

# Use of Force Reporting Guide

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## NEW JERSEY ATTORNEY GENERAL OFFICE USE OF FORCE REPORTING PORTAL GUIDE

Through Benchmark Analytics, the New Jersey Office of the Attorney General has created a portal for all law enforcement officers in New Jersey to complete a report on a reportable use of force, submit it to their supervisor(s) for review, and submit it to the Office of the Attorney General. Officers may save a copy of their report for their own records. Command Staff in each agency have access to reporting and analytic features for their department. Each Prosecutor has access to these features for each agency in their jurisdiction.

#### **Questions and Support**

Direct technical questions about the use of force form or portal to Benchmark Analytics at:

#### **TECHNICAL QUESTIONS**

Support@benchmarkanalytics.com 1-888-40BENCH, option 2

Direct content questions, including when to fill out the use of force report and/or the definition of use of

force first to your agency command staff, then your Prosecutor's Office, and finally the Office of the Attorney General. Questions may be emailed to the OAG at force@njoag.gov.

#### **CONTENT QUESTIONS**

Agency Command Staff Prosecutor's Office force@njoag.gov

#### Use of Force

Use of force should never be considered routine. In determining to use force, the law enforcement officer shall only use the degree of force objectively reasonable and necessary to compel compliance of an unwilling subject. Law enforcement officers should exhaust all other reasonable means before resorting to use of force. For more information, See "Attorney General's Use of Force Policy".<sup>1</sup>

*NOTE*: Correctional Police Officers using force inside a Correctional Facility should not use this portal to submit a use of force report. Correctional Police Officers using force outside of their facility MUST use this portal to report a use of force. For force incidents inside the Correctional Facility, please follow current policies of reporting force currently in place by your agency.

Agencies must use the following use of force definitions while using Benchmark.

#### What is a Use of Force?

A use of force incident involves physical force, mechanical force, enhanced mechanical force, deadly force, or any combination of these actions as defined below. The pointing of a firearm or exhibition of a CED spark display, although constructive authority, shall be reported as a Show of Force on the Show of Force Form in the Benchmark Portal.

#### Physical Force

Physical force involves contact with a subject beyond that which is generally utilized to effect an arrest or other law enforcement objective. Physical force is employed when necessary to overcome a subject's physical resistance to the exertion of the law enforcement officer's authority, or to

### WHAT IS A USE OF FORCE?

#### **Physical Force Actions**

Used pressure points on

Used take down on

Used an active arm bar

Used fists/punch

Used legs/kicks

Used head to strike

Used arms to restrain

Dragging resisting subject any

distance

Slamming a subject into a car or wall

#### **Mechanical Force Actions**

Discharged Chemical at

Struck with Impact Weapon

Deployed canine for take down

Canine bit (apprehension)

Canine bit (spontaneous)

#### **Enhanced Mechanical Actions**

Used CED on

Used Less Lethal Device on

#### **Deadly Force Actions**

Discharged Firearm at

Kneeling on Chest, Back

Chokehold, Carotid artery restraint

Intent to strike with a motor vehicle

Head or Neck Strike with Impact

Weapon

<sup>&</sup>lt;sup>1</sup> <u>See https://www.njoag.gov/force</u>

protect persons or property.

EXAMPLES: Include wrestling a resisting subject to the ground, using wrist locks or arm locks, bear hugs, striking with the hands or feet, or other similar methods of hand-to-hand confrontation.

#### Mechanical Force

Mechanical force involves the use of some device or substance, other than a firearm, to overcome a subject's resistance to the exertion of the law enforcement officer's authority.

EXAMPLES: Include the use of a baton or other object, or chemical or natural agent spraying. Enhanced Mechanical Force

Enhanced Mechanical force involves the use of a conducted energy device.

EXAMPLES: Include the use of probes or a drive stun on a CED or the use of Less Lethal Ammunition.

#### **Deadly Force**

Deadly force is force which a law enforcement officer uses with the purpose of causing, or which a reasonable officer knows to create a substantial risk of causing, death or serious bodily harm. Purposely firing a firearm in the direction of another person or at a vehicle, building, or structure in which another person is believed to be constitutes deadly force. In addition, applying a chokehold, carotid artery restraint, or similar technique that involves pressure on the neck; sitting, kneeling, or standing on a person's chest, back, or neck for a prolonged period of time; intentionally driving a vehicle at or in the direction of a person with the intent to strike the individual; and using a baton or other weapon to intentionally strike an individual in the head or neck area constitute deadly force actions. A threat to cause death or serious bodily harm, by the production of a weapon or otherwise, so long as the officer's purpose is limited to creating an apprehension that deadly force will be used if necessary, does not constitute deadly force.

REPORTING USE OF FORCE IN BENCHMARK DOES NOT REPLACE REQUIRED REPORTS

SPECIFIC TO THE USE OF CED OR DEADLY USE OF FORCE TO THE PROSECUTOR AND/OR

THE ATTORNEY GENERAL.

#### Animal Involved Use of Force

Only those incidents where an officer uses force to mitigate the threat or attack of a charging animal are considered a reportable use of force. On its own, the humane destruction of an animal to end its suffering does not constitute a use of force.

#### What is Not a Reportable Use of Force?

The following categories of law enforcement officer actions are not considered force under the Attorney General Guidelines or for reporting purposes in completing this form.

#### Constructive Authority

On its own, constructive authority does not constitute a reportable use of force. Constructive authority may, however, be used in conjunction with force. It does not involve actual physical contact with the subject, but involves the use of the law enforcement officer's authority to exert control over a subject.

EXAMPLES: Include verbal commands, gestures, warnings, and unholstering a weapon. Pointing a firearm at a subject is an element of constructive authority to be used only in appropriate situations. Pointing a firearm at a subject requires that a Show of Force Report be filed in the Benchmark system.

#### Physical Contact

Not all physical contact amounts to physical force. Physical contact involves routine or procedural contact with a subject necessary to effectively accomplish a legitimate law enforcement objective. On its own, routine physical contact does not constitute a reportable use of force. In other words, every time you "put hands on" a subject, it is physical contact, but it is not a use of force, unless more is involved. Physical contact may, however, be used in conjunction with other actions that constitute force.

EXAMPLES: Include guiding a subject into a police vehicle, holding the subject's arm while transporting, handcuffing a subject, and maneuvering or securing a subject for a frisk.

## WHAT IS NOT A REPORTABLE USE OF FORCE?

**Routine Handcuffing** 

Placing a suspect against a vehicle or using a vehicle to support subject

**Constructive Authority** 

Displaying/Pointing Firearm/CED

**Routine Physical Contact** 

Rendering medical aid

Assisting subject onto a stretcher

Humane destruction of an animal

Carrying subject (unintentional dead weight)

Guiding subject (e.g., toward or into a police vehicle)

#### Mutual Aid

When an officer uses force in another jurisdiction as part of a mutual aid response, the use of force report shall be completed in the officer's home agency.

If an officer is acting as an agent of another agency, in the case of an assignment to a County or State Task Force, the County or State agency coordinating the Task Force shall create a separate account in the Use of Force Portal for those officers. Any force used while the officer is serving in their role as part of the Task Force shall be recorded in the County or State agency account, not the home agency account. This shall include assignments to Regional SWAT Teams, Entry Teams, Civil Disorder Response Teams, etc.

