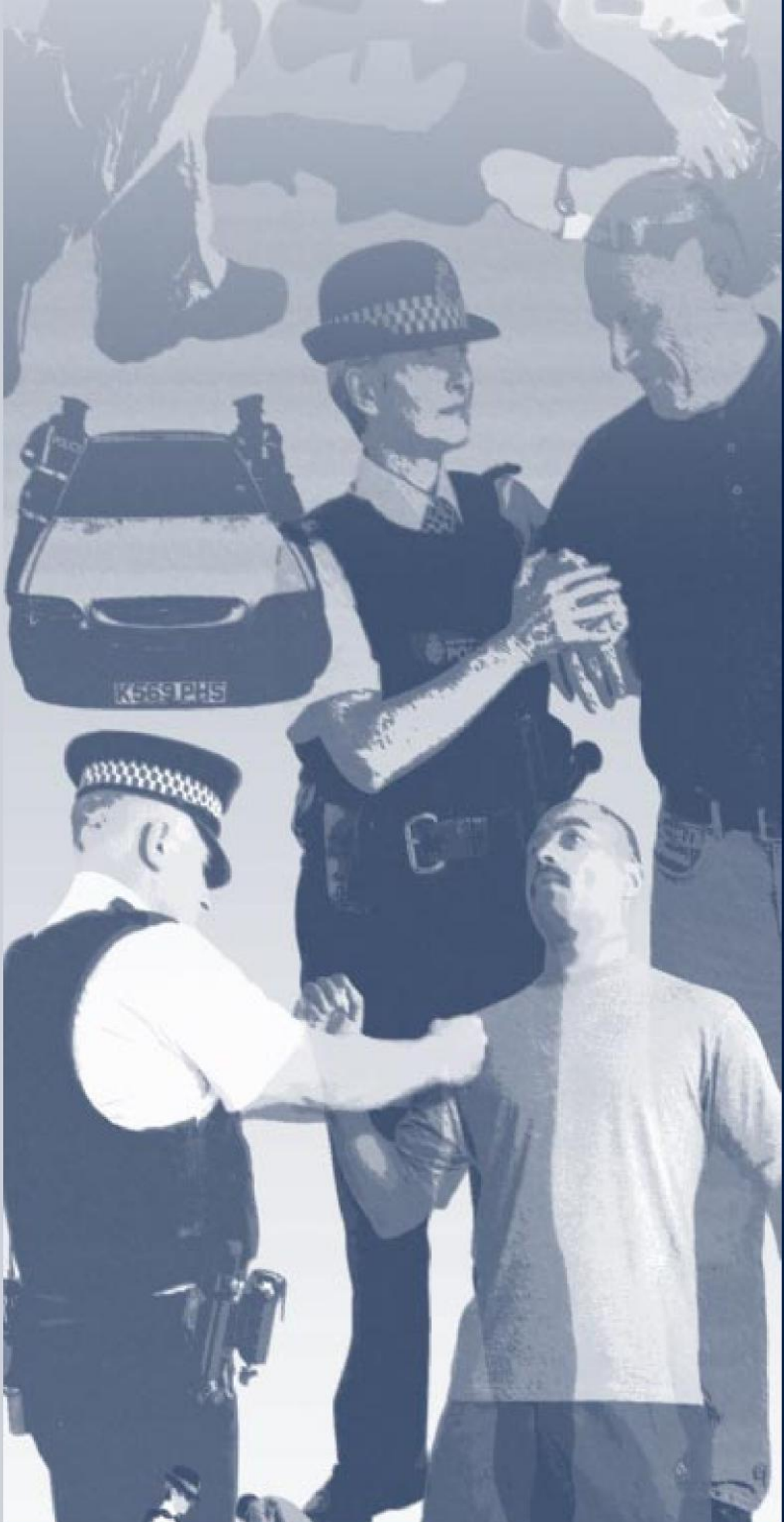


# Use of force reporting & writing skills



**Personal Safety**



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# USE OF FORCE REPORTING, MONITORING AND WRITING SKILLS

## The aim of this module therefore is to:

- ◆ give an understanding of the principles and benefits of use of force reporting
- ◆ develop a systematic approach to use of force report writing
- ◆ identify an emotional vocabulary
- ◆ link to other modules within this manual.

