



ROCKFORD POLICE DEPARTMENT

GENERAL ORDER

NUMBER: 1.16

TITLE: REPORTING AND INVESTIGATING RESPONSE TO RESISTANCE

SERIES: 1 - ADM

SERIES TITLE: ADMINISTRATION

**TOPICS / REFERENCE: RESISTANCE, PROCEDURES, FORCE LEVELS
RESPONSIBILITIES**

APPENDICES: NONE

ORIGINAL EFFECTIVE / ISSUE DATE: NOVEMBER 4, 2013

DATE OF LAST REVISION: JUNE 6, 2017

THIS ORDER REMAINS IN EFFECT UNTIL REVISED OR RESCINDED

POLICY:

It is the policy of the Rockford Police Department to require officers to investigate and/or report uses of force as defined in this order. The Rockford Police Department recognizes that an officer's use of force involves risk. It is prudent to analyze and manage this risk.

PURPOSE:

The purpose of this order is to provide policy concerning the documenting of Department officers response to resistance. The Department is aware of the risk to officers and the Department when force is used. The Department must manage this risk factor. The function of this documentation is to assist in the analysis of the Department's responses to resistance. In addition, the Department shall use this documentation to identify training needs.

These guidelines are not meant to be all-inclusive, since each incident must be dealt with on an individual basis, but are intended as broad guidelines to assist the employees and supervisors involved.

This order is comprised of the following numbered sections:

- I. DEFINITIONS**
- II. PROCEDURES**
- III. FORCE LEVELS**
- IV. FORCE LEVEL REPORTING RESPONSIBILITIES**
- V. BLUE TEAM REPORTING**

APPENDICES: NONE

I. DEFINITIONS:

A. Non-Reportable use of force:

1. Compliant non – resistive handcuffing;
2. Verbal persuasion;
3. Officer presence; and
4. Non-resistive escorting.

B. Blue Team: An application that eliminates duplication of effort, reduces paperwork, and speeds the flow of information into IAPro. BLUE TEAM supports entry of use-of-force, vehicle crashes, vehicle pursuits, corrective action, and complaints. BLUE TEAM is merely an application that enables supervisors to submit Early Intervention System documentation in an electronic form.

C. IAPro: A computer software that enables our Department to effectively and efficiently organize, analyze, and manage the Department's internal affairs process. This software has streamlined the Office of Professional Standards process.

D. Serious injury: For this General Order, serious injury includes, but is not limited to fractured or broken bones, severe lacerations requiring sutures, and internal organ injuries.

II. PROCEDURES:

A. Commanders and supervisors shall complete a Department approved training course for the Departmental use of force policy and reporting and investigating use of force prior to conducting any use of force investigation.

B. Department officers shall notify his/her supervisor immediately or as soon as practical of the following situations:

1. Whenever an officer uses any force above handcuffing of a non-resistive suspect;
2. When notified of Level 1, 2 or 3 use of force, the supervisor or commander shall respond to the scene and conduct the appropriate force investigation;
3. When notified of an allegation of a use of force and the officer denies using force, the supervisor or commander shall respond to the scene and conduct a preliminary investigation into the use of force allegation; or
4. When there is a discharge at an object (e.g. street light, alarm box, door lock or vehicle tire) by an officer to accomplish a tactical police purpose that does not result in injury.

- C. If notified of an allegation of unreasonable force, the supervisor shall conduct a preliminary investigation:
 - 1. If there is corroborating evidence that unreasonable use of force occurred, the supervisor shall stop the investigation and initiate an internal investigation; or
 - 2. If there is no corroborating evidence that unreasonable use of force occurred, the supervisor shall document the results of the complaint investigation in an Officer's Report if no use of force report is completed.
- D. If any force investigation indicates criminal misconduct, the supervisor or commander shall suspend the investigation and make the proper notification to that personnel's Bureau Commander and document the date and time in the report.
- E. Officers shall ensure that when necessary, or upon complaint of injury, medical first aid is provided and/or professional medical assistance is summoned as soon as practical for any subject upon whom force has been used.
- F. Supervisors and commanders shall be held accountable for the timely, accurate, and thorough documentation of all use of force incidents.
- G. Reports shall not contain "boilerplate" or "pattern" language (e.g. directed to the ground, fighting stance, etc.) without a descriptive or explanatory detail of the action.
- H. A supervisor or commander involved in a use of force shall not investigate the incident or review for approval the use of force report.
- I. Supervisors and commanders shall identify department or individual training and tactical issues and make recommendations for corrective action, when appropriate and document the recommendations in the use of force report.
- J. Officers may delay compliance with the provisions of this order if the scene is unstable, there is community unrest, or other conditions make immediate compliance impracticable. The protection of officers and the public, and the maintenance of public safety remain the priority. The approving supervisor or commander shall ensure the reason for the delay is documented in the use of force report. Such compliance delays are subject to review by the appropriate review board.
- K. Injured or killed animals shall be handled and/or properly disposed of in accordance with Department [General Order 1.06 – Response to Resistance](#).
- L. All use of Force reports will be available through the IAPro software accessible from the Office of Professional Standards.

