

Audit and Review Unit

Professional Standards and Accountability Bureau

Office of Audits

Professional Standards and Accountability Bureau Administration

Use of Force Audit Report

January 2023

Report # UOF012023

(Data Sample – Jan-Dec 2022)

Submitted by PSAB: February 28, 2023

Response from FOB: March 14, 2023

Final Report: March 21, 2023

## 

## Audit Team

This audit was managed and conducted by the Professional Standards and Accountability Bureau.

# Executive Summary

The Audit and Review Unit (ARU) of the Professional Standards and Accountability Bureau (PSAB) initiated a Use of Force Audit in January 2023. The audit covered the period from January 1st to December 31st, 2022. This audit is conducted to ensure that New Orleans Police Department (NOPD) officers’ “Use of Force” and follow-up investigations are conducted in accordance with the rights secured or protected by the Constitution and laws of the United States. NOPD agrees to ensure that audits are conducted professionally and effectively, in order to elicit accurate and reliable information.

This process is regulated by Consent Decree (CD) paragraphs include 54, 56, 67, 78, 79, 81, 86, 87, and 88. Also, Chapter 1.3.6 Reporting Use of Force, Chapter 1.7.1 Conducted Energy Weapon (CEW), Chapter 41.3.8 In Car Camera, Chapter 41.3.10 BWC.

This audit was conducted on the following levels of force using the Use of Force Protocol:

* Level 1-3 Use of Force. The L1-L3 audit addresses twenty-five (28) checklist questions.
* Level 4 Use of Force. The L4 audit addresses twenty-one (26) checklist questions.
* Unreported Use of Force. The Unreported Use of Force addresses four (4) checklist questions.

**Number of Non-Compliant L1-L3 Checklist Questions (2):**

**Q04**: Officer Force Statement(s) Submitted by ETOD - (**86%**)

**Q10**: Dash Cam (In Car Camera) was Activated Per Policy. – (**94%**)

**Number of Non-Compliant L4 Checklist Questions (None):**

**Number of Non-Compliant Unreported Use of Force Questions (None):**

**Number of Completed Entries Used to Create L1-L3 Sample (58)**

**Number of Completed Entries Used to Create L4 Sample (4)**

**Number of Completed Entries Used to Create Unreported Use of Force Sample (63)**

**L1-L3 Sample Target to Audit (58):**

The sample target represented 25% of available L1-L2 entries (212)

The sample target represented 50% of available L3 entries (4)

**L4 Sample Target to Audit (4):**

The sample target represented 100% of available L4 entries (4)

**Unreported Use of Force Sample Target to Audit (63):**

The sample target represented 98% of available Unreported Use of Force entries (63)

Scores of 95% or higher are considered substantial compliance. Supervisors should address any noted deficiencies with specific training through In-service Training classes or Daily Training Bulletins (DTBs). This training should be reinforced by close and effective supervision in addition to Supervisor Feedback Logs entries.

The overall score of the Use of Force L1-L3 Audit is as follows: Overall – **98%**

The overall score of the Use of Force L4 Audit is as follows: Overall – **100%**

The overall score of the Unreported Use of Force Audit is as follows: Overall – **98%**

More detailed results are embedded in the Scorecards and Conclusion sections.

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# Introduction

The Auditing and Review Unit (ARU) of the Professional Standards and Accountability Bureau conducted an audit of Use of Force Level 1 to 4 incidents (Phase 1 audits). The time span to conduct the audit was from January 15th, 2022, to February 11th, 2022. Phase 2 audits, which involves reviews of the Use of Force Review Board (UOFRB) meetings and subsequent follow-up, are conducted after each scheduled meeting, and will be reported in a separate report.

**Purpose**

The Use of Force audit is conducted to verify departmental compliance with the Consent Decree and NOPD Operations Manual as it pertains to “Use of Force” and the subsequent investigations.

