
Use of Force Review Boards

301.1 PURPOSE AND SCOPE

This policy establishes a process for the Urbana Police Department to review the use of force by its employees.

This review process shall be in addition to any other review or investigation that may be conducted by any outside or multi-agency entity having jurisdiction over the investigation or evaluation of the use of deadly force.

301.2 POLICY

The Urbana Police Department will objectively evaluate the use of force by its members to ensure that their authority is used lawfully, appropriately and is consistent with training and policy.

301.3 REMOVAL FROM LINE DUTY ASSIGNMENT

Generally, whenever an employee's actions or use of force in an official capacity, or while using department equipment, results in death or very serious injury to another, that employee will be placed in a temporary administrative assignment pending an administrative review. The Chief of Police may exercise discretion and choose not to place an employee in an administrative assignment in any case.

301.3.1 PSYCHOLOGICAL EXAMINATION

All officers directly involved in an incident that results in death or very serious injury to another as well as some events where officers did use use deadly force but a citizen died or sustained very serious injury shall be required to undergo a mental health evaluation as soon as practical after the incident.

301.4 REVIEW BOARD

The Use of Force Review Board will review all incidents involving uses of force. This includes those situations when the use of force by an officer results in very serious injury or death to another.

The Use of Force Review Board will also investigate and review the circumstances surrounding every discharge of a firearm, whether the employee was on- or off-duty, excluding training or recreational use.

Reports involving the use of force are automatically forwarded to the use of force review board. Officers involved in use of force incidents shall identify these reports to their sergeant. The sergeant shall meticulously review use of force reports to ensure that meet Department standards. These reports are then flagged for the use of force review board review by checking the requisite line on the Case Management Assignment Sheet. The Case Management System Manager in the Criminal Investigation Division serves as the final screening agent to ensure that use of force reports are channeled to this board.

The Use of Force Review Board will meet at least twice a year to conduct their reviews.

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301.4.1 COMPOSITION OF THE BOARD

The designated Division Commander should select at least five Use of Force Review Board members from the following, as appropriate:

- Division Commander
- Control Tactics instructor
- Firearms instructor
- Criminal Investigations Division Sergeant
- Detective

The designated Division Commander will serve as the Use of Force Review Board Supervisor. A sergeant will act as the Use of Force Review Board Coordinator.

301.4.2 RESPONSIBILITIES OF THE BOARD

The Use of Force Review Board is empowered to conduct an administrative review and inquiry into the circumstances of an incident.

The board members may request further investigation, request reports be submitted for the board's review, and view evidence related to the incident.

The board does not have the authority to recommend discipline.

The Chief of Police will determine whether the board should delay its review until after completion of any criminal investigation, review by any prosecutorial body, filing of criminal charges, the decision not to file criminal charges, or any other action. The board should be provided all relevant available material from these proceedings for its consideration.

The review shall be based upon those facts which were reasonably believed or known by the officer at the time of the incident, applying any legal requirements, department policies, procedures and approved training to those facts. Facts later discovered but unknown to the officer at the time shall neither justify nor call into question an officer's decision regarding the use of force.

Any questioning of the involved employee conducted by the board will be in accordance with department's disciplinary procedures, the Personnel Complaints Policy, the current collective bargaining agreement and any applicable state or federal law.

The board shall make one of the following recommended findings:

- (a) The employee's actions were within department policy and procedure.
- (b) The employee's actions were in violation of department policy and procedure.

A recommended finding requires a majority vote of the board. The board may also recommend additional investigations or reviews, such as disciplinary investigations, training reviews to consider whether training should be developed or revised, and policy reviews, as may be appropriate. The board coordinator will submit the written recommendation to the Chief of Police.

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The Chief of Police shall review the recommendation, make a final determination as to whether the employee's actions were within policy and procedure and will determine whether any additional actions, investigations or reviews are appropriate. The Chief of Police's final findings will be forwarded to the involved employee's Division Commander for review and appropriate action. If the Chief of Police concludes that discipline should be considered, a disciplinary process will be initiated.

At the conclusion of any additional reviews, copies of all relevant reports and information will be filed with the Chief of Police.

301.5 CHAMPAIGN COUNTY MULTI-JURISDICTIONAL INVESTIGATIVE TEAM

The Department participates in a multi-agency effort to investigate serious use of force incidents and/or in-custody deaths involving officers of participating agencies. The Chief of Police, or his designee, may request the Team be activated to investigate a serious use of force incident or in-custody death. The Criminal Investigation Division Commander is the Department's liaison and primary contact for the Team. The Chief of Police reserves the right to choose either the Team or another agency to investigate the incident. If the Team is activated, the the pre-established protocols and procedures should be followed.