

# ARAPAHOE COUNTY SHERIFF'S OFFICE



**POLICY AND PROCEDURE MANUAL**  
ADMINISTRATIVE

**EFFECTIVE**  
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**TITLE**  
USE OF FORCE/RESPONSE TO RESISTANCE

**POLICY NUMBER**  
ADM 502

## **PURPOSE:**

The purpose of this policy is to provide sworn members with guidelines in responding to resistance, the use of force, and reporting any use of force.

## **DEFINITIONS:**

**ACTIVE AGGRESSIVE RESISTANCE:** Includes physical actions or assaults taken by a subject against the deputy or another person with less than deadly force (i.e. advancing in a physically threatening manner, punching, kicking, grabbing, wrestling, etc.), which reasonably appears to create a threat of assault or injury to a deputy or other person.

**AGENCY WEAPON:** Any item or device issued to or authorized for members for which certification and training is required before use, documented and maintained by the agency. Weapons include lethal weapons such as firearms, and less lethal weapons. Does not include tools or other objects, even though those objects could justifiably be used to gain compliance, for self-defense and could cause injury or death. All weapons are listed on the agency Authorized Weapons List.

**CAROTID CONTROL HOLD:** A vascular neck restraint employs bilateral compression of the carotid arteries and jugular veins at the sides of the neck, which results in diminished cerebral cortex circulation. This abrupt reduction of blood significantly affects the ability of the cerebral cortex to remain in an "awake state" and leads to unconsciousness. <4.1.6, 4.1.7>

**CHEMICAL AGENTS:** Oleoresin Capsicum (OC) and Ortho-Chlorobenzalmalononitrile (CS).

**CHOKE CONTROL HOLD:** A respiratory neck restraint that uses direct mechanical compression or pressure over the anterior (front) structures of the neck. This pressure causes asphyxiation by compressing the trachea and restricting the person's ability to breathe. <4.1.6, 4.1.7>

**COMPLIANCE:** Behavior of a subject who is not resisting or attempting to flee, such that mere presence and/or verbal instructions/commands are all that is necessary to effect an arrest or control the subject's actions.

**CONTROLLING FORCE:** Level of physical force objectively reasonable under the circumstances in order to overcome resistance and gain control or compliance of a subject who is non-compliant and demonstrates passive or defensive resistance. May cause temporary pain but does not cause injury.

**DEADLY FORCE:** Level of force objectively reasonable under the circumstances in order to gain control of or respond to a subject who is non-compliant and demonstrates deadly resistance. May cause death to the subject but shall also include force that creates a substantial risk of causing death or serious bodily injury. <4.1.2>

**DEADLY RESISTANCE:** Deadly resistance includes physical actions or assaults taken by a subject that reasonably appear to create a threat of death or serious bodily injury to a deputy or other person.

**DEFENSIVE RESISTANCE:** Any action by a subject that attempts to prevent a deputy from gaining control of the subject (including, but not limited to, pulling or pushing away, resistance to handcuffing, holding onto steering wheel).

**ELECTRO-MUSCULAR DISRUPTION DEVICE (EMD):** A weapon that disrupts the body's ability to communicate messages from the brain to the muscles causing temporary motor skill dysfunction of a subject.

**FIREARMS:** Weapons that are used within the scope of the sworn member's duties, which were initially designed to use for deadly physical force on human beings, that are used for duty and off duty purposes, this includes, but is not limited to handguns, shotguns, rifles, sub-machines guns, less lethal converted shotguns, less lethal training ammunition handgun platforms, and less lethal training ammunition rifle platforms.

**FORCE:** Any force or physical action that is necessary to overcome resistance and gain control of another but does not involve the use of deadly force. This does not include basic non-resistant handcuffing and searching techniques.

**INTERMEDIATE FORCE:** Level of force that is objectively reasonable under the circumstances in order to gain control of a subject who is non-compliant and demonstrates defensive resistance and/or active aggressive resistance.

**INJURY:** Physical injury or illness (may include bruising, lacerations, bleeding, sprains, broken bones, etc.). Does not include temporary pain.