At this time, officers serving in a federal capacity are not required to complete a use of force report in this portal. However, officers who use force while serving in such assignments shall notify the chief law enforcement executive of their employing agency via a report or memorandum, via a process prescribed by that chief law enforcement executive.

#### Benchmark Analytics

The OAG has partnered with Benchmark Analytics to create a secure portal to collect use of force reports and provide

**USE OF FORCE PORTAL ADDRESS** https://bms.benchmarkonline.app

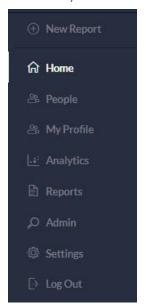
agencies with analytics on their use of force reports.

Using your web browser, go to http://bms.benchmarkonline.app

You will log in using your agency email address. Upon logging into Benchmark for the first time, you will need to create a password.



#### Portal Layout



Upon logging in, officers have a menu on the left side of the screen containing a link to begin a new report, a link to contact customer support, and a link to each of the following sub-pages:

*Home:* Your home screen that contains your action items and current activities.

*People:* Only admin users will have access to this module, where they can manage users (add or remove) and their roles.

My Profile: Where each user may update their profile including officer information that will pre-populate into use of fore reports. Officers should ensure that their profile is up-to-date and complete each time they log in.

*Analytics:* Only admin users will have access to this module, where they view canned analyses on completed use of force reports.

Reports: Contains a history of the officer's reports submitted using the reporting portal.

Admin: This is Benchmark's administrative panel, not fully in use in this portal. It includes demographic

information including appointment date, unit of assignment, duty status, age, race, height, weight, dominant hand, and county.

Settings: Allows the officer to change their password.

Log Out: Provides a link to log out of Benchmark.

**Updating Your Benchmark Profile** 

#### UPDATE YOUR PROFILE EVERY TIME YOU LOG INTO BENCHMARK!

To update your profile:

Click on "My Profile" on the menu on the left side and make any necessary changes to your profile.

Any changes to your rank will generate a notification to your agency's designated representative. Only this designated representative is authorized to change an officer's access level.

#### Completing a Use of Force Report

Each officer utilizing force in an incident is required to complete their own use of force report. In instances where an officer is unable or unwilling to complete such a report, a supervisor may complete the report in their place.

Click on "New Report" on the left menu. Select the "NJOAG Use of Force =" button. The form will load.

#### Overview

The Use of Force Report contains five tabs. These tabs are:



#### **TIPS**

#### SAVE OFTEN.

All fields on the form are required.

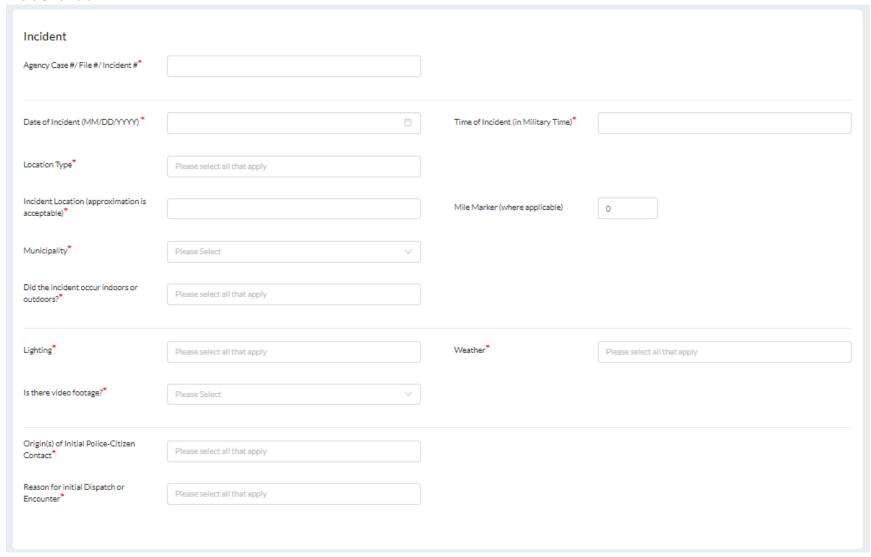
For some fields, only one answer may be selected. An arrow on the right side of the response field indicates only one option may be selected.

In multi-answer fields, select ALL options that apply.

In all fields with pre-defined options, you may choose a response by scrolling the list OR by typing into the box. Typing will filter responses matching typed text. Select your choice.

Navigate from one tab to another by clicking the tab on the top menu bar or clicking "next" or "previous" on the bottom of the screen.

#### **Incident Tab**



## SELECTING "OTHER" AS A RESPONSE OPTION SHOULD BE LIMITED TO ONLY SITUATIONS THAT DO NOT FIT PRE-DEFINED CATEGORIES.

#### Agency Case #/File #/Incident #

Indicate the unique internal agency case number assigned to the incident.

*NOTE*: This field will be used to link reports on the same incident. Ensure adherence to your agency case number nomenclature.

#### Date of Incident

Indicate the date of the incident by typing in the date or using the calendar pop-up.

*NOTE*: Format the date as MM/DD/YYYY. YOU MUST TYPE THE "/" IN THE DATE.

EXAMPLE: An incident occurring on December 25, 2019 should be entered as "12/25/2019."

#### Time of Incident

Indicate the time of the incident using military time, without punctuation.

EXAMPLE: "1345"

#### Location Type (select all that apply)

Select applicable categories to describe the use of force incident location. The definitions below are similar to NIBRS location definitions. Select all that apply.

#### **DEFINITIONS**

**Street**: Any open public way for the passage of vehicles, people, and/or animals including minor or major roadways, streets, avenues, highways, parkways, turnpikes, or routes.

If this option is selected, include a mile marker in the follow-up question, where appropriate. <u>See</u> "Mile Marker."

**Residence**: Apartments, condominiums, townhouses, nursing homes, residential driveways, residential yards, and extended/continuous care facilities.

**School**: Institutions for the instructions of children from preschool through 12th grade and institutions for the higher education of individuals, which gives instruction in specialized fields; community colleges; trade schools. Unlike NIBRS, please also use this specification to identify

daycare facilities and colleges/universities.

**Police Station**: The office or headquarters of a police agency. This response prompts a follow-up question. <u>See</u> "Location in Police Station."

Jail/Prison: Places for the confinement of persons for lawful detention or awaiting trial.

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**Business:** Include commercial and office locations, retail establishments, convenience shops, grocery/supermarkets.

**Restaurant:** Commercial establishments that serve meals or refreshments; cafeterias.

**Alcohol Establishment (bar, club, casino):** Establishments primarily for entertainment, dancing, and the consumption of alcoholic beverages. Unlike NIBRS, use this specification to identify casinos or other locations to legally bet on games, contests, and/or races.

**Court House:** A building used for local, state, or federal court proceedings.

**Hospital:** Medical institutions including mental health facilities and long-term care facilities.

**Other**: Should none of the pre-defined options fit the location of the incident, select "Other" and provide further specification.

This response prompts a follow-up question requesting further specification of "Other." Please use an other NIBRS Location Type category only.

