


Use of Force Review Committee

301.1 POLICY HEADER

Original Effective Date:	Revised Date:
September 1, 2021	January 4, 2023
<p>Authorization:</p>  <p>Jason Haberman Chief of Police</p>	

301.2 PURPOSE AND SCOPE

This policy establishes a process for the Mt. Lebanon Police Department to review the use of force by its members.

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 the evaluation of the use of force.

301.3 POLICY

The Mt. Lebanon Police Department will objectively evaluate the use of force by its members to ensure that their authority is used appropriately and consistent with training and policy.

301.4 REVIEW COMMITTEE

The Use of Force Review Committee will be convened when the use of force by a member results in very serious injury or death to another person.

The Use of Force Review Committee will also investigate and review the circumstances surrounding every discharge of a firearm, whether the member was on- or off-duty, excluding training, recreational use or animal disposal.

The Chief of Police may request the Use of Force Review Committee to investigate the circumstances surrounding any use of force incident and the Municipal Manager shall be notified.

The Deputy Chief of Police, assigned by the Chief of Police will convene the Use of Force Review Committee as necessary. It will be the responsibility of the supervisor of the involved member to notify a Deputy Chief of Police of any incidents committee board review. The involved member's Deputy Chief of Police or supervisor will also ensure that all relevant reports, documents and materials are available for consideration and review by the committee .

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301.4.1 COMPOSITION OF THE COMMITTEE

The appointed Deputy Chief of Police should staff the Use of Force Review Committee with at least three individuals from the following, as appropriate:

- Police Administrative representative from the involved member's chain of command
- Investigative Services Unit Lieutenant
- Training Lieutenant
- Collateral supervisor
- Use of Force Committee Lieutenant
- A law enforcement officer from an outside law enforcement agency, as appropriate
- Department instructor for the type of weapon, device or technique used

The assigned Deputy Chief will serve as the chairperson.

301.4.2 RESPONSIBILITIES OF THE COMMITTEE

The Use of Force Review Committee is empowered to conduct an administrative review and inquiry into the circumstances of an incident.

The committee members may request further investigation, request reports be submitted for the committee's review, call persons to present information and request the involved member to appear. The involved member will be notified of the meeting of the committee and may choose to have a representative through all phases of the review process.

The committee does not have the authority to recommend discipline.

The Chief of Police will determine whether the committee should delay its review until after completion of any criminal investigation, review by any prosecutorial body, filing of criminal charges, the decision not to file criminal charges or any other action. The committee should be provided all relevant available material from these proceedings for its consideration.

Absent an express waiver from the involved member, designated committee members may ask questions of the involved member.

The review shall be based upon those facts which were reasonably believed or known by the officer at the time of the incident, applying any legal requirements, department policies, procedures and approved training to those facts. Facts later discovered but unknown to the involved member at the time shall neither justify nor call into question a member's decision regarding the use of force.

Any questioning of the involved member conducted by the committee will be in accordance with Mt. Lebanon Police Department disciplinary procedures, the Personnel Complaints Policy, the current collective bargaining agreement and any applicable state or federal law.

The committee shall make one of the following recommended findings:

- (a) The member's actions were within department policy and procedure.

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(b) The member's actions were in violation of department policy and procedure.

A recommended finding requires a majority vote of the committee. The committee may also recommend additional investigations or reviews, such as disciplinary investigations, training reviews to consider whether training should be developed or revised, and policy reviews, as may be appropriate. The committee chairperson will submit the written recommendation to the Chief of Police.

The Chief of Police shall review the recommendation, make a final determination as to whether the member's actions were within policy and procedure, and determine whether any additional actions, investigations or reviews are appropriate. Those findings will be forwarded to the involved member's Deputy Chief of Police for review and appropriate action. If the Chief of Police concludes that discipline should be considered, a disciplinary process will be initiated.

At the conclusion of any additional reviews, copies of all relevant reports and information will be filed with the Chief of Police.