**LESS LETHAL CHEMICAL MUNITIONS (LLCMS):** Extended range chemical projectiles using OC and CS fired, launched, or otherwise propelled to safely incapacitate potentially dangerous person(s) from a distance that minimizes the danger to the deputies involved.

**LESS LETHAL IMPACT MUNITIONS (LLIMS):** Extended range impact projectiles fired, launched, or otherwise propelled for the purpose of safely incapacitating dangerous person(s) from a distance that minimizes the danger to the deputies involved.

**LESS LETHAL WEAPONS:** Any weapon or device that is not designed or intended to cause the death of a person.

**NOISE-FLASH DIVERSION DEVICE (Distraction Device):** A low explosive device emitting heat, light, and sound used with the intent of distracting a potentially dangerous person. Also known as a diversion device, flash sound device, and colloquially referred to as a flashbang.

**NONVIOLENT MEANS:** Verbal and non-physical tactics and techniques, including basic non-resistant handcuffing and search techniques, de-escalation techniques, to include but not limited to, verbal persuasion, attempting to slow the situation down when possible, re-positioning to a place of greater advantage or improved safety, or requesting additional resources.

**OLEORESIN CAPSICUM (OC):** An all-natural substance, derived from the cayenne pepper plant, and other various plants, that affects the mucous membranes of the mouth and eyes and results in the inflammation of the upper respiratory system.

**ORTHO-CHLOROBENZALMALONONITRILE (CS):** A chemical agent that causes a prickling, burning sensation to the skin, eyes, mouth, throat and nasal passages. It also causes an involuntary closure of the eyes and affects the respiratory system by creating a shortness of breath.

**PASSIVE RESISTANCE:** Any type of resistance where the subject does not attempt to defeat the deputy's attempt to touch or control, but will not voluntarily comply with verbal and physical attempts to control.

**PURSUIT TERMINATION TECHNIQUE:** Tactical Vehicle Intervention (TVI), vehicle containment methods (boxing and rolling road blocks), and stationary road blocks.

**REASONABLE BELIEF:** The facts or circumstances the officer knows, or should know, are such as to cause an ordinary and prudent person to act or think in a similar way under similar circumstances. <4.1.2>

**RESTRAINTS:** Any device used to temporarily restrict physical movement of a person including, but not limited to, handcuffs, shackles, flex-cuffs, body belts, and the Emergency Restraint Chair (ERC).

**SERIOUS BODILY INJURY:** Bodily injury which involves a substantial risk of death, a substantial risk of serious permanent disfigurement, or a substantial risk of protracted loss or impairment of the function of any part or organ of the body or breaks, fractures, or burns of the second or third degree. <4.1.2>

**VEHICLE PURSUIT:** An active attempt by one or more members using a Sheriff's Office vehicle to apprehend a suspect in a motor vehicle who is attempting to elude or escape.

**VERBAL NONCOMPLIANCE:** Any verbal response indicating the subject's unwillingness to obey commands of detainment, arrest, or to stop unlawful or dangerous behavior.

< >: Numbers in brackets are Accreditation references.

## **POLICY:**

The Arapahoe County Sheriff's Office respects the lives of all people. Sworn members are authorized to use only the force that is objectively reasonable under the circumstances in order to overcome resistance and effectively bring an incident safely under control, while protecting the lives of members and others. When force is used, members are required to report the use of such force. <4-ALDF-2B-01, 4-ALDF-2B-08, 4.1.1, 4.2.1>

## **PROCEDURE:**

### **Section A**

Use of Force/Response to Resistance <4.1.1>

1. Use of Force by Agency Members - members shall only use objectively reasonable and appropriate force under the totality of the facts and circumstances known to the member at the time force is applied. Members shall use nonviolent means, when possible, unless nonviolent means would be ineffective under the circumstances.

