on transporting and booking prisoners.
- D. Notify on-duty Shift Supervisor, Canine Unit Supervisor, and Patrol Operations Commander.
- E. The officer shall take color photographs of the affected area if possible prior to and following medical treatment.
- F. Prepare and submit a use-of-force report: whenever a canine is deployed and especially when a person/suspect is bitten, an incident report will be made detailing the circumstances surrounding the incident, the identity of the individual involved and any witnesses, whether the canine located the suspect, the extent of any injuries if known, and measures taken in response to the incident.

**CANINE SEARCHES****A. Canine Team Utilization for Location/Apprehension of Suspects:**

1. Decisions to deploy a canine shall be based upon the following:
  - a. The severity of the crime.
  - b. Whether the suspect poses an immediate threat to the safety of the officers or others.
  - c. Whether the suspect is actively resisting arrest or attempting to evade arrest at the time.

**B. Building Searches and Suspects in hiding:** a primary use of departmental canines is for locating suspects in buildings or related structures. These searches should be governed by the following:

1. The building perimeter shall be secured by police personnel. Whenever possible, the building's owner should be contacted to determine whether there may be tenants or others in the building and to ascertain the building's layout.
2. When a canine building search is anticipated, a preliminary search by officers should not be conducted as this will interfere with the canine's ability to discriminate scents.
3. The on-scene supervisor shall also take the following steps in preparation for the canine search:
  - a. Evacuate all tenants, workers or others from the facility.
  - b. Request that all air conditioning, heating or other air-blowing systems be shut off so as not to interfere with the canine's scent.
4. Upon entrance to the building, all exits should be secured, and communications limited to that of a tactical nature.
5. The canine may be unleashed during a building search unless there is an imminent risk of injury to innocent persons within the facility.
  - a. Generally the canine should be released once a backup officer is available to work with the canine team.
  - b. Except in exigent circumstances or where there is an imminent danger of death or serious injury, the canine should be kept in visual contact by the canine handler.
6. The canine should not be used to search facilities that contain substances potentially harmful to the animal unless overriding risk to human life is present.
7. Before commencing the search, the handler or other appropriate personnel shall make an announcement and repeat the statement. The announcement shall say that there are police officers on the premises and that a trained police canine will be released and may bite you if you do not

surrender. Situations may arise that an announcement may not be made due a perceived higher risk to officers on the scene and/or the canine. Should such a situation arise it will be made known to all personnel on the scene prior to entering the building by the Canine Team that no announcement shall be made to the area being searched.

8. A reasonable amount of time shall be allowed for the suspect to respond. This warning shall be repeated on each level of all multi-level structures.
  9. Where there is a reasonable belief that the suspect speaks a language other than English, an officer or other individual fluent in that language should be summoned to the scene if available and exigency of the situation permits.
  10. When apprehending suspects the canine shall be commanded to disengage or be physically removed by the handler as soon as the suspect is subdued or readily complies with officer direction.
  11. Arrestees shall not be transported in the same vehicle with a police canine unless alternative transportation is not available and immediate transport is essential for safety or security reasons
- C. Canine Searches for Drugs: without consent, canine searches (sniffs) for drugs are authorized only when there is no reasonable expectation of privacy in the item(s) to be searched. If not specifically addressed in the following guidelines, officers shall use the foregoing principle and the direction of the canine supervisor to determine the permissible scope of canine searches.
1. Public Facilities and Places
    - a. Police canines may not be used to sniff luggage or related personal items in the physical possession of (i.e. control of or close proximity to) an individual in a public facility or place unless:
      - i. There is reasonable suspicion that the personal possession contains illegal drugs or evidence of a crime
      - ii. The time required to conduct the sniff is limited in duration.
    - b. Police canines may be used to sniff luggage or other personal affects of an individual on either a random or selective basis if the items are not in the possession of the owner (for example, on conveyer belts, in the possession of baggage handlers, etc.).
    - c. Whenever possible, exploratory sniffing in public facilities should be conducted with the advance knowledge of the facility manager. It should be conducted without interference or annoyance to the public or interruption of facility operations.
  2. Canine searches of the exterior of residences—either individual dwellings or the common areas of multiple dwellings—are not permitted without a search warrant or as otherwise permitted by state or federal law.
  3. The use of drug detection canines in schools is limited to situations where there is reasonable suspicion to believe that illegal drugs are being sold,

possessed, and/or consumed on the premises. Where reasonably possible, the schools principal or designated authority should be contacted in advance of the search, and the canine search should be limited to inanimate objects where there is no reasonable expectation of privacy.

4. Canine drug sniffs of motor vehicles may be conducted when:
    - a. there is reasonable suspicion to believe that the operator or passengers are in possession of illegal narcotics, o
    - b. the canine sniff is limited to the exterior of the vehicle.
  5. Canine officers may use canines to apprehend fleeing suspects when it is objectively reasonable to believe that:
    - a. the suspect has committed a felony, or a serious misdemeanor as defined by this department;
    - b. the suspect is actively resisting arrest or attempting to evade arrest by flight.
- D. Tracking: where trained police canines are available for tracking, they may be used with supervisory approval to track missing persons or criminal suspects or to locate evidence that the supervisor has reason to believe has been abandoned or hidden in a specified open area. Such searches are subject to the following conditions and limitations:
1. When officers are pursuing suspects and contact with the suspect is lost, the officer, prior to summoning a canine team, shall
    - a. stop and pinpoint the location where the suspect was last seen;
    - b. shut off engines of vehicles in the area if possible
    - c. avoid vehicle or foot movement in the area where the suspect or subject was last seen.
  2. Canines used for tracking persons should remain on a leash of sufficient length to provide a reasonable measure of safety to the subject of the search without compromising the canine's tracking abilities.
  3. On-scene supervisory personnel shall:
    - a. Secure the perimeter of the area to be searched
    - b. Secure the integrity of the area to be searched by keeping all personnel out of the area
    - c. Protect all items of clothing that will be used for scent from being handled.

