



Athens-Clarke County
Police Department
Directive 6.01



USE OF FORCE

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6.01.01 POLICY AND PURPOSE

[CLE 26.1.1]

It is the policy of the Athens-Clarke County Police Department (hereafter referred to as "ACCPD" or "Department") to value and preserve human life. Officers will use only the force that is objectively reasonable to accomplish lawful objectives and effectively bring an incident under control while protecting the safety of the officer and others. Officers will use force only when no reasonably effective alternative appears to exist, and only the level of force that a reasonably prudent officer would use under the same, or similar, circumstances.

The decision to use force "requires careful attention to the facts and circumstances of each particular case, including the severity of the crime at issue, whether the suspect

poses an immediate threat to the safety of the officer or others, and whether he / she is actively resisting arrest or attempting to evade arrest by flight.

In addition, "the 'reasonableness' of a particular use of force must be judged from the perspective of a reasonable officer on the scene, rather than with the 20 / 20 vision of hindsight...the question is whether the officers' actions are 'objectively reasonable' in light of the facts and circumstances confronting them."¹

[CLE 4.1.1] and [SC 1.10]

The purpose of this directive is to establish our policy on the use of force and to guide employees in the authorized use of lethal, less-lethal and non-lethal weapons in the performance of their duties.

6.01.02 DEFINITIONS

[CLE 26.1.1]

.40 mm Launcher: A less-lethal weapon that fires a projectile with the intention to subdue or render a subject non-threatening, and which is neither likely nor intended to cause serious physical injury or death.

Analysis: A systematic, structured process for dissecting an event into its basic parts to identify any patterns or trends. Analysis should reveal patterns or trends that could be predictive or could indicate program effectiveness, training needs, equipment upgrade needs and/or policy modification needs.

Conducted Electrical Weapon (CEW): An incapacitating, intermediate weapon used for subduing a person that administers an electric shock for the purpose of disrupting superficial muscle functions. The CEW is an intermediate weapon that is classified as less lethal.

Employee: A generic, all-inclusive term, which may denote anyone, in any capacity, employed by the department.

Firearm: Any weapon from which a projectile is forcibly ejected by an explosive, gas or spring device.

Hobble: A one-inch wide webbed belting designed to be used in various situations to secure the legs and ankles of a subject.

Impact-Weapon: tools that provide methods for gaining control of a subject when lethal force is not justified but when empty-hand control techniques are not sufficient to effect control.

Less-Lethal Force: that force which is neither likely nor intended to result in serious physical injury or death, when properly used.

¹ Graham v. Connor, 490 U.S. 386 (1989)

Less lethal munition: munition that, when fired, is designed with the intention to subdue or render a subject non-threatening, and which is neither likely nor intended to cause serious physical injury or death.

Lethal (formerly called “Deadly”) Force: Use of a firearm or any other force in a manner that may likely cause serious physical injury or death.

[CLE 4.1.2] and [SC 1.11]

Miscellaneous Weapons: An improvised weapon, such as a clipboard, flashlight, pen, portable radio, etc., used only when time or circumstance does not allow for the use of an approved weapon.

Non-Lethal (formerly called “Non-Deadly”) Force: The use of physical force or any weapon other than a firearm in a manner neither likely nor intended to cause serious physical injury or death.

Non-Sworn Personnel: Employees who have no law-enforcement authority.

Oleoresin Capsicum (OC): An inflammatory substance naturally occurring in cayenne peppers (genus capsicum). It is the active ingredient in OC spray dispensers.

Police Officers: Sworn personnel who have taken an oath of office to uphold all laws and ordinances of the United States, the State of Georgia, and Athens-Clarke County. Police officers have the full authority granted to law enforcement officers in the Official Code of Georgia Annotated (O.C.G.A.), both on and off duty, may carry authorized lethal, less lethal and non-lethal weapons, and may use such weapons as required for the completion of their assigned duties.

Positional Asphyxia: A condition which may be caused or exacerbated by stress owing to the position of the body, with the stress influencing or inhibiting respiration.