Consent Decree (CD) paragraphs include 54, 56, 67, 78, 79, 81, 86, 87, and 88. The following are the NOPD Policy Chapters involved:

Chapter 1.3.6 Reporting Use of Force

Chapter 1.7.1 Conducted Energy Weapon (CEW)

Chapter 41.3.8 In Car Camera

Chapter 41.3.10 BWC

**Scope**

This audit assesses and documents whether the force employed by New Orleans Police Department (NOPD) officers is documented and recorded properly, and whether supervisors conducted thorough follow-up investigations. Once the review is completed, the audit manager will submit a report to the Deputy Chief of Field Operations Bureau (FOB), and the Captain of the Professional Standards and Accountability Bureau (PSAB) pointing out any deficiencies or confirming a thorough investigation. These audit reports will assist in ensuring officers and supervisors are informed of where opportunities for improvement exist as it relates to the proper reporting and documentation of Use of Force investigations in the future. A “final report” will also be sent to the appropriate monitor from the OCDM. The audit assesses the following aspects of officer and supervisor responsibilities:

* Whether involved officers appropriately complied with pre-use-of-force requirements (e.g., de-escalation, warnings)
* Whether audited uses of force are consistent with policy and law
* Whether involved officers appropriately complied with post-use-of-force requirements (e.g., immediate notifications, provision of medical aid)
* Whether the involved officers and witness officers completed required reports
* Whether supervisors responded to the scene of uses of force, when required
* Whether supervisors appropriately investigated uses of force, including reviews of available recordings
* Whether supervisors appropriately reviewed use-of-force reports
* Whether the chain of command appropriately reviewed use-of-force reports
* Whether potentially out-of-policy uses of force resulted in referral to Public Integrity Bureau
* Whether the Use of Force Review Board appropriately evaluated serious use of force incidents.

Phase I auditing will consist of reporting and investigating force; Phase II auditing will consist of assessing the Use of Force Review Board.

**Methodology**

Population source – IAPro Force Investigation Team (FIT) Incident List (NOPD source file)

Sample size – 25% of Level 1 and 2, 50% of Level 3 incidents, 100% of Level 4 incidents.

Documentation to be reviewed – All documents and investigative material contained within each individual FIT file, as well as associated police reports.

BWC/Video/Audio to be reviewed – All associated video footage for involved and/or witness officers, as well as Use of Force investigative rank, as needed to corroborate the written reports and statements.

Testing Instrument(s) – New Orleans Police Department Operations Manual Chapters aforementioned and twenty-eight (28) L1-L3 Checklist questions and twenty-six (26) L4 Checklist questions.

Each individual incident file will be audited in its entirety via “double-blind” auditing process by two (2) members of the Auditing and Review Unit (ARU), to give a reliable and thorough review of each use of force incident.

**Data**

While the audit range is usually set for every three months (Quarterly), this review encompassed a period of twelve months. The FIT IAPro system file dump provides the ARU team all item numbers that were investigated during that audit period. ARU then takes those item numbers and enters them into the EXCEL’s randomizer generator for items to be selected for review. ARU then reviews 25% of the L1-L2 items, 50% of the L3 items and all L4 (if reviewed) within the audit range.

This audit’s sample size consisted of 58 randomly selected L1-L2 case files, 1 L-3 case file, 4 L-4 case files, and 63 Unreported Use of Force case files for a total of 126. The sample is derived using EXCEL’s “RAND” function and using a weighted count from each District to parse the sample equitably. The raw data used was for the period of January to December of 2022.

**Initiating and Conducting the Use of Force Audit**

The initial raw data was downloaded from the IAPro system on January 9th, 2023, to prep the sample distribution file that would be utilized by ARU, for the current audit.

Orleans Parish Communications District (OPCD) was contacted to provide the required missing GIST emails associated with the selected distribution sample items on February 9th.

During this audit prep, the sample was then parsed and distributed to the assigned auditors for initial review of allocation count in preparation for the audit.