## Introduction

It is an indisputable fact that, in today's society, the scrutiny of police officers and the tactics used by them is greater than ever before, and it is more likely nowadays that officers may be examined as a result of doing their job.

Many parties raise many questions in respect of the law enforcement environment, particularly towards the position and power that a police officer holds. For these, and many other reasons, it is now more important than ever for officers to document the circumstances leading up to, during and after their use of force, the subject's actions and the officer's counteractions. A mere inclusion on a custody record, which may be unlikely to occur on a regular basis, is not sufficient, nor is a pocket notebook entry.

Poor and/or non-explanatory use of force reporting and writing can possibly lead to officers becoming defendants in civil or criminal proceedings. It must also be remembered that even though the reporting and writing of a report may be done at the end of a task, and is less intense than the action that led to it, the report will be the beginning of a successful or failed prosecution. Rather like 'bricks and mortar', officers **must build** their own case.

## National use of force reporting

National use of force reporting and monitoring was initiated to influence local officer safety strategies, training and equipment. This primary objective remains valid and seeks to remind us that, prior to reporting and monitoring, individual forces did not know the frequency with which officers confronted violence, or how successful their training and equipment was in reducing the dangers that they were exposed too.

National monitoring is intended to capitalise on that local data gathering and provide standardisation.

## National use of force monitoring form

### Why monitor use of force?

#### To monitor:

- how frequently officers are confronted by violence
- the regularity with which they are required to offer or use force
- effectiveness of their training and equipment in ensuring such incidents are successfully resolved.

### Use of force monitoring form

- User-friendly
- Easy to follow
- Completed in a couple of minutes
- Acts as an aide memoire to help with completion of statements etc.

### When should the form be completed?

- In all circumstances where force has been used  
**except** where:
  - there has been compliant handcuffing (Co-operative Person - see Personal Management and Handcuffing Module)
  - compliant application of the escort position has been used
  - communication skills have been sufficient.

### What does the officer do with the form when completed?

- Ensure that supervisor and/or a personal safety trainer checks and signs the completed form (Rural officers may be delayed in access to supervision.)
- Form then to be sent to appropriate use of force co-ordination department.

### What happens to the form?

- All the information is entered into a database
- Feedback to ACPO, senior management and force training departments, area commanders and divisional trainers, discipline and complaints, health and welfare departments, personnel departments, Police Federation and press offices
- Training reviewed and tailored to meet operational needs.

<b>Which of the following did you use?</b>		<b>Was it effective?</b>		<b>Weapon/s Carried by subject</b>	<b>Location of Weapon/s</b>
Yes		Yes	No	None Firearm Syringe Bladed Weapon Pointed Weapon Blunt Weapon Missile Bottle Other (specify)	In hand Close by Concealed on person Above waist Below waist In groin area Other person Motor vehicle Other (specify)
	Mandibular Angle (ear) Brachial Plexus (neck) Sub Clavian (collar bone) Transport Wrist lock Arm Entanglement Arm bar (escort) Non Compliant Handcuffing Knee Strike Bottom Fist Sweeping Leg Kick Incapacitant drawn Baton drawn Baton strike Baton restraint Police Dog Shield Used Firearm drawn Firearm discharged Other (specify below)				
				<b>Your Injury - Body Part/s</b>	<b>Nature of your Injuries</b>
				None Head Torso Limb	None Stab Wound Bruising Slash / Laceration Broken bone Other
				<b>Remember to complete Accident &amp; Assault form</b>	
<b>Number of other officers injured</b>					
0 1 1 1 2 1 1 3 4 5 6 7 8 9+					
<b>Please indicate what Personal Protective/Defensive Equipment you were in</b>			<b>LPU of Incident</b>		
			X B X C X D X E X F X G X H		

Prote  
Protective Ves  
  
Other  
  
Signature of Officer Comp  
Supervisor.

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Scanning by Performance Development Team

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## Use of Force Monitoring

Revised 01/2000

When do I fill in this form ?  
When **YOU** have used force.

Please complete this form by  
entering an X in the chosen boxes  
using blue or black ink.