Reasonable Belief: - When facts or circumstances a sworn or appointed law enforcement officer knows, or should know, are such as to cause a reasonable sworn or appointed law enforcement officer to act or think in a similar way under similar circumstances.

[CLE 4.1.2] and [SC 1.11]

Review: To examine or study; less formal than an analysis.

Serious Physical Injury: An injury which creates a substantial risk of death, or which causes death or serious and protracted disfigurement, or impairment of the function of any bodily organ or limb.

[CLE 4.1.2] and [SC 1.11]

Side arm: The issued handgun usually worn at the waist, but which may be carried at

other locations on the body.

Spit Hood: Personal protective equipment consisting of a mesh netting that fits over the head of an arrested person to prevent the transfer of saliva from one person to another.

Sworn Personnel: Police officers who have taken an oath of office to uphold all laws and ordinances of the United States, the State of Georgia, and Athens-Clarke County. Also see the definition of police officer.

Weaponless physical force: physical control exerted over a person through the use of authorized physical control techniques, i.e., open hand, closed hand, or pain compliance.

6.01.03 WEAPONS ISSUANCE AND TRAINING

A. Employees are only authorized to use and carry firearms and non-lethal weapons that have been approved by the Career Development and Training Unit Lieutenant. When carrying department issued firearms on or off-duty, only department approved ammunition, issued by the department, will be loaded in the department issued firearm. In addition to the approval just mentioned, all weapons must be specifically authorized for each individual employee by the Chief of Police. Specific descriptions of these weapons and ammunition may be found in the written directives specific to the weapon type. All firearms will be inspected by a certified weapons instructor or armorer before issuance. Unsafe weapons will be removed from service. A record of all lethal weapons and Conducted Electrical Weapons issued to each employee will be maintained in the Career Development and Training Unit. A record of all OC and impact weapons issued to each employee will be maintained in the Quartermasters Office. Non-issued weapons may be carried on-duty only after approval by the range officer and authorization from the Chief of Police. When not in use, Department authorized weapons and ammunition should be stored in accordance with the manufacturer's recommendations and/or best practices, unless otherwise directed by Department policy.

[CLE 4.3.1 a-c, e-f] and [SC 1.13 a-c, e]

B. Employees must have been issued police written directives governing the Use of Force with lethal, less-lethal, and non-lethal weapons; and must have received the recognized courses of instruction or training on those directives and policies before any lethal, less-lethal or non-lethal weapons are carried or used in accordance with this policy. Records of such issuance and training will be kept in the appropriate personnel files in the Quartermasters Office and Career Development and Training Unit, respectively.

[CLE 4.3.4]

C. All personnel approved to carry weapons must demonstrate proficiency in the use of agency-authorized lethal, less-lethal and non-lethal weapons before being authorized to carry such weapons. Such demonstrations of proficiency will be

coordinated by the Career Development and Training Unit in cooperation with operational commanders, the range officer and the defensive tactics coordinator, and may be accomplished in conjunction with the training required in Section B above.

[CLE 4.3.2]

D. At least annually, all personnel approved to carry weapons will receive in-service training on the agency's use of force policies and demonstrate proficiency with all approved lethal weapons and electronically controlled weapons that the employee is authorized to use. In-service training for other less lethal weapons and weaponless control techniques will occur at least annually. In addition:

[CLE 4.3.3] and [CLE 33.5.1]

1. Proficiency training must be monitored by a certified weapons instructor;
[CLE 4.3.3 a]

2. Training and proficiency must be documented; and
[CLE 4.3.3 b]

3. Employees who are unable to demonstrate proficiency with a weapon are not authorized to return to duty with that weapon until such time as they have received remedial training, qualified, and/or shown proficiency with the weapon. Remedial training will be documented

[CLE 4.3.3 c] and [CLE 33.1.5]

4. Procedures for remedial training, for those sworn and appointed officers who are unable to qualify with an authorized firearm are found in the police written directive that governs firearms. Documentation will be included in the regular reports on firearms training submitted by the Range Master.