Each item case file was then systematically reviewed via “double-blind” audit process by the Auditing and Review Unit, based on each case file’s compliance with the New Orleans Police Department Operations Manual Chapters, as it relates to “Use of Force” investigations. To facilitate this process, the team used the twenty-eight (28) point Use of Force audit checklist from the protocol document, as the tool to review and analyze the content of every case file.

**Total Case Files Reviewed by Auditor**

The following is a total of case files by auditors that conducted each “double-blind” review:

**L1-L3 (Table 1)**

**Total: 58 L1–L3 Case Files**

**L4 – (Table 2)**

**Total: 4 L4 Case Files**

**Unreported Use of Force – (Table 3)**

**Total: 63 Unreported Use of Force Case Files**

# Use of Force Scorecard Table 1 (L1-3)

**The following checklist below was used by the auditing team to review each L1-L3 case file.**



# Use of Force Scorecard Table 2 (L4)

**The following checklist below was used by the auditing team to review each L4 case file.**



# Unreported Use of Force Scorecard Table 3

**The following checklist below was used by the auditing team to review each unreported use of force case file.**



# Case File Reviews – Table 1 Checklist (L1-3)

**The below listed information reveals the outcome of the Audit Team’s table 1 checklist reviews.**

1. **Was the supervisor GIST submitted by ETOD?** The overall score for this category was **100%**. Of the 58 cases reviewed, all 58 were audited as positive.
2. **Were the required force statement(s) found?** The overall score for this category was **100%**. Of the 58 cases reviewed, all 58 were audited as positive.
3. **Was boilerplate language avoided in force statement(s)?** The overall score for this category was **100%**. Of the 58 cases reviewed, all 56 were audited as positive and 2 were N/A (not applicable).
4. **Were officer force statement(s) submitted by ETOD?** The overall score for this category was **84%**. Of the 58 cases reviewed, 50 were audited as positive, and 8 were negative.
5. **Were the reason(s) for encounter documented in force statement(s)?** The overall score for this category was **100%**. Of the 58 cases reviewed, 58 were audited as positive.
6. **Did the supervisor respond to the incident, if required?** The overall score for this category was **100%**. Of the 58 cases reviewed, 46 were audited as positive, and 12 were N/A (not applicable).
7. **Were the force details documented in the statement(s)?** The overall score for this category was **100%**. Of the 58 cases reviewed, 58 were audited as positive.
8. **Was the BWC activated per policy?** The overall score for this category was **98%**. Of the 58 cases reviewed, 54 were audited as positive, 1 was negative, and 3 were N/A (not applicable).

8a. **BWCS: BWCs Found: / BWCs Expected:** The overall score for this category was 98%. Of the

141 BWC’s expected, 138 were audited as positive (BWC’s found), 3 were negative (BWC’s missing).

1. **Was the BWC reviewed by supervisor as required?** The overall score for this category was **98%**. Of the 58 cases reviewed, 51 was audited as positive, 1 was negative, and 6 were N/A (not applicable).
2. **Was the Dash Cam activated per policy?** The overall score for this category was revised to **94%**. Of the 58 cases reviewed, 32 were audited as positive, 2 were negative, and 24 were N/A (not applicable).
3. **Was the dash cam reviewed by supervisor?** The overall score for this category was **97%**. Of the 58 cases reviewed, 28 were audited as positive, 1 was negative, and 29 were N/A (not applicable).
4. **If CEW was activated, was it within policy?** The overall score for this category was **100%**. Of the 58 cases reviewed, 6 were audited as positive, and 52 were N/A (not applicable).
5. **Was each CEW cycle justified within policy, if discharged?** The overall score for this category was **100%**. Of the 58 cases reviewed, 6 were audited as positive, and 52 were N/A (not applicable).
6. **Was CEW reviewed by supervisor, if activated?** The overall score for this category was **100%**. Of the 58 cases reviewed, 6 were audited as positive, and 52 were N/A (not applicable).
7. **Was officer checked for injuries, if occurred?** The overall score for this category was **100%***.* Of the 58 cases reviewed, 25 were audited as positive, and 33 were N/A (not applicable).
8. **Was photograph(s) taken of officer Injuries, if occurred?** The overall score for this category was **100%**. Of the 58 cases reviewed, 13 were audited as positive, and 45 were N/A (not applicable).
9. **Was subject of force checked for injuries?** The overall score for this category was **97%**. Of the 58 cases reviewed, 34 were audited as positive, 1 was negative, and 23 were N/A (not applicable).
10. **Was photograph(s) taken of subject of force injuries, if occurred?** The overall score for this category was **96%**. Of the 58 cases reviewed, 22 were audited as positive, 1 was negative, and 35 were N/A (not applicable).

