

IACP National Law Enforcement Policy Center

REPORTING USE OF FORCE

Model Policy
February 1997

I. PURPOSE

It is the purpose of this policy to provide officers and supervisors with guidelines for reporting use of force.

II. POLICY

The authority to use force carries with it the need for accountability in order to safeguard the rights of the public and preserve the integrity of the police agency and the jurisdiction that provides this authority. As such, it is the policy of this law enforcement agency that use of force, as designated herein, shall be reported in a timely, complete, and accurate manner by involved officers and as prescribed by this policy.

III. DEFINITIONS

Use of Force: For purposes of this document, use of force is the amount of effort required by police to compel compliance from a person. Except as noted below, this includes any use of force occurring while the officer is acting in an official law enforcement capacity. This includes undercover, plainclothes, or uniform assignments whether on or off duty. Police use of force is recognized in the following categories:

Physical Force: Use of any part of the officer's body or the use of police horses or canines to compel compliance.

Chemical Force: Use of any CN, CS, Mace, or OC aerosol or foam spray to compel compliance.

Impact Force: Use of any object (nightstick, baton, flashlight, bodyshield, other) as a less-lethal weapon to compel compliance.

Electronic Force: Use of any electronic equipment (Taser®, stun gun, or similar device to compel compliance.)

Firearms Force: The discharge of a firearm of any type to compel compliance.

Any suspect who has been injured or who reports being injured shall be reported on forms and in a manner designated by this agency.

Exceptions: Police actions not included in the above definition are handcuffs when used as a restraint in arrest and transport activities; transport by vehicle; physical removal of peacefully resisting demonstrators; display of weapon (unholstering or brandishing of firearm); presence of police officers, horses or canines; or police issuance of tactical commands (verbal judo).

IV. PROCEDURES

A. Responsibility for Reporting

1. Officers shall make an immediate verbal report to their supervisors following any use of force and file a use-of-force report.

- a. Each officer who uses force in an incident shall submit a separate written use-of-force report.
 - b. Any officer who witnesses a use of force shall advise a supervisor and shall submit a use-of-force report.
 2. All use-of-force reports shall specify the actions of the suspect that necessitated the use of force, the reasons why the officer used force, as well as any suspect complaints of injury, medical treatment received, or refusal of medical treatment.
 3. The arresting officer shall notify transporting officers if force was used on the arrestee, or if the arrestee has an injury or complaint of pain.
 4. Supervisory officers shall investigate and report on uses of force as directed in item IV. C of this policy.
- B. Referral/Transport for Medical Attention
1. Arresting and transporting officers shall ask prisoners whether they are injured or ill.
 2. A suspect shall be examined by an appropriate health care provider prior to interrogation or prisoner processing for purposes of detention when suffering from or complaining of injury or illness or when, among other instances, the individual
 - a. is struck on the head with an impact weapon or other hard object;
 - b. is restrained about the neck or throat;
 - c. is struck with a less-lethal weapon projectile such as a Taser® dart, ARWEN, or stingball; or
 - d. is bitten by a police canine.
 3. An injured prisoner shall not be admitted to or held in detention without being examined and released by a physician or qualified health care provider.
 - a. Whenever there is doubt concerning the need for medical attention, it should be resolved through examination of the subject by an appropriate health care provider.
 - b. Refusal of treatment shall be documented and verified by the officer and attending physician or health care provider.
- C. Supervisory Responsibilities
1. An officer's immediate supervisor shall be summoned and shall respond to any incident of use of force on a priority basis. In any instance of use of force, the supervisor shall
 - a. document the officer's and suspect's statements of actions taken, injuries sustained, and medical treatment needed or desired;
 - b. identify/interview witnesses as appropriate;
 - c. document, as necessary, the scene of the incident;
 - d. interview any health care provider concerning the injuries sustained and their consistency with uses of force; and
 - e. complete a supervisor's use-of-force report.
 2. The immediate supervisor shall notify the shift commander in cases involving injury or complaint of injury, hospitalization, or death of a person resulting or allegedly resulting from an officer's use of force.

3. In all cases involving a subject's death or hospitalization, the shift commander shall immediately notify this agency's internal affairs authority and shall coordinate and assist that unit in conducting the investigation.
4. The shift commander shall prepare and submit to the officer's unit commander a complete review of any use of force not investigated by this agency's internal affairs authority. That report shall include but shall not necessarily be limited to the following:
 - a. a full explanation of the incident;
 - b. statements (including tape recordings) of witnesses, suspect(s), and medical personnel;
 - c. copies of medical reports;
 - d. any photographs or videotapes of injuries; and
 - e. any other information or material pertinent to a complete understanding of the incident.
5. The unit commander shall review the shift commander's report, conduct such further investigation of the incident as may be deemed necessary, and submit findings and conclusions to this agency's internal affairs authority.
6. Internal affairs shall review all use-of-force reports to determine adherence to policy and procedures, and completeness of the report. Where further documentation or investigation is warranted, appropriate personnel shall be notified by internal affairs investigators.

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This project was supported by a grant awarded by the Bureau of Justice Assistance. The Bureau of Justice Assistance is a component of the Office of Justice Programs, which also includes the Bureau of Justice Statistics, the National Institute of Justice, the Office of Juvenile Justice and Delinquency Prevention, the Office for Victims of Crime, and the Office of Sex Offender Sentencing, Monitoring, Apprehending, Registering, and Tracking. Points of view or opinions in this document are those of the author and do not necessarily represent the official position or policies of the U.S. Department of Justice or the IACP.