III. FORCE LEVELS:

- A. Force options enumerated in Department Policy are grouped in the following force levels for reporting and investigating purposes only.

B. Any force used not mentioned in this Order should follow the Chain of Command to determine the proper level of force used for reporting purposes:

1. Level 1:

- a.** Any use of force resulting in death;
- b.** Any intentional firearm discharge at a person, regardless of injury;
- c.** Any force which creates a substantial risk of causing death;
- d.** Great bodily harm, to include:
 - i.** Any use of force resulting in loss of consciousness, protracted loss, impairment, serious disfigurement, or function of any bodily member or organ (includes paralysis).
- e.** Any unintentional firearms discharge that results in the injury of a person; or
- f.** Any intentional strike to the head with a hand held impact weapon.

2. Level 2:

- a.** Any unintentional firearms discharge that does not result in injury;
- b.** Any strike/punch to the head with a reinforced object in the hand; or
- c.** Any use of force that requires emergency medical treatment for a serious injury to the suspect or officer.

3. Level 3:

- a.** Any hand held impact weapon (ASP/Baton) that used as a strike (except for an intentional strike with a hand held impact weapon to the head);
- b.** Any strike to the head (Punch/stun/kick);
- c.** A police canine bites the clothing or the skin of a subject, or otherwise injures a subject;
- d.** Any impact weapon, including specialty impact munitions, or any other instrument is used in an attempt to strike another person but no contact is made;
- e.** The wooden baton or expandable baton is used for a non-striking purpose resulting in injuries to the subject (e.g. prying limbs, moving or controlling a person);
- f.** Use of specialty munitions to strike a subject and contact is made; or
- g.** The use of a TASER.

4. Level 4:

- a.** A firearm is intentionally pointed at a person;

- b. A Weaponless Defense Technique is applied to a vulnerable area, excluding strikes (e.g. hair-grab, pressure to mastoid or jaw line; and pressure points, head pin, eye flick);
- c. The wooden baton or expandable baton is used for a non-striking purpose resulting in no injuries to the subject (e.g. prying limbs, moving or controlling a person);
- d. A weaponless Defense Technique other than control holds: Examples include; hand/palm/elbow strikes, kicks/knee, takedowns/tackled/wrestled, Grabbing/pushing/punching;
- e. A Weaponless Defense Technique Control Hold is applied;
- f. Escort (Resistive and combative subject);
- g. Shoulder lock, wrist lock; or
- h. Oleoresin Capsicum (OC/Pepper Spray or other chemical agent applied to a person).

IV. FORCE LEVEL REPORTING RESPONSIBILITIES:

A. A Supervisor shall conduct a thorough investigation for every use of force incident, with the exception of an incident being investigated by the Winnebago County Integrity Task Force:

1. Level 1 Reporting Responsibilities will follow the Notification Procedures – Major Incidents Memorandum. These incidents may include, but not be limited to the following:
 - a. All officer involved shootings (not to include killing of injured or vicious animal) and the use of deadly force;
 - b. Any intentional firearm discharge at a person, regardless of injury;
 - c. Any force which creates a substantial risk of causing death;
 - d. Great bodily harm, to include;
 - e. Any use of force resulting in loss of consciousness;
 - f. Protracted loss, impairment, serious disfigurement, or function of any bodily member or organ (includes paralysis);
 - g. Any unintentional firearms discharge if a person is injured as a result of the discharge;
 - h. Any intentional strike to the head with a hand held impact weapon;
 - i. Any significant internal or external matters which involve personnel that could result in discipline or corrective action;
 - j. Any significant injury to an officer; or
 - k. Serious injury accident involving a Rockford Police Department vehicle.

2. Level 2 Reporting Responsibilities:

- a. A Supervisor shall conduct a thorough investigation on the use of force.

3. Level 3 Reporting Responsibilities:

- a. A Supervisor will be summoned and respond to the scene to assess the use of force;
- b. The Supervisor will decide if the use of force is consistent with policy and training;
- c. If the Supervisor is unsure at the time, the Supervisor will complete the Level 3 Blue Team report; and
- d. If the use of force is consistent with policy and training and no deficiencies are observed, the Supervisor may have the officer complete a self-reporting Level 3 Blue Team report.

4. Level 4 Reporting Responsibilities:

- a. Self-reporting Blue Team report.

V. BLUE TEAM REPORTING:

- A.** All use of force reports shall be documented within the Blue Team software using the Use of Force template. The following language is meant to assist the officer in completing the Level 4 self-reporting in the Blue Team Program.

1. Incident Details:

- a. Date Received: Date when the supervisor was notified or when the officer used the force;
- b. Date of Occurrence: Date the incident occurred;
- c. Time of Occurrence: Time the officer had to use the force; and
- d. Case Number: The case number assigned to the incident.