19a. **Was the subject of Force Interviewed?** The overall score for this category was **95%**. Of the 58

cases reviewed, 37 were audited as positive, 2 were negative, and 19 were N/A (not applicable).

1. **b. Does subject of force interview exist?** The overall score for this category was **100%**. Of the 58 cases reviewed, 34 were audited as positive, and 24 were N/A (not applicable).
2. **Did supervisor avoid leading questions (L1-L3)?** The overall score for this category was **100%**. Of the 58 cases reviewed, 33 were audited as positive, 1 unknown, and 24 were N/A (not applicable).
3. **A canvass for witness(es) was conducted, if applicable (L1-L3)?** The overall score for this category was **95%**. Of the 58 cases reviewed, 19 were audited as positive, 1 was negative, and 38 were N/A (not applicable).

22a. **Was the supervisor's UoF investigation submitted within 72 hrs. of incident (L1-L3)?** The overall score for this category was **95%**. Of the 58 cases reviewed, 55 were audited as positive, and 3 were negative, and 0 were N/A (not applicable).

22b. **Was the supervisor’s UoF report submitted to FIT within the required 21 days from Incident**

**Date?** The overall score for this category was **98%**. Of the 58 cases reviewed, 55 were audited as positive, 1 was negative, and 2 were N/A (not applicable).

1. **Was the supervisor's UoF investigation request sent to division captain (L1-L3)?** The overall score for this category was **98%**. Of the 58 cases reviewed, 50 were audited as positive, 1 was negative, 3 were unknown, and 3 were N/A (not applicable).
2. **Was the reasonableness of force documented (L1-L3)?** The overall score for this category was **100%**. Of the 58 cases reviewed, all 58 were audited as positive.
3. **Were Equip, Training or Policy Issues addressed by supervisor (L1-L3)?** The overall score for this category was **100%**. Of the 58 cases reviewed, 56 was audited as positive, and 2 were N/A (not applicable).
4. **Did the report establish that the officer had reasonable suspicion or probable cause to stop the subject?** The overall score for this category was **100%**. Of the 58 cases reviewed, all 58 were audited as positive.
5. **Was the CEW force statements consistent with the videos?** The overall score for this category was **100%**. Of the 58 cases reviewed, 6 were audited as positive, and 52 were N/A (not applicable).
6. **Number of CEW cycles explained in force statement / Total number of CEW cycles:** The overall score for this category was 100%. Of the 7 cases reviewed, all 7 were audited as positive.

# Case File Reviews – Table 2 Checklist (L4)

**The below listed information reveals the outcome of the Audit Team’s table 2 checklist reviews. This table is primarily intended to cover police shootings, and not non-shooting events. However, for purposes of the audit, it was decided to review all L4 using the checklist. Most will be non-applicable if not related to a shooting. Per FIT, all L4 non-shooting events can be audited using the L1-L3 checklist in the future, with FIT as the investigator, not the District.**

1. **Was Event Summary Complete (ES): Includes location, date, call type, discharge, SOD, officer & subject injury?** The overall score for this category was 100%. Of the 4 cases reviewed, and 5 ES questions asked, 16 were audited as positive, none were negative, 4 were N/A (not applicable).

