



OPERATIONAL MANUAL

OPS-113 – USE OF FORCE REVIEW BOARD

Amends/Supersedes: OPS-113 (06/27/2022)

Date of Issue: 12/25/2023

I. GENERAL

The Newport News Police Department has established a Use of Force Review Board (hereafter referred to as the UOFRB) to ensure that use of force activities are applied within policy. This directive empowers the UOFRB to convene and review use of force incidents in accordance with the guidelines and procedures established in this policy.

II. POLICY

The UOFRB convenes to hear all use of force reports submitted within the last month (or since the previous UOFRB meeting if the time elapsed is longer). All sworn members of the Newport News Police Department are subject to serving on the UOFRB.

III. PROCEDURE

A. UOFRB Administration

1. The UOFRB will be comprised of:
 - a. Chief of Police (Chair, non-voting member);
 - b. Assistant Chief of Patrol (non-voting member);
 - c. One (1) Captain (voting member);
 - d. One (1) Lieutenant (voting member);
 - e. One (1) Sergeant (voting member);
 - f. One (1) Officer (voting member);
 - g. Training Section representative(s) (non-voting member(s));
 - h. Five (5) Community Representatives (voting members); and
 - i. An Internal Affairs representative (non-voting member).
2. The members of the UOFRB will rotate on a monthly basis.
 - a. Sworn members will be selected from the active roster of Department employees. Sworn members sitting on the UOFRB will not:
 - 1) be a current subject of an Internal Affairs investigation;
 - 2) have been demoted or suspended without pay as a result of discipline within the last two (2) years;
 - 3) vote on a matter before the UOFRB if they are involved as a witness, a supervisor of the involved employee, or an investigator of the incident; and
 - 4) be related to any person involved in the matter before the UOFRB (i.e., through relationship or kinship).
 - b. At least one member of the Training Section will attend each UOFRB meeting by their commander.
 - c. An Internal Affairs Division representative will be assigned by their commander to attend and assist with facilitating each UOFRB meeting.



- d. The Community Programs Coordinator, or designee, will provide names of those community members who have graduated from the Citizens Police Academy program and expressed an interest in serving on the UOFRB rotation list. To participate, community members will not have a personal or financial interest in the proceedings.

B. UOFRB Meetings and Guidelines

1. UOFRB meetings will be held monthly, as determined by the Patrol Bureau Commander. The UOFRB shall review incidents in which a use of force submission was entered in Axon Standards or at the direction of the Chief of Police.

NOTE: As defined in [OPS-617 Response to Employee Involved Critical Incident](#), excessive force complaints and critical incidents under review by the Internal Affairs Division will not be presented to the UOFRB.

2. UOFRB meeting attendees should, whenever possible, be given ten (10) calendar days' notice, including the board members scheduled to serve and the employee(s) initiating the use of force resulting in the report.
3. The affected employee(s) in the use of force incident:
 - a. Is required to attend the UOFRB meeting unless excused by their captain.
 - b. Will not be allowed to bring legal counsel to the UOFRB.
 - c. Will be allowed to report on their actions in the incident and/or ask questions.
4. The UOFRB may ask the Internal Affairs and Training Section representatives and the employee questions regarding the incident and/or applicable policies and training practices.
5. All incidents and matters presented to or discussed by the UOFRB are confidential. Each board member is required to sign and abide by a [non-disclosure agreement](#).

NOTE: This does not apply to information released at the direction of the Chief of Police or their designee.

6. Upon review and presentation of the use of force incident, the UOFRB will recommend by consensus to include any clarification requested. Members of the UOFRB will determine, given the factors presented to them regarding the incident, whether the force used complied with [OPS-110 Use of Force Policy](#) and/or other directives and guidelines.
7. The UOFRB shall make a final written report of each incident's findings (NNPD [Form #81](#)) to the Office of the Chief of Police. Findings will be determined using the following guidelines: [4.2.2]
 - a. Following discussion, voting members determine the findings for the review.
 - b. Findings will identify whether:
 - 1) The use of force incident was within Department guidelines and policy.
 - 2) The use of force incident was within Department guidelines and policy; however, training has been recommended.
 - 3) The use of force incident was **not** within Department guidelines and policy.
 - 4) The use of force incident was within Department guidelines and policy, with additional recommendations noted.
 - 5) The use of force incident was within the Department's use of force guidelines and policy, but other policy violations were noted.
 - c. The decision of the UOFRB is not a disciplinary action.
 - d. In addition to the findings, the report may contain recommendations to include changes to appropriate written directives or training methods due to the incident review.
8. The UOFRB chairman will advise the involved officer of the UOFRB's findings. The findings will be presented in writing within five (5) to seven (7) business days of the determination.



9. Internal Affairs staff will attach the report and any related documents to the use of force report in Axon Standards.
 10. A copy of the report will be forwarded to the Chief of Police or their designee for review and final determination.
 11. A finding that the use of force incident is not within the policy will be forwarded to the Internal Affairs Division. (See also: [ADM-270 Administrative/Internal Investigations.](#))
- C. The Internal Affairs Division Commander, or designee, shall:
1. Maintain a master file of all the UOFRB findings;
 2. Ensure the UOFRB findings for specific incidents become part of the incident record on IAPro.
 3. Review the UOFRB findings quarterly and immediately bring any discrepancies or inconsistencies in the findings to the UOFRB chairman.
 4. Include the UOFRB's meetings and incident findings as part of the Department's annual Use of Force Incidents Analysis. [4.2.4(e)]

A handwritten signature in black ink, reading "Steven R. Drew", written over a horizontal line.

Steven R. Drew
Chief of Police