### **RELEASE OF SCENE**

- A. Once a Canine Handler/Supervisor has completed a deployment of a scene, the Handler will notify the Patrol Supervisor that the deployment is complete and what the results were, if any. The Patrol Supervisor will then take back

control of the scene and the Canine Handler will then revert to a support role for the Patrol Supervisor to later utilize if needed.

- B. The Handler/Supervisor will document any results of a deployment in an After Action Report and send it to the Canine Unit Supervisor or if the Supervisor, then it will be sent to the Patrol Supervisor. These files will be maintained indefinitely.

**CROWD CONTROL**

- A. Canine teams may respond as backup but may not deploy the dog for crowd control at peaceful demonstrations.
- B. Canine teams may be used upon approval of the Chief of Police to protect life or property during a riot or other major unlawful assembly after an order to disperse has been made. In these situations, canine shall:
  - 1. Be short leashed at all times to protect individuals from serious injury
  - 2. Not initiate any offensive action, unless to guard against imminent loss of life, serious bodily injury or substantial property damage
  - 3. Only to be used as support behind front line efforts.

**MUTUAL AID**

Tupelo Police Department Canine Teams will, when possible, assist other agencies pursuant to a Mutual Aid Request. Tupelo Police Department Canine Handlers assisting other agencies will act in accordance with this policy at all times.

Should canine assistance be requested by another agency the Canine Handler will contact his/her direct supervisor which will in-turn contact the Major of Patrol in keeping with policy 02.19 Mutual Aid. Prior to leaving the jurisdiction the Canine Handler will notify the on-duty shift supervisor concerning his absence.

**TRAINING**

- A. Officers must attend the Canine Handlers’ Course.
- B. It is recommended that certified Canine Handlers attend an Advanced Handler’s and/or instructor’s course
- C. The Canine Unit director will coordinate in-service training with the Training Academy on the use of the canine.
- D. Canine officers will conduct 20 hours of internal training monthly as required by law.
- E. Failure to participate in or qualify under established training standards will result in de-certification of the team. The team may not be deployed until re-certified.

**REFERENCES**

Source	Number	Description
City of Tupelo Policy		
MSLEAC		

CALEA		
POST		
State Statute		

**ATTACHMENTS**

None

Tony Carleton  
Chief of Police

STATEMENT BY MAYOR OF TUPELO JASON SHELTON  
July 6, 2016

**ATTACHMENT "F"**

**Tupelo Police Department Policies and Procedures  
Policy Number 3.04: Response to Resistance**

The deployment of the K9 in the June 18 incident was consistent with Tupelo Police Department Policies and Procedures.



# TUPELO POLICE DEPARTMENT



## Standard Operating Procedures

**Subject:** Response to Resistance

**Policy Number:** 3.04

**Effective Date:** April 1, 2012

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### DISCUSSION

Human life is sacred. Protecting innocent human life is the most important mission of the Tupelo Police Department. Apprehending non-violent suspects and criminals is less important than protecting innocent human life, including the protection of the officer's own life.

The public's perception of officers' use of weapons have long been a source of contention due to many notorious incidents across the country where weapons were used in unauthorized manners. Police weapons should be employed in a manner in which they were intended and trained.

### POLICY

It is the policy of the Tupelo Police Department that officers will respond to a subject's resistance to control in accordance with the allowances and restrictions clearly established by applicable federal and state laws and case law effecting law enforcement. Officers of the Tupelo Police Department will attempt to control a subject's resistance within those parameters allowed by clearly established applicable federal and state laws and applicable case law. Officers will be trained in their use and will only carry weapons in which they are certified. No officer will ever use a weapon in an unauthorized manner. The key to following this reactive policy is understanding that all officers have been trained to respond

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to a suspect's resistance in a controlled and measured manner – no technique will be applied proactively nor out of anger. In other words, officers will respond to a suspect's resistance that level of force to meet and/or overcome the threat posed to them – nothing more.

## DEFINITIONS

**Authorized weapon:** A weapon that is approved by the Tupelo Police Department for sanctioned use by its officers. No weapon is authorized for carry or use by an officer unless the agency expressly approves it in writing and the officer has demonstrated proficiency with the weapon type in accordance with agency guidelines.

**Auxiliary weapons of availability:** An officer may become separated from their agency issued firearm or secondary impact weapons. Should this occur, the officer might have access to a weapon of opportunity, including but not limited to a flash light, citation holder, handcuffs, or any object that could be used as a weapon in defense.

**Baton or expandable baton:** An impact weapon capable of gaining compliance from a combative or resistant subject by striking with a portion of the weapon. Only batons authorized by the department are carried or used. The carrying or use of saps, "Billy" clubs or slapjacks are prohibited.

**Chemical weapon:** Weapons capable of gaining compliance from a combative or resistant subject through the controlled release of a chemical irritant or agent.