#### Location in Police Station (select all that apply)

Selecting "Police Station" in the "Location Type" field requires a specification of where the force occurred within the police station. Select all that apply.

#### **DEFINITIONS**

**Booking:** Area used for processing arrestees.

Holding Cell/Area: Area used to hold arrestee subjects such as a cell or bench.

Interview Room: Area used to interview subjects, witnesses, or other individuals related to case.

**Lobby:** The main reception area of the station.

Police Vehicle: Within the police vehicle or as the subject is removed from the police vehicle.

Sally Port: The bay or area at a police station where police vehicles transport prisoners.

**Parking lot:** The parking lot of the police station.

Other: Requires further specification in a free-text field.

This response prompts a follow-up question requesting further specification of "Other."

#### *Incident Location (approximation is acceptable)*

Indicate the address location of the incident.

Use as precise a location as possible, either a street address or latitude and longitude.

While approximate locations are permissible on the form, imprecise locations may not be mapped in Benchmark's mapping report.

EXAMPLE: "587 Main Street Trenton NJ." The mapping software cannot map imprecise locations such as "parking lot behind Shoprite."

#### *Mile Marker (where applicable)*

Indicate the mile marker of the roadway where the use of force incident occurred, if applicable. If there is no mile marker, indicate "N/A."

#### Municipality

Indicate the municipality where the incident occurred.

#### **RESPONSE OPTIONS**

Includes all municipalities in New Jersey and an option for "Other."

This response prompts a follow-up question requesting further specification of "Other."

#### Did the incident occur indoors or outdoors?

Indicate whether the incident took place indoors or outdoors.

#### **RESPONSE OPTIONS**

Indoors

Outdoors

#### Lighting (select all that apply)

Indicate all lighting circumstances during the use of force incident. Select all that apply.

#### **DEFINITIONS**

**Dawn/dusk**: First appearance of light in the sky before sunrise or the last appearance of light before sunset.

Daylight: Natural light of day, even during cloudy conditions.

**Darkness:** The absence of light or low level lighting making it difficult to see.

**Artificial:** Light from an artificial source such as a lamp, flashlight, or light fixture.

#### Weather

Indicate weather conditions during the use of force incident. Select all that apply.

#### **DEFINITIONS**

**Clear**: Clear weather. No precipitation or clouds impacting visibility.

Cloudy: Clouds present in the sky, overcast.

Rain: Liquid precipitation.

**Snow/sleet/ice**: Non-liquid precipitation typically occurring when the temperature is around or below freezing.

Fog: Low lying clouds suspended in the atmosphere and restrict visibility.

N/A

#### *Is there video footage?*

Indicate whether any video footage is available.

#### **RESPONSE OPTIONS**

Yes

Selecting "Yes" prompts a follow-up question. See "Video Footage Type."

No

**Unknown** 

#### Video footage type (select all that apply)

Indicate the type of video footage of the incident when "Yes" is indicated on "Is there video footage?" Select all that apply.

#### **DEFINITIONS**

**Body Worn**: Video footage from a body worn camera worn by any officer(s) or other emergency personnel on scene at the time of the use of force incident.

**Cell Phone:** Video footage from a cell phone, tablet or similar device of any individual at the scene including witnesses or subjects.

**CED Camera:** Video footage from a CED.

**Commercial Building:** Video footage from a commercial location, including either exterior building or interior surveillance cameras.

**Motor Vehicle:** Video footage from a motor vehicle recording system such as an MVR or DIVR and including citizen motor vehicle cameras.

**Residential/Home:** Video footage from a private residential device, such as a Ring or Blink system or any other private recording equipment in the area around the incident, including CCTVs.

Station House: Video footage from inside the police station

**Unknown:** The source of the recording is unknown.

#### Origin(s) of Initial Police-Citizen Contact (select all that apply)

Indicate the origin of the contact between the police and citizen. Select all that apply.

#### **DEFINITIONS**

**Dispatched**: Incidents initiated when an officer receives notification of a call from a communication dispatcher or headquarters to a specific location or situation; calls for service.

Officer Initiated: Incidents initiated when an officer initiates the situation; on view incidents.

**Citizen Initiated:** Incidents initiated when a citizen initiates contact by directly communicating with an officer.

**Pre-planned Contact:** Incidents planned prior to contact including search warrant executions, prisoner transports, judicial order service, etc.

This response prompts a follow-up question to specify the pre-planned contact. <u>See</u> "Pre-Planned Contact."

#### Pre-planned contact (select all that apply)

Indicate the type of pre-planned contact that initiated the police-citizen contact. Select all that apply.

#### **DEFINITIONS**

Search Warrant Execution: Execution of an issued search warrant.

**Judicial Order Service (TRO, FRO, etc.)**: Delivery of a Judicial Order including TRO, FRO, ERPO, DVRO, etc.

**Arrest**: An arrest of an individual executed at pre-planned time.

**Prisoner Transfer:** Transport or transfer of a person in custody planned prior to execution.

**Processing**: Processing of a person in custody planned prior to execution.

**No Knock Warrant**: Arrest or search warrant execution where a judicial officer has authorized entry to the location without knocking and announcing first.

**Other**: Some other type of pre-planned contact.

This response prompts a follow-up question requesting further specification of "Other."

#### Reason for Initial Dispatch or Encounter (select all that apply)

Indicate the type of incident during which the use of force occurred. Select all that apply.

#### **DEFINITIONS**

**Welfare check:** Check on the status or well-being of an area or person.

Medical Emergency: Response to aid a potential medical event, crisis, or emergency.

**Potential Mental Health Incident:** Response to aid a person experiencing a potential mental health incident including persons exhibiting erratic behavior, suicidal ideations, etc.

MV/Traffic Stop: Stopping a motor vehicle (motorcycle, truck, or other vehicle) for an alleged violation of a law or ordinance.

**Pedestrian Stop**: Stopping an individual (pedestrian) for an alleged violation of a law or ordinance. **Possible Crime in Progress:** Response to investigate a possible crime in progress or crime that recently occurred. This is not a selectable option, but a header encompassing the fields below:

**Assault**: Physical attack; hit, strike, slap, or smack.

**Burglary:** Entry into a structure illegally with the intent to commit a crime, such as theft. **Distribution of CDS:** Action of handing out controlled dangerous substances, including but not limited to cocaine, heroin, PCP, methamphetamines, LSD, marijuana, and ecstasy, to another individual.

**Disturbance (drinking, fighting, disorderly):** Interruption of peace in any form; including a breakdown from law-abiding behavior or causing an upheaval or riot. Disturbance can include but is not limited to drinking, fighting, rioting, or being disorderly.

**Domestic:** Altercation among persons of an intimate relationship including friends, spouses or other love interests, or family members.

**Eluding:** Escape from law enforcement in a motor vehicle during an attempted investigation into a potential crime, arrest of an individual, or application of any other form of criminal justice actions.

**Possession of CDS:** Controlled dangerous substances, including but not limited to cocaine, heroin, PCP, methamphetamines, LSD, marijuana, and ecstasy on a person or found in their belongings.

**Report of Gunfire:** Notification of the sound of gunfire.

**Robbery:** Unlawfully taking property of another person without permission by force.

Subject with a Gun: Report that an individual has been seen with a firearm.