[CLE 4.3.3 c] and [CLE 33.1.5]

E. **Sworn and appointed personnel will take the appropriate steps to render necessary or requested medical aid after use of lethal, less-lethal and non-lethal weapons.** Such steps must be decided on a case-by-case basis and should take into consideration the severity of the injury, employee safety, and the level of medical training possessed by the employee. In most cases, arranging for the injured person to be treated at the scene or transported to the hospital will be sufficient.

[CLE 4.1.5] and [SC 1.12]

F. Every officer has a duty to intervene to prevent or stop the use of excessive force by another officer when it is safe and reasonable to do so. Officers will report to a supervisor any observations or knowledge of excessive force used by another officer.

6.01.04 USE OF LETHAL FORCE **[CLE 4.1.2] and [SC 1.11]**

A. The use of lethal force is justified only when:

1. The employee reasonably believes that the action is in defense of human life, including the employee's own life, or in the defense of any person in imminent danger of serious physical injury, or
2. To apprehend or prevent the escape of a fleeing felon only when and if all the following conditions are met:
 - a. The employee has probable cause to believe that a serious violent felony has been committed and the person to be arrested has committed it;
 - b. The employee has identified himself or herself as a police officer or law enforcement personnel and given notice of the intention to arrest (time and circumstances permitting)²;
 - c. The employee reasonably believes that the person whose arrest is sought will cause death or serious physical injury to the employee or others if apprehension is delayed;
 - d. The employee has exhausted all other reasonable means of apprehension; and
 - e. The employee has taken all reasonable precautions to ensure that innocent persons will not be endangered by the use of lethal force.
3. To destroy animals that are seriously injured, suffering, or dangerous when no other disposition is reasonably practical.
 - a. A supervisor's prior approval should be sought when practical.
 - b. When an officer destroys an animal, Central Communications will be notified so proper notifications can occur to have the carcass removed.
 - c. The officer will document the number of rounds used and submit the documentation to the Career Development and Training Unit to have the ammunition replaced.

B. All due care will be used to prevent injury to citizens. Warning shots will not be fired for any reason.

[CLE 4.1.3]

² Tennessee v. Garner, 471 U.S. 1 (1985)

C. Shooting at or from a moving vehicle is prohibited, except as a last resort in the most extreme and exceptional circumstances when required to avoid immediate and clearly foreseeable danger of death or serious injury to the employee or citizen(s).

As in any case in which lethal force is used, the safety of innocent persons is of paramount importance, and the employee's actions will not unreasonably jeopardize the safety of such persons. Furthermore, employees must consider the following factors in determining whether shooting at or from a moving vehicle is justified under the foregoing standard:

1. An occupant of the target vehicle is using or threatening to use lethal force by a means other than the vehicle.
2. The target vehicle is being operated in a manner deliberately intended to strike an employee or a citizen.
3. All other reasonable means of defense (including taking cover or moving out of the path of the vehicle or taking other evasive action) have been exhausted, are not practical, or are not present.

Employees should also be aware and cognizant of the following factors when making decisions on shooting at or from moving vehicles:

- Bullets fired at a moving vehicle are unlikely to stop or disable the vehicle.
- Bullets may ricochet off glass or metal and cause injury to employees or other citizens.
- The vehicle may crash and cause injury to others if the bullets disable the driver.
- Shooting at or from a moving vehicle is extremely difficult, greatly reducing the likelihood of striking the intended target.

D. Controlled directed-fire:

1. Controlled directed-fire is controlled and deliberate targeted fire at an active lethal threat to enable officers to advance to and stop a lethal threat.
2. Directed-fire may be used only under the following conditions:
 - a. To protect citizens and/or officers when there is an immediate danger to human life from indiscriminate shooting from a subject; or
 - b. To cover the movement of an officer or element that is moving to a tactical location during an active shooter or coordinated assault incident; or

- c. To cover the retreat of officers or civilians when met with overwhelming gunfire from automatic gun fire or multiple shooters; or
- d. When the officer reasonably believes that the area targeted is where a lethal threat is located; and
- e. When the officer reasonably believes that the area in which he / she is firing is capable of accepting and / or defeating the round.