**Certification with weapon:** An officer has demonstrated proficiency with a particular weapon and been tested in its safe care and use. This "certified" officer is thereby authorized to carry and use this weapon in the performance of the officer's official duties (within the "color of law") regardless of whether the officer is on-duty or off-duty. Without such written certification, the officer may not carry or use this or a similar weapon. All certifications shall be maintained at the Tupelo Police Department Training Academy.

**Deadly force:** An action, with or without the use of a weapon, intended to neutralize a deadly threat; or, the use of any object in order to neutralize a deadly threat.

**Electronic weapon:** Weapons using short bursts of electrical energy to temporarily incapacitate a person without the intent of causing death or serious bodily injury.

**Exigent circumstances:** Conditions that are of such urgency and seriousness as to justify a warrantless entry, search, or seizure by police when a warrant would ordinarily be required.

**Firearm:** Any device designated, made, or adapted to expel a projectile through a barrel by using energy generated by rapidly expanding gases, or any device readily convertible to that use; including all handguns, rifles, and shotguns.

**Force, non-deadly force, or less-lethal force:** Actions not calculated under the circumstances to cause death or serious bodily injury.

**Knife:** Any edged weapon that may be utilized to neutralize a deadly threat in the event of an exigent circumstance.

**Less lethal or intermediate weapons:** Procedures or weapons that are designed to provide

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force, but usually less than deadly force. Less than lethal is sometimes referred to as less-lethal, or non-deadly force. Regardless of the name, officers know that any force, especially when applied under dangerous, tense, uncertain, and rapidly evolving situations, may cause harm, serious bodily harm or death, despite the best intentions of the officer.

Physical strength and skill: Any physical actions by one or more officers (e.g., holding, restraining, pushing, and pulling) which may include special skills (e.g., boxing, karate, and judo) but do not include the use of deadly force or any weapon.

Probable cause: Sufficient reason based upon known facts to believe a crime has been committed or that certain property is connected with a crime. Probable cause must exist for a law enforcement officer to make an arrest without a warrant, search without a warrant, or seize property in the belief the items were evidence of a crime. Probable cause is a level of reasonable belief, based on facts that can be articulated, that is required to arrest and prosecute a person in criminal court. Before a person can be arrested and prosecuted, the police and prosecutor must possess enough facts that would lead a reasonable person to believe that the claim or charge is true.

Reasonable Officer: an objective standard of officer conduct that can be measured by incorporating an officer's ability to exercise due care during that incident; actions that an officer takes in the line of duty that a reasonable person would take under the same or similar circumstances.

Serious bodily injury: Harm that creates substantial risk of death, serious permanent disfigurement, or loss or impairment of any bodily function or organ.

## PROCEDURES

- A. Totality of the Circumstances regarding the Response to Resistance: The officer must always consider the totality of the circumstances when deciding what would be a reasonable amount of force. Some of the factors to consider include:
1. officer/subject size disparity
  2. officer/subject strength disparity
  3. officer/subject skill disparity
  4. officer/subject age disparity
  5. officer's perception of the subject's willingness to resist
  6. officer's perception of the immediate threat to the subject, officers and other
  7. suspect's criminal/violent history if known by the officer
  8. officer's location is a hostile environment
  9. officer's perception of the subject being under the influence of CNS (central nervous system) stimulants and other narcotics/alcohol that effect pain tolerance and violence
- B. Firearms & Weapons Demonstrations of Proficiency: the firearms & weapons instructor trains and mentors all officers in completing demonstrations of proficiency in the use of

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their primary and secondary firearms, as well as any off-duty firearms, and other weapons carried in the performance of official duties.

1. Demonstration for all weapons [firearms, batons, expandable batons, control sticks, chemical agents, electronic devices, knives, special munitions delivery systems, etc.] authorized and carried by department officers must be conducted on a recurring basis.
2. Under no circumstance may officers not having demonstrated proficiency with their weapons be allowed to carry or use those particular weapons. In particular, to carry and use handguns, shotguns, OC spray, straight baton, PR-24, expandable baton, or electronic device.
3. Officers must annually demonstrate proficiency with each weapon, subject to the approval of the Training Director.
4. Allegations against staff: the Internal Affairs Officer investigates all allegations of improper use of force & deadly force, as directed by the Chief of Police. In cases where possible criminal acts are involved, the appropriate law enforcement agency or prosecutor's office will be notified.

### **WEAPONS CARE, CONTROL & ISSUE**

- A. Control: all firearms purchased by this department will be stored while not issued at the weapons vault at the Police Academy. The Academy will keep a copy of the documentation and provide a copy to the Property Officer. The Armorer will routinely:
1. Inspect the vault to ensure it is to standard, properly secured when not in use, has an up to date access roster and the alarm is in working order.
  2. Inventory the contents of the vault to ensure all weapons are accounted for and contained in the vault.
  3. Inspect those contents to ensure they are in working order and available for issue to the next officer.
  4. Document any deficiencies to any of the above requirements. The Armorer will prepare a weapons status report to the Chief of Police that documents the types of weapons that are in storage and ready for duty as well as that are assigned for duty.
- B. Issue: They will be issued to an officer that has been certified in its use by the departmental firearms instructor. The officer will fill out a hand receipt documenting that he/she is qualified and date of the qualification, the serial number and date it was issued.
- C. Repair: the weapon will be looked at first by a certified armorer assigned to the unit then with the departmental Armorer.
1. If the problem cannot be fixed internally, the weapon will be sent back to the manufacturer or a certified repair technician.
  2. The Armorer will document all attempts to fix the issue internally then document

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sending the weapon off for repair.