**Subject with other weapon:** Report that an individual has been seen with some other weapon.

Suspicious Person: Report of an individual behaving suspiciously.

**Terroristic Threats:** Threatening statement to commit a crime of violence, to cause bodily injury or harm, or terrorize an area.

**Theft/shoplifting:** Action of taking something that belongs to another, including goods from a commercial store while pretending to be a customer.

**Trespassing:** Entering or remaining in an area, land, or establishment without permission.

Wanted Person: Either an accused or convicted individual wanted in connection with a

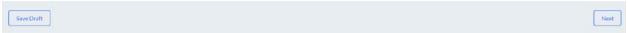
crime for questioning, arrest, or another criminal justice action.

MV Aid/Accident: Assisting a motorist aid or after the report of an accident.

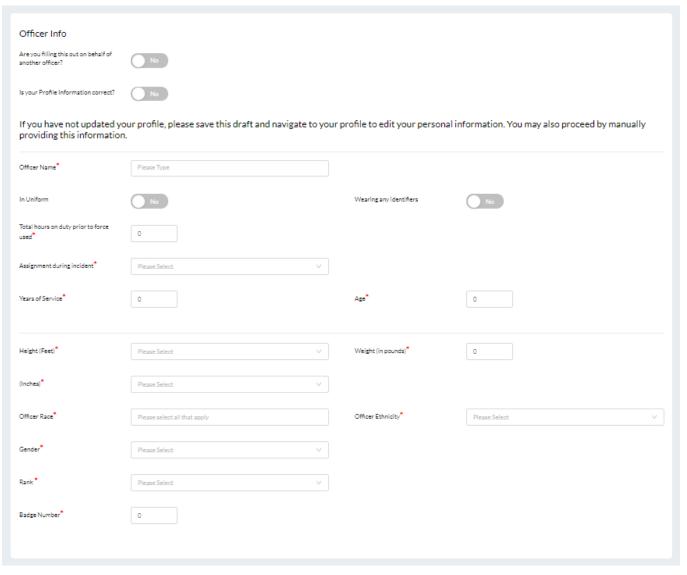
Assisting Another Officer: Assisting another officer, either from within or outside the agency.

Aggressive/Injured Animal: Responding to a report of an aggressive or injured animal.

Click "Save Draft" and then click "Next" in the bottom right hand corner to move to the next Tab.



#### Officer Tab



## WHEN COMPLETING THIS REPORT FOR ANOTHER OFFICER, ANSWER THE QUESTIONS BELOW TO DESCRIBE THE OFFICER USING FORCE.

#### Are you filling this out on behalf of another officer?

Indicate whether you are completing this form on behalf of another officer.

An affirmative response prompts a follow-up question. <u>See</u> "Please specify the reason why you are completing this for another officer?"

#### Please specify the reason of why you are completing this form for another officer.

Indicate the reason you are completing this form for another officer.

**Unwilling to complete**: The officer using force is unwilling to complete the form for any reason, including on the advice of counsel.

**Unable:** The officer using force is unable to complete the form.

IF AN OFFICER REQUIRES A BENCHMARK ACCOUNT, PLEASE NOTIFY YOUR AGENCY ADMINISTRATOR TO REQUEST AN ACCOUNT. ACCOUNTS MAY ONLY BE CREATED WITH AN AGENY EMAIL ADDRESS.

**Deceased:** The officer using force has died.

No Benchmark Access: The officer does not have access to the Use of Force Portal.

#### *Is your profile information correct?*

You are <u>required</u> to update your profile in Benchmark each time you log in to ensure that your profile reflects your most current information. Indicate whether you have updated your profile in Benchmark.

An affirmative response pre-populates in the Officer Info section from your profile. If your profile is not complete or correct, you should update it now or you must complete the Officer Info section manually.

#### Officer Name

Officer's name.

#### In Uniform

Indicate whether officer was in uniform during the force incident.

A response of "No" requires the question "Wearing any identifiers."

#### Wearing any identifiers

Indicate whether officer was wearing anything identifying them as an officer including a badge, jacket, hat, shirt, etc.

#### Total hours on duty prior to force used

Indicate how many hours the officer had been on duty when force was used. Round to the nearest hour.

#### Assignment during incident

Indicate officer assignment during the incident.

#### **DEFINITIONS**

**Patrol:** General duty; responding to calls for service.

**Extra Duty/Outsourced:** General category for outsourced, overtime, or extra duty work including uniformed and non-uniformed.

Off-Duty: Not on duty.

**SWAT/TEAMS/CDRT/ERT:** Specialized units carrying out high risk tactical operations.

**Specialized Unit/Other:** Any other unit not categorized in the options above.

#### Years of Service

Indicate officer's total years of service, rounding to the nearest whole number.

#### Age

Indicate officer's age, rounding to the nearest whole number.

#### Height (feet)

Indicate officer's height in feet. Approximations are acceptable.

#### Height (inches)

Indicate officer's height in inches. Approximations are acceptable.

#### Weight

Indicate officer's weight in pounds. Approximations are acceptable.

#### Officer Race

Indicate officer's race according to the Federal OMB standard. Select all that apply.

#### **RESPONSE OPTIONS**

**American Indian or Alaska Native** 

Asian

**Black or African American** 

**Native Hawaiian or other Pacific Islander** 

White

Two or more races

Other

#### Officer Ethnicity

Indicate whether the officer is of Hispanic or Latino ethnicity

**RESPONSE OPTIONS** 

**Hispanic or Latino** 

**Not Hispanic or Latino** 

#### Gender

Indicate officer's gender.

**RESPONSE OPTIONS** 

Male

Female

**Gender Non-conforming/X** 

#### Rank

Indicate officer's current rank.

#### **RESPONSE OPTIONS**

Corporal Deputy Chief

Officer Lieutenant Colonel

**Trooper** Chief Colonel **Detective** Sergeant **SLEO I Detective Sergeant SLEO II Sergeant First Class SLEO III Detective Sergeant First Class Auxiliary** Aide Lieutenant Captain Civilian

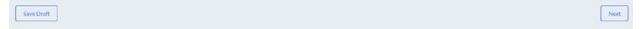
Major Other

This response prompts a follow-up question requesting further specification of "Other."

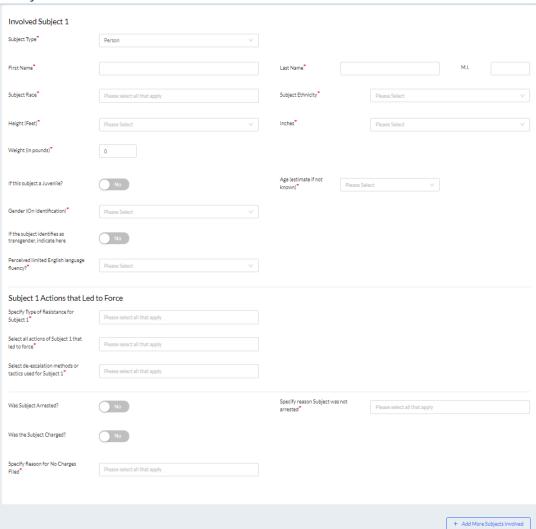
#### Badge Number

Indicate officer's badge number.