a. Members may use objectively reasonable force when justified under the circumstances in order to: <4-ALDF-2B-01>

i. Protect themselves

ii. Protect others

iii. Effect a lawful detention or arrest

iv. Prevent an escape

v. Maintain order and discipline in a detention or correctional institution

b. Members shall use only the degree of force consistent with the minimization of injury to others. The reasonableness or proportionality of a particular use of force should be judged from the perspective of a reasonable officer on the scene based on the totality of the facts and circumstances known to the member at the time force is applied, taking into consideration that members may be called upon to make split second decisions under circumstances that are tense, uncertain and/or rapidly evolving. This includes, but is not limited to, consideration of the following factors: <4-ALDF-2B-01, 4-ALDF-2B-08>

i. The severity of the crime (or the severity of the security concern when in the Detention Facility);

ii. Whether the suspect poses an immediate threat to the safety of deputies or others; and

iii. Whether the suspect is actively resisting or attempting to evade arrest by flight.

c. Other facts and circumstances that may be relevant to a member's determination regarding the need for force or the amount of force to be used include, but are not limited to, the following: <4-ALDF-2B-01>

i. Prior contacts with the subject

ii. The number of deputies/officers, relative to the number of subjects

iii. Age, size, and relative strength of the subject and deputies

iv. Presence of weapons or proximity to potential weapons

v. Injury or exhaustion of the subject, deputies or others

vi. Facts regarding mental illness

vii. Facts regarding disability or injury

viii. Facts or circumstances indicating the subject may be under the influence

ix. Environmental factors (physical surroundings, location, distance, time of day, available cover, etc.)

x. Language barriers

xi. Effectiveness of de-escalation techniques, to include but not limited to, verbal persuasion and any attempts to slow the situation down

xii. Ability to re-position to a place of greater advantage or improved safety

xiii. Availability of other additional resources

d. When practicable under the circumstances, members shall identify themselves as peace officers before using force, unless doing so would increase the threat or risk to the member or any other person.

e. A member may not use force to punish or retaliate. <4-ALDF-2B-01>

f. A member may not continue to use force after the need for force has subsided or after a subject becomes compliant or is under control such that the subject no longer presents a threat to deputies or others.

- g. Members may not use deadly force on a subject if the subject is only a threat to themselves.
- h. The 18th Judicial District Critical Incident Response Team shall be requested whenever force is used and death or serious bodily injury (as defined in this policy) result to any person.
- i. Members are strictly prohibited from discharging a firearm as a "warning" shot. <4.1.3>
- j. Members should not intentionally or recklessly create the need to discharge a firearm at a vehicle by placing themselves directly in the path of a suspect vehicle if it can reasonably be avoided, and members should immediately move out of the path of a vehicle whenever reasonably possible.
- k. Members shall ensure that any identified relatives or next of kin of persons who have sustained serious bodily injury or death are notified as soon as practicable.
- l. Whenever an agency weapon is used, a supervisor shall respond to the scene. The supervisor shall insure a complete investigation is initiated, all members on scene are instructed to complete written reports, and a Special Report is written.

- i. Round counts should be completed for each deputy involved in the incident (see AC 890-Firearms Unloading Worksheet).

2. Use of Deadly Force - a member may use deadly force when the member has an objectively reasonable belief, based on the totality of the circumstances, that the subject poses an imminent threat of serious bodily injury or death to the member, a third party or the public at large, and all other means of apprehension are unreasonable under the circumstances, and: <4-ALDF-2B-01, 4-ALDF-2B-08, 4.1.2, 4.1.6, 4.1.7>

- a. Prior to utilizing deadly force, a verbal warning should be given with sufficient time for the warning to be heard, when practicable, unless doing so would create or increase a threat or risk to a member or any other person; and

- b. The member is making an arrest for a felony involving conduct including the use or threatened use of deadly force.

- i. Members shall not use deadly force to apprehend a person who is suspected of only a minor or nonviolent offense.

- ii. The force employed does not create a substantial risk of injury to others.

- c. Members are prohibited from using Choke Control Holds or Carotid Control Holds. <4.1.6, 4.1.7>

- d. Notwithstanding any other provision above in this section, a member is justified in using deadly force if the member has an objectively reasonable belief that a lesser degree of force is inadequate and the member has objectively reasonable grounds to believe, and does believe, that they or another person is in imminent danger of being killed or of receiving serious bodily injury.

3. Nonviolent Means - members shall attempt to use nonviolent means, to include de-escalation techniques, to lessen or avoid the use of force when it is reasonable to do so under the circumstances. Members shall discontinue the use of force when the subject submits or is controlled. All nonviolent means attempted, including but not limited to de-escalation techniques and whether such efforts were effective or unreasonable shall be documented in subsequent reports.