1. **Notifications made as needed (N): (Chief of Police, NOPD Personnel, District Attorney, Forensics, IPM, OCDM)?** The overall score for this category was 100%. Of the 4 cases reviewed, and 6 N questions asked, 14 were audited as positive, none were negative, 10 were N/A (not applicable).
2. **Force Investigation Team Responded (FITR): Includes response documented, reports completed, & staged area?** The overall score for this category was 100%. Of the 4 cases reviewed, and 3 FITR questions asked, 6 were audited as positive, none were negative, 6 were N/A (not applicable).
3. **Lead Investigators Identified (LI): Includes Admin, Criminal, Crime Scene, Witness Canvass & Interview investigators identified?** The overall score for this category was 100%. Of the 4 cases reviewed, and 5 LI questions asked, 12 were audited as positive, none were negative, 8 were N/A (not applicable).
4. **Involved Officers (IO): Includes short form, employee assistance, attorney assistance, post certification, less lethal certification, injury photos, initial assessment, officer PSS?** The overall score for this category was 100%. Of the 4 cases reviewed, and 9 IO questions asked, 15 were audited as positive, none were negative, 21 were N/A (not applicable).
5. **Public Safety Statement (PSS): Includes PSS conducted, type of force used, detailed shots, injured, flight, time, armed, other, witness, evidence?** The overall score for this category was 100%. Of the 4 cases reviewed, and 11 PSS questions asked, 3 were audited as positive, none were negative, 41 were N/A (not applicable).
6. **Subject of Force (SF): Includes notable characteristics, photos taken?** The overall score for this category was 100%. Of the 4 cases reviewed, and 2 SF questions asked, 5 were audited as positive, none were negative, 3 were N/A (not applicable).
7. **Scene Description (SD): Includes location, weather, temperature, lighting, diagrams?** The overall score for this category was 100%. Of the 4 cases reviewed, and 5 SD questions asked, 10 were audited as positive, none were negative, 10 were N/A (not applicable).
8. **Involved & Witness Officer Statement(s) (IWOS): includes statements being available, audio/video recording?** The overall score for this category was 100%. Of the 4 cases reviewed, and 2 IWOS questions asked, 7 were audited as positive, none were negative, 1 were N/A (not applicable).
9. **Emergency Medical Service Personnel Statement(s) (EMS): Includes NOFD & EMS statements?** The overall score for this category was No Score. Of the 4 cases reviewed, and 2 EMS questions asked, 0 were audited as positive, none were negative, 8 were N/A (not applicable).
10. **Civilian Witness Statement(s) (CW): Includes Canvass conducted, witness location?** The overall score for this category was 100%. Of the 4 cases reviewed, and 2 CW questions asked, 5 were audited as positive, none were negative, 3 were N/A (not applicable).
11. **Physical Evidence Section (PES): Includes scene diagram, scene photos, subject photos, documentation of weapons, rounds, strikes, weapon & CEW seizure?** The overall score for this category was 100%. Of the 4 cases reviewed, and 11 PES questions asked, 19 were audited as positive, none were negative, 25 were N/A (not applicable).
12. **Vehicles Involved (VI): Includes documentation of suspect, police vehicles?** The overall score for this category was 100%. Of the 4 cases reviewed, and 4 VI questions asked, 3 were audited as positive, none were negative, 13 were N/A (not applicable).