6.01.05 USE OF LESS-LETHAL AND NON-LETHAL FORCE [CLE 4.1.4]

- A. Use of less-lethal and non-lethal force is justified when employees only use the force necessary to accomplish lawful objectives. The decision on what level of force to use should be made based on the resistance by the person and weapons possessed by the person. Employees must always hold a position of advantage over resistive persons but should escalate or de-escalate the use of force in response to the actions of the other person(s).
- B. When possible, force should be used to maintain a position of advantage in response to opposing force (i.e. physical presence, verbal commands, use of OC, physical control holds, use of an impact weapon, miscellaneous weapons, and as a final option, lethal force). There are occasions when an employee may be required to defend against an attack with whatever is available; to include items not normally considered weapons. These items, while not encouraged, will not be *prima facie* evidence of inappropriate use of force.
- C. Except in cases where time, circumstances, and/or safety considerations reasonably dictate otherwise, verbal warnings **shall** be given prior to using force.
- D. Use of OC Spray
 - 1. OC spray is an additional option available for sworn or appointed law enforcement personnel to control the escalation of violent behavior of persons subject to arrest. It is not intended to replace other firearms, a baton, or other accepted control techniques. OC spray and less-lethal force may be used to effect or maintain a lawful arrest under the following conditions:
 - a. When the sworn or appointed law enforcement personnel's physical presence and / or verbal commands are ineffective and the use of more substantial measures (physical control holds, impact weapons) are imminent.
 - b. When the use is justified due to the proximity of the subject to the officer and / or to overcome the level of force being confronted.

- c. When the person(s) to be arrested are not in the employee's physical control and pose a physical threat to themselves, the employee, or others.
- 2. OC spray and less-lethal force will not be used to remove people who lock or barricade themselves in vehicles without the approval of a sergeant or higher rank. OC spray will not be used to remove people who lock or barricade themselves in buildings (residences, businesses, or outbuildings), nor for crowd control during incidents of civil unrest, without the approval of a lieutenant or higher rank. Commanders and supervisors will ensure that innocent people are not unnecessarily exposed to OC in these circumstances.
- 3. Any person who is directly exposed to OC resulting from police employee action will be examined by a paramedic from the Fire Department or Emergency Medical Services (EMS). Further medical attention will be determined on a case-by-case basis by the attending paramedic. Any person who demands additional medical attention after being released by the attending paramedic will be taken to a hospital for examination. The person will be advised prior to taking them to the hospital that this transportation is a courtesy, that payment for any treatment rendered is their own responsibility, and that they may file a claim with the county's risk manager if they choose to do so.
- 4. To ensure that all authorized employees have current OC spray, the Quartermaster's Office will reissue OC within 6 months of the expiration date. It is the officer's responsibility to notify the Quartermaster's Office of the need to replace their OC. This is not intended to prohibit authorized sworn or appointed personnel from being issued OC as needed because of use or damage.

E. The potential for causing death or serious injury with less-lethal or non-lethal weapons is a reality. This potential is greatly reduced when impacts to the head and neck are avoided. When using impact weapons, and less-lethal munitions, employees will be aware of the below contact areas, which are based on the potential for injury to the human body.

- Green areas: the extremities (arms, hands, legs and feet); these areas will be considered when incapacitation is necessary, and a minimal potential for injury is the appropriate response.
- Yellow areas: the torso; these areas will be considered when an escalation of force above the green areas is necessary and appropriate. Impact to these areas has an increased potential for death or serious physical injury.

- Red areas: the head and neck; intentional impacts to these areas will be avoided unless the use of deadly force is justified, necessary and appropriate.

F. Except in an emergency, employees will refrain from using a firearm (due to the inherent danger of an accidental discharge) or a flashlight or radio as an impact weapon.