- a. When practicable and without endangering the safety of another person, members who were initially involved in using force or any member who exhibits signs of a heightened emotional state immediately following use of force, should be temporarily relieved by other responding members.

4. Types of Force - when responding to resistance, members shall assess each incident to determine what level or amount of force is objectively reasonable under the circumstances. For purposes of this policy, and for use of force reporting requirements, the use of force could include: <4.2.1>

- a. Tier I Force - the following are considered to be types of force that do not typically result in injury: <4-ALDF-2B-07, 4.2.1.c.d, 4.1.5.f>

- i. Use of control holds or a takedown to overcome resistance

- ii. Use of pressure points

- iii. Use of police SD-1/baton for leverage

- iv. Use of restraints on non-compliant person(s) (see ADM 501-Use of Restraints)
- v. Placing someone in the Emergency Restraint Chair (see ADM 501-Use of Restraints)
- vi. Intentionally threatens to use force by pointing, aiming, displaying, or otherwise implying imminent use of any weapon but does not actually discharge, activate, or attempt to use force with the weapon.
- vii. Use of a canine to control a suspect or compel compliance or surrender, when no injury results.

b. Tier II Force - the following are considered to be intermediate force that either cause or are alleged to cause injury, or present a greater potential risk for injury: <4-ALDF-2B-07, 4.2.1.b-d, 41.1.5.f>

- i. Any option used under Tier I Force when injury to any suspect or citizen is observed or alleged to have been caused or aggravated by the actions of a Sheriff's Office member.
- ii. Strikes with hands, feet, elbows, knees, etc.
- iii. Deploying chemical agents on or at a person.
- iv. Striking a person with a police baton or other object.
- v. Firing probes or using in drive stun mode an Electro-Muscular Disruption (EMD) Device at or on a person (see ADM 801-Firearms and Weapons).
- vi. Use of a canine, when that use results in an injury as a direct result of contact with the canine.
- vii. Deployment of Less Lethal Impact Munitions (LLIMS) on or at a person.
- viii. Deployment of Less Lethal Chemical Munitions (LLCMS).
- ix. Deployment of a Noise Sound Diversionary Device in the immediate vicinity of a person or in an area occupied by a person.

c. Tier III Force - the following uses of force either result in death or serious bodily injury or are more likely to create a substantial risk of death: <4-ALDF-2B-07, 4.2.1, 4.2.2>

- i. The discharge of a firearm at any person, while acting in an official capacity.
- ii. Use of any pursuit termination technique (see ADM 510-Vehicle Operations).
- iii. The member uses any force which results in death or creates a substantial risk of death or results in serious bodily injury (as defined in this policy) to any suspect or citizen.

5. Use of Less Lethal Weapons - the Sheriff's Office authorizes sworn members who are trained and certified in the use of agency authorized less lethal weapons to use them when it is objectively reasonable to do so under the circumstances. Less lethal weapons shall only be used as instructed during certification or re-certification/refresher courses and as outlined in ADM 801-Firearms and Weapons. Prior to the use of a less lethal weapon on a subject, a verbal warning should be given when practicable, unless doing so would create or increase a threat or risk to a member or any other person. <4-ALDF-2B-04, 4.1.4>

a. Less lethal weapons may be used when it is objectively reasonable to do so in response to a subject's defensive or active aggressive resistance, and where the deputy reasonably believes that lower levels of force have not or will not be effective to gain control or compliance from the subject or to eliminate a threat to the deputy or others. <4-ALDF-4B-08>

- i. Less lethal weapons may be used to prevent self-inflicted injury or suicide if under the circumstances it reasonably appears that the use of such a weapon is likely to cause less harm to the subject than other options or waiting.

b. In response to a protest or demonstration, members shall not:

- i. Discharge LLIMS in a manner that targets the head, pelvis or back;
- ii. Discharge LLIMS indiscriminately into a crowd; or
- iii. Use chemical agents or irritants, including pepper spray and tear gas, prior to issuing an order to disperse in a

sufficient manner to ensure the order is heard and repeated if necessary, followed by sufficient time and space to allow compliance with the order.