- D. Registration: Officers must register all firearms carried on-duty or off-duty, and only carry or use authorized duty weapons, firearms and ammunition under these standards:
1. Firearm is registered with the department.
  2. Specific firearm and ammunition manufacturer, type, and caliber (or millimeter) is approved for use by the Training Director and ultimately, the Chief of Police.
  3. Firearms have been inspected, fired, and certified safe by the department's firearms instructor.
  4. The officer has demonstrated proficiency and been certified in the last twelve [12] months in the use of all weapons and ammunition he carries on-duty or off-duty.
  5. If a different firearm is carried off-duty, the conditions of 1-4 above apply to the off-duty weapon(s).
- E. Modifications: officers may not modify or alter an authorized duty weapon in any material way without Agency approval.

## RESPONSE TO RESISTANCE

Officers had been trained in the Use of Force which contained a Use of Force Continuum. While most of the concepts are still currently taught, the requirement – whether explicitly or implicitly – to follow each step of the continuum is no longer required. At any given time, an officer is always authorized to use any weapon in response to a suspect's resistance.

- A. Officer Presence: all officers must identify him/herself as being a Tupelo Police officer when making legal contact with a subject.
1. If the officer is in plain clothes, he/she must verbally identify themselves either by clothing, displaying a badge and/or identification.
  2. However, an officer in a uniform and a patrol car has been legally upheld as establishing a police presence.
  3. Once the officer establishes that he/she is an officer, the officer may proceed with his/her reason for contacting the subject.
- B. Verbal: officers will first make contact with a subject and make verbal direction whether it is through a request or command.
1. Once a command is given and is met by resistance by the suspect, the officer is authorized to employ whatever technique to resolve the conflict.
  2. Training: officers will receive Verbal Judo training while attending the Basic Police Academy and will annually receive updates.

### Open Hand Techniques:

- A. Officers are allowed to use defensive tactics/martial arts style techniques to meet and overcome a suspect's resistance in order to resolve an incident.
- B. Training: officers will receive Weapons Retention training during the Basic Police

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Academy and will annually receive defensive tactics training by an approved instructor.

**Aerosol Restraint:**

- A. Oleoresin Capsicum [OC] spray is authorized for use as a less lethal response option by officers of this department when officers are trained in its use.
- B. Procedures: Officers will be authorized to carry the chemical agent, OLEORESIN CAPSICUM (O.C.), after they complete a training course approved by the Chief. OC (Pepper Spray) used in compliance with this policy is considered a non-deadly response to resistance. Application of OC is authorized to affect a lawful arrest, prevent escape from custody, defend one's self, defend others from the imminent use of physical force, and to restore institutional integrity in a facility. OC is a response option for officers and employees of the department; however it is not intended to be an alternative to the use of deadly force.
- C. Training Requirements: The following training requirements apply to all uniformed officers, civilian-clothed officers, and civilian employees authorized to carry OC while on duty:
  - 1. OC is only authorized for carrying and use by officers and employees of this department who have successfully completed a basic course of instruction in OC. The course will be approved by the department and consist of limits on use and application, decontamination procedures, liability, use of force, and student demonstration of proficiency.
  - 2. Officers and employees authorized to carry and use OC agents will demonstrate proficiency in its use and decontamination procedures every 12 months. Any officer or employee who had not *demonstrated proficiency* within this 12-month period will not carry or use OC.
- D. Using OC Spray:
  - 1. When reasonable efforts have failed to calm a person who is acting violently and presenting a definite danger to himself or others, OC may be dispensed at the person.
  - 2. OC will only be used to terminate actively resistant or violent behavior, or a threat of violent behavior.
  - 3. OC will normally be discharged from a distance recommended by the manufacturer of the dispensing device.
  - 4. Officers should point the dispensing device at the violent or threatening person's body, in accordance with the manufacturer's recommendations.
  - 5. Discharging of the device will be limited to the termination of the violent or threatening behavior.
- E. Decontamination: sprayed individuals will be assisted to a wash-up area to flush contaminated surfaces with water as soon as possible after the exposure.

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1. Only under conditions which are immediately and extremely dangerous to officers or others will the OC be used:
    - a. On persons already incapacitated or effectively restrained;
    - b. In close proximity to infants.
  2. No officer will apply, or permit others to apply, oil or grease medications such as butter, cold cream, lanolin, Vaseline, lotion, or salves, which could trap the irritant to the skin and cause blistering, unless directed by a physician.
  3. Exposed areas should not be bandaged, but exposed to fresh air for evaporation.
  4. If a person exposed to OC requests medical attention, the person will be examined by medical personnel (EMT or above) as soon as possible.
  5. Persons sprayed with OC will be monitored for respiratory or health distress for at least 45 minutes. Persons exhibiting respiratory distress will receive immediate medical attention.
- F. Additional Reporting Elements: officers utilizing an OC device will prepare a response to resistance report, which describes the use of the chemical irritant, and includes:
1. Justification for use
  2. Date and time of exposure
  3. Time lapse before decontamination
  4. Any injuries observed during decontamination procedure
  5. Whether the individual sprayed asked for medical treatment, and, if so, resulting actions taken

### **Impact Weapons:**

- A. Usage Justification: an impact weapon may be used when the use of empty hand control is ineffective, or would be ineffective and the use of lethal force is not yet justified.
1. Officers are trained that any item can be used as an impact weapon, not just a specific weapon type that is commonly designed for such use, such as a baton.
  2. Impact weapons can be used as a lethal weapon when deadly force is authorized.
- B. Striking Areas:
1. An impact weapon is to be used as a striking tool to subdue or stop the resistive or aggressive behavior of a person. The preferred areas on the human body to be struck are the large muscle group areas including the thigh (common peroneal), the calf (tibial), the inside of the forearm (median) and the outside of the forearm (radial).
  2. Only when an officer is justified to use lethal force should they deliberately strike a person on the head or neck.