G. Other Procedures Regarding Use of Less-Lethal or Non-Lethal Weapons

1. Only trained, sworn personnel are authorized to use the less-lethal or non-lethal weapons.
2. Employees deploying the less-lethal munitions will make every effort to inform other involved employees that they are being deployed.
3. An officer armed with a less-lethal or non-lethal weapon should have a cover officer who is prepared to use lethal-force if and when the situation demands.
4. Once the scene is safe and as soon as practical, an officer will provide appropriate medical care consistent with his or her training to any individual who has visible injuries, complains of being injured, or requests medical attention. This may include providing first aid, requesting emergency medical services, and / or arranging for transportation to an emergency medical facility.

H. Sworn and appointed law enforcement personnel should be aware of the possibility of burn injuries when hot automobile hoods are used to control suspects during arrest and should refrain from doing so except in an emergency. If the situation warrants using a body surface of a vehicle to gain control of an arrestee, employees should use the trunk area instead of the hood whenever practical.

I. Weapons of any kind will only be used by trained and authorized personnel.

J. See police written directive Canine (K-9) Operations, regarding uses of force by canine (K-9) personnel.

K. It is the policy of this Department that neck restraints or choke holds will not be used by employees for any reason unless deadly force can be justified. This prohibition on the use of chokeholds will include those circumstances involving evidence retrieval from suspects.

- A. Under certain circumstances use of a vehicle to attempt to make an arrest may be analogous to use of lethal force. Employees will adhere to all provisions of this directive and the provisions of the police written directive governing vehicle pursuits while deciding when and how to use a vehicle in an arrest situation.
 - 1. In all cases not specifically covered in the directive cited above, officers should be governed by their training and experience.
 - 2. Only police officers that have received training in defensive driving and pursuit vehicle operations are authorized to operate department vehicles under emergency conditions.
- B. Employees are prohibited from using a vehicle to force another vehicle to stop except under extreme circumstances when stopping the moving vehicle is of critical importance to public safety.
 - 1. Fixed roadblocks (during pursuits) - use of unoccupied county vehicles to deny an oncoming vehicle use of the roadway, may only be done under limited circumstances and with approval from a patrol supervisor or commander as outlined in police written directive that governs vehicle pursuits.
 - 2. Employees are prohibited from intentionally initiating contact between two moving vehicles except under extreme circumstances and only if lethal force is justified, necessary and appropriate. This does not apply to SRT officers during SRT operations. SRT officers train as a unit on high risk vehicle takedowns of armed subjects by pinning vehicles bumper to bumper at speeds that generally do not exceed 5 mph.
- C. While involved in efforts to stop moving vehicles or to immobilize stopped vehicles as described in this section, employees must use extreme caution to protect themselves from potentially armed suspects and to avoid placing themselves in a crossfire situation with other persons.
- D. The following procedures will be followed during all vehicle stops, regardless of their nature:
 - 1. Except when conducting routine traffic direction and control duties, employees will not intentionally stand, move or remain in front of, near, or in close proximity to a moving vehicle for any reason.
 - 2. Employees will refrain from reaching into an occupied vehicle in an attempt to immobilize the vehicle because of the potential for the employee to be severely injured as a result of the action.

Specific procedures for all vehicle stops are covered in the police written directive that governs traffic enforcement. Employees conducting routine traffic enforcement from a stationary location such as radar details or

sobriety checkpoints are permitted to signal traffic to stop by briefly entering the roadway at a point not directly in the path of the vehicle they intend to stop and must promptly remove themselves from the roadway, regardless of whether or not the driver appears to be complying with their signal.

6.01.07 POSITIONAL ASPHYXIA

- A. Positional asphyxia (defined above) may cause the death of persons in police custody if safeguards are not observed. Employees should ensure careful monitoring of suspects, especially under the following circumstances, which may be associated with in-custody deaths due to positional asphyxia.
 - 1. Obesity of the suspect.
 - 2. Intoxication caused by drugs or alcohol.
 - 3. Violent or bizarre behavior.
 - 4. Violent struggle requiring restraint in excess of normal handcuffing (i.e. hobbles, flex cuffs, spit hood, etc.).
 - 5. Unresponsive suspect during or immediately after a struggle.
- B. To minimize the risk of positional asphyxia, employees will carefully observe the following safeguards:
 - 1. Monitor in-custody suspects for gurgling, gasping, or unresponsiveness and summon medical assistance if any of these symptoms are present.
 - 2. Avoid leaving suspects positioned so they are lying face down for prolonged periods of time.
 - 3. If handcuffs alone are insufficient to reasonably control the suspect, use of the hobbles should be attempted if they are available. It should be noted that there should be little or no asphyxiation issues with the use of the hobbles, since the feet are tethered to the door frame. Only trained, sworn personnel are authorized to use hobbles.

