

## Reviewing and Reporting Use of Force

### 301.1 PURPOSE AND SCOPE

The purpose of this General Order is to provide members of the Town of Mount Hope Police Department with guidelines for reporting and reviewing incidents involving the use of force, as well as to protect officers and this agency against potential lawsuits.

#### 301.1.1 DEFINITIONS

**Use of Force** - All terminology regarding the use of force shall be consistent with the definitions established in General Order 300 (Use of Force). The term "Use of Force" shall include the use of physical force and the use of lethal/less-lethal substances and devices.

Except as noted below, this includes any use of force occurring while the officer is acting in an official law enforcement capacity. This includes undercover, plainclothes, or uniform assignments whether on-duty or off-duty.

Police actions not included in the above definition include:

- Handcuffs (when used as a restraint in an arrest and in transport activities).
- Transport by vehicle.
- Low Level uses of force (presence, verbalization, empty (soft) hand)

### 301.2 POLICY

The authority to use force carries with it the need for accountability in order to safeguard the rights of the public and preserve the integrity of this police agency and the jurisdiction that provides this authority.

As such, it shall be the policy of the Town of Mount Hope Police Department that a written report will be submitted whenever an officer takes an action that results in, or is alleged to result in the injury or death of another person.

This written report shall be submitted in a timely, complete, and accurate manner by all involved officers and as prescribed by this General Order.

### 301.3 SECTION TITLE

Officer Responsibility:

- (a) Officers shall verbally report any incident involving the use of force to a Supervisor as soon as possible after the incident.
- (b) Based upon the orders from a Supervisor, officers shall either remain at the scene to wait for a Supervisor or clear the scene.

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- (c) Officer may remove the suspect/injured party from the scene of an incident involving the use of force if the officer reasonably believes that waiting at the scene for a Supervisor would place the officer, suspect/injured party or a third party at risk of injury.

In addition to any other appropriate paperwork, officers shall complete a "Subject Resistance Report" whenever they are involved in an incident involving the use of force.

- (a) This form shall be completed as soon as feasible after the incident and submitted to the officer's Supervisor prior to the conclusion of the officer's tour of duty.
- (b) Each officer who uses force against a subject shall submit a separate written "Subject Resistance Report."
- (c) Any officer who witnesses a use of force shall advise a Supervisor and submit a Supplemental Report to the incident's Complaint Report.
- (d) All Case/Incident Reports and "Subject Resistance Reports" shall specify the actions of the suspect that necessitated the use of force, what kind of force was used, how force was used, the reasons why the officer used force.
- (e) The reports will also specify any complaints of injury by the subject, and if medical treatment was received or refused.

If the arresting officer is not the transporting officer, then the arresting officer shall advise the transporting officer of the force used on the arrestee, and if the arrestee has an injury or complaint of pain.

#### 301.3.1 MEDICAL/MENTAL HEALTH CLEARANCE

Prior to booking or release, medical and/or mental health assistance shall be obtained for any person who exhibits signs of physical distress, mental distress, has sustained visible injury, expresses a complaint of injury or continuing pain, or was rendered unconscious. Any individual exhibiting signs of physical or mental distress after an encounter should be continuously monitored until he/she can be medically assessed.

Arresting and transporting officers shall ask the subject whether they are injured or ill.

The subject shall be examined by an appropriate health care provider prior to interrogation or prisoner processing for purposes of detention when suffering from or complaining of injury or illness.

The subject shall also be examined by an appropriate health care provider prior to interrogation or prisoner processing for purposes of detention when, among other instances:

- (a) The individual is struck on the head with an impact weapon or other hard object;
- (b) The individual is restrained about the neck or throat;
- (c) The individual is struck with a less-lethal projectile (Taser dart, impact projectile, etc.);  
or
- (d) A police canine bites the individual.

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An injured prisoner shall not be admitted to or held in detention without being examined and released by a physician or qualified health care providers, such as paramedics.

Whenever there is doubt concerning the need for medical attention, it should be resolved through examination of the subject by an appropriate health care provider.

Refusal of treatment (Refused Medical Assistance -RMA) shall be documented by the officer and attending physician or health care provider.

#### **301.4 SUPERVISOR RESPONSIBILITIES**

A Supervisor shall respond to the scene of all incidents involving the use of force wherein any person (officer, defendant, witness, etc.) is killed or injured as a result of the officer's use of force.

A Supervisor is not required to respond to the scene of use of force incidents that does not result in the death or injury of a person. However, the Supervisor is required to ensure that the incident is fully investigated and documented.

The on-scene Supervisor shall verbally notify the Chief of Police in cases involving the death or injury of a person resulting from an officer's use of force.

In any instance case involving the death, injury or complaint of injury of a person resulting from an officer's use of force, the on-scene Supervisor shall ensure the following:

- (a) Officers receive any necessary assistance, including medical treatment, and that any injury to an officer is documented and reported in accordance with Departmental procedures.
- (b) The subject receives medical treatment as required.
- (c) The incident is thoroughly investigated and documented, and that all necessary reports have been completed.

The Supervisor shall review all reports submitted by the officer(s) involved to ensure its completeness.

The Supervisor may conduct such further investigation of the incident as they deem necessary, and submit findings and conclusions to the Chief of Police.

**\*\*Note – Supervisors may, at their discretion, investigate and submit written reports for incidents involving the use of force that do not result in the death, injury or complaints of injury to any person.**

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#### **301.5 REVIEW/DISPOSITIONS OF INCIDENTS INVOLVING THE USE OF FORCE**

The Chief of Police shall review all incidents wherein an officer takes an action that results in or is alleged to have resulted in the injury or death of another person.

This review will insure completeness of reports and determine adherence to Federal and State Laws, as well as Departmental policies and procedures.

The resolution/disposition of the incident review may include, but not be limited to any of the following:

- (a) Amendments to Departmental policies and procedures;
- (b) Additional training;
- (c) Further investigation

#### **301.6 MISCELLANEOUS**

“Subject Resistance Reports” shall not be issued individual numbers, however all associated/related numbered incident reports shall be referenced in the “Subject Resistance Report.”

“Subject Resistance Reports” are management tools and shall not be affixed to their corresponding Complaint Reports. A separate file shall be kept of all Use of Force Reports.