

USE OF FORCE INVESTIGATION PROCESS

BART POLICE DEPARTMENT

NOTIFICATION

- SUPERVISORY NOTIFICATION SHALL BE MADE AS SOON AS PRACTICABLE FOLLOWING ANY LEVEL 2, 3, OR 4 APPLICATION OF FORCE.
- UPON RECEIVING NOTIFICATION OF A USE OF FORCE, A SUPERVISOR WHO WAS NOT INVOLVED WILL RESPOND TO THE LOCATION OF THE INCIDENT TO CONDUCT A USE OF FORCE INVESTIGATION.

LEVEL ONE

- OFFICER USED ANY OF THE FOLLOWING, AND THE CIRCUMSTANCES OF THE APPLICATION WOULD LEAD A REASONABLE OFFICER TO CONCLUDE THAT THE SUBJECT DID NOT EXPERIENCE MORE THAN MOMENTARY DISCOMFORT:
 - CONTROL HOLDS/PRESSURE POINT APPLICATION
 - LEVERAGE
 - BODY WEIGHT
 - THE OFFICER LOWERED THE SUBJECT TO A SEATED POSITION OR TO THE GROUND WHILE PARTIALLY OR COMPLETELY SUPPORTING THE PERSON'S BODYWEIGHT.
- OFFICER USED ANY OF THE FOLLOWING:
 - TASER/LLIMS DEPLOYMENT (NO ACTIVATION)
 - DRAWN/DEPLOYED FIREARM, BUT NO SUSPECT CONTACTED OR ARRESTED.

LEVEL ONE

- SUBJECT HAS NO VISIBLE INJURY DUE TO INTERACTION WITH OFFICER
- SUBJECT HAS NO COMPLAINT OF INJURY OR CONTINUING PAIN
- SUBJECT DOES NOT INDICATE INTENT TO PURSUE LITIGATION
- SUBJECT WAS NOT RENDERED UNCONSCIOUS DUE TO INTERACTION WITH OFFICER
- NO ALLEGATION OF MISCONDUCT AGAINST THE OFFICER REGARDING THE USE OF FORCE
- ENTIRETY OF THE CONTACT WAS CAPTURED ON AUDIO AND VIDEO, INCLUSIVE OF BUFFERING PERIOD.

LEVEL TWO

- SUBJECT HAS NO INJURY OR COMPLAINT OF CONTINUING PAIN
- NO ALLEGATION OF MISCONDUCT AGAINST THE OFFICER REGARDING THE USE OF FORCE
- ENTIRETY OF THE CONTACT WAS CAPTURED ON AUDIO AND VIDEO, INCLUSIVE OF BUFFERING PERIOD.

LEVEL TWO

- OFFICER'S USE OF FORCE WAS LIMITED TO THE FOLLOWING:
 - ANY TAKEDOWN
 - FIREARM DRAWN/DEPLOYED BUT NOT FIRED, SUSPECT CONTACTED
 - CONTROL HOLD, PRESSURE POINT, LEVERAGE, GRAB, AND/OR BODYWEIGHT, AND THE INDIVIDUAL MAY HAVE EXPERIENCED MORE THAN MOMENTARY DISCOMFORT.

LEVEL THREE

- WOULD HAVE OTHERWISE BEEN CLASSIFIED AS A LEVEL 2, EXCEPT ONE OR MORE OF THE FOLLOWING WOULD APPLY:
 - SUSPECT INJURY OR COMPLAINT OF INJURY OR CONTINUING PAIN
 - ALLEGATION OF MISCONDUCT REGARDING THE USE OF FORCE
 - ENTIRETY OF THE CONTACT WAS NOT CAPTURED ON AUDIO AND VIDEO, INCLUSIVE OF BUFFERING PERIOD.

LEVEL THREE

- OFFICER'S USE OF FORCE WAS LIMITED TO THE FOLLOWING:
 - ANY TAKEDOWN THAT CAUSES MORE THAN MOMENTARY DISCOMFORT
 - TASER ACTIVATION/LLIMS ACTIVATION
 - CHEMICAL AGENTS/MUNITIONS
 - IMPACT WEAPON STRIKES
 - PERSONAL BODY WEAPONS
 - POLICE CANINE DEPLOYMENT RESULTING IN INJURY

LEVEL FOUR

- USE OF FIREARM, OFFICER-INVOLVED-SHOOTING
- ANY USE OF FORCE LIKELY TO CAUSE DEATH OR SERIOUS BODILY INJURY

SUPERVISOR RESPONSIBILITY

- OBTAIN BASIC FACTS FROM THE INVOLVED OFFICERS
- ENSURE MEDICAL ATTENTION IS PROVIDED IF NEEDED OR REQUESTED
- PHOTOGRAPH ALL INVOLVED, AS WELL AS ANY INJURIES
- INTERVIEW WITNESSES AND SUBJECT WHOM FORCE WAS USED ON
- REVIEW AVAILABLE BODY WORN CAMERA AND CLOSED-CIRCUIT CAMERA FOOTAGE
- COMPLETE SUPERVISOR USE OF FORCE REPORT FORM AND BLUETEAM ENTRIES

REVIEW PROCESS



- IDENTIFY TRAINING NEEDS
- ADDRESS ANY IDENTIFIED ISSUES
- CONFIRM IF THE USE OF FORCE WAS JUSTIFIED AND WITHIN DEPARTMENT POLICY

IF A REVIEWER DETERMINES THERE IS A POTENTIAL POLICY VIOLATION THAT NEEDS TO BE INVESTIGATED, THEN THE USE OF FORCE INVESTIGATION WILL BE FORWARDED TO THE OFFICE OF INTERNAL AFFAIRS