

**“JUST
THE
FACTS”**



MTIBRS Training & Technical Assistance

Use of Force - FBI vs Local Requirements

History of Use of Force Program

- ▶ FBI Proposed collection in 2015
- ▶ Actual data collection started January 1st, 2019
- ▶ The collection focuses on big picture insights
- ▶ Participation is completely voluntary

In 2015, the FBI proposed a data collection that would gather incidents involving officer use of force. It took several years before that idea came to fruition, not until 2019 did the collection become live.

The collection itself focuses on the bigger picture of things rather than details of specific incidents. The collection is open to all agencies - from the federal, state, local, tribal, and college levels.

Also, participation within the collection is completely voluntary. While each year agency participation grows, only 63% of agencies across the US submitted their UoF data last year.

When to report UoF to FBI?

- ▶ Did an incident result in...
 - ✓ The death of a person due to law enforcement Use-of-Force?
 - ✓ The serious bodily injury of person due to law enforcement Use-of-Force?
 - ✓ The discharge of a firearm by law enforcement at or in the direction of a person that did not otherwise result in death or serious bodily injury?

- Three categories:

While some incidents are straightforward, not all are, so some guidance for reporting:

- Let's say a suicide occurred on an incident, you would not report the incident as a UoF to the FBI
- If a Taser is deployed, this is not considered use of force to FBI unless it results in death or serious bodily injury
- All officer involved shootings should be reported, regardless if the officer and/or subject was injured
- And yes, there are incidents where you would select all three categories

Yep. I need to report it. How?

- ▶ If your agency has its own UoF report, call or fax the report to 406-444-4722
- ▶ Fill out the [FBI's Use of Force Report](#) and fax it to us
- ▶ [Use the MBCC online Use of Force form](#)
- ▶ How long do I have to report?
- ▶ Multi-Agency Reporting

- The preferred method for reporting a U of F incident in Montana is by reporting it to us at MBCC. Years ago, a state TF agreed that this would be the most efficient way for agencies to submit an incident. If you've ever been on LEEP, the FBI's law enforcement portal, you know it can be a bit cumbersome. Reporting the incident directly to us simply makes the process easier for you and your agency. And we also create "zero reports" for agencies so that each agency doesn't have to do them, each and every month.
- Okay, so there are few ways of submitting an incident to us:
 - One way - most agencies have their own in-house U o F incident report, which you can fax to us. We can use the information from that to fill out the FBI's form and we'll contact you if additional information is needed:
 - Typically, missing information include demographics about the officer(s) and/or subject involved, as well as the circumstances behind the incident
 - Second one is to simply fill out the FBI's U of F form and fax it back to us
 - Another way is to fill out the quick MBCC U of F form online. It asks for just the basics of the incident and then someone from our office will call you back.
- So when to report? The FBI prefers within 48 hours so that the initial report can at least be logged. But we all know that gathering up all the details takes time, so just get what you can, when you can and keep us updated.
- Also, a note on incidents involving multiple agencies – let's say you have two agencies and officers from both agencies discharged their weapons, this means that each agency must report a separate U of F report, not one big report and only report THEIR officer, not the outside agency.

Agency Calls for Service

- ▶ What are these used for?
- ▶ Do you want all calls?
- ▶ How will we report these?
- ▶ How often will we report these numbers?

- The FBI is starting to collect the total number of Agency Calls for Service – CFSs. This is a way to put the use of force incidents into context because you can't compare the number of UoF incidents in Montana with the number of UoF incidents in California. And as all of us know, very few incidents involve force of any kind. Without the number of calls for service, it's difficult to make that point, especially to the general public.
- Yes. All calls for service... cat up a tree, traffic stops, assaults, etc.
- Montana will be adding this as a question on the annual law enforcement survey report you complete in November each year – so just once a year. We will provide instructions when we send the survey out.

Resources

- ▶ [MBCC Use of Force website](#)
- ▶ [FBI Use of Force website](#)
- ▶ [Online Use of Force Form](#)
- ▶ [Online Use of Force Instructions](#)

We look forward to hearing from you.



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