Click "Save Draft" and then click "Next" in the bottom right hand corner to move to the next Tab.



#### Subject Tab



#### Subject Type

Indicate type of subject.

#### **DEFINITIONS**

Person: Human.

**Animal:** An animal acting aggressively to an officer or other person.

#### HUMANE DESTRUCTION OF ANIMAL LIFE IS **NOT** CONSIDERED FORCE.

*NOTE*: This response limits the subject information questions.

**Unknown Subject(s):** When the identity of the subject is unknown.

For example: A person of unknown identity, or a crowd of people

This response prompts a follow-up question requesting further specification to "Describe Unknown Subject(s)."

*NOTE*: This response limits the subject information questions.

#### First Name

Indicate the subject's first name as it appears on legal documentation.

#### Last Name

Indicate the subject's last name as it appears on legal documentation.

#### M.I.

Indicate the subject's middle initial as it appears on legal documentation.

#### Subject Race

Indicate the subject's race and ethnicity. Select all that apply.

#### **RESPONSE OPTIONS**

**American Indian or Alaska Native** 

Asian

**Black or African American** 

**Native Hawaiian or other Pacific Islander** 

White

Two or more races

Other

#### Subject Ethnicity

Indicate whether the officer is of Hispanic or Latino ethnicity

**RESPONSE OPTIONS** 

**Hispanic or Latino** 

**Not Hispanic or Latino** 

#### Height (feet)

Indicate the subject's height in feet (estimate if not known).

#### Height (inches)

Indicate the subject's height in inches (estimate if not known).

#### Weight (in pounds)

Indicate the subject's weight in pounds (estimate if not known).

#### *Is the subject a Juvenile?*

Indicate whether the subject is a juvenile.

NOTE: You will not provide the exact age of the subject if they are a juvenile.

#### Age

Indicate the subject's age in years (estimate if not known).

NOTE: Only numeric responses are permitted.

#### Gender (On Identification)

Indicate the subject's gender as it appears on their identification.

**RESPONSE OPTIONS** 

Male

**Female** 

**Gender Nonconforming/X** 

#### If the subject identifies as transgender, indicate here.

Indicate that the subject identifies as transgender by selecting "Yes."

For more information, <u>See</u> Attorney General Directive 2019-3, <u>"Law Enforcement Interactions</u> with Transgender Individuals."

#### Perceived limited English language fluency?

Indicate whether you perceive the subject to have limited fluency with the English language, including subjects who may speak another native language or those with barriers to communication such as being deaf or hard of hearing.

#### **RESPONSE OPTIONS**

Yes

No

#### Other barrier to communication

This response prompts a follow-up question requesting further specification of "Other."

#### **Perceived Condition**

Indicate your perception of the subject's condition. Select all that apply.

#### **DEFINITIONS**

**Under influence of drugs/alcohol/both:** Subject appears under the influence of drugs, alcohol, or some combination.

**Potential Mental Health Incident:** Subject appears to be experiencing a potential mental health incident.

Other unusual condition noted: Subject displays some other unusual condition.

This response prompts a follow-up question requesting further specification of "Other."

No unusual condition noted: Subject does not display any unusual condition.

#### Subject 1 Actions that Led to Force

*NOTE*: The questions below need to be completed for each subject involved in the incident. Add an "Additional Subject" to specify resistance and actions for Subject 2, Subject 3, etc.

#### Specify Type of Resistance

Indicate the subject's type of resistance. Select all that apply.

#### **DEFINITIONS**

**Passive Resistor:** A person who is non-compliant in that they fail to comply in a non-movement way with verbal or other direction from an officer

**Active Resistor:** A person who is uncooperative, fails to comply with directions from an officer, and instead actively attempts to avoid physical control. This type of resistance includes, but is not limited to, evasive movement of the arm, flailing arms, tensing arms beneath the body to avoid handcuffing, and flight.

Threatening Assailant: A person who is threatening the use of force against an officer or another person, with or without a weapon, in an aggressive manner that may cause bodily injury. Examples may include a person armed with a weapon who fails to disarm, and an unarmed person who advances on an officer or any other person in a threatening manner thereby reducing the officer's time to react, putting the officer in reasonable fear of a physical attack.

**Active Assailant:** A person who is using or imminently threatening the use of force, with or without a weapon, in an aggressive manner that poses a substantial risk of causing bodily injury to an officer or another person. A threatening assailant becomes an active assailant when the threat becomes imminent.

#### Select all actions of subject and/or reasons for the use of force

Indicate the subject's actions that elicited a use of force response. Select all that apply.

#### **DEFINTIONS**

**Attempt to commit crime:** Subject attempted to commit a crime.

**Attempt to destroy evidence**: Subject attempted to destroy evidence including narcotics or paraphernalia.

Attempt to escape from custody: Subject attempted to flee law enforcement custody.

**Attempt to self-harm:** Subject attempted to harm self.

Failure to Disperse: Subject(s) failed to leave the scene as directed by law enforcement

Prevent harm to another: Force was used to prevent subject from harming another person.

Resisted arrest/Police officer control: Interfering with police activity.

#### **Threat**

Indicate the type of imminent threat the subject poses from the following options.

*Verbal/Fighting Stance Threat:* Subject made verbal threats or took a fighting stance against the officer or another.

Threat with open hand, fist, or elbow: Subject threatened officer or another using their hands, fists or legs including hits or punches.

Threat with Blunt Object: Subject threatened an officer or another with a blunt object such as a baseball bat, or other non-sharpened item that could inflict blunt force trauma.

Threat with Edge Weapon: Subject threatened an officer or another with a sharp edge weapon including a knife, glass shard, broken bottle, or other sharp item.

*Threat with Motor Vehicle:* Subject threatened an officer or another with a motor vehicle, car, truck, motorcycle, ATV, or other motorized vehicle.

Threat with Bodily fluids: Subject threatened an officer or another with bodily fluids including spit, vomit, urine, blood, excrement, or other bodily fluids.

Threat with Gun: Subject threatened officer or another with a gun.

This response prompts a follow-up specifying the gun threat. <u>See</u> "Select Type of Gun Threat."

*Threat to Push or shove:* Subject threatened to push or shove officer or another.

*Threat to kick:* Subject threatened to kick officer or another.

*Threat with Other Weapon:* Subject threatened an officer or another with a weapon not described above.

#### **Attacks**

Biting: Subject bit officer or another.

Spitting: Subject spit at officer or another.

*Strike with open hand, fist, or elbow:* Subject attacked officer or another with hands, fists, or legs, including hitting, or punching.

Attack with Blunt Object: Subject attacked an officer or another with a blunt object such as a baseball bat or other non-sharpened item that could inflict blunt force trauma.

Attack with Edge Weapon: Subject attacked an officer or another with a sharp edge weapon including a knife, glass shard, broken bottle, or other item that could puncture skin.

Attack with Motor Vehicle: Subject attacked an officer or another with a motor vehicle, car, truck, motorcycle, ATV, or other motorized vehicle.

Attack with Bodily Fluids: Subject attacked an officer or another with bodily fluids, including spit, vomit, urine, blood, excrement, or other bodily fluids.