<b>Rank</b> Insp. <input type="checkbox"/> Sgt <input type="checkbox"/> PC <input type="checkbox"/> SC <input type="checkbox"/> Other <input type="checkbox"/> Uniform <input type="checkbox"/> Plain clothes <input type="checkbox"/>						<b>Collar Number</b> <input type="text"/>		<b>Date</b> D D / M M / Y Y Y Y <input type="text"/>					
<b>Type of Duty ( only X one box )</b> Mobile Patrol <input type="checkbox"/> Custody <input type="checkbox"/> Foot Patrol <input type="checkbox"/> Traffic / ARV <input type="checkbox"/> Drugs <input type="checkbox"/> CID <input type="checkbox"/> Football Duty <input type="checkbox"/> PSU <input type="checkbox"/> Dog Section <input type="checkbox"/> Mounted <input type="checkbox"/> Off Duty <input type="checkbox"/> Other (specify) <input type="text"/>						<b>Incident Type</b> Public Order <input type="checkbox"/> Custody <input type="checkbox"/> Crime <input type="checkbox"/> Sexual Offence <input type="checkbox"/> Domestic <input type="checkbox"/> Traffic <input type="checkbox"/> Alarm <input type="checkbox"/> Suspicious Person <input type="checkbox"/> Assault <input type="checkbox"/> Other (specify) <input type="text"/>				<b>Was the incident related to</b> Alcohol <input type="checkbox"/> Drugs <input type="checkbox"/> Mental Health <input type="checkbox"/> <b>Total number of officers at incident scene</b> 1 <input type="checkbox"/> 2 <input type="checkbox"/> 3 <input type="checkbox"/> 4 <input type="checkbox"/> 5 <input type="checkbox"/> 6 - 10 <input type="checkbox"/> More than 10 <input type="checkbox"/>			
<b>Number of subjects / offenders</b> One <input type="checkbox"/> Two <input type="checkbox"/> Three <input type="checkbox"/> Four <input type="checkbox"/> Five <input type="checkbox"/> More than Five (specify below) <input type="text"/>						<b>Location of Incident</b> Roadway <input type="checkbox"/> Dwelling <input type="checkbox"/> Car park <input type="checkbox"/> Public Park <input type="checkbox"/> Garden/Driveway <input type="checkbox"/> Public building <input type="checkbox"/> Custody Block <input type="checkbox"/> Motor Vehicle <input type="checkbox"/> Train <input type="checkbox"/> Licensed premises <input type="checkbox"/> Commercial premises <input type="checkbox"/> Other <input type="text"/>							
<b>Length of time since you last received Officer Safety Training</b> (choose the range that best fits your circumstances) 1 - 3 mths <input type="checkbox"/> 3 - 6 mths <input type="checkbox"/> 6 - 9 mths <input type="checkbox"/> 9 - 12 mths <input type="checkbox"/> 12 - 18 mths <input type="checkbox"/> Over 18 mths <input type="checkbox"/>						<b>Reason for Use of Force</b> (Cross as many as appropriate) Protect self / other officer <input type="checkbox"/> Protect Public <input type="checkbox"/> Protect / secure property / evidence <input type="checkbox"/> Prevent harm to subject <input type="checkbox"/> Effect arrest <input type="checkbox"/> Prevent offence <input type="checkbox"/> Effect search <input type="checkbox"/> Remove Handcuffs <input type="checkbox"/> Accidental <input type="checkbox"/> Destroy animal <input type="checkbox"/> Other (specify) <input type="text"/>				<b>Method of assault by offender</b> Fist/punch <input type="checkbox"/> Kick <input type="checkbox"/> Head butt <input type="checkbox"/> Struggle / <input type="checkbox"/> Resist arrest <input type="checkbox"/> Threat of Violence <input type="checkbox"/> Other <input type="checkbox"/> <input type="text"/>			

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## Use of force report writing

If officers do not put pen to paper then they may become their own worst enemy, as memory will be the only aid if an allegation is made against them. Also, fellow officers may hinder more than help as potential witnesses. If the incident occurred months ago, and both the officers and the author of the report did not write down what happened, then those memories may contradict each other, and consequently hinder everyone. Therefore, the report must be clear and specific, it must paint a picture as clear as a photograph, and point out that the force used was reasonable, necessary, proportionate and justified.

