



# Use of Force

## Reviewing Captain Guide

### 1. Review the officer statements

- Officer statement guide
  - ICV and audio activation or non-activation must be documented
  - If not activated, the officer must explain why
- Look for
  - Generalized statements
    - "I took the suspect to the ground"
    - "We held the suspect down on the sidewalk "
    - "The suspect was handcuffed after a struggle"
  - The officers need to explain how each action happened to the best of their recollection
    - ( e.g.: I took the subject's left arm in my hand and pulled him forward and down, pushing him to the ground on his stomach, etc.)
  - Force used / Less Lethal Deployment
  - Inconsistencies in the statements
    - Must be identified
    - Document efforts to reconcile them
  - Are the subject's injuries and the force reported consistent
    - If not, attempt to determine why
  - Additional officers or civilian witnesses named in statements
    - Officers-need a statement if they were present for any portion of the force
    - Civilian witnesses-document efforts to contact and interview
  - Report any misconduct concerns to OPA/FIT
    - Notify your chain of command

### 2. Review ICV/HCV/Private Video

- Review ICV
  - Add GO number to the video file in Coban
  - If ICV or audio is not present, there must be an explanation as to why
    - Any corrective action must be documented in the packet
  - If ICV or audio is not functioning or poor quality, report to IT
- Review HCV
  - Download to a DVD and attach to the packet if appropriate
- Review private video
  - Download to a DVD and attach to the packet
- Look for additional officers or civilian witnesses in all videos

- Officers-get a statement if they were present for any portion of the force
- Civilian witnesses-document efforts to contact and interview
- Look for inconsistencies with officer or witness statements
  - Must be identified
  - Document efforts to reconcile them
- Report any misconduct concerns to OPA/FIT and notify your chain of command

### 3. Review additional paperwork

- Hazard Report
  - If subject attempts to assault or does assault officers
- SPD Run sheet

### 4. Review packet for

- Training / Tactics issues
  - Not waiting for back up to arrive (without exigency)
  - Under reaction to threat posed by the suspect
  - Poor communication or planning
    - Document steps taken to address any concerns and submit with packet
- Policy issues
  - ICV/audio non-activation
  - Legal authority to be present at the location
  - Lawful purpose for the initial contact
  - Need to create new or revise existing policy
    - Document steps taken to address any concerns and submit with packet
- Equipment issues
  - Failure of existing equipment
  - Need for new or additional equipment

### 5. Complete Command Review

- Complete reviewing captain comments
  - Is the investigation thorough and complete?
  - Were any previously identified issues adequately addressed?
  - Did you identify any training issues that need to be addressed?
  - Did you identify any policy issues that need to be addressed?
  - Did you identify any equipment related issues that need to be addressed?
- If the investigation is thorough and complete

- Are the finding of the lieutenant supported by a preponderance of the evidence?
- Complete reviewing captain's chronological case review
  - Chronological order starting with receipt of investigation
  - All reviewing steps taken
    - Include returning the investigation back to the investigating sergeant for additional work
- Reviewer must explain delay if review takes more than 3 days to complete