



# INTERIM ORDER

SUBJECT: <b>ORGANIZATIONAL CHANGE: ESTABLISHMENT OF THE "USE OF FORCE REVIEW BOARD"</b>		
DATE ISSUED:	REFERENCE:	NUMBER:
<b>05-30-16</b>	<b>O.G. 101-23, P.G. 205-39 AND D.G. 512-03</b>	<b>8-5, c.s.</b>

1. In order to reflect Department policy, the "Use of Force Review Board," chaired by the First Deputy Commissioner, was established. The board replaced the Department's "Firearms Discharge Review Board" and is also responsible for the review of incidents in which a person dies or is seriously injured and likely to die while in, or just prior to, police custody, and any possible violations of the force prohibitions indicated in Patrol Guide 221 Series, "Tactical Operations" on a case-by-case basis. As of July 1, 2015, the Use of Force Review Board has been assigned to review cases under its purview. As of that date, the Firearms Discharge Review Board has not been assigned to review any new cases. As such, the Firearms Discharge Review Board is responsible for reviewing and completing its previously assigned cases, and upon completion of those cases, the board will be dissolved.

2. As a result, Organization Guide 101-23, "Boards and Committees" is amended to reflect the establishment of the "Use of Force Review Board," as follows:

- a. **ADD** new page "**44**" after current page "**43**" to read:

**"USE OF FORCE REVIEW BOARD"**

**FUNCTIONS**

**Review all incidents of firearms discharge by uniformed members of the service, incidents in which a firearm that is or should have been in the possession or control of a uniformed member is discharged, all incidents when a person dies or is seriously injured and likely to die while in, or just prior to, police custody, and any possible violations of the force prohibitions indicated in Patrol Guide 221 Series, "Tactical Operations" on a case-by-case basis.**

**COMPOSITION**

**First Deputy Commissioner (Chairperson)**  
**Chief of Department**  
**Deputy Commissioner, Training**  
**Deputy Commissioner, Legal Matters**  
**Chief of Personnel**  
**Operational Bureau Chief or designee in the rank of Deputy Chief or above (rotating basis)**  
**Commanding Officer, Firearms and Tactics Section**  
**Commanding Officer, Risk Management Bureau\***  
**Commanding Officer, Department Advocate's Office\***

**NOTE**

**\*Attend board meetings only as an informational resource for committee members.\***

- b. **RENUMBER** current pages "**1 through 43**," to now read:

**"1 through 44"**

3. In addition, the following Patrol Guide, Detective Guide and Organization Guide procedures have been amended to reflect the establishment of the “Use of Force Review Board,” as follows:

a. Patrol Guide 205-39, “Departmental Recognition – Uniformed Members of the Service” is amended as follows:

(1) **REVISE** the first paragraph opposite “ADDITIONAL DATA” statement, on page “**6**” to read:

**“ADDITIONAL DATA**

***If a discharge of a firearm by the member of the service is the basis for the REQUEST, the Borough/Bureau/Counterpart Recognition Committee will ensure that all appropriate forms including the FIREARMS DISCHARGE/ASSAULT REPORT (PD424-151), UNUSUAL OCCURRENCE REPORTS (PD370-152) (including the preliminary UNUSUAL OCCURRENCE REPORT endorsed from the designated Borough Chief to the Chief of Department, and the UNUSUAL OCCURRENCE REPORT on the FINDINGS AND RECOMMENDATIONS by the designated Borough), Crime Scene Unit sketches, etc., and the final determination of the Firearms Discharge Review Board by the Chief of Department or the Use of Force Review Board by the First Deputy Commissioner, as applicable, are attached to the REQUEST and forwarded to the Honor Committee for consideration.***

b. Detective Guide 512-03, “Recommendations for Discretionary Promotion” is amended as follows:

(1) **REVISE** step “**7**,” under heading “APPENDIX,” on page “**3**” to read:

**“7. Was Detective involved in a firearms discharge incident**

**a. List date and short description of each incident and include the findings of the Firearms Discharge Review Board or the Use of Force Review Board, as applicable.”**

c. Organization Guide 101-23, “Boards and Committees” is amended as follows:

(1) **REVISE** the second “FUNCTION,” under heading “BOROUGH FIREARMS DISCHARGE ADVISORY BOARD,” on page “**20**” to read:

**“FUNCTIONS**

**Forward report of findings and recommendations to the Firearms Discharge Review Board or the Use of Force Review Board, as applicable.”**

d. The Organization Guide Index is amended as follows:

(1) **ADD** new sub-caption, under heading “Boards and Committees,” on page “**1**” to read:

**“Use of Force Review Board.....101-23, Page 44”**

4. Upon publication, the applicable portions of this Interim Order affecting the Patrol Guide and the Detective Guide have been incorporated into the On-Line Patrol Guide and the On-Line Detective Guide, as applicable.

5. Any provisions of the Department Manual or other Department directive in conflict with the contents of this Order are suspended.

**BY DIRECTION OF THE POLICE COMMISSIONER**

**DISTRIBUTION**

**All Commands**

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