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# USE OF FORCE GUIDELINES FOR SUPERVISORS

## 3002.1 PURPOSE

The following procedure will assist supervisors with Use of Force incidents and should be used in conjunction with the Use of Force Policy.

## 3002.2 COMMAND SCENE

Upon notification, the assigned supervisor shall immediately respond to the incident (unless impractical to do so) and assume command of the scene. The supervisor should:

- Ensure that any injured parties are examined and treated by authorized medical personnel. Medical treatment shall not be delayed for the purposes of obtaining an interview or photographs
- Obtain the basic facts from the involved officer(s)
- Notify the Watch Commander
- Identify any witnesses and ensure statements are recorded on their BWC and documented in a supplemental police report
- Ensure photographs are taken, evidence collected and CSI completed

In incidents where a supervisor actively participated in the use of force, the Watch Commander shall be notified and should make an attempt to assign another uninvolved supervisor to respond to the scene and assume command.

## 3002.3 IDENTIFY WITNESSES AND OBTAIN STATEMENTS

The supervisor shall ensure all percipient witnesses are identified and their statements documented in a supplemental police report. Witness statements shall only be obtained by officers who were not involved in the application of force. When the injury resulting from a use of force or in-custody injury requires more than basic medical aid, the supervisor should interview all witnesses and document their statements in a supplemental police report.

## 3002.4 ATTEMPT TO SPEAK WITH SUBJECT OF FORCE AND OBTAIN PHOTOGRAPHS

In all situations where supervisory notification is required, the supervisor should allow the officer to Mirandize and interview the subject of force before interviewing him or her. The supervisor should attempt to contact the subject of force, identify himself or herself as the supervisor handling the incident and determine if the subject of force has received any injuries by asking the subject if they are injured and if so, to describe the injuries unless it would be impracticable to do so (i.e. admitted to the hospital).

The supervisor should visually examine the subject of force for injuries and ensure that photographs are taken of any visible injuries or any areas where there is a complaint of pain and

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may, if necessary, take overall photographs of uninjured areas. If the subject of force refuses to be photographed, the supervisor should describe the injury in detail (or lack, thereof) and describe the words (using quotes) that were used by the subject of force to indicate a refusal to allow photographs. The supervisor shall record the contact on their BWC.

If the subject of force waived Miranda, the supervisor may interview the subject of force, summarize the content of the interview in a supplemental police report and document the fact the interview was recorded and booked into Evidence.

If the subject of force invoked Miranda, the supervisor should not attempt to interview the subject of force about the incident. However, the supervisor may inquire about any alleged injuries and/or complaints of pain but should admonish the subject of force that the inquiries are limited to any alleged injuries and/or complaints of pain only. If the subject of force wants to discuss questions related to the criminal investigation, the supervisor should admonish the subject of force once again of their Miranda Rights and obtain a waiver prior to conducting an interview.

### **3002.5 PERSONNEL COMPLAINTS DURING USE OF FORCE INVESTIGATIONS**

Refer to the Administrative Investigation and Personnel Complaints Policy. Supervisors receiving personnel complaints during a use of force investigation should use documentation in their supplemental police report as follows: "(individual) provided me with a statement that was recorded as part of an administrative process and not documented in this supplemental police report."

Complaints of excessive force made after the initial responding supervisor completes a use of force review may be handled by Professional Standards.

### **3002.6 SUPERVISOR DOCUMENTATION**

For incidents defined in the Notification to Supervisors section of the Use of Force Policy, supervisors must complete a supplemental police report documenting their involvement in the incident and complete a Blue Team entry.

- The supervisor must complete the following by end of watch:
  - Entry into the "Blue Team" software program
  - Download or book audio, video and/or photographs
  - A separate entry in BlueTeam "Complaint" if there was a personnel complaint
- Within seven (7) days after the incident, the supervisor must complete:
  - A supplemental police report, unless the report contains information necessary for the filing of criminal charges, then it will be submitted prior to the supervisor's end of watch
- Administrative Investigations shall be submitted in accordance with the Administrative Investigation and Personnel Complaints Policy.

Commander approval is required to extend the timelines described above.

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Officer involved shootings and incidents involving the death of the suspect shall be handled by the Professional Standards and Crimes Against Persons and do not require the supervisor to complete a use of force review.

### **3002.7 REPORT REVIEW**

The purpose of the report review is to ensure the officer has sufficiently documented the type of force used and why it was necessary. During the review process, the supervisor may return the report to the officer to request additional documentation, information or detail. In cases where an allegation of misconduct has been made, the supervisor should ensure he or she is familiar with the Peace Officer's Bill of Rights (POBAR). The supervisor should contact the Watch Commander and/or the Legal Advisor if additional direction is needed.

If the report will require the officer's immediate supervisor to remain past end of watch, the supervisor will notify the Watch Commander as to the factual circumstances involved in the case. The Watch Commander may review and approve the officer's report when completed or direct another supervisor to handle prior to the officer's end of watch. The supervisor is responsible for ensuring appropriate supplemental reports are completed.

### **3002.8 ASSIGNMENT OF CORPORALS TO USE OF FORCE REVIEWS**

With a Commander's approval, a Corporal may supervise, review, and document use of force incidents. Incidents involving allegations of misconduct shall be handled by sergeants or above only.

### **3002.9 SIGNIFICANT EVENTS**

If the use of force results in significant injuries, may lead to an allegation of liability, is newsworthy or has the potential to become a major event, a Commander shall determine if additional resources are needed. Those resources could include requesting additional police personnel, notification to the Public Information Officer, contacting the Legal Advisor, etc. The Commander may also direct the supervisor to complete an administrative investigation or memorandum if extensive investigation is required.

### **3002.10 COMMANDER RESPONSIBILITY**

A Commander shall review each use of force incident and accompanying reports to ensure compliance with department policy and to address any training issues.

### **3002.11 TRAINING**

During the review process, if a supervisor determines that training may be appropriate, they are encouraged to meet with their respective Commander to discuss further. Only Commanders and above may officially request training. If training is recommended, the Commander should complete and send a "Training Recommended" form to the Training Division, via his/her chain of command.