



POLICY & PROCEDURE

ST. FRANCIS POLICE DEPARTMENT

**SUBJECT: USE OF FORCE REPORTING
AND REVIEW**

SCOPE: All Sworn Personnel
DISTRIBUTION: Policy & Procedure Manual

REFERENCE:

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INDEX AS:

Use of Force Reporting; Use of Force Review, Use of Force Review and Analysis Board.

PURPOSE:

The purpose of this policy & procedure is to provide guidelines for the process of reporting and reviewing incidents regarding use of force by officers. Documentation is essential following incidents involving resistance and/or aggression directed at an officer.

This Policy & Procedure consists of the following sections:

- I. POLICY
- II. SPECIFIC PROCEDURE AND GENERAL GUIDELINES
- III. USE OF FORCE REVIEW AND ANALYSIS BOARD
- IV. REPORTING OF EXCESSIVE FORCE INCIDENTS
- V. ADMINISTRATIVE REMOVAL FROM DUTY

POLICY

- A. It is the policy of the St Francis Police Department that it is the responsibility of any officer who uses physical force to properly document the use of force in the proper manner, as detailed below.
- B. Proper documentation shall include a CAD call update, incident report, use of force worksheet, and a TRACs Use of Force and Arrest Related Death (UFAD) report; depending on the level of force utilized by an officer and special incident circumstances.

- a. It should be noted that the use of force worksheet is not designed to be an all-inclusive report. The worksheet provides a framework for incident facts, but the incident report shall lay out the entirety of facts involved in the use of force incident.
- C. All use of force documentation, once approved, shall be forwarded to the lead DAAT instructor and Captain of Police for future review.
- D. All use of force incidents will be reviewed by the Use of Force Review and Analysis Board.

SPECIFIC PROCEDURE AND GENERAL GUIDELINES

- A. Proper Documentation of the Use of Force
 - 1. Incidents that generally do not require documentation in a call update or incident report include, but are not limited to , the use of:
 - a. Professional presence (Presence)
 - b. Tactical communication (Dialogue)
 - c. Escort Holds
 - d. Handcuffing
 - 2. Incidents that require documentation in an incident report, the St Francis Police Department Officer Use of Force Worksheet, and notification of a supervisor include:
 - a. Compliance holds
 - b. Passive Countermeasures
 - c. Oleoresin Capsicum spray
 - d. Conducted Electrical Weapon (CEW)
 - e. Pepperball launcher
 - f. Active Countermeasures
 - g. Incapacitating techniques (diffused strike)
 - h. Intermediate weapon
 - i. Canine deployment
 - j. Any level of force that results in an injury to a subject or officer
 - k. Firearm (discharging or point of firearm)(Building clearing exempt)
 - l. Any other use of force incident where unique circumstances dictate the necessity for reporting
 - 3. Any incident involving serious bodily injury or death must also include a TRACs UFAD report in addition to an incident report and use of force worksheet. The Chief of Police shall be notified as soon as practical.
- B. St Francis Police Department Officer Use of Force Worksheet
 - 1. A use of force worksheet, when applicable, must be completed by all officers involved in the use of force incident. Once completed, the report shall be reviewed by the supervisor/commanding officer who reviews and approves the incident report.
- C. Firearms Discharge Report
 - 1. A Firearms Discharge Report shall be completed regarding any incident involving the intentional or accidental discharge of a firearm, except on an approved firearms range for the purpose of firearms practice, training, competition, qualification or legal hunting purposes.

D. Use of Force Incident Report

1. Primary Officer

a. The primary officer is required to articulate the following information when force is utilized in an incident:

- Officer/subject factors
- General observations
- Early warning signs
- Pre-attack postures
- Resistive behavior
- Intervention options
- Follow-thru considerations

2. Secondary Officer(s)

a. While some duplication or verification of observations in reporting may appear, secondary officers may offer different observations than the primary officer or other secondary officers may not have observed. Secondary officers are required to document their observations under the following circumstances:

- Injury to a subject (reported or observed)
- Injury to an officer
- Use of OC spray
- Use of an CEW
- Citizen complaint of excessive force
- Request of the primary officer, supervisor, and/or administrative staff
- Use of firearm
- Any other incident that an officer and/or a supervisor determines a report is necessary.

