

**POLICY
802**

**EFFECTIVE
DATE
10-12-15**

**Eugene
Police Department**



Use of Force Review Boards

802.1 PURPOSE AND SCOPE

A Use of Force Review Board may be convened by the Chief of Police for the purpose of determining whether or not the actions by a Eugene Police Department employee(s) were within department policy or in cases where there is no applicable department policy that the actions were consistent with accepted industry standards. During the Use of Force Review Board's analysis they may also consider relevant written directives, training, past practices, verbal direction and equipment.

The Use of Force Review Board may be convened for any use of force when the Chief of Police determines an individual analysis will be of benefit to the department. The Use of Force Review Board may, depending upon the circumstances, also include recommendations on training, equipment, policy and/or procedure, or communications specific to the event being reviewed. However, the Use of Force Review Board will never offer recommendations or opinions as to the reviewed employee(s) fitness for duty (physical or psychological), or corrective action or discipline resulting from the use of force being reviewed.

802.2 WHEN A USE OF FORCE BOARD IS CONVENED

A Use of Force Board will be appointed by the Chief of Police through an Administrative Order. The Administrative Order will name the specific persons appointed and their representative titles and will suspend board action until the relevant case reviews have been completed. The board will generally include the following members:

- a. Lieutenant (designated as the chairperson)
- b. The involved employee(s) direct supervisor (unless they are involved in the incident)
- c. Police Training Sergeant
- d. Firearms Sergeant
- e. Defensive Tactics Sergeant
- f. Communications Center supervisor (non-voting member)
- g. Police Auditor or designee (non-voting member)
- h. Assigned internal investigator (non-voting support staff only)

Depending upon the circumstances of the use of force incident in question, the Chief of Police may appoint special members, or remove others if their subject matter expertise is not required. (For example, the Chief of Police could appoint the Canine Sergeant for a use of force involving a police canine, or remove the Firearms Sergeant from a use of force review not involving a firearm.)

The Use of Force Review Board will not convene until criminal (if applicable) and administrative investigations are complete and materials from each are available for them to review.

802.3 USE OF FORCE REVIEW BOARD REPORTING

The Use of Force Review Board members will have made available to them the criminal (if applicable) and administrative reviews of the use of force and any other information pertinent to the use of force.

The Use of Force Review Board may request that the involved officer(s) testify before the board. If an employee refuses to testify before the board voluntarily, the board chairperson may require the officer to do so. The involved employee will be provided and will sign a Garrity Warning admonishment prior to testifying.

The Use of Force Review Board will make a determination into the propriety of the use of force and address any issues requested of them by the Chief of Police.

Within 30-days following the determination made by the board, the chairperson will complete the Use of Force Review Board's report and recommendation and forward it to the Chief of Police through the chain of command. The Chief of Police will make the final determination regarding compliance with the policy and will determine if there are any necessary changes to be made regarding department policy, tactics, equipment or procedures.