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3. The entire impact weapon is a tool to be used. This includes the handle, tip, baton shaft, and grip. Other items might be used as an impact weapon in an emergency, including the officer's flashlight, ticket book holder, etc.
- C. Medical Attention: if officers reasonably believe that the subject upon whom the strike was used exhibits any sign of medical distress, the officers shall render aid and summon emergency medical care.
1. If needed, reasonable and appropriate, medical personnel shall be summoned to the scene to assess the subject. If the exam or other circumstances dictate the subject needs further medical treatment the subject shall be transported by reasonable means to a suitable medical facility per Department transport guidelines.
  2. Medical treatment will not be refused for anyone who requests it.
  3. If officers reasonably believe that the subject is in need of medical treatment the officers shall make reasonable efforts to obtain such treatment.
  4. If safety circumstances reasonably dictate moving the subject to another location, officers may arrange to have emergency medical personnel meet the officers and the subject at another location to assess the subject and render care.
  5. If emergency medical care or transport is not reasonably available, or if the perceived response delay appears excessive, then per Department policies the subject may be transported by the officers for medical evaluation (not face-down transport). During transport the officers shall reasonably monitor the subject's observable physical condition.

### **Electronic Control Device (ECD) – TASER**

#### A. ECD Training and Certification:

1. Authorization: only trained and qualified Departmental officers may carry and/or use an ECD. TASER International, Inc. does not certify users, the Department or other entity is the user certifying authority.
2. Control and Issue: officers who are authorized to carry the ECD will be issued an ECD prior to his/her shift. The officer will conduct an arc test with the ECD and conduct an arc test. Once it is determined the unit is serviceable, the officer will carry the ECD. Once the shift is over, the officer will bring the ECD back to the station and sign it back in. If the ECD is unserviceable, it will be documented and sent back to the factory for service.
3. Training - All members of the Department who carry and/or use an ECD must first successfully complete a Department approved and mandated ECD training program, to include written and practical tests.
4. Re-Certification: A mandatory annual re-certification program will be successfully completed.

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5. 35' Cartridge Training: Any member of the Department who will use a 35' cartridge must receive special training and be qualified regarding the foreseeable trajectory of cartridge deployment.
6. Certified Instructors: all Department ECD certification programs will be presented by a certified ECD instructor.
7. Training Records: the Training and Standards officer shall ensure maintenance of ECD training and certification records.

## B. Procedures

1. Employment: ECDs should only be used against persons who are actively resisting or exhibiting active aggression, or to prevent individuals from harming themselves or others:
  - a. ECDs may be used when force is legally justified to prevent the reasonably foreseeable threat or actual attempted assault, battery, and/or injury to officers, other person, and/or the subject; or
  - b. In cases where officer / subject factors reasonably indicate that the officers, offender, and/or other person(s) likely be endangered by the use of passive and/or active force by the subject; and
  - c. It is understood that deployments against humans may be very dynamic in nature and the probes may impact unintended areas.
  - d. To display the ECD's "test arc" or "painting the subject with the ECD's laser" in attempting to gain compliance of the subject where resistance, assault, and/or violence is reasonably anticipated.
  - e. During Department authorized training programs and/or demonstrations.
2. Verbal Commands: In an attempt to minimize the number of ECD discharges needed for subject compliance, officers should, while deploying the ECD, reasonably direct (order) the suspect as the incident mandates. Such verbal commands may include, "stop resisting," "lie flat," "put your hands behind your back," etc.
3. Drive-Stun Mode (or "Touch-Stun"): the use of an ECD in "drive-stun" mode will not reliably incapacitate the subject. Therefore, contact distance deployment may be accomplished by deploying the probes at contact range and completing the circuit with the TASER body at another location on the target.
4. Restrictions: ECD shall not be used:
  - a. Punitively.
  - b. In drive-stun, or touch-stun, mode as a prod or escort device.
  - c. To rouse unconscious, impaired, or intoxicated individuals.
  - d. For horse play or in an unprofessional manner.

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- e. To experiment on a person or allow a person to experience the ECD, even if the person requests it, when the ECD's use would not otherwise be allowed by this policy. This ECD experience does not apply to voluntary ECD training exposures or ECD demonstrations as authorized by the Chief of Police.
  - f. For illegal purposes (e.g. illegal coercion, torture, etc.).
  - g. Inmates or detainees who are behind bars, or restrained and pose no threat of immediate physical violence. However, an ECD may be used against combative, assaultive, foreseeably violent detainees as provided for ECD use against any person under this policy.
  - h. As a flashlight
- C. Elevated ECD Application Risk Factors: the following factors, where apparent to involved officers, require elevated justification of ECD application. Under the following conditions the risks of foreseeable direct or secondary injuries are elevated, thus officers' justification(s) for ECD application are also elevated. These elevated risk factors can only be given consideration when the factors are reasonably perceived by the officers:
- 1. Presence of flammable liquids/fumes or explosive environments
  - 2. Elevated positions – A subject is in an elevated position, where a fall could cause significant injury.
  - 3. Person operating moving vehicle or machinery
  - 4. Person running (fleeing)
  - 5. Pregnant female
  - 6. Swimming pool or other body of water
  - 7. Intentional ECD application to sensitive areas
  - 8. Frail or infirm individual
  - 9. Non-standard repeated ECD applications
- D. Societal perceptions and concerns creating need for elevated justification factors: the following factors involve groups of people from which the general public commonly assumes that these individuals are not capable of being an imminent threat of death and/or serious bodily harm, or that these people should be treated more sensitively and compassionately by officers.
- 1. Officers understand that the realities are that individuals from each of these groups do commit violent crimes, can be an imminent threat of death and/or serious bodily harm to officers, others, and themselves, can be so resistive that the use of ECDs are eminently justified, etc.
  - 2. However, since society generally places individuals within these groups into protected classes, officers using an ECD on one of these individuals will foresee