6. After Action Review of Deployments - the following deployment decisions shall be documented and reviewed by the appropriate bureau chain of command:
  - a. Decision to deploy the ACSO SWAT Team
  - b. Decision to deploy the ACSO SORT Team
  - c. Any uses of force that occur during an above deployment will be reviewed under the use of force Tiers.

## **Section B**

### Rendering Medical Aid <4.1.5>

1. Members shall render assistance and appropriate medical aid as quickly as reasonably possible if the suspect or any person was injured during apprehension or after the use of force results in apparent or alleged injury.
2. Members shall summon medical assistance whenever obvious severe or alleged injuries have occurred, medical distress is apparent, or the individual is unconscious and shall:
  - a. Secure the scene
  - b. Render first aid and maintain close observation of the subject until medical assistance arrives
3. If feasible, a member not directly involved in a use of force that qualifies as Tier 2 or above should facilitate any subsequent transportation of a suspect to the Detention Facility.
4. Only fire/rescue, medical, or hospital emergency room personnel will remove EMD projectile probes.
5. Even after receiving medical care, all persons who have been exposed to an EMD activation, neck injury, or head injury should be monitored regularly during their initial custody. Members shall notify Detention Facility staff upon booking that the above force was used on the subject and/or if there is the presence of a neck or head injury.
6. After booking at the Arapahoe County Sheriff's Office Detention Facility (ACSODF) monitoring and, if necessary, medical care shall be conducted as indicated in the DET 900 series Medical Section Policies and Procedures.
7. Members shall not use, suggest, ask, compel or otherwise direct or unduly influence any medical provider to administer Ketamine or administer a specific treatment when a medical response is requested. The member may provide critical medical information, any other pertinent information about the individual and the scene, or observations that may assist with the medical provider's assessment of the individual, whether voluntarily or upon request. Any sworn member witnessing another peace officer use, direct the use, or unduly influence the use of Ketamine on another person shall intervene to prevent or stop the other peace officer from doing so, and report the incident to a sworn supervisor as soon as safely possible.
  - a. This prohibition shall not apply if a member is acting as a designated SWAT Medic, when the decision to administer Ketamine is based on the member's training and experience as an emergency medical service provider.

## **Section C**

### Reporting the Use of Force <4.2.1, 4.2.2, 41.2.3.e>

1. Members shall report any use of force or deadly force to a supervisor, verbally as soon as possible, and in a subsequent written offense or incident report. The written report shall be completed no later than the end of the members shift, unless approved by a supervisor. <4-ALDF-2B-07, 4.2.1.a-d, 41.2.2.k, 41.2.3.e>
  - a. The Watch Commander shall immediately report incidents of the use of force involving death or serious bodily injury to the on-duty or on-call commander, Investigations supervisor and Internal Affairs.
  - b. All reported incidents involving Tier II or Tier III force shall include:
    - i. Photographs of the subject and deputy injuries to include application or strike points.
    - ii. If an EMD is discharged:

1. The deputy shall take the unit out of service. The unit shall be secured in an evidence locker under an "Inspector's Hold" until the data can be downloaded. The deputy shall be issued a spare until their assigned unit is returned to them.
2. Members shall include specific facts in the use of force written report that address the following items as to each separate application or use of force: <4-ALDF-2B-07, 4.2.1.b, 4.1.2.2.k>
  - a. The threat the subject presented to deputies or others, at the time each application of force was applied.
  - b. The severity of the crime (or security problem in the Detention Facility).
  - c. Any efforts to use nonviolent means, to include but not limited to de-escalation techniques and/or whether such efforts were ineffective or unreasonable.
  - d. Any injuries observed or alleged to the subject or deputy.
  - e. Whether the subject was actively resisting or attempting to evade.
    - i. See Appendix A for additional information that may be beneficial to include in the written report.
3. In addition to submitting written reports, the outgoing Watch Commander shall advise the oncoming Watch Commander or designee, whenever an inmate is to remain in restraints past the end of their shift (see ADM 501-Use of Restraints). <4-ALDF-2B-07>
4. Allegations of Unreasonable Force/Duty to Intervene - any sworn member who, while acting in their official capacity as a peace officer, witnesses another peace officer acting in their official capacity, use force that is clearly beyond that which is objectively reasonable under the circumstances shall, when in a position to do so, safely and immediately intervene to prevent and/or discontinue the use of such force. The peace officer shall then report the incident to their immediate supervisor (see ADM 306-Internal Affairs) <1.2.10, 4.2.1.b>
  - a. Failure to report such use of force by another peace officer may result in subsequent criminal and/or administrative charges.
    - i. Any peace officer who knowingly makes a materially false statement, which the officer believes not to be true in reporting the use of physical force, may be subjected to criminal charges as well as administrative charges.
    - ii. Pursuant to state law, excessive force shall be presumed when a peace officer continues to apply physical force, in excess of the force permitted under the circumstances, to a person who has been rendered incapable of resisting arrest.
  - b. The supervisor shall ensure written reports are completed and submit a Service Comments Form to Internal Affairs through the chain of command.
    - i. The report must include the date, time, and place of occurrence, the identity, if known, and description of the participants, and a description of the intervention actions taken. This report shall be made in writing within ten (10) days of the occurrence of the use of such force, and shall be appended to all other reports of the incident.
  - c. A member shall not be disciplined or retaliated against in any way for intervening as required, or for reporting unconstitutional conduct, or for failing to follow what the member reasonably believes is an unconstitutional directive.
5. The supervisor shall review and approve the report(s), and indicate whether or not the report requires further investigation. All reports involving the use of force shall then be routed as follows: <4.2.2, 4.1.2.2.g.k>
  - a. In all cases (Tier I, Tier II, or Tier III) the supervisor shall flag the report with the Significant Event Code UOFP for Use of Force Pending in the direct entry reporting system.
    - i. The flag will cause the report to appear on a daily Crystal Report to Internal Affairs and Command Staff showing all reports approved in the previous twenty-four (24) hours which include a use of force.
    - ii. If the computer(s) are unavailable and/or the report is on paper, a copy shall be made and placed in either of the two drop boxes for Internal Affairs. The SACF box is located inside the door to Internal Affairs. The ACSODF box is located in the facility administration area.
6. The Inspector or designee, shall review the UOFP flagged reports in the direct entry reporting system and either accept or assign for further review as specified in Section D. <4.2.2, 4.1.2.2.k>

- a. Once reviewed and assigned, the Significant Event Code on the report shall be changed to UOFR for Use of Force Received.

## **Section D**

### Review and Investigation of Use of Force Incidents <4.2.2, 41.2.2.k, 41.2.3.e>

1. An assigned Deputy Inspector shall ensure that all documentation related to the use of force was properly submitted to Internal Affairs for review and subsequent analysis and archiving within fourteen (14) calendar days of the use of force incident, unless the Sheriff or designee, provides written consent for an extension of time. This shall include, but not be limited to, any witness statements or interviews, and any available video or audio recordings of the use of force incident.

#### 2. Review Categories

- a. Tier I (40 calendar day review) - any use of controlling force shall be reviewed by the following:

- i. The on-duty supervisor, who shall review and approve the report by adding a reviewed by line into the direct entry reporting system, and indicate whether or not the report requires further investigation. The supervisor shall then notify the Watch Commander.
- ii. The on-duty Watch Commander, who shall review and approve the report by adding a reviewed by line into the direct entry report system, and indicate whether or not the report requires further investigation.
- iii. Except that Tier I review regarding the decision to deploy a specialized unit (SWAT, SORT, K9) shall be reviewed as follows:
  1. The commander of the specialized unit shall prepare a memo addressing the decision to deploy the specialized unit, and shall send the memo to the Inspector or designee.
  2. The decision to deploy the specialized unit shall be reviewed by the affected Bureau Captain and Chief.
  3. If any Tier II or Tier III force was used during the deployment, the memo shall be attached to the computer record related to the review of such force.
- iv. If any reviewing member desires, he or she may request that a training review be conducted for the purpose of determining if the tactics used were consistent with agency training curriculum and/or relevant for future training purposes. The Lieutenant responsible for the Training Unit shall route to a designated senior instructor in the relevant discipline and direct that a training review be conducted. The results of any training review shall be documented.