2. Incident Summary:

- a. On a level 1, 2 and/or 3 a brief summary should be added without using names of the suspect, witnesses and/or officers if completed by a supervisor;
- b. If an officer is completing a Level 3 self-reporting Blue Team report, the Supervisor who authorized the self-reporting shall write the justifications in the comments section; and
- c. On a level 3 and 4 self-report use of force officer can add "See case report" and no other summary is required.

3. Incident Location: The location of the incident where the officer had to use force.

4. Use of Force Specific Information:

- a. Reason for force: select from the pull down menu;
- b. Service being rendered: Select from the pull down menu;
- c. Weather Condition: Select from the pull down menu;
- d. Lighting Conditions: Select from the pull down Menu;
- e. Distance to suspect: Select from the pull down menu (This should be the distance from the suspect when the force was used);
- f. Citizen Injured: This box should only be checked if the injury occurred as a result of the force. The box should not be checked "yes" if the injury occurred as a result of a traffic crash or an injury prior to police contact. All injuries however shall be documented in the Incident report, describing the injuries known and/or how the suspect received the injuries;
- g. Citizen Taken to the hospital: This box should only be checked "yes" if the suspect was taken to the hospital as a result of the force or a mental health evaluation;
- h. More than one citizen involved: This box should only be checked "yes" if the officer had to use force on more than one suspect at the incident;
- i. Citizen' Build: Select from the pull down menu;
- j. Citizen's height: Select from the pull down menu;
- k. Officer assessment of the Citizen condition during the incident: Select from the pull down menu;
- l. Officer(s) Injured: This box should be marked "yes" if the officer received injuries during the incident; and
- m. Officer(s) Taken to the hospital: This box should be marked "yes" if the officer received injuries and received medical treatment from the Wellness Center or Hospital.

5. Reporting /Involved Citizen Information:

- a. Name of Suspect:
 - i. Suspect should have an address attached to the name; and
 - ii. Suspect should have a telephone number attached to the name.
- b. Type of Resistance Citizen Used Against Officer(s): Select from the pull down menu;
- c. Injuries sustained by the citizen: Should only be added to the suspect if it occurred during the incident where force was used. (Note all other injuries should be documented in the case report); and
- d. Charges against this Citizen: Should be selected from the pull down menu.

6. Involved Officers:

- a.** Force used by this officer against the citizen: Select from the pull down menu; and
- b.** Injuries sustained by the officer: Select from the pull down menu.

7. Citizen Witnesses:

- a.** All witnesses should be added to the use of force report on Levels 1, 2, & 3 completed by a supervisor; and
- b.** On a level 3 and 4 self-report use of force witnesses shall be documented in the incident report and are not required to be added to the Use of Force Report.

8. Officer Witnesses:

- a.** All Officers should be added to the use of force report on Levels 1, 2, & 3 completed by a supervisor; and
- b.** On a level 3 and 4 self-report use of force officers are not required to be added as witnesses.

9. Attachments:

- a.** All levels 1, 2, 3 should be thoroughly investigated by a supervisor and ensure the Use of Force case file contains:
 - i.** The original Use of Force Report attached in PDF format, including witness accounts;
 - ii.** A copy of the appropriate reports (Incident Reports) attached in PDF format; and
 - iii.** Copies of ancillary documents, Identification reports, medical information, CAD ticket, video, and photographs attached in PDF format.
- b.** All Level 3 and 4 self-report use of force reports only need the original incident report attached in PDF format.

ALL GENERAL ORDERS REMAIN IN EFFECT UNTIL REVISED OR RESCINDED.

ANY MEMBER OF THE DEPARTMENT MAY, BY VIRTUE OF EXPERTISE OR POSITION OF FUNCTION, BE DESIGNATED TO AUTHOR OR PROVIDE SOURCE MATERIAL FOR A WRITTEN DIRECTIVE. THE OVERALL AUTHORITY TO ISSUE, MODIFY OR APPROVE WRITTEN DIRECTIVES IS DESIGNATED TO THE CHIEF OF POLICE. HOWEVER, AUTHORITY AND RESPONSIBILITY TO ISSUE DIRECTIVES IS DELEGATED TO THE FOLLOWING.

ALL GENERAL ORDERS ARE SCHEDULED TO BE REVIEWED ANNUALLY BY THE

GENERAL ORDER REVIEW COMMITTEE AND WHEN NECESSARY, REVISED OR CANCELED IN ACCORDANCE WITH THE PROCEDURES FOR REVIEWING WRITTEN DIRECTIVES ESTABLISHED IN GENERAL ORDER 1.10 – WRITTEN DIRECTIVES.

ALL NEW AND REVISED GENERAL ORDERS SHALL BE APPROVED BY THE CHIEF OF POLICE BEFORE ISSUE/REISSUE.

ANY EMPLOYEE WITH SUGGESTIONS FOR REVISIONS AND/OR IMPROVEMENTS TO THIS ORDER ARE ENCOURAGED TO SUBMIT THEIR IDEAS TO THEIR RESPECTIVE DISTRICT COMMANDER OR BUREAU CHIEF.

BY ORDER OF

06/06/2017

Daniel G. O'Shea

Chief of Police