



# Use of Force Recommendation 22 & 39

*Guidance for:*

- *Non-Involved Supervisor to Respond to Scene When Force is Used*
- *Supervisor is to Respond to the Scene of Potentially Critical Circumstances*



# Agenda

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



# Recommendation Highlights

- Recommendation 22
  - MPD should require a non-involved supervisor to respond to the scene and initiate a use-of-force investigation for every reportable use of force. This investigation should include a briefing from the involved officer(s), questioning available witnesses, and speaking with the suspect.

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# Recommendation Highlights

- Recommendation 39
  - MPD should add a requirement that supervisors immediately respond to any scene: where a weapon (including a firearm, edged weapon, rocks, or other improvised weapons) is reported; where a person experiencing a mental health crisis is reported; or where a dispatcher or other member of the department believes there is potential for significant use of force.

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# Current Policy

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Revision made June 7, 2018 to include:

Non-involved supervisor immediately responds to the scene on any reported use of force which involves the use of:

- Strikes to the face, head or neck
- Electronic Control Devices (ECD)
- Impact Weapons
- Deployment of Police Service Dog (K-9)
- Carotid Control Technique
- Any other use of force causing the subject to be treated at the hospital for a physical injury

Investigatory Responsibilities:

- Obtain basic facts from the involved officer(s)
- Conduct initial review of the application of use of force
- Ensure medical treatment provided
- Ensure overall photographs taken, including areas involving visible injury or complaint of pain
- Ensure all necessary evidence is collected.

# Current Policy

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## Definition

- Emergency Calls:
  - Life threatening
  - Confrontations which may threaten life or safety of a person
- Priority One Calls:
  - In progress crime that could result in a threat to injure or possible major property loss or immediate apprehension of a suspect

## Assignment of supervisor(s).

- Responds to the scene on Emergency Calls
- Is informed of case comments on certain Priority One Calls
  - Responding to the scene is of the supervisor's discretion

# Gap Analysis

Supervisor Responsibilities	Current Policy	Recommendation
Non-involved supervisor responds to the scene on every reportable use of force	*	X
Investigates every reportable use of force	X	X
Briefing with involved officers	X	X
Interview witnesses		X
Interview suspect		X
Collect necessary evidence, including photographs	X	X
Ensure medical treatment is provided	X	X
Initial review of the application of force	X	X

\*Current policy lists specific uses of force

# Gap Analysis

Supervisor Scene Response	Current Policy	Recommendation
Supervisors immediately respond to any scene where a weapon is involved	X	X
Supervisors immediately respond to any scene where a person experiencing a mental health crisis is reported	*	X
Supervisors immediately respond to any scene where a dispatcher or other member of the department believes there is potential for significant use of force		X

\* Supervisor responds when there is a threat to one's life

## Committee Feedback

- Committee members indicated an unnecessary workload would be placed on supervisors to respond to each circumstance as outline in recommendation.
- Need to further define non-involved supervisor.
- Requested further analysis to determine the additional calls that would require a supervisor response if recommendation was implemented.



## Further Analysis

Priority 1 Initial Call Type	Count	Avg Call Length
Shots Fired	496	0:26:54
Subject w/ a Gun	69	1:10:06
Suicidal Subject	1,402	0:59:54
<b>Total</b>	<b>1,967</b>	

If the recommendation was imposed from May to October 2019, supervisors would have been required to respond to an additional 1,967 CFS (an average of 3.6 CFS per shift).



## Final Guidance

- Define non-involved supervisor for the purpose of DPM 2.1.45 – Use of Force Reporting Protocols and in the development of the Concurrent Investigation policy as:
  - A supervisor who may be at the scene and witnesses the incident, but is not directly involved in the application of force.
- Recommend a non-involved supervisor respond to Category 1 and 2 type incidents.
  - It will be the responsibility of Professional Standards to interview the involved member, witnesses, and the involved suspect.

## Final Guidance

- Recommend a non-involved supervisor review the application of force on Category 3 type incidents. It is not necessary for the supervisor to respond to the scene unless an allegation of excessive force is made.
- Recommend not implementing the requirement that supervisors immediately respond to any scene: where a weapon is reported; where a person experiencing a mental health crisis is reported; or there is potential for significant use of force.



# Discussion