

SANTA CLARA POLICE DEPARTMENT GENERAL ORDER 1.5

USE OF FORCE REVIEW

ADJUSTED MAY 2020

1.5.5 Use of Force Review

A Board of Review shall be appointed by the Chief of Police to review the facts in each instance an employee uses deadly force, whether or not an injury or death occurs as a result of that force. This includes the accidental or intentional discharge of a firearm, on or off duty, during an enforcement action. Discharging of a firearm during range training, recreational use, or in the dispatching of an injured animal does not apply to this section.

The Board will consist of a Captain from outside the involved officer(s) division, a Lieutenant, and the Special Operations Sergeant (or other Department designated Use-of-Force expert).

The purpose of the Board of Review is to conduct a factual examination of circumstances pertinent to the incident to determine whether such use of force complies with Department policy, safety procedures and/or training guidelines.

The Board of Review shall be responsible for review of all incidents involving the use of deadly force by Department employees under tactical or accidental conditions. Its review may include interviews of the involved employee(s) and any other witnesses deemed appropriate. Involved officer(s) shall be provided the benefit of the [Peace Officer Bill of Rights](#) during this process. Where the Board determines that sufficient information and interviews exist in the ongoing investigation(s) related to the incident, the Board may use that information for its review and need not conduct new or additional interviews or obtain new or additional information.

In cases where an ongoing investigation is underway, whether by this agency or other duly constituted governmental agency, any new or additional interviews or investigation may be stayed pending completion of, or to allow incorporation of, such investigative findings into the Board of Review process.

The Board of Review shall prepare a report to the Chief of Police setting forth the facts of the incident including if, in the Board's opinion, the use of force violated any Department policy. The Board shall not be responsible for recommending disciplinary action.