


<p>California Department of Justice CALIFORNIA JUSTICE INFORMATION SERVICES DIVISION Joe Dominic, Director</p> 	<h1>INFORMATION BULLETIN</h1>	
<p><i>Subject:</i> Use of Force Incident Reporting</p>	<p><i>No.</i> 16-12-CJIS</p>	<p><i>Contact for information:</i> ursus@doj.ca.gov</p>
	<p><i>Date:</i> 12-21-16</p>	

**TO: ALL CHIEFS OF POLICE, SHERIFFS, STATE LAW ENFORCEMENT AGENCIES,
PROBATION DEPARTMENTS, DISTRICT ATTORNEYS, AND RECORD SUPERVISORS**

Effective January 1, 2016, Chapter 462, Statutes of 2015 (Assembly Bill 71) added Government Code section 12525.2 pertaining to the collection and reporting of use of force incidents resulting in serious bodily injury, as defined by Government Code section 12525.2(d), discharge of a firearm, or death. As of January 1, 2016, all law enforcement agencies (LEAs) were required to begin collecting use of force incidents and beginning January 1, 2017, through the end of February 28, 2017, will be required to submit the 2016 data to the Department of Justice (DOJ).

The DOJ consulted with LEAs and stakeholders in the development of use of force incident data elements to be reported pursuant to the law. This collaboration resulted in a web-based data collection system, known as URSUS, which allows LEAs to enter and submit use of force data to the DOJ.

URSUS was released to all LEAs on September 21, 2016, to track incidents locally and provide for review and quality control of the data sent to the DOJ. All LEAs now have the ability to enter the 2016 data electronically into URSUS; however, not all LEAs have enrolled with the DOJ to begin utilizing URSUS and enrollment is mandatory. Accordingly, your agency must complete the URSUS provisioning survey available at <http://oag.ca.gov/ursus-survey> by December 31, 2016. Please note: All LEAs have the requirement to report regardless if you have no use of force incidents (zero-reporting).

All questions regarding Assembly Bill 71 or URSUS should be sent via e-mail to ursus@doj.ca.gov.

Sincerely,

JOE DOMINIC, Director
California Justice Information Services Division

For KAMALA D. HARRIS
Attorney General



INSTRUCTIONS FOR REPORTING USE OF FORCE INCIDENTS

Pursuant to Government Code section 12525.2, effective January 1, 2016, all California law enforcement agencies (LEAs) are required to begin collecting use of force incident data (described below). LEAs will be required to provide the Department of Justice (DOJ) a report of all instances of the following data elements concerning use of force incidents annually, during DOJ's statistical close-out period for the previous year, LEAs must submit data to the DOJ, which will publish the data on the Attorney General's OpenJustice Website. M = Mandatory Fields, O = Optional Fields.

1. Use of Force Incident Definition

An agency must submit a use of force report of all instances when a peace officer employed by that agency is involved in any of the following:

- (1) An incident that involves the shooting of a civilian by a peace officer.
- (2) An incident that involves the shooting of a peace officer by a civilian.
- (3) An incident in which the use of force by a peace officer against a civilian results in serious bodily injury or death.
- (4) An incident in which use of force by a civilian against a peace officer results in serious bodily injury or death.

2. Reporting Timeline

As noted above, starting in 2017, during the DOJ's statistical close out period for the previous year, LEAs must annually submit the use of force data to the DOJ, which will publish the data on the Attorney General's OpenJustice Website. All use of force incidents subject to this new law must be reported within the same calendar year that each incident occurred, even if there has not yet been a final adjudication of the incident by the law enforcement agency or an investigating or prosecuting agency, such as a district attorney's office. For example, if an incident occurs in October 2016, it must be reported during the 2016 close out period at the beginning of 2017, regardless of whether an agency is in the process of conducting an investigation of the incident, or the incident is the subject of a civil or criminal investigation or proceeding.

3. Shooting Definition

This includes any discharge of a firearm during an interaction between a civilian and an officer, regardless of whether any person was injured. A firearm is defined as a weapon that fires a shot by the force of an explosion, e.g., all handguns, rifles, shotguns, and other such devices commonly referred to as firearms. Notable exceptions to this category are electronic control devices, stun guns, BB, pellet, air, gas-powered guns, or weapons that discharge rubber bullets or bean bags.

4. Serious Bodily Injury Definition

Government Code section 12525.2(d) defines serious bodily injury as "a bodily injury that involves a substantial risk of death, unconsciousness, protracted and obvious disfigurement, or protracted loss or impairment of the function of a bodily member or organ."

Serious bodily injury should not, however, mean that one must seek or require medical treatment at a hospital (e.g., a person experiences a loss of consciousness or because the injury is such that it is not immediately apparent that hospital care is necessary). Under those or similar circumstances, agencies must still report the use of force incident upon discovering that it resulted in serious bodily injury.