Fired Gun: Subject fired gun at officer or another.

*Push or Shove*: Subject pushed or shoved officer or another.

*Kick*: Subject kicked officer or another.

Attack with Other Weapon: Subject attacked an officer or another with a weapon not described above.

#### Select Type of Gun Threat

Indicate the type of gun threat. Select all that apply.

#### **RESPONSE OPTIONS**

**Suspected Gun:** Officer or another observed a bulge on the person or in their belongings consistent with a gun or provided information that a person may be armed with a gun.

**Observed Gun:** Officer or another observed a gun on the person or in their belongings.

**Displayed Gun:** The subject actively displayed the gun including holding the weapon or lifting shirt

to show gun.

**Pointed Gun:** The subject pointed the gun at the officer or another.

#### Select de-escalation methods or tactics used for Subject:

Indicate the de-escalation tactics or methods used during the encounter. Select all that apply.

#### **RESPONSE OPTIONS**

Communication techniques (speaking slowly and calmly)

Promoting rational decision-making (ex. only one officer speaking)

**Active listening techniques** 

Slowing down the pace

Calming gestures/facial expressions

**Procedural-Justice techniques (explaining your actions)** 

Verbal persuasion and advisements

**Providing warning** 

**Avoiding display of weapons** 

Time as a tactic

Maintaining distance

Using barriers for safety

**Tactical repositioning** 

**Determining if special needs** 

#### N/A

#### Was the subject arrested?

Indicate whether the subject was arrested.

#### **RESPONSE OPTIONS**

Yes

This response prompts a follow-up question requesting whether the subject was charged. See "Was the subject charged?."

No

This response prompts a follow-up question requesting further specification of the reason the subject was not arrested. <u>See</u> "Specify reason subject was not arrested."

*NOTE*: If the use of force occurred after an individual was placed under arrest, such as during processing or transport, please select "No" for "Was the subject arrested?" Then select "Other" under "Specify Reason Subject was not Arrested" and indicate that the subject was already in custody.

#### Specify Reason Subject was not Arrested

Indicate reasons subject was not arrested. Select all that apply.

#### **DEFINITIONS**

**Medical/Mental Health Incident:** Subject was transported to hospital or mental health facility following force incident.

**Subject fled:** Subject ran and was not apprehended.

**Deceased:** Subject is deceased.

Already in Custody: Subject was already in police custody when force was used.

#### Was the subject charged?

Indicate whether the subject was charged.

#### **RESPONSE OPTIONS**

Yes

No

This response prompts a follow-up question requesting further specification of the reason the subject was not charged. <u>See</u> "Specify Reason for No Charges Filed."

#### Specify Reason for No Charges Filed

Indicate the reasons the subject was not charged. Select all that apply.

#### **DEFINITIONS**

**Crisis Center Transport**: Subject was transported to a crisis center or other mental health facility following the incident.

**Hospital Transport**: Subject was transported to the hospital following the incident.

**Prosecutor Review**: The incident is currently under review by the Prosecutor and may or may not

result in charges; the charges are pending and have not been finalized.

**Juvenile Diversion**: Subject is a juvenile and was not formally charged.

#### Charges

Indicate the charges filed against subject. Select all that apply.

*NOTE*: This field only appears when the subject is listed both as arrested and charged (both questions are marked "Yes").

#### **RESPONSE OPTIONS**

As defined in Title 2C and Title 39:

Aggravated Assault Hindering/Obstruction

Assault on a Police Officer Lewdness

Simple Assault Receiving Stolen Property

Burglary Resisting Arrest

**Carjacking** Riot

CDS-Distribution Robbery

CDS-Possession Tampering with Evidence

Contempt of Court Terroristic Threats

Criminal Attempt Theft

Criminal Mischief Throwing Bodily Fluids

Disarming Law Enforcement Title 39 Charges

Disorderly Conduct Unlawful Possession of a Firearm

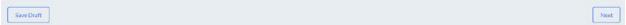
Eluding/Escape Unspecified at this time

Endangering Welfare Violation of TRO/ FRO/ Parole/ Probation

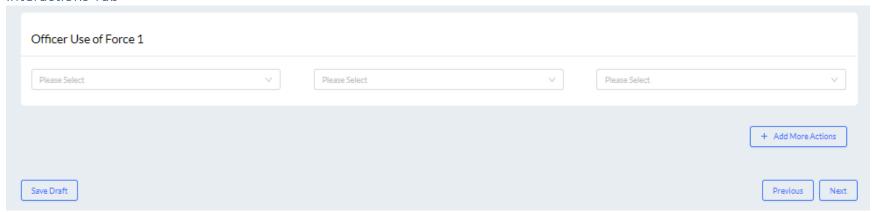
Harassment Other

To add an additional subject, click on "+ Add More Subjects Involved" in the lower right corner and then answer the same fields as above.

Click "Save Draft" and then click "Next" in the bottom right hand corner to move to the next Tab.



#### Interactions Tab



#### Officer Use of Force 1



The Officer Use of Force contains three fields.

#### First Field

This field specifies who took the action. For all use of force incidents, this field should be filled with the **OFFICER** who took the action. Though subject is listed as an option here, that information is captured in previous fields.

#### ONLY ENTER A POLICE OFFICER IN THE FIRST FIELD, NOT A SUBJECT.

#### Second Field

The second field specifies the actions that an officer took.

#### **DEFINITIONS**

#### PHYSICAL FORCE ACTIONS

**Used pressure points on:** Applying pressure to pressure points on the body to control a resisting subject or to mitigate an imminent threat to persons or property.

**Used take down on:** A move or maneuver which is used to force a resisting standing subject to the ground or to mitigate an imminent threat to persons or property.

**Used arm bar on:** A specialized technique whereby the subject's arm is grabbed and twisted to restrain or gain control of a resisting subject or to mitigate an imminent threat to persons or property.

**Used fists/punch:** Use fists/punches to restrain or gain control of a resisting subject or to mitigate an imminent threat to persons or property.

**Used legs/kicks:** Use legs/kicks to restrain or gain control of a resisting subject or mitigate imminent threat to persons or property.

**Used arms/hands:** Use of arms to restrain or control a resisting subject or mitigate imminent threat to persons or property.

**Used head:** Use of targeted strike with the head to gain control of a resisting subject or mitigate imminent threat to persons or property.

#### **MECHANICAL FORCE ACTIONS**

**Discharged Chemical at:** Discharging a tactical chemical such as oleoresin capsicum (OC) to gain control of a resisting subject.

**Struck:** Contact with a resisting subject with a mechanical force.

This response prompts a follow-up specifying the weapon used in the strike. <u>See</u> "Impact Weapon Type."

**Canine bit (apprehension):** Directed bite to apprehend a resisting subject.

Canine bit (spontaneous): Canine spontaneously bit to apprehend a resisting subject.

**Compliance hold with an impact weapon:** not a strike: Impact weapon, such as a baton, used to place pressure on subject

**CS Gas:** Discharging 2-chlorobenzalmalononitrile chemical agent to gain control of resisting subject(s)

**High Volume OC Spray**: Discharging a high volume OC spray to gain control of a resisting subject.

#### **ENHANCED MECHANICAL ACTIONS**

**Used CED on**: Deploying a conducted energy device (CED) on a resisting subject or to gain control of a resisting subject.

