

# Responding to Incidents Involving Allegations of Excessive Use of Force

## *A Checklist to Guide Police Executives*

Years of good policing practices and community trust can be jeopardized by a single act of, or perception of, police excessive use of force (EUF). When an EUF incident occurs, police executives should be prepared to take appropriate and carefully considered action to promote peace, maintain community trust, and sustain departmental morale. When there are allegations of EUF, the department's officers and staff, as well as the community they serve, must be assured of a fair and impartial investigation. Community tensions and violence may develop in the aftermath of an incident involving use of force or other police conduct. This checklist of immediate steps suggests actions to take right after an incident. The checklist of other actions identifies steps which can help create positive police-community relationships -- the best protection against violent community reaction to an EUF incident.

### **Immediate Steps**

#### **I. Provide Information Promptly**

- \_\_\_\_\_ Advise the Mayor, County Executive, and other officials, key civic and community leaders and clergy about the situation.
- \_\_\_\_\_ Provide what information you can to the public about the incident and the circumstances which prompted police action, but avoid any negative comments about the suspect(s) or victim(s).
- \_\_\_\_\_ Avoid making any prejudgments about the officers' conduct before you have complete information and the investigation is completed.

#### **II. Get an Investigation Underway Promptly**

- \_\_\_\_\_ Advise the family of the involved person(s) and the public about the investigation, including its scope, resources allocated, and projected timetables.
- \_\_\_\_\_ Publicly clarify departmental policies governing the status of the involved officer(s) while the investigation is underway.
- \_\_\_\_\_ Announce publicly your willingness to cooperate with investigations by other agencies (local, State, and Federal).
- \_\_\_\_\_ Hold periodic meetings with community leaders to advise them of the progress of the investigation and any other developments.
- \_\_\_\_\_ Take precautions to avoid new incidents or confrontations.

### **III. Enlist the Community's Help and Support**

- \_\_\_\_\_ Brief community leaders and ask for their help in defusing community tensions by getting accurate information to the community, organizing community street patrols, and scheduling neighborhood meetings.
- \_\_\_\_\_ Conduct dialogues with community groups to help establish a common understanding of the legal and administrative requirements of EUF investigations.
- \_\_\_\_\_ Survey community perspectives and invite commentary and any expression of concerns about police arrests, stops, ticketing, profiling, and other issues.

### **IV. Anticipate and Plan for the Announcement of the Results of Investigations**

- \_\_\_\_\_ Brief the family, their associates, and community leaders on the results of the investigation before making a public announcement. Seek their assistance in keeping the community peaceful.
- \_\_\_\_\_ Arrange, where possible, for at least two hour advance notice of public announcement of the decision by a grand jury, district attorney, or court.
- \_\_\_\_\_ Be ready to implement a contingency plan in the event that the announcement may lead to community tension or unrest.
- \_\_\_\_\_ Meet with leaders of protest activities to secure agreement on the scope and limits of marches, flash points, demonstration sites, use of marshals, and other ground rules.
- \_\_\_\_\_ Deploy sufficient resources to contain any disruptive activity or disorder.

#### **Other Actions**

Below is a list of questions which police leaders should review periodically to assure adequacy of policies and procedures governing issues involving Police Use of Force.

- \_\_\_\_\_ Does the Department have a written, legally sound and publicly understood policy governing the circumstances for appropriate use of force? Were community representatives consulted in the drafting or review of this document?
- \_\_\_\_\_ Does the Department keep accurate records of incidents of the use of force? Are these records reviewed regularly for trends, officer patterns, and other potential areas of concern?
- \_\_\_\_\_ What are the attitudes of the department's officers and staff about use of force issues?

- \_\_\_\_\_ Are these attitudes consistent with the Department's policies? Is additional orientation or training required?
- \_\_\_\_\_ Does the Department have a Standard Operating Procedure (SOP) governing its response to allegations of EUF? Does the SOP caution against making any premature judgments about the circumstances of the EUF incident and actions of the involved officer?
- \_\_\_\_\_ Does the SOP include arranging prompt assistance, including community resources, for the family of any alleged victims? Does the SOP provide for timely updates on the resources committed, and progress and results of any investigation?
- \_\_\_\_\_ Does the Department have established contacts with all levels of community leadership who can be called upon in times of crisis?
- \_\_\_\_\_ What training is made available to officers on alternatives to use of force, including conflict resolution, problem solving, and communications skills?
- \_\_\_\_\_ Does the Department have a written complaint procedure that is simple to activate and requires a minimum of forms?
- \_\_\_\_\_ How does the Department respond to public reports of use of force? How is the Department's response viewed by its staff and the community it serves?
- \_\_\_\_\_ Does the Department have a SOP on involving community leadership in ongoing discussion of community/police concerns? How do patrol officers and all other ranks participate in the discussions?
- \_\_\_\_\_ Has the Department developed a mission statement and set of Department values? Are community leaders aware of the values of the Department?

The Community Relations Service (CRS), U. S. Department of Justice, has additional information and guidance for police departments on responding to excessive use of force incidents. Contact the Regional office nearest to you (see listing) or access its website at (address). CRS can help you prepare for and respond to EUF incidents. Its services are available free of charge.

**CRS Contact:** [Timothy.Johnson@usdoj.gov](mailto:Timothy.Johnson@usdoj.gov)  
Fax 202-305-3009  
**[www.usdoj.gov/crs](http://www.usdoj.gov/crs)**

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