

DIRECTIVE 4.2

USE OF FORCE REPORTING AND REVIEW

Issue Date: 09/01/2020	By Order of Chief of Police
Rescinds: (Issue 03/23/2020)	CALEA Standards Referenced: 4.2.1; 4.2.2; 4.2.3; 4.2.4 & 4.2.5
Pages: 6	Ohio Standard 1

This directive consists of the following sections:

- 4.2.1 Reporting Uses of Force**
- 4.2.2 Written Use of Force Reports and Administrative Review**
- 4.2.3 Removal from Line of Duty Assignment**
- 4.2.4 Analyze Reports**
- 4.2.5 Assault on Sworn Officer Analysis**

POLICY AND PROCEDURE:

4.2.1 Reporting Uses of Force

A written Use of Force report is submitted whenever an employee:

- Discharges a firearm, for other than training or recreational purposes;
- Takes an action that results in, or is alleged to have resulted in, injury or death to another person;
- Applies force using lethal or less lethal weapons, or;
- Applies weaponless physical force.

All officers have a duty to ensure that all use of force and any citizen allegation of excessive force are reported to the Police Department. Whenever an officer uses deadly force, force, hard hand tactics, chemical irritant, a CEW; or confronts resistance that results in an injury or the complaint of injury to a citizen, or of excessive force, the officer will immediately notify a supervisor. The supervisor or command officer investigating the incident must be of at least the next higher rank than the officer(s) who used the force unless an exception is approved by the Chief of Police.

The primary officer will complete and file a written Use of Force Report anytime they use physical, weaponless, less lethal or lethal weapons against another person, whether injury or death results from such use of force, regardless if the force was intentional, unintentional or accidental. Support officers involved shall complete a thorough statement of facts to be included in the report. Prior to the filing of the written Use of Force report, the officer involved or alleged to have been involved will immediately contact the shift supervisor and give an oral report concerning the incident.

If the officer involved is unable to complete the proper reports, then the supervisor will file the appropriate reports. Any report that is filed by a supervisor for an officer will be supplemented with a written report filed by the officer involved, as soon as practical after the incident.

4.2.2 Written Use of Force Reports and Administrative Review

The department will investigate all incidents where an officer uses force or is alleged to have used force against any person. The investigation will conclude with a review by the Chief of Police of the incident to determine if the action by department personnel were within guidelines set forth in the policies of the department.

The shift supervisor, will as required, make the appropriate notifications and then investigate the incident. The shift supervisor will complete the Supervisor's Use of Force report. The shift supervisor will compile all appropriate information from the incident and forward the report along with the officers' use of force report, photos, recordings, statements, evidence, etc....to the Patrol Division Supervisor.

The Patrol Division Supervisor will review the report for accuracy, completeness and reasonableness. The Patrol Division Supervisor will make a recommendation to the Chief of Police of whether the Use of Force was within policy, out of policy or accidental.

The report will be submitted to the Chief of Police for review and disposition of the investigation. Disposition of the case will conclude with a finding of within policy, out of policy or accidental.

4.2.3 Removal from Line of Duty Assignment

When death or serious physical injury has resulted from the use of force or any other action by an employee (auto accident or other means), the employee as soon as practical, will be removed from line duty assignment or they may be placed on paid administrative leave until completion of an administrative review of the incident. This review will be completed as soon as practical following the incident.

When an employee has or has been alleged to have been involved in an incident that has resulted in the death or serious injury of a person, the employee may be required to undergo a debriefing with a psychologist. The department will afford the services of a professional psychologist and/or psychiatrist to an employee who has or has been alleged to have used force or any other action that resulted in the death of a person. When an employee elects to use this service, it shall be protected by the physician-patient relationship.

The Chief of Police may also grant relief from duty when an employee has been involved in a critical incident. Such incident is defined as an occurrence that brings an overwhelming emotional response from the employee witnessing it and the emotional effect goes beyond the employees coping abilities.

4.2.4 Analyze Reports

Annually, the agency conducts an analysis of its use of force activities, policies and practices that shall identify:

- Date and time of incidents;
- Type of encounters resulting in use of force;
- Trends or patterns related to race, age and gender of subjects involved;
- Trends or patterns resulting in injury to any person including employees;
- Impact of findings on policies, practices, equipment and training.
- All assaults on sworn officers

The review will be conducted by the Patrol Division Supervisor and will include reviewing each use of force report required by this directive and determining over all if department procedures and practices should be changed due to legal decisions, requirements of the department or in the interest of the community served. The Patrol Division Supervisor shall upon review, determine if additional or alternative training is necessary for department personnel dealing with any aspect of the application or reporting of the use of force. This analysis and all revisions/recommendations shall be submitted to the Chief of Police.

4.2.5 Assault on Sworn Officer Analysis

All assaults on officers are reported and reviewed by the Patrol Division Supervisor. An annual review is conducted by the Patrol Division Supervisor or their designee to enhance officer safety, revise policy and address training needs for Police Chief's review and approval. The annual review will be included in the annual Use of Force analysis report.