13. **Police Academy (PA): Includes weapons inspections, assessments, and reports?** The overall score for this category was 100%. Of the 4 cases reviewed, and 3 PA questions asked, 7 were audited as positive, none were negative, 5 were N/A (not applicable).
14. **Electronic Transmissions (ET): Includes consistency of MDT transmissions, 911 calls and dispatch, vehicle cameras, BWC cameras?** The overall score for this category was 100%. Of the 4 cases reviewed, and 5 ET questions asked, 4 were audited as positive, none were negative, 16 were N/A (not applicable).
15. **Medical Information (MI): Includes autopsy and toxicology?** The overall score for this category was 100%. Of the 4 cases reviewed, and 2 MI questions asked, 2 were audited as positive, none were negative, 6 were N/A (not applicable).
16. **Discrepancies, Clarifications & Credibility Assessments (DCCA)?** The overall score for this category was No Score. Of the 4 cases reviewed, and 1 DCCA questions asked, 0 were audited as positive, none were negative, 4 were N/A (not applicable).
17. **Consultation with the Coroner & District Attorney (CCDA): Includes contacting DA and Coroner?** The overall score for this category was 100%. Of the 4 cases reviewed, and 4 CCDA questions asked, 5 were audited as positive, none were negative, 11 were N/A (not applicable).
18. **Tactical Analysis (TA): Includes review, using SME, consistency, reasonableness, unreasonableness, and alternatives?** The overall score for this category was 100%. Of the 4 cases reviewed, and 6 TA questions asked, 11 were audited as positive, none were negative, 13 were N/A (not applicable).
19. **Decision Point Analysis (DA): Includes officer documentation, assessments, manpower effects, alternatives, policy, etc.?** The overall score for this category was 100%. Of the 4 cases reviewed, and 12 DPA questions asked, 13 were audited as positive, none were negative, 35 were N/A (not applicable).
20. **Training (TR): Includes officer preparedness, deficiencies, Commander concurrence, Academy recommendations, etc.?** The overall score for this category was 100%. Of the 4 cases reviewed, and 6 TR questions asked, 11 were audited as positive, none were negative, 13 were N/A (not applicable).
21. **Equipment (EQ): Includes documentation, technologies, equipment changes?** The overall score for this category was 100%. Of the 4 cases reviewed, and 4 EQ questions asked, 5 were audited as positive, none were negative, 11 were N/A (not applicable).
22. **Policy Violations (PV): Includes violations, corrections, and recommendations?** The overall score for this category was 100%. Of the 4 cases reviewed, and 3 PV questions asked, 4 were audited as positive, none were negative, 8 were N/A (not applicable).
23. **Chronological Narrative Section (CN): Includes detailed chronology, questions addressed?** The overall score for this category was 100%. Of the 4 cases reviewed, and 2 CN questions asked, 3 were audited as positive, none were negative, 5 were N/A (not applicable).
24. **Summary & Conclusions (SC):** The overall score for this category was 100%. Of the 4 cases reviewed, and 1 SC question asked, 2 were audited as positive, none were negative, 2 were N/A (not applicable).
25. **Final Recommendation Section (FR):** The overall score for this category was 100%. Of the 4 cases reviewed, and 2 FR questions asked, 6 were audited as positive, none were negative, 2 were N/A (not applicable).

