



Use of Force Recommendation 07

*Guidance for Concurrent Investigations –
Use of Force Review Board*



Agenda

- Recommendation Highlights
- Current Policy
- Gap Analysis
- Discussion Points
- Committee Feedback
- Further Analysis
- Final Guidance



Recommendation Highlights

- The Use of Force Review Board (UOFRB) should determine if a given incident is within policy and whether the incident requires changes in policy, procedures, or practices.
- The UOFRB shall recommend findings to the Chief of Police for possible discipline or another course of action to correct apparent substandard performance.
- The UOFRB will evaluate the strengths and weaknesses of the underlying criminal and administrative investigations.

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Recommendation Highlights

- The UOFRB should consistently review all uses of force that result in a death, as well as force that results in serious bodily harm.
- Policy should have specific language be inserted about how often the board should meet.
- Board membership should have varying ranks, with most members assigned to the patrol function.
- Board membership should have set term limits and should stagger membership to avoid complete turnover.
- The labor association should select a representative from their membership to sit on the board.
- The UOFRB will evaluate the quality, completeness, and lack of bias in the underlying internal investigation.

Current Policy

- UOFRB has responsibility to review all officer-involved shootings, force incidents that result on serious physical injury or death, or incidents directed by the Chief of Police.
- Board comprised of chairperson at the rank of commander and three members above the rank of sergeant.
- Board members review police reports to make recommendation of findings and disposition for each incident reviewed.
 - Currently there is no presentation to the Board by an Investigative Unit.
- Determine if the use of force complied with Department policies.
- Identify training needs in regard to specific tactics, techniques, or procedures.
- Provides written recommended findings to Chief of Police for review and action.

Gap Analysis

Function	Current Policy	Recommendation
Automatically review all category one use of force incidents		X
Conduct board meetings on a regular schedule		X
Diverse team profile: patrol, labor and leaders		X
Review investigation findings from administrative investigations		X
Evaluate investigative findings for consideration of policy and training updates	X	X
Present final recommendation to Chief of Police	X	X

Discussion Points

Phoenix PD	<ul style="list-style-type: none">• Professional Standards provides debrief to Use of Force Review Board
Los Angeles PD	<ul style="list-style-type: none">• Presentation to Use of Force Review Board and Board of Inquiry
Long Beach PD	<ul style="list-style-type: none">• Homicide presents to Shooting or In-Custody Death Review Board
Scottsdale PD	<ul style="list-style-type: none">• Homicide and Training present to Major Incident Review Board
Chandler PD	<ul style="list-style-type: none">• Professional Standards presents to Use of Force Board
Anaheim PD	<ul style="list-style-type: none">• Investigative report is sent to Chain of Command for Review

Committee Feedback

- Term limitations should be placed on voting members
- Alternatives need to be identified beforehand
- A process needs to be identified for members to exclude themselves from a vote due to conflicts of interest
- Community members on board should be given opportunity to provide feedback to the Chief of Police



Further Analysis

- What position titles will make up the voting 5 members of the Critical Incident Board?
 - Position 1: Chairman (Commander), 2: co-chair (Commander), 3: Board1(Sergeant Patrol), 4: Board2(Officer Patrol), 5: Board3(Sergeant Special Ops)
- Should there be term limitation on voting members? Some (if so, which positions) or all?
 - Odd year (after 2 years) – (3) members leave (Positions 1 ,3, 5)
 - Even year (after 2 years) – (Positions 2 & 4 leave)
- Who should be consistent advisory members or positions?
 - Legal and Advanced Training



Further Analysis

- How should alternates be addressed?
 - At least 2 alternates from Patrol and Special Ops (always present on the board – non-voting members) (Lieutenant and below) – alternates become board members as board members terms expire.
- Should the involved member be given board members names prior to hearing and have opportunity to address conflicts of interest?
 - Board member names are public.
- Should the opportunity be given to the opposing voting member to write a memo to the Chief with their opinions?
 - No, vote and reasons captured in final result.



Final Guidance

- Change name to Critical Incident Review Board
- Investigative Units will present facts of their investigation to the Board
- Board membership should consist of five members with varying ranks and with most members assigned to the patrol function
- Advisory members will consist of representation from labor association, member from Advance Training, Legal Advisor and two civilian members (with mandatory attendance of Citizen Police Academy, Community Engagement Academy, or a member from a Department Community Forum)
- The CIRB shall convene on a monthly basis
- The CIRB will review all Category 3 Incidents and the chairperson will have discretion when reviewing Category 2 Incidents
- The Board will provide findings to Chief of Police within 30 days
- The CIRB will evaluate the strengths and weaknesses of the underlying administrative investigations



Questions