This response prompts a follow-up specifying the method of CED use. <u>See</u> "Probe Deployment?" and "Was Drive Stun Used?."

**Used less lethal Device on:** deploying a device designed to be less lethal such as an impact round.

#### **DEADLY FORCE ACTIONS**

**Discharged Firearm at:** Discharge of a firearm at a resisting subject to gain compliance.

This response prompts a follow-up specifying the type of firearm used. <u>See</u> "Firearm Type?," "Make of Firearm?," "Model of Firearm?," and "Accidental Discharge?"

**Kneeling on Chest, Back**: sitting, kneeling, or standing on a person's chest, back, or neck for a prolonged period of time

**Chokehold, Carotid artery restraint**: applying a chokehold, carotid artery restraint, or similar technique that involves pressure on the neck

**Intent to strike with a motor vehicle**: intentionally driving a vehicle at or in the direction of a person with the intent to strike the individual

Head or Neck Strike: using a baton or other weapon to intentionally strike an individual

in the head or neck area

#### SHOW OF FORCE

**CED Spark Display:** Sparking the CED device

OFFICERS ONLY USING "SHOW OF FORCE" OPTIONS, SHOULD COMPLETE A SHOW OF FORCE REPORT RATHER THAN A USE OF FORCE REPORT.

Pointing of Firearm: Officer drew weapon and pointed it at subject

NOTE: Selecting any response option in the "Show of Force" category will prompt a follow-up question to specify the officer's assignment. See "Was Officer using [show of force type] a member of SWAT/SERT/CRT/CDRT/TEAMS and engaged in an operation with that unit at the time of the Show of Force?"

#### Third Field

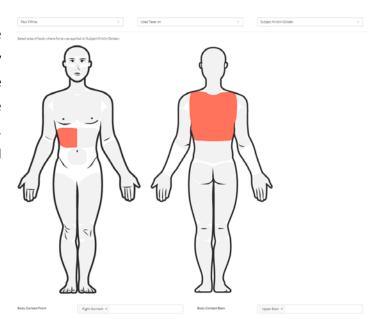
The third field specifies the subject involved in the action. You may specify any subject in this field.

#### Follow-Up Action Questions

For all actions, the following questions will appear after selecting the officer's action:

# **Body Diagram**

Indicate where the action struck the subject by either clicking on the body or typing into the text fields below the diagram. If the action did not strike the subject, you may leave this blank, but indicate a "No" on "Missed attempted contact with subject."



# Missed attempted contact with subject

Indicate whether the action missed the subject. This field defaults to "no."

#### **RESPONSE OPTIONS**

Yes

No

# CLICK "DONE WITH ACTIONS" TO TRIGGER FOLLOW-UP QUESTIONS

There are additional follow-up questions that do not automatically appear. You must click "Done with Actions" on the bottom of the tab to see the follow-up



questions. Failing to click this button, will flag these questions as incomplete when attempting to submit the form.

# Officer Position when Applying Action

Indicate officer position when applying the action. Select all that apply.

#### **RESPONSE OPTIONS**

**Standing** 

Kneeling

**Behind Cover** 

Prone

Other

This response prompts a follow-up question requesting further specification of "Other."

# Subject Position when Applying Action

Indicate subject's position when officer applied the action. Select all that apply.

**RESPONSE OPTIONS** 

**Standing** 

**Kneeling** 

**Behind Cover** 

**Prone** 

Other

This response prompts a follow-up question requesting further specification of "Other."

The following specific actions generate follow-up questions in addition to those above:

#### Struck

This field generates a follow-up question.

Impact Weapon Type?

Indicate the type of weapon used during the strike.

**RESPONSE OPTIONS** 

**Baton** 

**ASP Baton** 

Other

# **Discharged Chemical At**

This field generates one additional follow-up question.

Accidental Discharge?

Indicate whether the chemical discharge was accidental.

**RESPONSE OPTIONS** 

Yes

No

#### **Used CED on**

This field generates multiple follow-up questions.

# Probe Deployment?

Indicate whether the CED probes were deployed.

**RESPONSE OPTIONS** 

Yes

No

# Was drive stun used?

Indicate whether the drive stun mode of the CED was used.

**RESPONSE OPTIONS** 

Yes

No

# **Discharged Firearm At**

This field generates multiple follow-up questions.

#### Firearm Type

Indicate the type of firearm used

**RESPONSE OPTIONS** 

**Revolver** 

Rifle

Semi Auto Pistol

**Shotgun** 

Other

This response prompts a follow-up question requesting further specification of "Other."

# Make of Firearm

Indicate the make of the firearm.

# Model of Firearm

Indicate the model of the firearm.

# Accidental Discharge

Indicate whether the firearm discharge was accidental.

**RESPONSE OPTIONS** 

Yes

No

# **Pointing Firearm**

This field generates a follow-up question.

Was officer pointing a firearm/weapon a member of SWAT/SRT/CRT/CDRT/TEAMS?

**RESPONSE OPTIONS** 

Yes

No

# **CED Spark Display**

This field generates a follow-up question.

Was officer using a CED Spark Display a member of SWAT/SRT/CRT/CDRT/TEAMS?

**RESPONSE OPTIONS** 

Yes

No

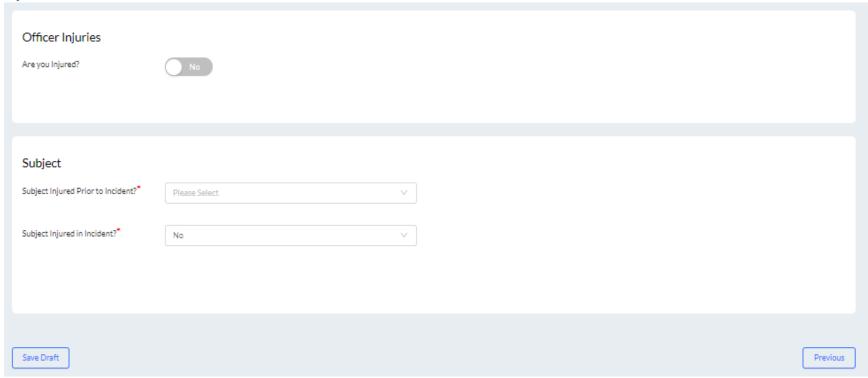
To add an additional action, click on "+ Add More Actions" in the lower right hand corner.

Click "Save Draft" and then click "Next" in the bottom right hand corner to move to the next Tab.



Next

# Injuries Tab



# Officer Injuries

#### *Are you injured?*

Indicate whether you are injured.

#### **RESPONSE OPTIONS**

#### Yes

This response prompts a follow-up question requesting further specification of the type of injury. See "Type of Injury" and "Medical Treatment."

No

#### Type of injury

Indicate the type of injury. Select all that apply.

#### **DEFINITIONS**

**Complaint of pain**: Any level of pain felt during the incident or as a result of the incident, including OC Spray decontamination.

Contusion/bruise: Any bruising as a result of the interaction.

**Abrasion/Laceration/Puncture**: Any break in skin sustained during the incident.

Fracture/dislocation: Any fracture or dislocation of bones sustained during the incident.