# Unreported Use of Force – Table 3

**The below listed information reveals the outcome of the Audit Team’s table 3 checklist reviews.**

This audit was conducted using the three Use of Force randomized lists from the Use of Force Protocol:

* Reports where an officer was injured
* Reports where a suspect was injured
* Reports of resisting arrest

**Number of Reports Where an Officer was Injured - 10**

* Number of Reports where an officer was injured which did not have an associated FTN - **8**
* Of the **8** Officer injured reports none **(0)** were determined to be Unreported

**Number of Reports of Injuries to Subject - 42**

* Number of Reports where a suspect was injured and in custody which did not have an associated FTN - **22**
* Of the **42** suspects injured in custody, one (1) was determined to be Unreported (1st - F-03993-22). PSS notify was instituted reference item number F-20251-22.

**Number of Reports Where a Suspect Resisted Arrest - 11**

* Number of Reports where a suspect resisted arrest which did not have an associated FTN - 11
* Of the 11 resisting arrest reports none (0) were determined to be Unreported

Scores of 95% or higher are considered substantial compliance. Supervisors should address any noted deficiencies with specific training through In-service Training classes or Daily Training Bulletins (DTBs). This training should be reinforced by close and effective supervision in addition to Supervisor Feedback Logs entries.

The overall score of the unreported Use of Force Audit is as follows: Overall – **98%**

# Compliance Score

L1-L3 Checklist- Based on the combined total of one-thousand, six hundred and twenty-seven **(1,627)** checklist items rated, from the sample size of fifty-eight **(58)** case files audited; the ***“overall score”*** of this Use of Force case file checklist audit conducted by the Auditing and Review Unit was **98%**.

L4 Checklist- Based on the combined total of Four hundred and twenty-four **(424)** checklist items rated, from the sample size of four **(4)** case files audited; the ***“overall score”*** of this Use of Force case file checklist audit conducted by the Auditing and Review Unit was **100%**.

Unreported Use of Force- Based on the combined total of Two hundred and fifty-two **(252)** checklist items rated, from the sample size of **(63)** case files audited; the ***“overall score”*** of this Use of Force case file checklist audit conducted by the Auditing and Review Unit was **98%**.

## Final Results

* The L-4 overall results of the January 2023 Use of Force audit have revealed that **all** checklist questions had compliance threshold scores **above** *95%*.
* The Unreported Use of Force overall results of January Use of Force audit have revealed that **all** checklist questions had compliance threshold scores **above** *95%*.
  + Note: A PSS Notify was sent for one potential unreported force. The initial PSS review was that a takedown was done. After their initial review, the incident was transmitted up to FIT for their review. Subsequently, FIT decided to pursue the incident through an official review.
* The L1-L3 overall results of the January – December 2022 Use of Force audit have revealed that **3** of the **28** checklist questions had compliance threshold scores ***below*** *95%*:

**See L1-L3 details below:**

1. **Q4. Were officer force statement(s) submitted by ETOD? The overall score for this category was revised to 86% from 83%.** These items had late submittals for use of force statements.
2. **Q10. Was the Dash Cam activated per policy?** **The overall score for this category was revised to 94% from 91%.**  Dash Cam footage could not be located for the affected items.
3. **Q22a. Was the supervisor's UoF investigation submitted within 72 hrs. of incident (L1-L3)?** **The overall score for this category was revised to 95% from 91%**. The listed items appeared to show reports dated past the 72 hrs. limit and no extension listed in IAPro.

# Conclusions (Final)

The following findings are as follows for those areas where compliance was **below** 90%:

1. **Were officer force statement(s) submitted by ETOD?**. This score is scored at **86%**. The primary driver of the force statements appearing to be late is the fact that statement revisions are NOT tracked, giving the impression that the force statements are late. No force statements were missing or otherwise unrecorded. A request was made by ARU to ensure that the original submitted statements or email are preserved to provide paper trail for when statements are submitted. This issue is addressed in the Recommendations Section under bullet number 3.

# Recommendations

Following the Use of Force audit which covered January - December 2022, “opportunities for improvement” continue to be documented by the PSAB Audit and Review Unit (ARU). As previously identified by the Public Integrity Bureau (PIB), Force Investigation Team (FIT) in order for the Department to maintain or achieve 95% or better compliance rate, the following areas for improvement were communicated to the various Districts and Bureaus and are as follows:

1. Initial Blue Team entry SHALL be completed by **ETOD** of the supervisors next tour of duty. This shall include the involved officer’s and civilian's information and the types of force used by each.
2. Use of force extensions SHALL be requested immediately and attached to the Blue Team report.
3. All use of force statements/witness statements SHALL be completed by ETOD signed and dated and attached to the blue team.
4. Photographs of both Officer and Subject of force injuries SHALL be taken and attached. If the BWC was used to document the injuries the blue team narrative MUST state with who's BWC and under what item.
5. Level 2 and above requires a canvass for witnesses.
6. Must address Tactics, Training and Policy for every use of force. If there are no issues this must be stated.
7. Must address if the use of force was reasonable.

Continuing to take this action will ensure that all Use of Force case files are complete.

**Innovation Manager, Auditing**

**Professional Standards and Accountability Bureau**

# Appendix C – Report Distribution

Deputy Supt. PSAB Bureau

Captain PSAB Bureau

Deputy Supt. PIB Bureau

Deputy Sup. FOB Bureau