

7-07/020.00 Custody Force Review Committee

The Custody Force Review Committee (CFRC) is comprised of three (3) commanders assigned to Custody Services Division. One commander will be appointed as chairperson. Additionally, a member of the Office of the Inspector General (OIG) will participate as a monitor and provide input. The goals of the CFRC are to evaluate the force applied within custody facilities, the quality of use of force investigations, and the effectiveness of supervision in their units; however, the Custody Force Response Team's (CFRT) involvement in reviewing incidents shall not delay the Department's force investigation.

The CFRC should review:

- All Category 2 force incidents which require a CFRT roll-out, should be reviewed by the CFRC.
- Any grievance in which force is alleged to have been used in retaliation against an inmate. CFRC shall review the grievance at its next meeting, or the meeting thereafter, following the unit commander's approval of the disposition. The review shall be performed for the purpose of assessing the correctness of the unit commander's evaluation of the grievance.

Note: Any exemptions from review by the CFRC must have prior approval from the CFRC chairperson.

Any unexplained tactical decisions pertaining to uses of force or any discrepancies among witnesses and/or evidence found by the reviewing commander(s) or committee, should be referred back to the incident investigator. The referral for additional investigation to the incident investigator, should be in writing, via the facility's incident commander. Results of the additional investigation should be reported in writing to the reviewing commander(s) or committee.

In addition, the CFRC can review incidents at the request of a unit commander, or based on factors such as an increase in force incidents by facility, shift, or employee.

The CFRC will schedule completed force packages for review and will require the unit commander (or their designee), the supervisor completing the investigation, and the approving watch commander to attend. They shall be prepared to discuss specifics of the force incident, answer questions about the incident and the force review, and justify their recommendations regarding the incident. The CFRC shall review the force incident as a whole, including the events which precipitated the use of force and any prevention efforts (if applicable), as well as the quality of the force review. The handling CFRT sergeant will present the basic facts of each incident and will act as a subject matter resource.

The CFRC chairperson shall report the committee's findings, including recommendations, to the specific unit commander via memorandum. Recommendations to debrief involved and/or uninvolved personnel, provide additional training, or conduct counseling shall be included in the committee's memorandum. Exemplary performance or conduct shall also be acknowledged and appropriate commendations recommended.

The unit commander shall evaluate the committee's findings, act on their recommendation(s), document their actions, address any disagreements, and report back to the committee within 30 business days.

If the CFRC determines the force incident may have involved a violation of Department policy, the specific Manual of Policy and Procedures or Custody Division Manual section(s) shall be cited in the committee's findings. The CFRC shall order that an administrative investigation be opened and assigned to the

appropriate unit, which in the case of Category 2 and 3 force incidents shall be the Internal Affairs Bureau.

When completed, the administrative investigation shall be returned to the respective facility unit commander for disposition. Prior to issuing a Letter of Intent, the unit commander shall report on the findings of the investigation at the next scheduled CFRC session. The disposition shall then be processed through normal channels with the respective Custody Services Division chief having final approval. Discipline imposed as a result of CFRC review can be grieved via the normal grievance process.

Issues concerning tactics, training, and/or policy revisions shall be cited and a memorandum forwarded to the appropriate Department unit/bureau for consideration.

After review by the CFRC, the force package shall be submitted to CFRT for its processing and forwarding to the Discovery Unit.
