3-10/112.00 - Use of Force Review - Unit Commander Responsibilities

The unit commander shall ensure that preliminary data is entered into the Preliminary Data Entry (PDE) system within the first 24 hours of the force incident or as soon as possible thereafter.

Force Packages

The unit commander shall promptly evaluate all force packages and the watch commander or supervising lieutenant's findings concerning the use of force. The unit commander shall determine if further action or investigation is necessary.

In determining if further action or investigation is necessary, the unit commander shall consider whether the reports and witness statements are complete and consistent; there are unexplained injuries to the subject against whom force was used or injuries to the head, eyes, throat, spine, or groin areas; the subject was in mechanical restraints when force was applied; the objective evidence corroborates any allegations of unreasonable force by the subject; whether emergent circumstances required the use of an improvised weapon; and whether authorized tactics, equipment, and devices were used in accordance with Department policies and procedures. There shall be a presumption that further investigation is necessary if a subject sustains unexplained injuries or there is evidence that face, head, or neck strikes were used by Department members (whether by fists, knees, feet, or weapons) against a handcuffed subject.

If further investigation is warranted, the unit commander may either initiate an administrative investigation or request an investigation by the Internal Criminal Investigations Bureau (ICIB) or both. The unit commander shall ensure that the member(s) who used force is notified as soon as possible in any case requiring further investigation.

Unit commanders shall hold supervisors accountable for the quality and timeliness of their investigations.

The unit commander shall ensure that unit-level force packages are complete and reviewed/approved by the handling watch commander no later than 21 days after the incident unless otherwise directed. The unit commander shall ensure unit level force packages are processed in a timely manner, and that unit personnel utilize a tracking system in order to track force packages.

The unit commander shall ensure that completed/approved force packages are either submitted to the Discovery Unit or forwarded to division, as required below. Force packages not submitted to the Discovery Unit within 60 days of the unit commander's or concerned division's final approval of the force investigation will be considered overdue. Thirty-day extensions may be authorized by the division commander. Failure to timely submit force packages, absent written consent by the division commander, does not comply with performance standards.

In all use of force incidents wherein the on-call IAB Lieutenant was notified or when a subject was transported to a hospital for medical treatment, the unit commander shall forward the force package to the division chief or division director for their review.

Any force package requiring division review shall be forwarded within 35 days of the incident unless otherwise directed by the chief or division director.

Involved employees are entitled to a copy of the completed “Supervisor’s Report, Use of Force” or “Non-Categorized Force Incident Report.” The unit commander shall ensure that the involved employee(s) receives a copy if so requested.

Use of Force Analysis

It is imperative that leaders of the Department be personally informed about issues involving the use of force.

Whenever a Department supervisor or manager prepares or receives an analysis, the concerned unit commander shall ensure that a copy of any analysis on systemic issues regarding use of force investigations or use of force trends in the unit commander’s facility is delivered to the Office of the Sheriff, the Office of the Undersheriff, the Office of the Assistant Sheriffs, and the Office of Constitutional Policing via their chain of command.

NOTICE: The written reporting procedures related to Pointed Firearm at Person (PFP) (referred to as the PFP report) shall become effective once the PFP report form is published. The PFP report form is forthcoming.