

# Force Response Administrative Review - Serious Injury or Death

## 301.1 PURPOSE AND SCOPE

In accordance with the Marysville Police Department Policy Manual pertaining to Response to Resistance and Aggression, the Chief of Police will ensure that an Administrative Review is conducted whenever the application of force has resulted in a death or serious physical injury. This policy is intended to serve as a guideline should such an Administrative Review become necessary.

This review process shall be in addition to any other review or investigation that may be conducted by any outside or multi-agency entity having jurisdiction over the investigation or evaluation of the use of deadly force.

## 301.2 POLICY

The Marysville Police Department will objectively evaluate the application of force by its members to ensure that their authority is used lawfully, appropriately and is consistent with training and policy.

## 301.3 REMOVAL FROM LINE DUTY ASSIGNMENT

Generally, whenever an employee's actions or applications of force in an official capacity, or while using department equipment, results in death or very serious injury to another, that employee will be placed in a temporary administrative assignment pending an administrative review. The Chief of Police may exercise discretion and choose not to place an employee in an administrative assignment in any case.

## 301.4 ADMINISTRATIVE PANEL

An Administrative Review for the purposes of reviewing application of force resulting in serious injury or death will be considered a personnel matter. It will be conducted in accordance with Policy 1012 of the Marysville Police Department Policy Manual, which outlines procedures for an Internal Affairs Investigation.

### 301.4.1 COMPOSITION OF THE PANEL

As soon as practical, the Chief of Police or his/her acting designee will appoint an Administrative Panel to review all reports and statements relating to the incident. The Panel will consist of the following personnel:

1. One Command Level Officer (Chairman)
2. Administrative Sergeant
3. A certified Marysville Police Department Firearms Instructor
4. A certified Marysville Police Department Defensive Tactics Instructor

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5. A certified Marysville Police Department Taser Instructor

#### 301.4.2 RESPONSIBILITIES OF THE PANEL

It will be the responsibility of this panel to review the incident and make recommendation to the Chief of Police regarding adherence to policy. This Panel will also serve as a source of expertise on matters associated with the Response of Force and will make recommendation on changes necessary in areas associated therein, i.e. firearm training, defensive tactics, equipment, etc.

Should it become necessary for the officer(s) involved in the application of force to testify before the panel, notification and the interview will be in accordance with applicable Collective Bargaining Agreements and Policy 1012 of the Marysville Police Department Policy Manual.

The Command Officer assigned to the Panel will be responsible for submitting in written form the results of the Administrative Panel to the Chief of Police.

#### 301.5 ACTION BY CHIEF OF POLICE

Upon completion of the review process, the Chief of Police will make a policy determination regarding the Response of Force.

If the Chief of Police finds that the application of force was within policy, he/she will prepare a letter outlining his/her determination of same and forward a copy of that letter to the Officers involved, the City Attorney, the Chief Administrative Officer and/or Mayor, the Attorney for the Marysville Police Officer's Association, and the Internal Affairs File.

If the Chief of Police finds that the application of force was not within policy, the Chief of Police may take the following actions.

1. If a violation of law or Departmental rules or regulations is indicated, the matter shall be referred back and assigned for further internal investigation and processed in accordance with the Department's disciplinary procedures.
2. If any incident is clearly due to training deficiencies, the matter will be referred to the Office of Professional Standards Commander so that additional training can be afforded the officer.