3. On-Scene Supervisor

a. The on-scene supervisor is responsible for ensuring that a thorough preliminary investigation and reporting of the incident to shift supervisor and/or administrative staff occurs, including photographs of the scene, subject(s), and officer(s).

b. The on-scene supervisor shall also conduct an interview of the subject(s) involved in the use of force incident as soon practical to obtain information pertaining to the incident and possible injury.

USE OF FORCE REVIEW AND ANALYSIS BOARD

A. Ongoing review of incidents involving the use of force will offer the opportunity to identify patterns or trends that may indicate training needs and/or policy modifications.

B. The purpose of the Use of Force Review and Analysis Board is as follows:

1. To determine if an officer's actions were in conformance with or violated the department policy.
2. To promote a safe working environment for all officers and citizens.
3. To correct unsafe work practices
4. To recommend appropriate training or corrective action to be taken by the Chief of Police. All recommendations to the Chief of Police shall be advisory.

- C. The Use of Force Review and Analysis Board shall consist of the following individuals:
 - 1. Captain of Police
 - 2. Lieutenant of Police
 - 3. Shift Sergeant(s)
 - 4. DAAT instructor(s)
 - 5. Firearm instructor
- D. The Use of Force Review and Analysis Board shall meet at least once per year to review all use of force incidents.
 - 1. During this yearly review, the board shall ensure all incidents were within policy and procedure, identify use of force trends, identify training/equipment needs, and locate possible policy modification needs.
 - 2. All findings and recommendations shall be forwarded to the Chief of Police for review.
- E. The Use of Force Review and Analysis Board shall review individual critical incidents, per the Chief of Police, as soon as all reports and documentation are completed and approved.
 - 1. For example, an incident causing death or serious bodily harm, egregious policy and procedure violations, use of excessive force, or incidents involving citizen complaints.
- F. The Department will forward information related to the National Use-Of-Force Data Collection-FBI program to the Wisconsin Department of Justice. Additional information regarding this program can be found at the Wisconsin DOJ, Bureau of Justice Information and Analysis

REPORTING OF EXCESSIVE FORCE INCIDENTS

- A. Any St Francis Police Officer who, in the pursuance of law enforcement duties, witnesses another law enforcement officer, in the pursuance of law enforcement duties, use physical force which exceeds the degree of physical force permitted by the St Francis Police Department Use of Force Policy, must immediately notify a supervisor of this use of force.
- B. The supervisor will direct the officer who witnessed the alleged use of excessive force to report the incident in writing. The supervisor will determine in what form the written reports will be submitted (i.g. incident report, matter of, etc.). Failure to report such use of force by another law enforcement officer may result in subsequent criminal charges, departmental charges, and civil liability. Any law enforcement officer who knowingly make a materially false statement, which the officer believes not to be true, in reporting the use of physical force may be subject to subsequent criminal charges, departmental charges, and civil liability.
- C. Excessive physical force will be presumed when a law enforcement officer continues to apply physical force, in excess of the force permitted by St Francis Police Department policy, to a person who has been rendered incapable of resisting arrest.

ADMINISTRATIVE REMOVAL FROM DUTY

- A. An officer whose actions or use of force results in a death or serious physical injury shall be placed on administrative leave or light duty by the Chief of Police or his/her designee during the investigation of the incident and/or until such time as the incident investigation or Use of Force Review and Analysis Board review is completed.

1. The officer shall be available for Departmental interviews and statements regarding the incident and subject to the recall to duty.

Kevin M. Hunter
Chief of Police

This Policy & Procedure cancels and supersedes any and all previous written directives relative to the subject matter contained herein.

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