- b. Tier II (55 calendar day review) - any use of intermediate force shall be reviewed by the following:

- i. A Lieutenant appointed by a Captain from the affected Bureau, who was not involved in the incident.
- ii. The Inspector or designee.
- iii. Final review shall be conducted by a Captain.
- iv. If any reviewing member desires, he or she may request that a training review by designated senior instructors be conducted. The Lieutenant responsible for the Training Unit shall route to a designated senior instructor in the relevant discipline and direct that a training review be conducted. The results of any training review shall be documented.

- c. Tier III (70 calendar day review) - any use of Tier III force shall be reviewed by the following:

- i. A Lieutenant appointed by a Captain from the affected Bureau, who was not involved in the incident.
- ii. The Inspector or designee.
- iii. Final review shall be conducted by a Bureau Chief.
- iv. If any reviewing member desires, he or she may request that a training review by designated senior instructors be conducted. The Lieutenant responsible for the Training Unit shall route to a designated senior instructor in the relevant discipline and direct that a training review be conducted. The results of any training review shall be documented.

### 3. Review and Investigation Procedures (for Tier II and Tier III)

- a. Members assigned the use of force review have the overall responsibility for reviewing any reported use of force.
  - b. All use of force reports shall be reviewed within the respective review period indicated for each Tier from the date the use of force report is submitted unless the Sheriff or designee, consent in writing to an extension of time.
  - c. When applicable, the Deputy Inspector responsible for use of force incidents shall gather all applicable documentation related to the incident including, but not limited to, any witness statements, interviews and/or video, and prepare a file for review by the assigned members.
  - d. The Deputy Inspector shall forward the completed file to the affected Bureau representative to be reviewed by members according to which Tier it falls under.
  - e. Each assigned member shall review the documentation on the incident to determine if further evaluation is necessary regarding the force used. Members shall determine if the force used was compliant with this policy, and any provisions related to use of force in the following other policies:
    - i. Vehicle Pursuits and Pursuit Termination Techniques - ADM 510-Vehicle Operation
    - ii. The use of any weapon - ADM 801-Firearms and Weapons
    - iii. The use of restraints or the Emergency Restraint Chair (ERC) - ADM 501-Use of Restraints
  - f. Reviewing members shall determine if there may be other relevant policy violations not related to the actual use of force or the provisions of this policy.
  - g. If a reviewing member determines that the incident may warrant further preliminary investigation in accordance with this policy and/or the listed policies (if applicable), they shall indicate such and attach a written narrative in the case notes explaining their analysis, and recommendations.
  - h. If a team member determines that the incident may include a major violation of another policy (as defined in ADM 306-Internal Affairs) they shall complete and forward a Service Comments Form to the Inspector. The Service Comments Form shall not be attached to or made a part of the Use of Force Review.
  - i. If any reviewing member determines that there may be conflicting or unclear policy provisions, they shall contact the Inspector immediately, who shall determine if further action is needed.
  - j. If any use of force review member has indicated the use of force requires further investigation in accordance with this policy and/or an applicable provision of the other listed policies, the Inspector shall determine what further action is required.
  - k. If the use of force review members have indicated the incident requires no further action in accordance with this policy and the applicable provisions of other listed policies, but have submitted a Service Comments Form indicating the possibility of other policy violations, the incident shall be referred to the Internal Affairs Unit.
  - l. For Tier II and Tier III reviews, if the use of force review members have indicated the incident requires no further action in accordance with this policy and the applicable provisions of other listed policies, and have not submitted a Service Comments Form for other violations, the incident review shall be forwarded to the appropriate Command Staff member for a final review.
  - m. If any of the use of force review members have identified policies that may need review or revision, the incident shall be assigned for analysis and revision as necessary to the appropriate member responsible for that policy.
4. Annually, the Inspector or designee, shall conduct an analysis of all use of force incidents (see ADM 306-Internal Affairs). <4.2.4>
5. Annually, the Inspector or designee, shall conduct a review of all assaults on law enforcement officers (see ADM 306-Internal Affairs). <4.2.5>

## Appendix

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### [Appendix A](#)

