



POLICIES AND PROCEDURES MANUAL

	<b>USE OF FORCE REPORTING</b>	
	<b>POLICY NUMBER: 4-2</b>	ISSUING AUTHORITY 
	<b>EFFECTIVE DATE: June 15, 2020</b>	Michael A. Davis Chief of Police

I. GENERAL CONSIDERATIONS

The manner in which police officers use force is a critical issue that can generate intense public scrutiny. When these incidents occur they demand a thorough and complete inquiry into all aspects of the incident. Only through a full review can the facts of the incident evolve and public confidence be maintained.

II. POLICY

It is the policy of this department to require a written report any time an officer:

- A. Intentionally discharges a department-issued or authorized firearm for purposes other than training, department-approved recreation, ballistics testing, or maintenance; [4.2.1(a)]
- B. takes action that results in, or is alleged to have resulted in, the injury or death of another person; [4.2.1(b)]
- C. applies force to a subject through the use of a lethal or less lethal weapon; [4.2.1(c)] or
- D. applies weaponless physical force to a subject as a means to defend him/herself or another against aggression, or to overcome continued or persistent resistance. [4.2.1(d)]
- E. displays a weapon as a means to gain subject compliance.

III. DEFINITIONS

- A. *Weaponless Physical Force:* The application of force to a resisting subject using hand control techniques that have less chance of producing injuries. Physical touching, gripping or holding, frisking, handcuffing or other custodial procedures with compliant subjects are not included.
- B. *Employee:* For the purposes of the application of this policy, any person officially affiliated with the department whether full or part time, sworn, civilian, volunteer, or other.

- C. *Reportable Use of Force:* A level of force used by a member of this department that would trigger a report as directed under this policy. The use of handcuffs as a restraint, removing a firearm from the holster, discharge of a weapon to euthanize an animal, or the use of verbal commands are not considered reportable uses of force.

## IV. PROCEDURES

### A. Employee Responsibilities

1. Each employee who used reportable force as defined in this policy shall comply with the following guidelines.
  - a. Immediately notify a shift supervisor.
  - b. Write a complete and accurate report in ARMS unless the requirement of such report would violate the officer's Fifth Amendment protections and/or if transactional immunity for said officer(s) would be triggered, or unless circumstances dictate otherwise, such as in the case of a lethal force incident. In such cases the report may be filed at the discretion of the shift supervisor. The report shall be submitted in writing. At a minimum, the report shall include the following.
    - (1) Actions of the subject that necessitated the use of force, including weapons.
    - (2) Type of force used.
    - (3) The effect of the force on the subject.
    - (4) Injuries to the subject, employees, or others.
    - (5) Complaints of injury by the subject or others.
    - (6) Medical treatment received or refused by the subject or others.
    - (7) Medical treatment to officers.
  - c. If available, officers should include in their reports the presence of witnesses or other means to recount the incident.
  - d. The report may be used for internal statistical and analytical purposes.
  - e. An injured employee shall submit the required reports as soon as practical.
  - f. Any employee, whose action(s) or use of force in an official capacity results in death or serious physical injury, shall be removed from line-duty assignment and, at the discretion of the Chief of Police, placed on paid administrative leave pending an administrative review. [4.2.3]

### B. Supervisor Responsibilities

1. A supervisor shall respond to any incident where force was used.

2. The supervisor will create a use of force incident in Guardian Tracking and denote whether the officer's use of force was reasonable and within department policy or needs further review.
3. The Lieutenant of Patrol will review the report to determine if the use of force was in compliance with department policy and procedures.
4. Lastly, the Deputy Chief of Police will review the report to determine if the use of force was in compliance with department policy and procedures. [4.2.2]
5. A supervisor who uses force shall not review the use of force in that same incident.
6. In cases involving death or serious bodily injury, the Chief of Police shall be notified and shall supervise or assign supervision of the investigation.
7. In those instances where death has or is likely to occur, the District Attorney's office shall be notified immediately.

C. Annual Analysis of Use of Force

1. The Use of Force Reports shall be filed with the Deputy Chief and the Lieutenant of Administration and Professional Standards. The Lieutenant of Administration and Professional Standards shall conduct an annual analysis of all use of force reports and submit a written report to the Chief of Police. Such analysis and conclusions may indicate the need for training, equipment upgrades, or policy modifications. The analysis should consider the following. [4.2.4]
  - a. A comparison of the total number of use of force incidents compared to previous years.
  - b. Types of force used.
  - c. Types of weapons used.
  - d. Effectiveness of the use of force techniques.
  - e. Nature of the incidents that required force.
  - f. Intensity of attacks or resistance.
  - g. Subject demographics.
  - h. Day of the week, time of day, shift involved.
  - i. Years of experience of employee(s) involved.
  - j. Uniform or plain-clothes employee(s).
  - k. Severity of injuries to employees or subjects, if any.
- l. Summary breakdown of the disposition of the administrative reviews.