[CLE 26.1.1]

- C. If a suspect is restrained in addition to normal handcuffing, employees will:
 - 1. Monitor the suspect carefully.
 - 2. Remove the additional restraints as soon as it can be done safely.
 - 3. Include the following information in the Incident Report, Supplemental

Report, and Use of Force Report:

- a. Actions taken by the person(s) restrained, including documentation of the level of resistance encountered.
- b. A description of the restraint that was used and its consequences.
- c. How long the suspect was restrained.
- d. How long the suspect was prone (lying face down), if applicable.
- e. How long transportation of the suspect lasted.
- f. Identification of any witnesses.
- g. Any other pertinent details.

[CLE 26.1.1]

6.01.08 REPORTING

A. Employee Responsibilities

1. As soon as reasonable, but certainly before leaving the scene of the incident, an employee will verbally notify an on-duty supervisor of the use of force in the following cases:

- a. When an officer discharges a firearm for other than training or recreational purposes.

[CLE 4.2.1 a] and [SC 1.14 a]

- b. When action taken by the employee results in or is alleged to have resulted in injury or death of another person.

[CLE 4.2.1 b] and [SC 1.14 b]

- In some circumstances a criminal investigation may also be required, in which cases the directly involved officer(s) cannot be compelled to provide written or oral statements. In those cases, the interviewing and reporting procedures specified in this directive will be superseded by those in police written directive, Employee Action Resulting in Death or Serious Injury.

- c. When an employee applies force by means of a canine (K-9), a baton / impact weapon, OC spray or any other lethal, less-lethal, or non-lethal weapon.

[CLE 4.2.1 c] and [SC 1.14 c]

- d. On the complaint of a person that he or she has sustained an injury.
- e. Whenever weaponless physical control is exerted over a person through the use of authorized physical control techniques, i.e., open hand, closed hand, or pain compliance, it will be recorded in the Incident Report and Use of Force Report.

[CLE 4.2.1 d] and [SC 1.14 d]

- 2. Whenever an officer uses force or shows force (e.g., pointing a firearm on a felony / high-risk stop, pointing a Taser at the suspect, etc.) to gain compliance, the officer will submit the appropriate force report.
- 3. Officers will document their use of force and/or show of force utilizing the Blue Team web-based software.

B. Supervisor Responsibilities

- 1. The employee's original statement will be forwarded to the Chief of Police, through channels, along with the investigative package. The statement will include the following information:
 - a. Actions taken by the person(s), against whom force was used, including documentation of the level of resistance encountered.
 - b. Actions taken by the employee, including the nature of force used and its consequences.
 - c. Injuries sustained or inflicted.
 - d. Identification of known witnesses.
 - e. Any other pertinent details.
- 2. When an employee is incapacitated or otherwise incapable, the immediate supervisor or the person acting in that capacity is responsible for completing the statement of facts.
- 3. The employee's immediate supervisor or a supervisor on-duty at the time will investigate all incidents involving use of force by an employee as soon after the incident as possible (preferably at the incident scene). However, the immediate supervisor or another supervisor will immediately respond to the scene when any use of force or other officer action results in an injury, is alleged to have resulted in an injury, or there is a complaint of injury.
- 4. The supervisor will identify (including full name, address, phone number, date of birth, social security number "voluntary," sex and race), interview, and obtain statements from all witnesses, complainants, and suspects. All

statements should be recorded on audio / video.