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ably be placed under heightened scrutiny and will likely be required to provide additional justification(s) for the use of the ECD.

3. These groups include:
  - a. Children
  - b. Seniors
  - c. Restrained subjects
  - d. Passive subjects who are being seized
  - e. Disabled

E. Other ECD Factors to Consider:

1. ECD is Not a Substitute for Deadly Force: an ECD should generally not be used as a substitute for deadly force and should not be used in those situations. In deadly force situations, officers' decision(s) to deploy the ECD should be backed up with the immediate availability of deadly force.
2. ECD vs. Handgun: prior to the deployment of an ECD the officers deploying the ECD have the responsibility to reasonably visually and physically confirm that the response to resistance tool selected is in fact an ECD and not a firearm – in order to avoid weapons confusion.
3. Detention Notification of ECD Application: detention personnel shall be informed that the subject was captured by use of an ECD.

F. Medical Attention:

1. If officers reasonably believe that the subject upon whom the ECD was used exhibits any sign of medical distress, the officers shall render aid and summon emergency medical care.
2. If needed, reasonable and appropriate, medical personnel shall be summoned to the scene to assess the ECD subject. If the exam or other circumstances dictate the subject needs further medical treatment the subject shall be transported by reasonable means to a suitable medical facility per Department transport guidelines.
3. Medical treatment will not be refused for anyone who requests it.
4. If officers reasonably believe that the subject is in need of medical treatment the officers shall make reasonable efforts to obtain such treatment.
5. If safety circumstances reasonably dictate moving the subject to another location, officers may arrange to have emergency medical personnel meet the officers and the subject at another location to assess the subject and render care.
6. If emergency medical care or transport is not reasonably available, or if the perceived response delay appears excessive, then per Department policies the subject may be transported by the officers for medical evaluation (not face-down transport). During transport the officers shall reasonably monitor the subject's observable physical condition.

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- G. Probe Removal: some probes may remove themselves from skin or clothing. If a subject, who has a probe embedded in his or her body, requests that the probe be removed by medical personnel, then the officers shall arrange for medical personnel to remove the probes.
1. Sensitive Areas: only medical personnel shall remove probes located in sensitive areas. (Head/Groin)
  2. Non-Sensitive Areas: removal of probes in non-sensitive areas may be done by officers according to probe-removal training guidelines, which include the wearing of bio-protective gloves. Officers, or other trained personnel, will provide first aid following removal of the probes by applying iodine or alcohol wipes, and band-aids to the probe sites as needed. Officers should inspect the probes after removal to see that the entire probe and probe barb has been removed. In the event that a probe, or probe barb, has broken off and it is still embedded in a subject's skin, the subject shall be provided appropriate medical attention to facilitate the removal of the object.
- H. Probes - Biohazard: probes that have been deployed and strike the subject will be treated as biohazard sharps. They may be placed point down into the expended cartridge bores and secured (e.g. with latex glove(s), tape, etc.).
1. Where ECD probe deployment is not a reasonably foreseeable issue, and where there is no indication of serious injury, probes and expended cartridges need not be routinely maintained as evidence. They shall be properly disposed of as directed by training.
  2. If the incident is high-profile, or if serious injury is alleged, then the probes and the expended cartridge(s) shall be maintained as evidence appropriately secured, tagged, and identified as bio-hazard(s).
- I. Anti-Felon Identification (AFIDs):
1. AFIDs shall only be collected and maintained as evidence if reasonably necessary, such as where identification of who discharged the ECD is a foreseeable problem or issue.
  2. If officers determine that the AFIDs need to be collected and maintained as evidence, then officers will attempt to locate the AFIDs dispersed at the time of the cartridge discharge. If collected, these AFIDs will be placed into evidence with any expended cartridge(s).
- J. Transport concerns:
1. Avoid Face-Down Transport - Officers should attempt to avoid transporting a Subject, who has been controlled by the use of an ECD (or any Subject), face down.
  2. Avoid Transporting on Probes - If probes are still embedded in the subject, the officer should attempt to avoid transporting the subject in a position that would foreseeably further embed the probes in the subject.

