Use of Force Review Boards

302.1 PURPOSE AND SCOPE
This policy establishes a process for the Pasadena 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.

302.2 POLICY
The Pasadena Police Department will objectively review and evaluate any categorical uses of force by its employees to ensure that their authority is used lawfully, appropriately, and is consistent with training and policy.

302.2.1 RESPONSIBILITIES OF THE ADMINISTRATIVE SECTION
The Administrative Services Section Lieutenant, or their designee, shall ultimately be responsible for the administrative use of force investigation. Personnel assigned to conduct the administrative investigation shall ensure that employees are afforded all rights as outlined in the Public Safety Officers Procedural Bill of Rights, should they be needed.

The Administrative Services Section shall ensure that a thorough investigation of the incident is conducted with particular emphasis on the following areas:

(a) Assurance of compliance to all department policies and procedures.
(b) Identification and management of liability exposure created by the incident in a manner consistent with the best interests of the city, department and involved personnel.
(c) Identification of risk management and training issues that are exposed from such an incident.
(d) Identification and examination of supervision and protocol.
(e) Identification and examination of tactics, equipment used by employee, and reasonableness of force.
(f) Completion of a thorough Staff presentation of the Administrative use of force. The Administrative Services Section Lieutenant, or his or her designee, shall be responsible for notifying the City Attorney's Office of the presentation date. By prior agreement, the City Attorney's Office will have a representative present.

302.3 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 evaluation for return to work. The Chief of Police may exercise discretion and choose to place an employee in an alternate assignment for other administrative considerations.
302.4 REVIEW BOARD
The Use of Force Review Board will be convened when the use of force by a department employee results in a categorical use of force.

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.

The may also request the Use of Force Review Board to investigate the circumstances surrounding any non-categorical use of force incident.

The Deputy Chief or Divisional Commander will convene the Use of Force Review Board as necessary. It will be the responsibility of the Division Commander or supervisor of the involved employee to notify the Administrative Servicessection of any categorical use of force. The involved employee's Division Commander, or supervisor, will ensure that all relevant reports, documents and materials are available for the administrative review.

302.4.1 COMPOSITION OF THE BOARD
The Administrative Use of Force Review Board consists of the following composition:

- Chief of Police
- Deputy Chief of Police
- Division Commanders
- Administrative Section Lieutenant or thier designee
- Training Sergeant
- Use of Force Subject Matter Expert
- City Attorney

302.4.2 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. Board members may request further investigation or requests supplemental reports submitted for the board's review before determining a finding. The involved employee will be notified of the review board findings.

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, witness and officer statements, any legal requirements, department policies, procedures, and approved training related to facts.
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The review board does not recommend discipline. If there appears to be policy violations or conduct concerns, the incident will be referred to the Professional Standards Unit for a personnel investigation. Any questioning of the involved employee conducted by Administrative Services personnel will be in accordance with the department’s disciplinary procedures, the Personnel Complaints Policy, the current collective bargaining agreement, and any applicable state or federal law.

The board shall make the following recommended findings:

(a) Reasonableness of force
(b) Department policy and procedure compliance
(c) Findings, and recommendations as deemed necessary, related to incident supervision, training considerations, and training.

The Chief of Police Shall evaluate the recommendation and make a final determination as to whether the employee's actions were within policy and procedure and whether any additional actions, investigations, or reviews are appropriate. The Review Board's final findings will be forwarded to the Administrative Services Section for appropriate action.