5. Review the statements and ensure that they fully address the specifics of the investigation.

[CLE 4.2.2] and [SC 1.15]

6. Review and forward the employee's statement to the Chief of Police through channels along with the completed investigative package.

[CLE 4.2.2] and [SC 1.15]

7. In order to ensure proper case management, the Office of Professional Standards will ensure that each use of force entered into IA Pro will be assigned an Office of Professional Standards case number.

8. Address any discrepancies by re-interviewing witnesses, complainants, suspects and employees.

9. The supervisor will then complete the memorandum (see Appendix A for memorandum format) showing the results of the investigation. The supervisor will:

[CLE 4.2.2] and [SC 1.15]

- a. Review the employee's records in the EI dashboard of Blue Team to determine if the employee has triggered or is about to trigger any Early Warning System thresholds and document this information in the memorandum.

- b. Comment on whether there is reason to believe that the incident or review of information in the EI dashboard may indicate the need for counseling, coaching, training, or other type of referral.

- c. Classify the use of force as falling into one of the following categories:

- **Within Policy Limits** - The use of force was justified and was not excessive. This finding does not preclude a separate recommendation for counseling, coaching or training, none of which qualifies as a disciplinary action.
- **Not Within Policy Limits** - the force was excessive or unnecessary - The employee(s) involved in the incident did not need to use force and / or the degree of force used was excessive. This finding mandates the lodging of disciplinary charges for excessive force.

10. Within **45** days of the use of force, the supervisor will send the investigation memorandum and all attachments, through the employee's chain of command for review and comments.

[CLE 4.2.2] and [SC 1.15]

C. Commander Responsibilities

All commanders will ensure that the incident was thoroughly investigated, that the finding falls within one of the two categories shown above, and that a recommendation for appropriate remedial action, if necessary, is documented. The package will then be forwarded to the Chief of Police through the Office of Professional Standards.

[CLE 4.2.2] and [SC 1.15]

D. Office of Professional Standards Responsibilities

1. The Office of Professional Standards will review all reports and memorandums regarding the use of force, make appropriate comments, and forward them to the Chief of Police.

[CLE 4.2.2] and [SC 1.15]

2. The employee(s) involved in a use of force incident will be notified, in writing, by the Office of Professional Standards as to the results of the investigation.

- E. When an employee is directly involved in a use of force that results in death or serious injury, he or she must participate in a debriefing with a mental health professional, which will be arranged by the commander of the Office of Professional Standards through the applicable Bureau Chief.

6.01.09 LETHAL FORCE INVESTIGATION

In all cases of the use of lethal force, an administrative review will be completed. In some circumstances, a criminal investigation may also be required in which case the interviewing and reporting procedures specified in this directive will be superseded by those in police written directive, Employee Action Resulting in Death or Serious Injury.

6.01.10 ADMINISTRATIVE ASSIGNMENT

- A. An officer or other employee whose actions or use of force results in a death or serious physical injury, or who shoots at and misses any person, will be immediately reassigned to administrative duties, pending an administrative review by the Chief of Police.

[CLE 4.2.3] and [SC 1.17]

- B. An officer or other employee causing minor injury to another person by use of force other than a firearm need not be automatically reassigned, but an investigative review by the Chief of Police may determine if a temporary administrative assignment is appropriate.

6.01.11 ANNUAL REVIEWS

A. Annually, the Office of Professional Standards Commander will conduct an analysis of all use of force activities, policies, and practices. The analysis should identify:

1. The date and time of incidents;
2. Types of encounters resulting in use of force;
3. Trends or patterns related to race, age, and gender of subjects involved;
4. Trends or patterns resulting in injury to any person including employees; and
5. Impact of findings on policies, practices, equipment, and training.

This analysis will be submitted, in writing, to the Chief of Police.

[CLE 4.2.4 a-e] and [SC 1.16]

B. Annually, the Office of Professional Standards Commander will conduct a review of all assaults on law enforcement officers to determine trends or patterns, with recommendations to enhance officer safety, revise policy, or address training issues.

[CLE 4.2.5]

By Authority Of:

Cleveland Spruill
Chief of Police