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**K. Use of ECD on Animals:**

1. Using an ECD against animals may reduce the need for greater, more injurious force against such animals. The use of an ECD on an animal should be based on the intent to provide a safer, more humane and less traumatic conclusion to the incident.
2. An ECD may be deployed on an animal when:
  - a. The animal is threatening or is attacking a person, including officers, another animal, or property.
  - b. The animal has threatened or attacked a person, including officers, another animal, or has caused a continuing public nuisance and the animal needs to be captured for reason of public peace or safety, preservation of property, or other legitimate purpose; and the animal poses an active threat to officers in their efforts to perform their duty.
  - c. Center mass of the animal should be targeted. Care should be taken to avoid the head and other sensitive areas on the animal. It is understood that deployments against animals may be very dynamic in nature and the probes may impact unintended areas.
  - d. Procedures for probe removal should take place as outlined herein. Personnel will take reasonable measures to consider that the animal's welfare is provided for, in the event that probes impact a sensitive area, or it appears the animal's health is in jeopardy. It is generally understood that as long as personnel acted appropriately, the animal's owner will be responsible for any medical attention needed for the animal.

L. Accidental Cartridge Discharge: in the event of an accidental ECD cartridge discharge, the officers shall promptly notify their next level of command. The superior officer shall reasonably investigate the incident and prepare a written report documenting the incident. Alternatively, the supervisor shall have the officers prepare a written report and then the supervising officer shall make appropriate notifications and/or take other appropriate actions.

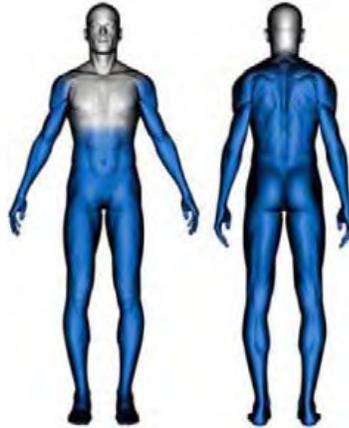
M. Targeting: the recommended point of aim is the lower-center of mass for front shots, however, back shots remain the preferred area when practical. There are three reasons for this recommended point of aim:

1. Simplify targeting for all TASER systems to one easy to remember map, avoiding chest shots when possible and the risk of a head/eye shot in a dynamic situation, as is standard for impact munitions
2. When possible, avoiding chest shots with ECDs avoids the controversy about whether ECDs do or do not affect the human heart.
3. Close-spread ECD discharges to the front of the body are more effective when at least one probe is in the major muscles of the pelvic triangle or thigh region.

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4. Preferred Targeting Diagram: the blue highlighted area in the adjacent target man represents the preferred target area.



- N. ECD Use Report: in addition to other Department RtR and/or incident reporting requirements, all written reports associated with the ECD related incident shall be completed before the end of the ECD deploying officers' shifts, or as reasonably possible thereafter. The ECD deployment documentation shall include for example:
  1. What precipitated the use of the ECD (include specific subject behavior(s)).
  2. To what extent the ECD was utilized.
  3. What were the known results of the ECD's utilization.
  4. The name and rank of the responding and reviewing supervisor.
  5. If medical personnel are involved with the subject, the report shall include the names and unit of responding medical personnel.
  6. All ECD response to resistance reports will include the TASER serial number of the unit used.
  7. All other officers' reports.
  8. Keep cartridge and probes or not.

### **Lethal Force – Firearms**

- A. Firearms may only be carried by officers who have demonstrated proficiency as required by current state and department training standards.
- B. Firearms to be carried must be department issued or pre-approved by the Chief of Police.
- C. The use of firearms or any other device, tool, or tactic used as a lethal force option may be used to defend the officer or other persons or to prevent a suspect's escape when an officer has probable cause to believe that the suspect poses a threat of death or serious physical harm either to the officer or to others. If a fleeing suspect threatens the officer with a weapon or there is probable cause to believe that he has committed a crime involving the infliction or threatened infliction of serious physical harm, deadly force may

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be used if it is necessary to prevent escape and if some warning has been given where feasible.

- D. Deadly force may not be used to prevent the escape of an unarmed, non-dangerous suspect, even one suspected of committing a felony.
- E. Any discharge of a firearm other than for valid training purposes must be immediately reported through the chain of command to the Chief of Police.
- F. Medical Attention: medical personnel shall be summoned to the scene to assess the subject.

## POST-INCIDENT RESPONSE

Law enforcement duties can often expose officers and support personnel to mentally painful and highly stressful situations that cannot be resolved through normal stress coping techniques. Unless adequately treated, these situations can cause disabling emotional, mental, and/or physical problems. Officer-involved shootings resulting in death or serious bodily injury to citizens or fellow officers may trigger stress disorders. It is the responsibility of The Tupelo Police Department to provide personnel with information on stress disorders, and to guide and assist in their prevention. It is the policy of this agency to take immediate action, after traumatic incidents, to safeguard the mental health of all involved personnel.

## DEFINITIONS

Post-Traumatic Stress Disorder: An anxiety disorder that can result from exposure to short-term severe stress, or the long-term buildup of repetitive and prolonged milder stress.

Officer-Involved Shooting Incident: A line-of-duty incident where a shooting causes death or serious bodily injury to an officer or other person.

