

OFFICE OF SUPPORT SERVICES

NOTICE

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TO: All Department Personnel

FROM: Director, Office of Support Services

SUBJECT: LEVEL III NON-CATEGORICAL USE OF FORCE REPORTING –
CLARIFICATION

The purpose of this Notice is to provide clarity and direction for all Department personnel regarding the investigation and adjudication of Level III Non-Categorical Uses of Force (NCUOF). On February 7, 2023, the Honorable Board of Police Commissioners approved Office of the Chief of Police Special Order No. 6, *Levels of Review – Established; Categories and Investigative Responsibilities for Use of Force – Revised; Various Manual Sections Applicable to Use of Force Procedures – Revised; and, Los Angeles Police Department Non-Categorical Use of Force Report, Form 01.67.05 – Revised.*

This Special Order establishes Level III NCUOF incidents and provides direction on the expectations for each level of investigation, review, and adjudication while also highlighting the availability of the revised Los Angeles Police Department (LAPD) Form 01.67.05, *Non-Categorical Use of Force Report.*

Note: Level II and Level I Use of Force investigations are not impacted by this Notice.

Currently, changes are underway to develop the capability to report Level III NCUOF incidents in the Training Evaluation and Management Systems (TEAMS) II NCUOF reporting system. This update to TEAMS II has an estimated completion date of Quarter 2, 2023.

Effective immediately, until this update has been successfully completed and made “live,” procedures for reporting Level III NCUOF incidents shall be as follows:

- After the investigating supervisor completes the initial Level III NCUOF investigation, the investigating supervisor should enter the appropriate and required Level III NCUOF information into the TEAMS II NCUOF reporting system, as they would for a Level II NCUOF investigation;
- The reviewing watch commander shall begin their Watch Commander’s Insight with the following phrase, “This is a Level III NCUOF”;
- The reviewing watch commander should then complete the rest of their insight following the guidance as provided in the Office of Support Services (OSS) Notice, *Use of Force Adjudications*, dated January 24, 2023. The Area or divisional commanding officer should then complete their review of the Level III NCUOF investigation;

- Because Level II NCUOF investigations must still be routed through the bureau level, the Area or divisional Training Coordinator should notify their bureau that the completed Level III NCUOF investigation is being routed to the bureau level;
- To be consistent with the review of Level III NCUOF investigations as delineated in Special Order No. 6, the bureau should take no review or adjudication action with the Level III NUOCF investigation. Instead, the bureau shall route the case directly to Critical Incident Review Division (CIRD) upon receipt from the Area or division; and,
- Critical Incident Review Division will receive the case and adjudicate it as they would normally all other NCUOF investigations.

The above listed procedures should also be employed for all Level III NCUOF investigations that include the discharge of a projectile weapon, electronic control device, or chemical irritant spray (Oleoresin Capsicum spray) that does not make contact with an individual or their clothing.

Note: The only exception to this procedure will be any NCUOF that occurs during a crowd control situation which does not go beyond the mission of the skirmish line.

Note: Level III NCUOF investigations shall not include any use of force incidents that result in any serious bodily injury. Any NCUOF incident that results in serious bodily injury shall remain reportable as a Level I NCUOF.

Effective immediately, any Level III NCUOF that occurs during an organized crowd control situation shall be subject to a standard Level III NCUOF investigation as directed in Special Order No. 6. Until further notice, these investigations shall be documented as LAPD Form 01.67.05, *Non-Categorical Use of Force Report*. These forms should be completed and submitted to the appropriate Area or division for review and adjudication and then forwarded directly to CIRD. These Level III NCUOF incidents should not be reported using the TEAMS II NCUOF Reporting System.

If you have any questions regarding this Notice, please contact Captain Scot Williams, CIRD, at (213) 486-5950.



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APPROVED:



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