

GENERAL ORDER

G.O. 1-014

SUBJECT: USE OF FORCE INVESTIGATION



DATE EFFECTIVE: January 1, 2002
DATE WRITTEN: 02/25/99 DAB AMMENDED: 9/21/10, 03/25/15
AMENDS: Police Manual Section 16, Paragraph 16. Policy F-95-3. Directive Dated 4/27/98.
DISTRIBUTION: ALL SWORN PERSONNEL
A.S. 1.14.3 1.14.5
ADMIN: SIGNATURE ON ISSUE
SIGNATURE:
INDEX: FORCE INVESTIGATION, INJURY REPORTING, USE OF DEADLY FORCE INVESTIGATION, USE OF FORCE REPORTING

I. PURPOSE AND RESPONSIBILITY:

- A. Purpose: To set the policy in the review and reporting process for the use of force or the discharge of a firearm involving employees of the Monroe Police Department.
- B. Responsibility:
 - 1. It will be the responsibility of all sworn personnel to report the use of force that results in injury or death and/or the discharge of a firearm to the highest ranking officer on duty at the time.
 - 2. It will be the responsibility of the Captain to determine if a violation of State Law or Department Policy has occurred and to report this to the Chief of Police.
 - 3. It will be the responsibility of the Chief of Police to determine what disciplinary action will be taken against an officer determined to have violated

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State Law or Department policy.

4. It will be the responsibility of the Support Services Division (SSD) Training Unit to prepare an annual review of the reports generated by discharges of firearms and use of force and determine if there is a need for additional training or a change in policy.

II. DISCUSSION:

- A. This general order deals with the Department review and reporting process for the use of force or the discharge of a firearm.

III. DEFINITIONS:

- A. **DEADLY PHYSICAL FORCE:** Physical force which can be reasonably expected to cause death or serious physical injury.
- B. **INJURY:** Damage to a person; harm; wound; pain.
- C. **PHYSICAL FORCE:** The type of force that could cause injury.
- D. **RANKING OFFICER:** An officer with the rank of sergeant or higher.
- E. **SERIOUS PHYSICAL INJURY:** Death, serious disfigurement; serious impairment of health.

IV. POLICY:

- A. It will be the policy of the Monroe Police Department to investigate and report all discharges of firearms (except in training or recreation).
- B. It will be the policy of the Monroe Police Department to investigate and report the use of force that results in injury or death.
- C. It will be the policy of the Monroe Police Department to investigate and report the use of force through the use of lethal or less-than-lethal weapons.
- D. It will be the policy of the Monroe Police Department to report the application of physical force by any member of this Department.

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- E. It will be the policy of the Monroe Police Department to remove from line-duty any officer whose actions or use of force results in a death or serious physical injury.

V. POLICY:

- A. USE OF FORCE REPORT: A written report will be submitted whenever a Department employee:

- 1. DISCHARGES A FIREARM: A written report will be submitted whenever a Department employee discharges a weapon for other than training or recreational purposes. The following are procedures for reporting the discharge of a firearm:

- a. Report of Officer For Firearm Discharges: In any instance in which an officer of this Department discharges a firearm while on duty or in the performance of police officer duties, whether accidentally or intentionally, that officer shall, as soon as practicable, report that fact to the highest ranking officer on duty. The officer shall submit an incident report setting forth all of the circumstances involved in the incident;
- b. Report of Other Than Officer For Firearm Discharges: In any instance in which a Department firearm is discharged, whether accidentally or intentionally, by any person not an officer of this Department, the officer having knowledge of that discharge shall, as soon as possible, report that fact to the highest ranking officer on duty. The officer shall submit an incident report setting forth all of the circumstances involved in the incident;
- c. Ranking Officer Duties: The highest ranking officer on duty at the time of the firearms discharge will cause the Captain to be notified. The Captain will report the incident to the Chief of Police.