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5. Agency Information

Agency Name (M)	All local, county, or state LEAs involved in a use of force incident, shall submit a report regardless if multiple agencies were involved in the incident. Your agency name will automatically be populated. If multiple agencies were involved in the incident, merely mark "yes" when asked.
ORI (M)	Your agency's ORI number will automatically be populated.
URSUS ID# (M)	URSUS will programmatically generate an URSUS ID# for each use of force incident in order to assist agencies with tracking information.

6. General Incident Information

Date (M)	Enter the month, day, and year of the incident (MM/DD/YYYY). This is the date the use of force incident <u>occurred</u> , not the date the use of force incident was reported, or adjudicated.
Time (M)	If known, enter the time of the incident in military 24-hour time. Enter "0000" if unknown.
Incident Address (M)	Provide the street address for the incident. If there were multiple locations, use the initial location. Check the relevant box if there were multiple incident locations or the location was a K-12 campus.
City/State/Zip Code (M)	Once the incident address is entered, the City/State/Zip Code will pre-populate.
Multiple Locations (O)	Enter "yes" or "no" to indicate whether the incident occurred at multiple locations.
K-12 Campus (O)	Enter "yes" or "no" to indicate whether the incident occurred on a K-12 campus.
Incident Resulted In Arrest (M)	Enter "yes" or "no" to indicate whether the underlying incident in which the use of force was used resulted in a civilian being arrested.
Incident Resulted In Crime Report (M)	Enter "yes" or "no" to indicate whether or not the underlying incident resulted in an agency crime report.
Initial Contact Reason (M)	Select the initial contact reason. Check all that apply.
Call for Service	Any radio or station call generated by communications in response to a call from the public. This includes requests for officer service that are made via telephone, or other device, and usually processed through an agency's communications group.



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In Custody Event	<p>When the use of force incident occurs while a civilian is in a custodial setting. For use of force incidents that occur in a custodial setting, indicate the custody status:</p> <ul style="list-style-type: none">• In Transit• Awaiting Booking• Booked - No Charges Filed• Booked - Awaiting Trial• Out to Court• Sentenced• Other
Consensual Encounter/ Public Contact/ Flag Down	<p>Those requests for officer services that are made by a person(s) contacting an officer(s) directly while in the field.</p>
Vehicle/Bike/ Pedestrian Stop	<p>A Vehicle Stop is any instance where an officer directs a person operating a motor vehicle of any type (including boats) or bicycle to stop and the driver is detained for any length of time. A Pedestrian Stop is any instance where an officer performs a stop of a person who is not in a motor vehicle/boat and the person is detained for any length of time.</p>
Pre-Planned Activity	<p>When the use of force incident is a result of a pre-planned activity (e.g., arrest warrant, search warrant, search of a civilian on parole or probation, DUI checkpoint) or any type of activity that requires an Operational Plan (e.g., officer-staffed municipal events).</p>
Welfare Check	<p>When the use of force incident resulted from an officer inspecting the welfare of a civilian.</p>
Crime in Progress/ Investigating Suspicious Persons Circumstances	<p>A crime is in progress. An officer is investigating suspicious person or circumstances (e.g., officer observes broken window on store and stops to investigate).</p>
Civil Assembly	<p>When an officer is responding to an organized mass event (march or rally).</p>
Civil Disorder	<p>When an officer is responding to a civil disorder (riot, mass disobedience, etc.).</p>
Ambush – No Warning	<p>When an officer is ambushed without any warning.</p>
Civilians Involved (M)	<p>Enter the (i) total number of civilian(s) who had force used upon them; and (ii) total number of civilian(s) who assaulted an officer(s).</p>
Officers Involved (M)	<p>Enter the (i) total number of your agency officer(s) who used force on a civilian(s); (ii) total number of your agency officers assaulted; (iii) total number of your agency officers present on the scene at the time of the incident.</p>