**Concussion**: A head injury determined to meet the medical definition of a concussion.

**Chest pains/shortness of breath**: Any pain in the chest, or shortness of breath during or after the incident.

**Gunshot wound:** Any physical trauma caused by a gunshot.

**Unknown:** The injury type is unknown.

#### **Medical Treatment**

Indicate the type of medical treatment you received, if applicable. Select all that apply.

#### **RESPONSE OPTIONS**

**EMS on scene:** Treated by Emergency Medical Services on scene.

**Hospital**: Officer transported to hospital for care.

This response prompts a follow-up question requesting further specification of the Hospital Treatment. <u>See</u> "Hospital Treatment."

**Officer Administered First Aid**: First aid administered by a police officer including cleaning cuts, applying antibiotic cream, bandages, or ice.

**Refused**: Officer refused medical treatment. **Urgent Care**: Treated at an Urgent Care Facility.

# Specify Hospital Treatment

Indicate the outcome of the hospital treatment. Select one.

#### **RESPONSE OPTIONS**

**Treated and released**: Officer was treated and released from the hospital.

Admitted: Officer was admitted to the hospital.

**Unknown**: The officer's hospital treatment status is unknown.

# Subject

*NOTE*: The questions below will appear for each subject specified on the Subject Tab.

#### Subject injured prior to incident?

Indicate whether the subject was injured prior to the incident.

**RESPONSE OPTIONS** 

Yes

No

Unknown

#### Subject injured in incident?

Indicate whether the subject was injured in the incident.

**RESPONSE OPTIONS** 

Yes

This response prompts a follow-up question requesting further specification of the type of injury. <u>See</u> "Type of Injury" and "Medical Treatment."

No

Unknown

#### Type of injury

Indicate the type of injury. Select all that apply.

#### **DEFINITIONS**

**Complaint of pain**: Any level of pain felt during the incident or as a result of the incident, including OC Spray decontamination.

**Contusion/bruise**: Any bruising as a result of the interaction.

Abrasion/Laceration/Puncture: Any break in skin sustained during the incident.

Fracture/dislocation: Any fracture or dislocation of bones sustained during the incident.

**Concussion**: A head injury determined to meet the medical definition of a concussion.

Chest pains/shortness of breath: Any pain in the chest or shortness of breath during or after the incident.

Gunshot wound: Any physical trauma caused by a gunshot.

**Unknown:** The injury type is unknown.

Other:

This response prompts a follow-up question requesting further specification of "Other."

#### **Medical Treatment**

Indicate the type of medical treatment you received, if applicable. Select all that apply.

#### **RESPONSE OPTIONS**

EMS on scene: Treated by Emergency Medical Services on scene.

**Hospital**: Officer transported to hospital for care.

This response prompts a follow-up question requesting further specification of the Hospital Treatment. See "Hospital Treatment."

Officer Administered First Aid: First aid administered by a police officer including cleaning cuts, applying antibiotic cream, bandages, or ice.

Mental Health Facility: Subject was transported to mental health facility.

**Refused**: Officer refused medical treatment.

**Urgent Care:** Treated at an Urgent Care Facility.

Unknown: It was unknown whether medical treatment was given.

# Specify Hospital Treatment

Indicate the outcome of the hospital treatment. Select one.

# **RESPONSE OPTIONS**

Treated and released: Subject was treated and released from the hospital.

**Admitted**: Subject was admitted to the hospital.

**Unknown**: The subject's hospital treatment status is unknown.

# Click "Save Draft."



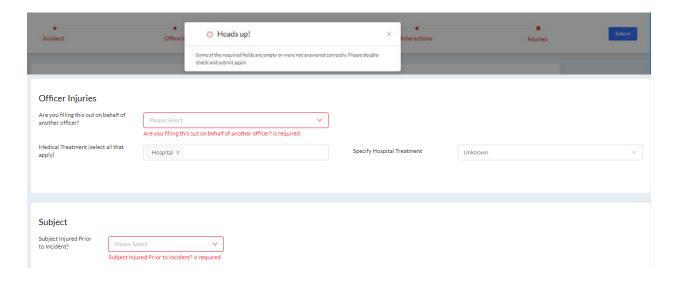
# Submitting your Use of Force Report

Click Submit on the top right.



# Incomplete Fields

Any incomplete fields will be flagged and highlighted in red. These must be completed prior to submission.



# Selecting a Reviewer

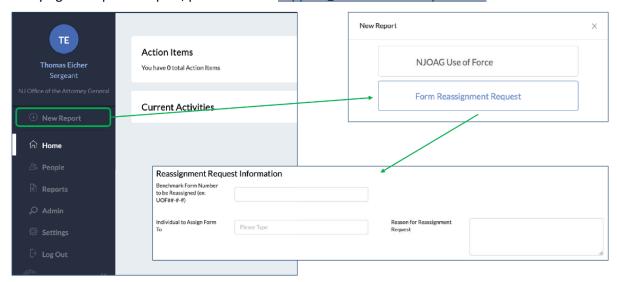
Select a reviewer to review your use of force report according to your agency's use of force or review policies.



# Changing the Selected Reviewer

Should an officer need to re-designate a reviewer on the use of force report, this can be accomplished using the "Form Reassignment Request." Under the "New Report" button, officers may select "Form Reassignment Request" and complete the required fields. Officers will need the Benchmark Form

Number, the name of the new reviewer, and the reason for reassignment. The new reviewer will receive an email notification. Any user in your agency can request a form reassignment, however, once a report has been marked complete by a reviewer, it is final and cannot be reassigned. For further questions on modifying a completed report, please contact <a href="mailto:support@benchmarkanalytics.com">support@benchmarkanalytics.com</a>.



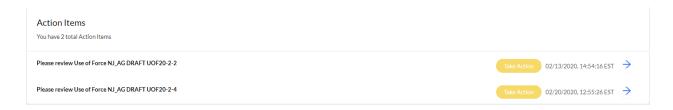
# Printing your Report

To print your completed report (either as a hard copy or to print it as a PDF), click on the print icon on the top right.

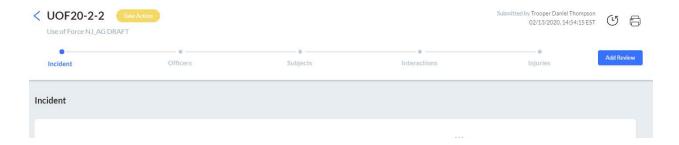


# Reviewing a Completed Use of Force Report

If you are selected as a reviewer on a use of force report, you will receive a notification upon logging into Benchmark under the heading "Action Items." If you are not the selected reviewer, you will not be able to review that use of force report.



To review the report, click the blue arrow on the right side of the listed report. The completed report will open. You may review the report by clicking through the tabs.



When you are ready to complete your review, click "Add Review." The page will scroll to the bottom of the page to complete your review by answering the following fields.

#### Resolution

Indicate your resolution to the report.

#### **RESPONSE OPTIONS**

#### **Use of Force Report Complete**

#### **Use of Force Report Not Complete**

This response will send the report back to the submitting officer. Specify in the "Notes" field what changes are needed to the report.

#### Notes

Indicate your notes on the review here, if applicable.