## PROCEDURES

- A. Handling of Officers at Scene of Shooting Incident: the supervisor on the scene of the incident will:
  - 1. Request necessary medical assistance;
  - 2. Move the officer(s) involved to a quiet location where a peer may be available for support;
  - 3. Prohibit use of any medications, stimulants or depressants which may alter the mental processes of the officer(s);
  - 4. Interview the officer(s) involved regarding facts of the incident, although a more detailed debriefing will be conducted at a later time;
  - 5. Notify the officer(s) involved that an investigation will occur concerning the incident, and that they may seek legal counsel;

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6. Advise the officer(s) involved to refrain from discussing the incident with anyone, except a personal or agency attorney or department investigator, until the preliminary investigation is concluded;&
  7. Determine whether the circumstances of the incident require the officer's duty weapon be taken for laboratory analysis. When the duty weapon is taken, the supervisor will:
    - a. Discretely take custody of the officer's weapon; &
    - b. Replace the officer's weapon with another weapon, or advise the officer that it will be returned or replaced at a later time, as appropriate.
    - c. Notify whatever division (Usually a member of the training or supply staff) in charge of issuing weapons to provide a replacement weapon as soon as possible.
  8. Allow the involved officer(s) to notify their families about the incident as soon as possible. When the officer(s) is unable to do so, an agency official personally notifies the family, and arrange for their transportation to the hospital.
- B. Post-Incident Procedures: all officers directly involved in the shooting incident are required to contact an agency-designated specialist for counseling and evaluation as soon as practical after the incident. Involved support personnel are also encouraged to contact the specialists after shooting incidents. After the counseling sessions, the specialist advises the agency:
1. Whether it is in the officers' best interest to be placed on administrative leave or light duty, and for how long;
  2. When the officer's duty weapon should be returned
  3. The best-continued course of action going forward.
- C. Agency responsibilities:
1. Remove involved officers from their duties, pending evaluation, while maintaining their availability for any necessary administrative investigations;
  2. Encourage the families of the involved officers to take advantage of available counseling services;
  3. Investigate the incident as soon as practical;
  4. Brief other agency members concerning the incident to minimize rumors. Agency members are encouraged to show the involved officers their concern;
  5. Respond to media inquiries, and release information regarding the incident as described in the Media Relations procedures; &
  6. Require each officer directly involved in the incident to re-qualify with their duty weapon prior to re-assignment to duty.

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7. Will re-evaluate the officer's demeanor and mental stability on a casual basis at least once a year or as deemed necessary,

D. Officer responsibility:

8. Be encouraged to have phone calls answered by someone else for several days, if their names are released to the public.
9. Not provide any information to any party over phone calls unless it is verified that it is a department designated investigator, department administrator who is familiar with the case, legal council or a counselor that the officer is familiar with.

E. Daily Stress Recognition: post-traumatic stress disorders may not arise immediately, and officers may attempt to hide problems. Supervisors are responsible for:

1. Monitoring the behavior of unit members for symptoms of the disorder; and
2. Ordering officers to seek assistance or counseling from a mental health specialist upon a reasonable belief that stress may be disrupting job performance.
3. Other officers who work with an officer that has been involved in an on duty shooting should be aware of any changes in the behavior. This behavior change should be relayed to that officer's supervisor. Changes may be small and over a long period of time.

F. Training: the agency is capable of providing employees with training pertaining to post-traumatic stress disorders on a regular basis.

1. Supervisors are responsible for making information about the City's counseling and mental health services available to officers through the Employee Assistance Program (EAP).
2. Officers will be encouraged to attend the Mississippi LEAPS (Law Enforcement Alliance for Peer Support) training and one coordinator will be appointed for the Department ([www.msleaps.org](http://www.msleaps.org))

## REPORTING RESPONSIBILITIES

A. Reporting Criteria:

1. Any response to resistance higher than handcuffing without resistance requires a detailed narrative report to be completed by all officer(s) involved in the incident by the end of their shift.
2. Critical Incident: any response to resistance resulting in serious injury to any person (including an officer) is considered a critical incident and will be immediately reported to the Chief or his/her designee. In cases of critical incidents, the report will be filed within 72 clock hours of the incident. All officers will report all aspects of

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the incident when making the report or any subsequent testimony, under penalty of discipline and/or termination.

- B. Supervisor Response to Resistance Use: in all ECD applications, as with all responses to resistance, the on-duty supervisor shall:
1. Be advised of any employment of Response to Resistance.
  2. Respond to the scene of the employment.
  3. Review with the officers the circumstances under which they responded to the resistance.
  4. Complete an after action report.
- C. Incident Review:
1. The after action review will be documented and forwarded to the Division Commander, Internal Affairs (IA) and the Training Center Supervisor (TCS). The TCS will maintain a file of all after action reviews for the calendar year.
  2. A copy of the officer's response to resistance report will be forwarded by the supervisor to the IA and TCS no later than 36 clock hours after the supervisor receives the final incident report.
  3. The TCS will review all reported responses to resistance for training and policy evaluation. The TCS will forward any reports that do not meet policy or legal standards with an evaluation (if necessary) to the Chief of Police or his designee within two working days (excluding weekends and holidays).
  4. Any use of force found to be in violation of agency policy will result in further investigation by the Chief's designee, to include using outside agencies.
- D. Photographs: when lawful and appropriate to do so, photographs should be taken of any injuries, to include probe impact sites after ECD use, as soon as reasonable to do so.
1. In some instances photographs may be taken, such as in some cases of juveniles or when the probes impacted genitals, female's breasts, etc.
  2. It is important to preserve evidence of response to resistance use, however, it is also important to not violate any medical, HIPPA, or privacy statutes or other legal restrictions.
- E. Release: no information considered evidence related to an incident, to include reports, pictures or other evidence will be released to any source outside this Department without the consent of the Chief of Police. Any unauthorized release will be investigated and the source disciplined, up to and including termination.

## ATTACHMENTS

### 3.04.01 After Action Report

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**REFERENCES**

Source	Number	Description
City of Tupelo Policy		
MSLEAC		
CALEA		
POST		
State Statute		

Tony Carleton  
Chief of Police

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