Use of Force
Best Practices

Disclaimer:

Tribal First risk control consulting and best practices suggested herein are not to be considered as legal advice. Readers should always first pursue their legal counsel to gain legal advice before developing and/or implementing such programs. This Use of Force policy guideline is intended to provide guidance in developing a Use of Force program for activities with the potential need for use of force. Prior to implementing any policy, your legal department should first complete a legal review.

This document is intended to provide guidelines for developing a reasonable Use of Force program and describe activities that are both authorized and those that should be prohibited. Staff approved by their company to actively implement a use of force activity, or use security equipment, should not do so before first being properly trained and meeting requirements of their company's policy.

Suggested Program Outline

Develop a written policy:

- No use of force should take place until after a written policy has been developed and properly implemented, including, staff properly trained by a qualified person or company.
- The policy should specify that officers are to use the least amount of force reasonable and necessary to effectively bring an incident under control while protecting the officer or others from an imminent threat of life or harm.
- Affirm the policy aligns with compact agreements, or applicable state and federal laws.

At a minimum, the policy should outline:

- When Use of Force may be used
- Type of force is authorized for use
- Who may affect a Use of Force?
- Training required and required prior staff training
- Prohibited use, tactics, or tools
- Medical assistance protocol for affected individual
- Documentation requirements and management of such
- Affected staff responsibilities to include ultimate program authority
- Program review and revision processes and frequency

- Use of Force tools and equipment issuance and related policy
- Post incident investigation process and polices

Department Standard Operating Procedure (SOP):

SOPs should be developed by all affected departments. Minimum criteria for SOP to include:

- Rules of engagement and minimum Use of Force standards
- Personal protection process and equipment Training
- Public relations and social media policy

Training Program:

Develop a training program for each tactical Use of Force authorized for its intended use. The training program should include:

- Trainer qualifications
- Type of training
- Initial job assignment requirements
- Training frequency
- Conditions for retraining
- Post incident procedures

Equipment:

Identify the type of equipment issued and qualify user requirements:

- Identification of equipment issued
- Storage, inspection, and maintenance policies
- Testing and calibration policy
- End of life or service and proper disposal policies
- Lost and/or missing equipment
- Documentation requirements