INSTRUCTIONS FOR REPORTING USE OF FORCE INCIDENTS

7. Civilian

K-12 Campus (M – If checked in General Incident Information Section)	Select the appropriate type of civilian.
Civilian Assaulted Officer(s) (M)	Enter “yes” or “no” to indicate whether or not the civilian assaulted an officer(s).
Civilian Arrested and/or in Custody (M)	Select the level of arrest/custody level at the time of the incident resulting in use of force Cited and released; In Custody; Fled; Deceased; In Custody (W&I 5150); or None of These.
Arrest/Custody Offense (M)	If the underlying incident resulted in the civilian being arrested, enter the exact statute (Penal Code, Health and Safety Code, etc.), including the section number and appropriate subsection for the offense. If the civilian was arrested for multiple offenses, report only the most serious offense regardless of the number of charges involved (i.e., the offense with the greatest potential sentence). If force was used on a civilian who is in custody pending booking, awaiting trial or sentencing enter in the arrest offense. If the civilian has been convicted and/or sentenced, enter in the conviction offense.
Civilian Perceived Armed (M)	If the officer perceived the civilian to be carrying a weapon, select “Firearm,” “Knife, Blade, or Stabbing Instrument,” or “Other Dangerous Weapon” to indicate what weapon the civilian was perceived to be carrying. Select “Unknown” if officer perceived there may be a weapon but was not certain (e.g., civilian was reaching into pockets/towards waist band). If no perception of being armed, select “no.”
Civilian Confirmed Armed (M)	Select the appropriate “weapon” category once known. If “no” was selected for the civilian perceived armed category, select “no” if it was confirmed the civilian was not armed. If the civilian was not perceived to be armed but was in fact armed, indicate the appropriate weapon once known.
Civilian Resistance Type (M)	Select the level of civilian's resistance at the time of the incident resulting in use of force. <u>Cooperative</u> Compliant with an officer's control efforts. <u>Passive Non-Compliance</u> Does not respond to verbal commands but also offers no physical form of resistance. <u>Active Resistance</u> Physically evasive movements to defeat an officer's attempt at control, including bracing, tensing, running away, or verbally signaling an intention to avoid or prevent being taken into or retained in custody. <u>Assaultive</u> Aggressive or combative; attempting or threatening to assault or disarm the officer or another person. <u>Life-Threatening</u> Any action likely to result in serious injury or possibly the death of the officer or another person.



INSTRUCTIONS FOR REPORTING USE OF FORCE INCIDENTS

Force Used on Civilian by Officer(s) (M)	Enter "yes" or "no" to indicate whether or not use of force occurred.
Type of Force Used on Civilian by Officer (M)	Select the type(s) of force used by the officer(s) against the civilian. Check all that apply.
Location of Force Used (M)	Select the location(s) of force used by the officer(s). Check all that apply.
Order of Force (O)	If desired, specify the order in which different types of force were used.
Observed Civilian Behavior (O)	Select the description(s) that best capture the observed behavior of the civilian.
Civilian Injury Severity (M)	Enter the level of severity of the injury. Because this form is required for any discharge of a firearm, severity levels below "serious bodily injury" are included (i.e., abrasions, lacerations, contusions or other injuries requiring no more than usual first aid treatment). If the use of force incident resulted in the death of the civilian, your agency <u>must</u> submit the Death in Custody Reporting (BCIA 713) form to the DOJ within 10 days of the death pursuant to Government Code section 12525.
Civilian Medical Aid (M)	Select the type of medical aid the civilian required.
Gender (M)	Select the civilian's gender.
Age (M)	Select the age range for the civilian.
Race (M)	Select the civilian's race. More than one race may be checked. <i>Definitions:</i> The race categories provided are delineated in Government Code section 8310.5 and 19799. Other Asian: Any person who is Asian, but whose specific origin is not known or declared or if none of the other Asian categories apply. Other Pacific Islander: Any Pacific Islander who cannot be identified as belonging to one of the enumerated race groups of Samoan, Guamanian, or Hawaiian.

8. Officer

Officer Used Force Against Civilian(s) (M)	Enter "yes" or "no" to indicate whether or not the officer used force against a civilian(s).
Reason for Use of Force (M)	Check the reason for use of force - check all that apply.



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Officer Assaulted by Civilian(s) (M)	Enter "yes" or "no" to indicate whether or not the officer was assaulted by a civilian(s).
Type of Force Used on Officer (M)	Select the type(s) of force used by the civilian(s) against the officer. Check all that apply.
Location of Force Used (M)	Select the location(s) of force used by the civilian(s). Check all that apply.
Officer Injury Severity (M)	Enter the level of severity of the injury. Because this form is required for any discharge of a firearm, severity levels below "serious bodily injury" are included. For smaller injuries, including abrasions, lacerations, contusions, or other injuries requiring no more than usual first aid treatment, select "minor." If the use of force incident involved an assault on an officer, your agency <u>must</u> submit the Law Enforcement Officers Killed or Assaulted (1-705) form to the Department of Justice by the 10th of the following month. "No injury" or "minor injury" would equate to "without personal injury" on the 1-705 form; "Injury" or "Serious bodily injury" would equate to "with personal injury." If Law Enforcement Officer Killed or Assaulted involved a firearm, knife or other cutting instrument, your agency must also submit form 1-701 directly to the Federal Bureau of Investigation.
Officer Medical Aid (M)	Select the type of medical aid the civilian required.
Gender (M)	Select the officer's gender.
Age (M)	Select the age range for the officer.
Race (M)	Select the officer's race. More than one race may be checked. <i>Definitions:</i> The race categories provided are delineated in Government Code section 8310.5 and 19799. Other Asian: Any person who is Asian, but whose specific origin is not known or declared or if none of the other Asian categories apply. Other Pacific Islander: Any Pacific Islander who cannot be identified as belonging to one of the enumerated race groups of Samoan, Guamanian, or Hawaiian.
Duty (M)	Select whether or not the officer was on or off duty at the time of use of force incident.
Dress (M)	Select the officer's dress at the time of use of force incident.