- 2. USE OF FORCE: A written report will be submitted whenever a Department employee uses force that results in injury or death or applies force through the use of lethal or less-than-lethal weapons to include the aiming of a

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Department authorized firearm or CEW when confronting an individual (having a firearm or CEW at low ready is not considered a use of force):

- a. Report of Injury: In any instance in which an officer of this Department causes injury or death (or is alleged to have caused injury or death) or applies force through the use of lethal or less-than-lethal weapons while on duty or in the performance of police officer duties, whether accidentally or intentionally, that officer shall, as soon as possible, report the fact to the Commanding Officer. The officer shall also submit a Use of Force Report setting forth all of the circumstances involved in the incident;
- b. Ranking Officer Duties: The highest ranking officer on duty to whom the report is made will cause the Captain to be notified and will submit a UFIR report to the Chief of Police;
- c. Shift Commander Duties: The Shift Commander will cause the notification of the:
 1. The Captain and the Chief of Police if there is serious physical injury or death;
 2. Commander of the Division that the officer involved is assigned if the injuries are less than serious.
3. APPLIES PHYSICAL FORCE: In any instance in which an officer of this Department applies physical force, the officer's division supervisor will be notified. The supervisor must weigh the seriousness of the situation and the Department liability. At the very least, the supervisor will cause the physical force used to be described and documented in the arrest (incident) report.

B. USE OF FORCE REPORT REVIEW:

1. OFFICER: The forms for reporting the use of force (UFIR) or discharge of a firearm (DOF) must be completed by the officer(s) involved. The officer will give the completed report to the officer's supervisor.
2. SUPERVISOR: The supervisor will determine that the report is accurately completed and initial the report. The supervisor will submit the report to the

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officer's Division Commander.

3. Captain:
 - a. Review: The Captain must determine if the use of force or discharge of a firearm was:
 1. A violation of State law;
 2. A violation of Department policy, procedures, or rules and regulations; or
 3. Justified under the circumstances.
 - b. Determination: The Captain, after conducting the review will:
 1. Submit a narrative report with conclusions and recommendations to the Chief of Police if violations are determined;
 2. Initial the DOF or UFIR report and submit it to the Chief of Police if no violations are determined.
 4. CHIEF OF POLICE:
 - a. Violation of Law or Policy: In all cases where an officer is determined to have acted in violation of law or policy the officer shall be subject to disciplinary action up to and including dismissal;
 - b. Justified: The Chief of Police will initial the DOF or UFIR report and cause the original to be filed with the SSD Training Unit. A copy of the report will be filed in the officer's personnel file.
- C. ADMINISTRATIVE RELIEF FROM DUTY:
1. RELIEF FROM LINE DUTY: In every instance where an employee whose actions or use of force results in a death or injury to another person, the employee will be immediately relieved of duty and placed on administrative leave or administrative duty by the Chief of Police or his designee.

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2. NO LOSS OF BENEFITS: The Chief of Police shall assign the officer to administrative leave or duty with no loss of pay or benefits. This administrative leave or duty serves two purposes:
 - a. To address the personal and emotional needs of the officer involved in the deadly use of force;
 - b. To assure the community that verification of all facts surrounding such incidents are fully and professionally explored.
 3. OFFICER AVAILABILITY: Officers on administrative leave shall assure their availability to this Department:
 - a. During the subsequent investigation; and
 - b. Until the officer's personal and emotional needs have been met.
 4. COUNSELING: Officers involved in incidents which result in serious physical injury or death to another will be required to attend counseling sessions to aid them in dealing with the stress inherent in these traumatic incidents.
- D. ANNUAL ANALYSIS OF REPORTS: The SSD Training Unit will conduct an analysis of all DOF and UFIR reports. A review of incidents of force may reveal patterns or trends that could indicate training needs and/or policy modifications.

HISTORICAL CHANGES TO POLICY

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Sept. 21, 2010 – Page 1, A.S box changed from 1.1.6 to 1.1.5

Sept. 3, 2019 - Page 3, V-A1abc the words "Discharge Of Firearms Report (DOF) were eliminated as this form (DOF form, mpd-46 is obsolete and no longer used).