## Use of force report model

### Officers' arrival

- ◆ Marked/unmarked unit/vehicle
- ◆ Uniform/plain clothes
- ◆ Number of officers
- ◆ Identity established
- ◆ Reason for initial contact.

### Approach to the scene

- ◆ What officers observed (R v Turnbull - Parallax)?
- ◆ Officers' initial verbal/non-verbal communication, direction and commands
- ◆ Initial estimate of the scene (Pre-Incident Indicators - see Personal Management Module).

### Subjects' actions

- ◆ Subjects' verbal responses
- ◆ Subjects' non-verbal indicators
- ◆ Subjects' physical actions (Conflict Management Model)
- ◆ Unusual behaviour displayed by subjects (impact factors)
- ◆ Subjects' resistance level displayed (profiled behaviour).

### Officers' actions

- ◆ Type of control method/techniques used
- ◆ Duration of resistance
- ◆ Type of de-escalation methods used.
- ◆ Handcuffs used - explain technique and position.

### Transport procedures and charging/reporting procedure

- ◆ Subjects' demeanour and actions
- ◆ Transported to (location)
- ◆ Injuries suffered
- ◆ Medical attention obtained
- ◆ Charges laid or reporting procedure.

### Supplementary narrative

- ◆ Incident description (see dominant impression for describing locations)
- ◆ Details of witnesses.

**This is not an exhaustive list.**

## Use of force report writing

Although the above model provides a systematic framework for use of force report writing, it is important to consider that the officer must specifically describe, by way of careful and clear articulation, what they and the subject(s) did. A clear and precise picture must be painted for the benefit of the magistrates, or judge and jury, in order to secure a conviction.

As may be appreciated, if the submitted report is lacking in descriptive detail, the case may be lost at any judicial level, the subject found not guilty, or an appeal may fail.

When a case is lost, particularly when an officer uses force, the officers concerned may face civil, criminal and disciplinary proceedings. An accusation of excessive force can hang over a police force and the officer's career.

However, if the subject is found guilty of the charges, then naturally it will seriously weaken a case against the police officer and the service concerned.

Even the best written reports may, however, be defeated in court. A capable defence may not concentrate on the level of resistance offered by the subject, and only the officer's actions may be examined. The defence may use the officer's report and the lack of information describing the force that the officer used to counter the resistance of the subject.

The lack of bystanders' witness statements may also be brought into question because it might support the notion that police officers have been selective as to the evidence that they do obtain and that which they exclude.

So what are the main ingredients that officers can use to present an informative report?

## Bloom's Taxonomy

In 1956 Benjamin Bloom headed a group of educational psychologists who developed a classification of levels of intellectual behaviour important in learning. This became a taxonomy (ordered list), including three overlapping domains: the **cognitive**, **psychomotor** and the **affective**.

Each of the domains must be utilised in the writing of police reports, where necessary.

### Cognitive

This is demonstrated by knowledge recall and the intellectual skills, such as comprehending information, organising ideas, analysing data, applying knowledge, choosing amongst alternatives in problem solving, and evaluating ideas and actions. Clearly, in police use of force report writing, this will impact on the legality of police officer powers, information, or lack of it contained within training manuals and training course curricula.

### Psychomotor

This is demonstrated by physical skills, such as co-ordination, dexterity, manipulation, strength, speed, and other actions which demonstrate fine and complex motor skills, such as handcuffing, or actions which evidence gross motor skills, such as grapples, punches and kicks (see Unarmed Skills Module).

### Affective

In any use of force issue '**all the facts of the case**' should be examined. This means not only that what the officer and subject did and why they did it will be taken into account, but more importantly, the behaviours that stimulated personal values, and thoughts and feelings must be part of the overall process. Unfortunately, officers tend not to express their feelings in reports, due to a myriad of reasons, yet subjects do and are encouraged to do so, using all avenues of advantage to illustrate what happened.

Although it can be difficult to grasp how the officer felt after the event, a simple emotional vocabulary may assist in reflection of previous attitudes and feelings.

## Emotional vocabulary- positive feelings

### Mild

Merry, good, pleased, interested, infatuated, friendly, alert, relaxed, adventurous, OK, safe, attractive, approved, active.

### Moderate

Glad, cheerful, aroused, warm, cared for, intense, complacent, radiant, confident, attentive, coy, appreciated, energetic, perceptive, jolly, happy, delighted, stimulated, affectionate, liked, popular, vibrant, calm, contented, comfortable, daring, capable, protected, interesting, pretty, important, enlivened.

