

USE OF FORCE REVIEW BOARD

- AUTHORITY:** Administrative Directive
- RESCINDS:** Procedure Manual Item 1-4-108, **07/23/2020**
- FORMS:** None
- PURPOSE:** To establish a standardized procedure for **reviewing use of force incidents involving** discharge of a departmentally authorized firearm, discharge of a departmentally authorized TASER, use of a departmentally authorized expandable baton, and use of physical force incidents causing injury **occurring within the scope of field services and the discharge of OC Spray and use of physical force incidents causing injury occurring in the scope of duty in facilities.**

I. PROCEDURE

A. Members

1. The Use of Force Review Board shall be composed of the following individuals:
 - a. A Probation Division Director (DD), **designated by the Chief Probation Officer (CPO) or designee**, who shall act as the Chairperson.
 - b. A Supervising Probation Officer (SPO) designated by the **CPO or designee**.
 - c. A Deputy Probation Officer (DPO) designated by the **CPO or designee**
 - d. **A Supervising Juvenile Corrections Officers (SJCO) designated by the CPO or designee.**
 - e. **A Deputy Juvenile Correctional Officer (DJCO) designated by the CPO or designee.**
 - f. **A subject matter expert based on the type of force under review (e.g. Field Defense and Control Techniques instructor, Facility Defense and Control Techniques instructor, Taser/Conducted Energy Weapon instructor, Baton instructor, and/or Range Master) designated by the CPO or designee.**
 - e. **Any additional individual whose expertise is required for purposes of providing additional information or if the board is unable to reach a consensus. This individual will be designated by the CPO, or designee.**

1. **The Use of Force Review Board requires a minimum of four (4) members to review each qualified incident.**
 - a. **Incidents that occur in the field, require the designated DD, SPO, DPO, and the designated use of force instructor to review.**
 - b. **Incidents that occur in the facilities, require the designated DD, SJCO, DJCO, and the designated use of force instructor to review.**
2. The Use of Force Review Board members will rotate annually with the exception of the use of force instructors.
3. At least one member of the Board, **required to review field use of force incidents**, shall remain quarterly qualified.
4. Use of **Force Review Board** members shall not hear use of force events that occurred within their chain of command. Executive Management will review and/or reassign members of the board as necessary.

A. Function

1. The Use of Force Review Board shall convene any time a departmentally authorized firearm, TASER, expandable baton, or Oleoresin Capsicum (OC) Spray is discharged/used within the scope of duty (excluding training and qualification). Additionally, a physical use of force causing injury (visible or complaint), shall be reviewed by the chain of command and may be referred to the Use of Force Review Board.
 - a. The review shall be coordinated and conducted in cooperation with any law enforcement agency conducting a parallel investigation of the same incident.
 - b. The board shall convene within thirty (30) days of the incident unless there are articulated circumstances (**e.g. criminal investigation, referral to the Professional Standards Division**) that **delay or** prevent the review from occurring.
 - c. The **Use of Force Board** shall review all available reports and information including social and digital media.
 - d. The **Use of Force Board** may contact subject matter experts for clarification regarding training, equipment, and departmental procedures.
2. The Use of Force Board will also take into consideration the following:
 - a. The use of force should be consistent with the law and departmental policies.

- b. The decision should be evaluated from the perspective of a reasonable officer in the same situation, based on the totality of the circumstances known to or perceived by the officer at the time, rather than with the benefit of hindsight and the totality of the circumstances shall account for occasions when officers may be forced to make quick judgments about using force.
3. Within thirty (30) days of the board convening, the chairperson of the Use of Force Review Board shall prepare a written report for the CPO containing a brief summary of the incident and board findings/recommendations on the following items:
 - a. The use of force was within departmental policy and procedure.
 - b. The use of force was outside of departmental policy and procedure.
 - c. Additional recommendations including relevant training, referral to the Professional Standards Division (PSD), etc.

B. Disposition

1. The CPO has the right to accept or reject the findings/recommendations of the board.
2. The CPO shall make the final decision regarding policy compliance in all use of force incidents reviewed by the board.

REFERENCES:

Procedures:	1-4-105	Use of Force (Field Services)
	1-4-106	Oleoresin Capsicum (OC) Spray - Field Services
	1-4-107	Authorization to Carry Firearms
	1-4-121	Expandable Baton – Field Services
	3-1-015	Use of Force – Facilities
	3-1-056	Oleoresin Capsicum (OC) Spray - Facilities
Policies:	D-8	Firearms
	D-9	Tear Gas

C. Stiver

APPROVED