### Strong

Thrilled, joyful, successful, enthusiastic, excited, idolised, adored, zestful, peaceful, brave, determined, positive, involved, seductive, admired, invigorated, understanding, elated, proud, lustful, turned on, passionate, loved, jubilant, alive, free, tranquil, courageous, rapturous, forceful, dedicated, secure, fascinated, sexy, worthy, respected.

## Ancillary issues

### Parallax

The dictionary definition of this concept is *‘an apparent change in the direction of an object, caused by a change in the observational position that provides a new line of sight’*.

In basic terms, this is linked to **trigonometry**, or the study of angles. It is used both in the maritime and solar plotting measurement of position, on the sea and in space. From a police personal safety and report writing perspective, it seems quite clear that two or more officers attending an incident, while stood in different positions, will observe different things, so too will witnesses. In appreciation of the clock system of positioning officers (see Personal Management Module), if an officer is stood at the 12 o’clock position and another officer is stood at the 4 o’clock position, then while in the same room, each will have a different appreciation of the scene. It is therefore vitally important to understand that statements will vary from officer to officer. This can be extremely helpful to ‘expert witnesses’ when they are trying to position officers, subjects and witnesses to establish evidence. Clearly, it is impossible to see the same thing from different angles and the report should emphasise this.

## Emotional vocabulary- negative feelings

### Mild

Upset, blue, down, sad, low, bashful, concerned, uncomfortable, on edge, unimportant, puzzled, edgy, fidgety, impatient, tired, sorry, hesitant, unconcerned, dislike.

### Moderate

Fed up, annoyed, downcast, sorrowful, alone, shy, sensitive, scared, uneasy, troubled, baffled, mixed up, perplexed, jittery, tense, keyed-up, letdown, distrustful, weary, worn out, reluctant, competitive, surprised, disinterested, mad, forlorn, dismayed, embarrassed, timid, afraid, frightened, inadequate, unsure, confused, nervous, shaky, frustrated, disappointed, discouraged, listless, regretful, sceptical, envious, startled, indifferent, bitter, loathe.

### Strong

Infuriated, furious, angry, woeful, gloomy, despondent, hurt, horrified, apprehensive, ineffectual, bewildered, uptight, suspicious, helpless, dismayed, fatigued, lethargic, ashamed, turned-off, jealous, shocked, ambivalent, resentful, detest, irate, enraged, hostile, hateful, dejected, depressed, humiliated, rejected, terrified, anxious, useless, disorientated, overwhelmed, panicky, out of control, distrusted, desperate, futile, hopeless, exhausted, guilty, astounded, overwhelmed, apathetic, revengeful, hate.

## Observation identification

Closely linked to the study of parallax, identification evidence was put under the spotlight in 1977, with the case of **R v Turnbull**. It led to standards being set, and prescribed criteria to be met, in establishing the quality of identification evidence, and for warnings to be made to juries considering such evidence.

The quality of identification evidence will be judged on the criteria outlined below. The mnemonic **ADVOKATE** may assist in remembering these points.

- Amount of time the subject was under observation
- Distance from which the subject was observed
- Visibility in the area when observed
- Observation impediment
- Known or seen the subject before, how often?
- Any reason to remember the incident
- Time elapsed between the observed incident and the identification
- Error or material discrepancy in the description given and the actual appearance.

It can be seen that, particularly under the letter ‘D’, if the angle is also considered, then this may place a different perspective upon the evidence.

## Egocentrism

Classically, in the area of observation, interpretation and reporting are persons, officers, subjects and witnesses, who only see from their own standpoint and cannot understand that others might see things differently. Psychologically, this person or group of people may be unable to put themselves in other people’s shoes in order to realise how that other person may be perceiving the situation. This should be considered in relation to Bloom’s cognitive, psychomotor and affective domains.

## Post traumatic amnesia

This is generally any type of memory loss that results from a traumatic experience, either as a result of physical injury, or a disturbing psychological experience. Clearly, this may result in predictable delays for the officer and subject in memory recall, and report writing immediately after a stressful incident (see Edged Weapon Module for policy considerations).

## Further reading

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